



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

Legislative Council Office Sydney 6 July 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 Council and Legislative Assembly of New South Wales in Parliament assembled, viz.:

Act No. 41, 2004 – An Act to amend the *Crimes Act 1900* with respect to child neglect offences; and to make a consequential amendment to the *Criminal Procedure Act 1986*. [**Crimes Amendment (Child Neglect) Act 2004**]

Act No. 42, 2004 – An Act to amend the *Drug Court Act 1998*, the *Crimes (Sentencing Procedure) Act 1999* and the *Crimes (Administration of Sentences) Act 1999* to provide for the compulsory treatment and rehabilitation of recidivist drug offenders; and for related purposes. [**Compulsory Drug Treatment Correctional Centre Act 2004**]

JOHN EVANS,  
Clerk of the Parliaments

**ACTS OF PARLIAMENT ASSENTED TO**

Legislative Assembly Office, Sydney 6 July 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. 43 2004 – An Act to amend the Fines Act 1996 with respect to the enforcement of penalty notices, fine enforcement order procedures and the review, withdrawal and annulment of fine enforcement orders and fine enforcement action; and for other purposes. [Fines Amendment Bill]

Act No. 44 2004 – An Act to amend the Local Government Act 1993 to extend the term of office of the mayors elected by councillors following local government elections held on or after Saturday 27 March 2004 but before September 2004. [Local Government Amendment (Mayoral Elections) Bill]

Act No. 45 2004 – An Act to amend the Agricultural Livestock (Disease Control Funding) Act 1998 to make further provision with respect to the funding of disease control services in respect of livestock; and for other purposes. [Agricultural Livestock (Disease Control Funding) Bill]

Act No. 46 2004 – An Act with respect to orders prohibiting certain offenders who pose a risk to the lives or sexual safety of children from engaging in specified conduct; and for other purposes. [Child Protection (Offenders Prohibition Orders) Bill]

Act No. 47 2004 – An Act to amend the Crimes (Administration of Sentences) Act 1999 with respect to mobile phone offences, inquiries and hearings for correctional centre offences, drug testing of inmates and other miscellaneous matters; and for other purposes. [Crimes (Administration of Sentences) Amendment Bill]

Act No. 48 2004 – An Act to amend the Crimes Act 1900 and other Acts in connection with terrorist related offences and powers. [Crimes Legislation Amendment (Terrorism) Bill]

Act No. 49 2004 – An Act to amend the Sydney Opera House Trust Act 1961 to provide for offences with respect to trespass and damaging the Opera House and to make further provision for by-laws and staff; and for other purposes. [Sydney Opera House Trust Amendment Bill]

Act No. 50 2004 – An Act to amend the Criminal Procedure Act 1986 to further protect complainants in sexual offence proceedings; to make a consequential amendment to the Evidence (Children) Act 1997; and for other purposes. [Criminal Procedure Amendment (Sexual Offence Evidence) Bill]

Act No. 51 2004 – An Act to amend the Legal Profession Act 1987 in relation to suitability to hold practising certificates, the discipline of the legal profession, the handling of complaints against legal practitioners, and other matters; and for other purposes. [Legal Profession Amendment Bill]

Act No. 52 2004 – An Act to amend various Acts in connection with Commonwealth financial penalties arising from National Competition Policy reviews. [National Competition Policy Health and Other Amendments (Commonwealth Financial Penalties) Bill]

Act No. 53 2004 – An Act to amend the Liquor Act 1982 in connection with Commonwealth penalties arising from National Competition Policy reviews. [National Competition Policy Liquor Amendments (Commonwealth Financial Penalties) Bill]

Act No. 54 2004 – An Act to amend the Passenger Transport Act 1990 to reform arrangements for the planning, contracting and funding of bus services; to make related amendments to other Acts and Regulations; and for other purposes. [Passenger Transport Amendment (Bus Reform) Bill]

Act No. 55 2004 – An Act to repeal certain Acts, provisions of Acts and an instrument and to amend certain other Acts and instruments in various respects and for the purpose of effecting statute law revision; and to make certain savings. [Statute Law (Miscellaneous Provisions) Bill]

Act No. 56 2004 – An Act to amend the Workers Compensation Act 1987, the Workplace Injury Management and Workers Compensation Act 1998 and other Acts to make further provision for funds investment, insurance policies, appeals, self-insurers and assessment of sporting injuries; and for other purposes. [Workers Compensation Legislation Amendment Bill]

Act No. 57 2004 – An Act to amend the Liquor Act 1982 and the Parliamentary Precincts Act 1997 in relation to the operation and enforcement of the Liquor Act 1982 in the Parliamentary precincts. [Liquor Amendment (Parliamentary Precincts) Bill]

Act No. 58 2004 – An Act with respect to the provision of financial assistance to regions for economic development; and for other purposes. [Regional Development Bill]

Act No. 59 2004 – An Act to amend the Road Transport (General) Act 1999 with respect to the suspension of driver licences; and for other purposes. [Road Transport (General) Amendment (Licence Suspension) Bill]

Act No. 60 2004 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Government for the year 2004–05. [Appropriation Bill]

Act No. 61 2004 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Legislature for the year 2004–05. [Appropriation (Parliament) Bill]

Act No. 62 2004 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of certain offices for the year 2004–05. [Appropriation (Special Offices) Bill]

Act No. 63 2004 – An Act to amend certain Crown Lands and other legislation with respect to rents and other matters; and for other purposes. [Crown Lands Legislation Amendment (Budget) Bill]

Act No. 64 2004 – An Act to repeal the Sustainable Energy Development Act 1995; to amend the Energy Administration Act 1987 to provide for the abolition of the Sustainable Energy Development Authority and the transfer of its staff and its assets, rights and liabilities; and for related purposes. [Sustainable Energy Development Repeal Bill]

Act No. 65 2004 – An Act to constitute the NSW Institute of Teachers; to make provision for professional teaching standards and the accreditation of school teachers in relation to those standards; and for other purposes. [Institute of Teachers Bill]

Act No. 66 2004 – An Act to amend the Residential Tenancies Act 1987 to make further provision with respect to public housing tenancies; and for other purposes. [Residential Tenancies Amendment (Public Housing) Bill]

Act No. 67 2004 – An Act to amend the Duties Act 1997 and other State Revenue legislation to make further provision with respect to First Home Plus, premium property duty, vendor duty, inter-jurisdictional mortgage duty, land tax and petroleum products subsidies; and for other purposes. [State Revenue Legislation Further Amendment Bill]

Act No. 68 2004 – An Act to amend certain Acts with respect to courts and court procedures and proceedings; to amend the Protected Estates Act 1983 with respect to the powers of the Protective Commissioner; to amend the Commercial Arbitration Act 1984 by way of statute law revision; and for other purposes. [Courts Legislation Amendment Bill]

RUSSELL D. GROVE, PSM  
Clerk of the Legislative Assembly

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# Proclamations

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## Proclamation

under the

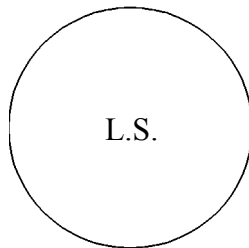
Filming Approval Act 2004 No 38

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 *Filming Approval Act 2004*, do, by this my Proclamation, appoint 16 July 2004 as the day on which that Act commences.

Signed and sealed at Sydney, this 14th day of July 2004.

By Her Excellency's Command,



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

GOD SAVE THE QUEEN!



## Proclamation

under the

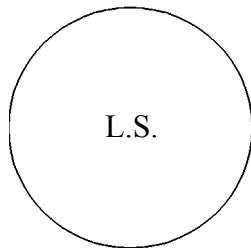
Passenger Transport Amendment (Bus Reform) Act 2004 No 54

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 *Passenger Transport Amendment (Bus Reform) Act 2004*, do, by this my Proclamation, appoint 16 July 2004 as the day on which that Act commences.

Signed and sealed at Sydney, this 14th day of July 2004.

By Her Excellency's Command,



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

GOD SAVE THE QUEEN!



## Proclamation

under the

Public Finance and Audit Act 1983

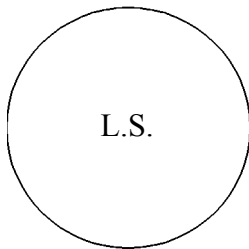
MARIE BASHIR, Governor

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 40 of the *Public Finance and Audit Act 1983*, do, by this my Proclamation amend Schedule 2 to that Act by inserting the following matter in alphabetical order of statutory bodies:

Cancer Institute (NSW)

Signed and sealed at Sydney, this 7th day of July 2004.

By Her Excellency's Command,



MICHAEL EGAN, M.L.C.,  
Treasurer

GOD SAVE THE QUEEN!

### Explanatory note

The *Cancer Institute (NSW) Act 2003* constituted the Cancer Institute (NSW).

The object of this Proclamation is to amend Schedule 2 to the *Public Finance and Audit Act 1983* to include the Cancer Institute (NSW) in the list of statutory bodies in that Schedule.

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# Regulations

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## Liquor Amendment (Undesirable Liquor Products) Regulation 2004

under the

Liquor Act 1982

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 1982*.

GRANT McBRIDE, M.P.,  
Minister for Gaming and Racing

### Explanatory note

The objects of this Regulation are:

- (a) to make it clear that alcoholic vapour (that is, any vapour that would, as a liquid, be an alcoholic beverage) is a form of liquor for the purposes of the *Liquor Act 1982*, and
- (b) to declare alcoholic vapour to be an undesirable liquor product that is not permitted to be sold or supplied on licensed premises.

This Regulation is made under the *Liquor Act 1982*, including section 117I (Sale of undesirable liquor products) and paragraph (c) of the definition of *liquor* in section 4 (1).

Clause 1           Liquor Amendment (Undesirable Liquor Products) Regulation 2004

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## **Liquor Amendment (Undesirable Liquor Products) Regulation 2004**

under the

Liquor Act 1982

### **1 Name of Regulation**

This Regulation is the *Liquor Amendment (Undesirable Liquor Products) Regulation 2004*.

### **2 Amendment of Liquor Regulation 1996**

The *Liquor Regulation 1996* is amended as set out in Schedule 1.



Liquor Amendment (Undesirable Liquor Products) Regulation 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 4A Prescribed substances

Insert after clause 4A (1):

- (1A) For the purposes of paragraph (c) of the definition of *liquor* in section 4 (1) of the Act, any vapour that would, as a liquid, be a beverage as referred to in paragraph (a) of that definition is prescribed.

### [2] Clause 86D Sale of undesirable liquor products

Insert after clause 86D (1) (c):

- (d) any alcoholic vapour that is sold or supplied for consumption in that form.



New South Wales

# Passenger Transport (Bus Services) Amendment Regulation 2004

under the

Passenger Transport Act 1990

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Passenger Transport Act 1990*.

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

## Explanatory note

The objects of this Regulation are:

- (a) to place certain conditions on a service contract held by a bus operator, being conditions relating to dealing with contraventions of the *Passenger Transport (Bus Services) Regulation 2000* by school students on buses, and
- (b) to place a duty on a bus driver to take appropriate action if a passenger is endangering the safety of any person, and
- (c) to require the operator of a bus service, a bus driver or an authorised officer to consider what is reasonable action to take in relation to a school student who is contravening the *Passenger Transport (Bus Services) Regulation 2000* and to have regard to guidelines published by the Director-General of the Ministry of Transport for managing the behaviour of school students on buses, and
- (d) to enable a bus driver or an authorised officer to direct a school student on a bus to move to a certain part of the bus so as to maintain order on the bus, and
- (e) to enable a bus driver to refuse to pick up a school student who has contravened a provision of the *Passenger Transport (Bus Services) Regulation 2000*, and
- (f) to place certain restrictions on a bus driver or an authorised officer giving a direction to a school student to leave the bus, and
- (g) to enable penalty notices to be issued for certain offences created by the Regulation.

Passenger Transport (Bus Services) Amendment Regulation 2004

Explanatory note

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This Regulation is made under the *Passenger Transport Act 1990*, including sections 59 and 63 (the general regulation-making power).

Passenger Transport (Bus Services) Amendment Regulation 2004

Clause 1

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## **Passenger Transport (Bus Services) Amendment Regulation 2004**

under the

Passenger Transport Act 1990

### **1 Name of Regulation**

This Regulation is the *Passenger Transport (Bus Services) Amendment Regulation 2004*.

### **2 Amendment of Passenger Transport (Bus Services) Regulation 2000**

The *Passenger Transport (Bus Services) Regulation 2000* is amended as set out in Schedule 1.

## Passenger Transport (Bus Services) Amendment Regulation 2004

## Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 2)

**[1] Part 2, Division 3**

Insert after Division 2 of Part 2:

**Division 3 Conditions of service contracts****22A Conditions of service contracts**

- (1) The following are conditions of every service contract that authorises the carrying on of a bus service:
  - (a) the operator of the bus service must ensure that every driver of a bus in the service is made aware of the provisions of Part 4 and of any guidelines referred to in clause 47A (2),
  - (b) the operator must take all reasonable steps to notify a parent or guardian of a school student:
    - (i) before action is taken by the operator or a driver of a bus in the service in relation to a contravention of this Regulation by the school student, or
    - (ii) as soon as possible after such action is taken if immediate action was required in the circumstances,  
  
unless the operator considers that the action or the behaviour was of a minor nature,
  - (c) the operator must take all necessary steps to comply with any requirement given to the operator by the Director-General as a result of a review undertaken under clause 47E.
- (2) An operator is to be considered to have taken all reasonable steps to notify a parent or guardian for the purposes of subclause (1) (b) if the operator sends the notification to the last address that the operator has recorded for the parent or guardian.
- (3) The conditions specified in subclause (1) for a service contract are in addition to the terms and conditions set out in the contract under section 16 (1) of the Act.

## Passenger Transport (Bus Services) Amendment Regulation 2004

Amendments

Schedule 1

- 
- (4) An operator of a bus service who is the holder of a service contract authorising the carrying on of the bus service must not contravene or fail to comply with the terms and conditions of the service contract.

Maximum penalty: 50 penalty units.

- (5) Nothing in this clause affects the operation of Part 3 of the Act.

**[2] Part 4 Conduct of passengers**

Insert after the heading to Part 4:

**Division 1 General provisions**

**[3] Clause 46 Leaving bus when directed**

Insert at the end of the clause:

**Note.** Clause 47C contains further provisions relating to the giving of directions under this clause to school students.

**[4] Clause 46A**

Insert after clause 46:

**46A Driver to take action in relation to dangerous conduct**

- (1) The driver of a bus is to take such action as is appropriate (for example, contacting the operator of the bus or the police for help) if the driver believes on reasonable grounds that the conduct of a passenger is endangering the safety of any person.
- (2) This clause has effect despite clause 47C.

**[5] Part 4, Division 2**

Insert after clause 47:

**Division 2 Special provisions relating to conduct of school students on buses**

**47A Dealing with contraventions of this Regulation by school students**

- (1) Despite any other provision of this Regulation, the operator of a bus service, a driver of a bus or an authorised officer may

## Passenger Transport (Bus Services) Amendment Regulation 2004

## Schedule 1 Amendments

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take only such action under this Regulation as is reasonable in the circumstances when dealing with a school student who has contravened a provision of this Regulation.

- (2) In determining what action is reasonable for the purposes of subclause (1), regard is to be had to any guidelines for managing the behaviour of school students on buses published from time to time by the Director-General.

**47B Directions to move to certain part of the bus**

- (1) A driver of a bus, or an authorised officer on a bus, may direct a school student on the bus to occupy a specified seat on the bus, or to move to a particular part of the bus, if the driver or authorised officer believes on reasonable grounds that it is necessary for the preservation of order on the bus.
- (2) A person must not fail to comply with such a direction.  
Maximum penalty (subclause (2)): 5 penalty units.

**47C Leaving bus when directed**

A driver of a bus, or an authorised officer on a bus, is not to make a direction under clause 46 in relation to a person who the driver or authorised officer knows is a school student or ought reasonably to know is a school student unless:

- (a) on leaving the bus, the school student will be in the care of a person who is legally responsible for the student, or
- (b) the place at which the student is directed to leave the bus would appear to a reasonable person to be appropriate, having regard to the traffic conditions, proximity to other transport and nature of the locality.

**47D Refusal to pick up school student**

A driver of a bus may refuse to stop for, or to allow onto the bus, a school student who the driver believes on reasonable grounds has contravened a provision of this Regulation (whether or not the student has been prosecuted in relation to the contravention).

Passenger Transport (Bus Services) Amendment Regulation 2004

Amendments

Schedule 1

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**47E Review of action taken by operator or driver**

The Director-General may review any action taken by the operator of a bus service or by a driver of a bus that involves the refusal to carry a particular school student on a bus or the placing of conditions on the carrying of a particular school student on a bus.

**[6] Schedule 1 Penalty notice offences**

Insert in appropriate order in Column 1 and Column 2 of Part 2:

Clause 22A (4)                      \$1,000

Clause 47B (2)                      \$100





New South Wales

# Professional Standards Regulation 2004

under the

Professional Standards Act 1994

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

BOB DEBUS, M.P.,  
Attorney General

## Explanatory note

The object of this Regulation is to repeal and remake, with minor changes, the provisions of the *Professional Standards Regulation 1998*. That Regulation is to be repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation provides for fees and charges that are payable with reference to any scheme under section 7 of the Act. The fees and charges include an application fee and an annual fee, as well as a provision for charging interest on outstanding debts.

This Regulation is made under the *Professional Standards Act 1994*, including section 53 (the general regulation-making power).

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

Professional Standards Regulation 2004

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Professional Standards Regulation 2004

Clause 1

Preliminary

Part 1

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## Professional Standards Regulation 2004

under the

Professional Standards Act 1994

### Part 1 Preliminary

#### 1 Name of Regulation

This Regulation is the *Professional Standards Regulation 2004*.

#### 2 Commencement

This Regulation commences on 1 September 2004.

**Note.** This Regulation replaces the *Professional Standards Regulation 1998* which is repealed on 1 September 2004 under section 10 (2) of the *Subordinate Legislation Act 1989*.

#### 3 Definitions

In this Regulation:

***annual fee*** means the annual fee referred to in section 53 (2) (b) of the Act.

***annual fee period***, in relation to a scheme, means each period of 12 months beginning on the date on which the scheme commences and on each anniversary of that date.

***the Act*** means the *Professional Standards Act 1994*.

Clause 4 Professional Standards Regulation 2004

Part 2 Fees and charges

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## Part 2 Fees and charges

### 4 Application fee for approval relating to occupational liability schemes

- (1) An application by an occupational association for the approval of the Council of:
  - (a) a scheme prepared under section 7 of the Act, or
  - (b) an amendment to, or the revocation of, such a scheme,must be accompanied by a fee of \$5,000.
- (2) However, if the application is for the approval of the Council of a scheme prepared solely to replace a scheme that is to cease by effluxion of time to apply to the members of the relevant occupational association (and the application is made before the scheme so ceases to apply), the fee that must accompany the application is \$2,000.
- (3) Subclause (2) applies whether or not the scheme for which approval is sought differs in any way from the scheme that it is intended to replace.

### 5 Amount of annual fee

The annual fee to be paid to the Council by an occupational association any of whose members are subject to a scheme in force under the Act (being a scheme that applies to all persons within the association or to a specified class or classes of persons within the association) is \$35 for each person to whom the scheme applies who is a member of the association at any time during the relevant annual fee period.

### 6 Payment of annual fee

- (1) The annual fee must be paid not later than at the end of the first quarter of the annual fee period concerned.
- (2) If for any reason a scheme becomes applicable to an additional member of the occupational association during the annual fee period, the payment under clause 5 must be made in respect of the additional member at the end of the quarter in which the scheme became applicable to that member.

Professional Standards Regulation 2004

Clause 7

Fees and charges

Part 2

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**7 Interest on overdue annual fee**

If any amount of the annual fee (including any payment required under clause 6 (2)) is not paid within 30 days after it is due, simple interest at the rate of 0.05% per day is payable to the Council on the outstanding balance until that balance is paid.

**8 Remission of amounts payable**

- (1) The Council may, if it considers that there are special reasons for doing so in a particular case, remit the whole or any part of any or all of the following:
  - (a) the application fee payable under clause 4 (1),
  - (b) the annual fee payable under clause 5,
  - (c) any interest payable under clause 7.
- (2) The Council may delegate any of its functions under subclause (1) to the Secretary of the Council.
- (3) The maximum amount that may be remitted by the Secretary of the Council under such a delegation in any particular case is \$250.

Clause 9 Professional Standards Regulation 2004

Part 3 Miscellaneous

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## Part 3 Miscellaneous

### 9 Notification of limitation of liability

- (1) For the purposes of section 33 (3) of the Act, the following form of statement is prescribed:

“Liability limited by the [*insert name of relevant Scheme approved of by the Council*] Scheme, approved under the *Professional Standards Act 1994* (NSW).”

- (2) The statement must be printed in a size not less than the face measurement of Times New Roman typeface in 8 point.

### 10 Savings

Any act, matter or thing that, immediately before the repeal of the *Professional Standards Regulation 1998*, had effect under (or was done for the purposes of) that Regulation continues to have effect under (or is taken to have been done for the purposes of) this Regulation.



# Public Finance and Audit Amendment (NSW Fire Brigades) Regulation 2004

under the

Public Finance and Audit Act 1983

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Finance and Audit Act 1983*.

MICHAEL EGAN, M.L.C.,  
Treasurer

## Explanatory note

Division 4 of Part 3 of the *Public Finance and Audit Act 1983* (***the Act***) enables the Auditor-General, at the request of the Treasurer, a Minister or certain other persons, to audit certain bodies and funds to which section 44 of the Act applies.

The object of this Regulation is to amend the *Public Finance and Audit Regulation 2000*:

- (a) to add, under section 44 (1) (a) of the Act, NSW Fire Brigades Superannuation Pty Limited to the list of statutory bodies that are subject to such particular audits, and
- (b) to add, under section 44 (1) (b) of the Act, Crown Employees (NSW Fire Brigades Fire Fighting Staff Death and Disability) Superannuation Fund to the list of funds that are subject to such particular audits.

This Regulation is made under the *Public Finance and Audit Act 1983*, including sections 44 and 64 (the general regulation-making power).

Clause 1            Public Finance and Audit Amendment (NSW Fire Brigades)  
                         Regulation 2004

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## **Public Finance and Audit Amendment (NSW Fire Brigades) Regulation 2004**

under the

Public Finance and Audit Act 1983

### **1 Name of Regulation**

This Regulation is the *Public Finance and Audit Amendment (NSW Fire Brigades) Regulation 2004*.

### **2 Amendment of Public Finance and Audit Regulation 2000**

The *Public Finance and Audit Regulation 2000* is amended as set out in Schedule 1.



Public Finance and Audit Amendment (NSW Fire Brigades)  
Regulation 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

**[1] Clause 20 Prescribed statutory bodies under Division 4 of Part 3 of the Act**

Insert after clause 20 (1) (as):

(at) NSW Fire Brigades Superannuation Pty Limited.

**[2] Clause 20 (2)**

Insert after clause 20 (2) (n):

(o) Crown Employees (NSW Fire Brigades Fire Fighting Staff Death and Disability) Superannuation Fund.



New South Wales

# Registered Clubs Amendment (Undesirable Liquor Products) Regulation 2004

under the

Registered Clubs Act 1976

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Registered Clubs Act 1976*.

GRANT McBRIDE, M.P.,  
Minister for Gaming and Racing

## Explanatory note

The object of this Regulation is to declare alcoholic vapour to be an undesirable liquor product that is not permitted to be sold or supplied at a registered club.

This Regulation is made under the *Registered Clubs Act 1976*, including section 57C (Sale of undesirable liquor products).

Clause 1 Registered Clubs Amendment (Undesirable Liquor Products) Regulation  
2004

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## **Registered Clubs Amendment (Undesirable Liquor Products) Regulation 2004**

under the

Registered Clubs Act 1976

### **1 Name of Regulation**

This Regulation is the *Registered Clubs Amendment (Undesirable Liquor Products) Regulation 2004*.

### **2 Amendment of Registered Clubs Regulation 1996**

The *Registered Clubs Regulation 1996* is amended as set out in Schedule 1.

Registered Clubs Amendment (Undesirable Liquor Products) Regulation  
2004

Amendment

Schedule 1

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## **Schedule 1 Amendment**

(Clause 2)

### **Clause 50A Sale of undesirable liquor products**

Insert after clause 50A (1) (c):

- (d) any alcoholic vapour that is sold or supplied for consumption in that form.



# Taxation Administration Amendment (Recognised Revenue Law) Regulation 2004

under the

Taxation Administration Act 1996

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

MICHAEL EGAN, M.L.C.,  
Treasurer

## Explanatory note

The object of this Regulation is to amend the *Taxation Administration Regulation 2003* to declare the *Community Ambulance Cover Act 2003* of Queensland to be a **recognised revenue law** pursuant to paragraph (c) of the definition of **recognised revenue law** in section 80A (5) of the *Taxation Administration Act 1996*.

This Regulation is made under the *Taxation Administration Act 1996*, including the definition of **recognised revenue law** in section 80A (5) and section 126 (the general regulation-making power).

Clause 1           Taxation Administration Amendment (Recognised Revenue Law)  
                          Regulation 2004

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## **Taxation Administration Amendment (Recognised Revenue Law) Regulation 2004**

under the

Taxation Administration Act 1996

### **1 Name of Regulation**

This Regulation is the *Taxation Administration Amendment (Recognised Revenue Law) Regulation 2004*.

### **2 Amendment of Taxation Administration Regulation 2003**

The *Taxation Administration Regulation 2003* is amended as set out in Schedule 1.

Taxation Administration Amendment (Recognised Revenue Law)  
Regulation 2004

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 2)

### Clause 5 Recognised revenue laws

Insert in alphabetical order of Act name in the matter relating to Queensland in clause 5:

*Community Ambulance Cover Act 2003*

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# Rules

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## District Court Amendment (Victims Support and Rehabilitation) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 15 June 2004.

A Grew

Secretary of the Rule Committee

### Explanatory note

The object of this Rule is to repeal and remake Division 7A of Part 6 of the *District Court Rules 1973* to reflect the renaming of the *Victims Compensation Act 1996* as the *Victims Support and Rehabilitation Act 1996* and certain procedural requirements of the renamed Act concerning appeals to the Court.



Clause 1 District Court Amendment (Victims Support and Rehabilitation) Rule 2004

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## **District Court Amendment (Victims Support and Rehabilitation) Rule 2004**

under the

District Court Act 1973

### **1 Name of Rule**

This Rule is the *District Court Amendment (Victims Support and Rehabilitation) Rule 2004*.

### **2 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.

District Court Amendment (Victims Support and Rehabilitation) Rule 2004

Amendment

Schedule 1

---

## Schedule 1 Amendment

(Clause 2)

### Part 6, Division 7A

Omit the Division. Insert instead:

### Division 7A Appeals under section 39 of the Victims Support and Rehabilitation Act 1996

#### 60A Interpretation

In this Division:

*appeal* means appeal under section 39 of the Victims Act.

*application for leave* means application for the leave of the District Court under section 39 (1) of the Victims Act to institute an appeal.

*Tribunal* means the Victims Compensation Tribunal constituted under section 59 of the Victims Act.

*Victims Act* means the *Victims Support and Rehabilitation Act 1996*.

#### 60B Venue

Subject to any order made under section 40 of the Act, an application for leave and an appeal may be heard and determined at any proclaimed place.

#### 60C Application for leave

- (1) An application for leave must be made by notice of motion under Part 16.
- (2) An application for leave must be filed and served within:
  - (a) the period specified in section 39 (2) (a) of the Victims Act, or
  - (b) such further time as the Court may allow under section 39 (2) (b) of the Victims Act.
- (3) An application to allow further time to appeal under section 39 (2) (b) of the Victims Act must be made by notice of motion under Part 16.

## District Court Amendment (Victims Support and Rehabilitation) Rule 2004

## Schedule 1 Amendment

- 
- (4) An application for leave must include or be accompanied by a statement identifying the determination sought to be appealed against, a statement of the question of law on which it is sought to appeal and the grounds of the proposed appeal.
  - (5) The respondent to a motion referred to in subrule (1) or (3) is the Victims Compensation Fund Corporation constituted under section 66 of the Victims Act.
  - (6) The applicant must, as soon as practicable after filing a notice of motion referred to in subrule (1) or (3), deliver a copy of the notice of motion and any document accompanying it as required by subrule (4) to the Registrar of the Tribunal.

**60D Tribunal record**

The Registrar of the Tribunal must, as soon as practicable after delivery of a copy of a notice of motion under rule 60C (6), forward to the registrar of the District Court at the proclaimed place at which the appeal is to be heard the record of the proceedings in the Tribunal leading to the determination sought to be appealed against.

**60E Appeal**

If the Court grants leave to institute an appeal, it may give directions as to the extent, if any, to which matter which was before it, and decisions made by it, on the application for leave are admissible or binding on the hearing of the appeal, and may:

- (a) proceed immediately to hear and determine the appeal, or
- (b) give such directions as to filing and service of documents, conferences, fixing of a hearing date, and any other matter as appear requisite for the hearing and determination of the appeal.



## District Court Amendment (Audio and Audio Visual Links) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 15 June 2004.

A Grew

Secretary of the Rule Committee

### Explanatory note

The object of this Rule is to amend Part 53 of the *District Court Rules 1973* to specify factors that the Court is to take into account in determining whether it is in the interests of the administration of justice to make a direction under section 5BBA (1) of the *Evidence (Audio and Audio Visual Links) Act 1998* that an accused child detainee is to appear before the Court by audio visual link.

Clause 1 District Court Amendment (Audio and Audio Visual Links) Rule 2004

---

## **District Court Amendment (Audio and Audio Visual Links) Rule 2004**

under the

District Court Act 1973

### **1 Name of Rule**

This Rule is the *District Court Amendment (Audio and Audio Visual Links) Rule 2004*.

### **2 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.

District Court Amendment (Audio and Audio Visual Links) Rule 2004

Amendment

Schedule 1

---

## Schedule 1 Amendment

(Clause 2)

### Part 53, rule 16

Insert after rule 15:

#### **16 Relevant factors for appearance by audio visual link: section 5BBA of Evidence (Audio and Audio Visual Links) Act 1998**

- (1) The following are specified as factors that the Court is to take into account in determining whether it is in the interests of the administration of justice to make a direction under section 5BBA (1) of the *Evidence (Audio and Audio Visual Links) Act 1998* that an accused child detainee is to appear before the Court by audio visual link:
  - (a) the nature of the proceedings concerned,
  - (b) the right of the accused child detainee to be given the fullest opportunity to be heard and to participate in the proceedings,
  - (c) whether the accused child detainee would be significantly advantaged or disadvantaged if directed to appear by audio visual link,
  - (d) the availability of Judges of the Court to hear the proceedings by audio visual link,
  - (e) the need for the accused child detainee's lawyer to obtain initial or detailed instructions from the accused child detainee,
  - (f) the need for the accused child detainee's lawyer to discuss a brief of evidence with the accused child detainee,
  - (g) the distance the accused child detainee would need to travel and the expense and inconvenience involved in appearing physically before the Court,
  - (h) the maturity of the accused child detainee,
  - (i) the accused child detainee's need for the support of a parent, carer or other support person during the proceedings,
  - (j) the wishes of the accused child detainee,

## District Court Amendment (Audio and Audio Visual Links) Rule 2004

## Schedule 1 Amendment

- 
- (k) the involvement of the accused child detainee in any educative or rehabilitative program at the detention centre at which the accused child detainee is in custody,
  - (l) any special needs of the accused child detainee, including the impact of any intellectual or physical disability or mental illness that the accused child detainee may have,
  - (m) whether the accused child detainee requires the assistance of an interpreter and the availability of an appropriate interpreter,
  - (n) the risk that the personal security of a particular person or persons (including the accused child detainee) may be endangered if the accused child detainee appears in the courtroom or place where the Court is sitting,
  - (o) the risk of the accused child detainee escaping, or attempting to escape, from custody when attending the courtroom or place where the Court is sitting,
  - (p) the behaviour of the accused child detainee when appearing before a court in the past,
  - (q) the conduct of the accused child detainee while in custody, including the accused child detainee's conduct during any period in the past during which the accused child detainee was being held in custody in a detention centre.
- (2) Expressions used in this rule that are defined in section 3 of the *Evidence (Audio and Audio Visual Links) Act 1998* have the meanings set out in that section.



## District Court Amendment (Instalment Orders) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 15 June 2004.

A Grew

Secretary of the Rule Committee

### Explanatory note

The object of this Rule is to amend Part 31A, rule 2 of the *District Court Rules 1973* to enable a person who is in a domestic relationship (within the meaning of the *Property (Relationships) Act 1984*) with a judgment debtor to make an application on behalf of the debtor under that rule for an order to pay the judgment debt by instalment.



Clause 1 District Court Amendment (Instalment Orders) Rule 2004

---

## **District Court Amendment (Instalment Orders) Rule 2004**

under the

District Court Act 1973

### **1 Name of Rule**

This Rule is the *District Court Amendment (Instalment Orders) Rule 2004*.

### **2 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.

District Court Amendment (Instalment Orders) Rule 2004

Amendment

Schedule 1

---

## Schedule 1 Amendment

(Clause 2)

### Part 31A, rule 2

Omit rule 2 (1A) and (1B). Insert instead:

- (1A) An application under subrule (1) (a) may, instead of being made personally by a judgment debtor, be made on his or her behalf by:
  - (a) the spouse of the judgment debtor, or
  - (b) a person who is in a domestic relationship (within the meaning of the *Property (Relationships) Act 1984*) with the judgment debtor.



## District Court Amendment (Time Limits) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 15 June 2004.

A Grew

Secretary of the Rule Committee

### Explanatory note

The object of this Rule is to amend Part 26 of the *District Court Rules 1973* to expand the power of the Court to impose time limits in respect of the presentation of certain matters during a trial.

Clause 1          District Court Amendment (Time Limits) Rule 2004

---

## **District Court Amendment (Time Limits) Rule 2004**

under the

District Court Act 1973

### **1 Name of Rule**

This Rule is the *District Court Amendment (Time Limits) Rule 2004*.

### **2 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.

District Court Amendment (Time Limits) Rule 2004

Amendment

Schedule 1

---

## Schedule 1 Amendment

(Clause 2)

### Part 26, rule 5B

Insert after rule 5AA:

#### 5B Time etc limits at trial

- (1) At any time before or during a trial, the Court may by direction do any or all of the following:
  - (a) limit the time to be taken in examining, cross-examining or re-examining a witness,
  - (b) limit the number of witnesses (including expert witnesses) that a party may call,
  - (c) limit the time to be taken in making any oral submissions,
  - (d) limit the time to be taken by a party in presenting its case,
  - (e) limit the time to be taken by the trial,
  - (f) amend a direction made under this rule.
- (2) Any such direction must not detract from the principle that each party is entitled to a fair trial, and must be given a reasonable opportunity to lead evidence, cross-examine witnesses and make submissions.
- (3) In deciding whether to make any such direction, the Court may have regard to the following matters in addition to any other matters that may be relevant:
  - (a) the subject matter, complexity or simplicity of the case,
  - (b) the number of witnesses to be called,
  - (c) the volume and character of the evidence to be led,
  - (d) the time expected to be taken for the trial,
  - (e) the need to place a reasonable limit on the time allowed for the trial,
  - (f) the efficient administration of the Court lists,
  - (g) the interests of parties to other proceedings before the Court.

## District Court Amendment (Time Limits) Rule 2004

## Schedule 1      Amendment

- 
- (4) The Court may, at any time, direct a solicitor or barrister for a party to give to the party a memorandum stating:
- (a) the estimated length of the trial and the estimated costs and disbursements of the solicitor or barrister, and
  - (b) the estimated costs that would be payable by the party to another party if the party were unsuccessful at trial.



## District Court Amendment (Cross-claims) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 15 June 2004.

A Grew

Secretary of the Rule Committee

### **Explanatory note**

The object of this Rule is to amend Part 20, rule 5 of the *District Court Rules 1973* to require a cross-claimant to serve on the defendant any other document served by the plaintiff on the defendant or served by the defendant on the plaintiff.

Clause 1          District Court Amendment (Cross-claims) Rule 2004

---

## **District Court Amendment (Cross-claims) Rule 2004**

under the

District Court Act 1973

### **1 Name of Rule**

This Rule is the *District Court Amendment (Cross-claims) Rule 2004*.

### **2 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.



District Court Amendment (Cross-claims) Rule 2004

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 2)

### Part 20, rule 5

Insert “and any other document served by the plaintiff on the defendant or served by the defendant on the plaintiff” after “pleadings” in rule 5 (a).

**OFFICIAL NOTICES****Appointments****NATIONAL PARKS & WILDLIFE ACT, 1974**

## Notice

I, the Honourable R.J. DEBUS, M.P., Attorney General and Minister for the Environment do, by this notice pursuant to section 58ZE of the National Parks & Wildlife Act, 1974 (the Act) appoint Mr Alan Griffin as Administrator to the Jenolan Caves Reserve Trust (the Trust) for the period from 1 August 2004 to 31 July 2005 unless extended pursuant to the Act. During the period of his appointment, the Administrator will have all of the functions of the Trust as specified in sections 58W, 58ZB, 58ZC and 58ZD of the Act as well as any other duties in the approved terms of appointment. Mr Griffin will be seconded to the role of Administrator from his current role of Deputy Director General, Office of Government Procurement, Department of Commerce. The secondment will be under Section 86, Temporary staff transfers (secondments), of the Public Sector Employment and Management Act, 2002 and Mr Griffin will retain his current salary and conditions.

Signed and sealed this 14th day of July 2004.

ROBERT DEBUS, M.P.,  
Attorney General and  
Minister for the Environment

GOD SAVE THE QUEEN

**RURAL FIRES ACT 1997**

## Appointment of Member

**Bush Fire Coordinating Committee  
and  
Rural Fire Service Advisory Council**

I, TONY KELLY, MLC, Minister for Emergency Services, in pursuance of sections 47 (1) (e) and 123 (1) (c) of the Rural Fires Act 1997, appoint the following person as a Member of the Bush Fire Coordinating Committee and Rural Fire Service Advisory Council:

**Allan John Smith, JP**

for the remainder of the five-year period expiring on 1 March 2008.

TONY KELLY, M.L.C.,  
Minister for Emergency Services

# Department of Infrastructure, Planning and Natural Resources

## Infrastructure and Planning

### RIVERS AND FORESHORES IMPROVEMENT ACT 1948

#### ORDER

THE Water Administration Ministerial Corporation, pursuant to the provisions of Section 22B (4) of the Rivers and Foreshores Improvement Act 1948, orders that the works described in the schedule hereunder if carried out in general conformity with the General Terms of Approval set out in the letter dated 18 February from the Department of Infrastructure Planning and Natural Resources to Baulkham Hills Shire Council are works in respect of which a permit under Part 3A is not required to be held by "The Minister administering the Environmental Planning and Assessment Act 1979, incorporated as a corporation sole under section 8 of that Act, for and on behalf of the Crown in the right of the State of New South Wales"

Dated this day of 22nd day of June, 2004.

CRAIG KNOWLES M.P.,  
Minister for Infrastructure and Planning  
Minister for Natural Resources  
(Minister administering the Water Administration  
Ministerial Corporation)

#### SCHEDULE

All those works to be carried out on the protected lands of:

Caddies Creek, and a tributary of Caddies Creek referred to as Tributary 3,

and located on land bounded by Windsor, Commercial and Withers Roads, Rouse Hill as depicted on the attached plan and described in the Rouse Hill Regional Centre Master Plan Development Application dated October 2003 and lodged with Baulkham Hills Shire Council and the Precinct Plans and subsequent development applications all relating to Development Application 1604/04 HC.

### LAKE ILLAWARRA AUTHORITY ACT 1987

#### Section 24

#### Notice of Extension of Development Area

#### ERRATUM

THE Notice of Extension of Development Area, which was published in the *Government Gazette* of 4 June 2004, Gazette No. 94 on page 3459, was incorrect.

The correct notice for the Extension of Development Area, under section 24 of the Lake Illawarra Authority Act 1987 is now republished.

### LAKE ILLAWARRA AUTHORITY ACT 1987

#### Section 24

#### Notice of Extension of Development Area

HIS Excellency the Lieutenant Governor, with the advice of the Executive Council, amends Schedule 1 of the Lake Illawarra Authority Act 1987 to extend the development area by adding the land described in the Schedule below.

Dated this 7th day of April 2004

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

#### SCHEDULE

All those pieces or parcels of land situated in the City of Wollongong, Parish of Wollongong and the County of Camden, being Lot 1 in DP 340578 and Lot 110 in DP 1050302.



## Central Darling Local Environmental Plan 2004

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S91/05342/PC)

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

Central Darling Local Environmental Plan 2004

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Clause 1 Central Darling Local Environmental Plan 2004

Part 1 Preliminary

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## Central Darling Local Environmental Plan 2004

under the

Environmental Planning and Assessment Act 1979

### Part 1 Preliminary

#### 1 Name of plan

This plan is *Central Darling Local Environmental Plan 2004*.

#### 2 Aims of plan

The aims of this plan are:

- (a) to encourage the proper management, development and conservation of natural and other resources within the local government area of Central Darling by protecting, enhancing and conserving the following:
  - (i) agricultural land,
  - (ii) timber, minerals, soil, water and other natural resources,
  - (iii) places and areas of significance for nature conservation, including habitat of threatened species, populations and ecological communities and areas of native vegetation,
  - (iv) features and places of high scenic or recreational value,
  - (v) places and buildings of archaeological, cultural or heritage significance, including Aboriginal relics and places,
  - (vi) waterways and associated wetlands for habitat, refuge, breeding sites, recreation, cultural and scenic values, and
- (b) to improve the attractiveness and civic image of the local government area of Central Darling and its townships and villages by:
  - (i) improving the appearance of and facilities in open space areas, and

Central Darling Local Environmental Plan 2004

Clause 2

Preliminary

Part 1

- 
- (ii) improving the streetscape throughout the townships, villages and entrances, and
    - (iii) to encourage the relocation of inappropriate industrial activities away from residential areas, and
  - (c) to facilitate growth and development of the local government area of Central Darling in a manner that is consistent with the aims specified in paragraph (a) and that:
    - (i) minimises the cost to the community of fragmented and isolated development of land, and
    - (ii) facilitates the efficient and effective delivery of amenities and services, and
    - (iii) facilitates a range of residential and employment opportunities in accordance with demand, and
    - (iv) facilitates farm adjustments and redevelopment, and
    - (v) ensures that the efficiency of arterial roads is not adversely affected by development on adjacent land, and
    - (vi) encourages a mix of land use types where such uses are compatible, and
    - (vii) provides for orderly development of tourist activity, and
  - (d) to provide flexible planning controls to assist the Council in its administration of planning, and
  - (e) to provide suitably zoned land so as:
    - (i) to increase employment opportunities through the efficient management of resources including the expansion of the tourist industry, and
    - (ii) to provide opportunities for industrial development, employment, and economic and enterprise growth, and
    - (iii) to provide for minor expansion of township areas to meet future urban growth needs, and
    - (iv) to minimise conflict due to inappropriate land uses adjoining each another, and
  - (f) to facilitate a reasonable standard of development, and
  - (g) to encourage a built environment and amenity that is attractive to visitors, residents and investors, and that retains the special character of each of the townships to which this plan applies, and



Clause 3 Central Darling Local Environmental Plan 2004

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- (h) to promote development of the townships of Menindee (and environs including Copi Hollow and Sunset Strip), Ivanhoe (including Railtown), Wilcannia, and White Cliffs and the village of Tilpa as rural service communities.

### 3 Definitions

- (1) In this plan:

**agriculture** means the use of land for:

- (a) the cultivation of crops, including cereals, fruit, vegetables and flowers, or  
(b) the keeping or breeding of livestock, poultry or bees,

but does not include the use of land for irrigated agriculture or for an intensive livestock keeping establishment.

**animal boarding and training establishment** includes a dog boarding and training establishment.

**animal chiller** means a commercial freezer or coolroom for the purpose of storing wildlife that has been slaughtered for use in pet food or for human consumption.

**appointed day** means the day on which this plan was exhibited, being 14 August 2002.

**archaeological site** means a site that is specified in Part 1 of Schedule 2 as an archaeological site.

**basic utility services** includes sewerage, drainage, water, gas and electricity services.

**bed and breakfast** means a dwelling that:

- (a) provides for the temporary accommodation of guests for commercial purposes, and  
(b) offers at least breakfast for guests, and  
(c) does not contain facilities in rooms for the preparation of meals by guests, and  
(d) is not used for long term accommodation of any persons other than those, and the family of those, who operate and manage the facility and who would normally reside in the dwelling.

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**boarding house** means a building or place:

- (a) where accommodation, meals and laundry facilities in return for payment may be or are provided to the resident, and
- (b) that is not licensed to sell liquor within the meaning of the *Liquor Act 1982*, and
- (c) that is not a bed and breakfast.

**brothel** means premises habitually used for the purpose of prostitution, whether or not by only one prostitute.

**bulk store** means a building or place used for the bulk storage of goods, where the goods stored or to be stored are not required for use in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership.

**bushfire hazard reduction** means the reduction or modification (by controlling burning or by mechanical, chemical or manual means) of material that constitutes a bushfire hazard.

**caravan park** means land used as a site for moveable dwellings, tents, caravans or other vehicles used for temporary or permanent accommodation.

**commercial premises** means a building or place used as an office or for a business or commercial purposes, but (in the zoning table) does not include a building or place elsewhere specifically defined in this clause.

**conservation management plan** means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

**Council** means the Council of the local government area of Central Darling.

**demolish**, in relation to a heritage item or to a building, work, relic archaeological site, tree or place within a heritage conservation area, means to damage, deface, destroy, pull down or remove the heritage item, or the building, work, relic archaeological site, tree or place, in whole or in part.

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***dog boarding and training establishment*** means a building or place at which more than 2 dogs are kept for fee or reward or more than 2 dogs are kept for training, racing or coursing, but does not include:

- (a) a building or place at which dogs are kept to be used for farming purposes on land that is used for agriculture, or
- (b) a Council pound.

***dwelling*** means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as a separate domicile.

***extractive industry*** means:

- (a) the winning of extractive materials, not being coal, petroleum or any mineral within the meaning of the *Mining Act 1992*, or
- (b) an industry or undertaking (not being a mine) which depends for its operations on winning extractive material from the land on which the industry or undertaking is carried out.

***extractive material*** means sand, gravel, clay, soil, rock, stone or similar substance.

***farm building*** means a hay shed, stockyard, machinery shed, storage shed, pump house, shearing shed, outbuilding, utility installation or the like used in association with the agricultural use of the land.

***flood liable land*** means land inundated by the 1% flood event or by the highest known flood level determined by using the geomorphology method.

***floodplain*** means flood liable land.

***general store*** means a shop used for the sale by retail of general merchandise and which may include the facilities of a post office.

***heritage impact statement*** means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

***heritage item*** means:

- (a) a building, work, archaeological site or place specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Schedule 1, or

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- (b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance and the site of which is described in Schedule 2.

**heritage significance** means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

**home business** means a business undertaken by the permanent residents of a dwelling, where no more than three others are also employed.

**home occupation** means an occupation carried on in a dwelling by the permanent residents of the dwelling that does not involve:

- (a) anything that involves the production or assembly of dangerous goods (such as explosives) within the meaning of the *Dangerous Goods Act 1975*, or
- (b) the employment of persons other than those residents, or
- (c) interference with the amenity of the neighbourhood by reason of emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, oil or grit, or otherwise, or
- (d) the display of goods, whether in a window or otherwise, or
- (e) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling house or dwelling to indicate the name and occupation of the resident), or
- (f) the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

**horse stables** means a building or place used for the purpose of receiving, maintaining, boarding or keeping horses.

**industry** means any handicraft or process in or incidental to the making, assembling, altering, repairing, renovating, preparing, ornamenting, finishing, cleaning, washing, breaking-up or adapting of any goods or any articles or part of any goods or any articles, for trade, sale or gain as an activity ancillary to any business.

**intensive livestock keeping establishment** means a building or place where livestock are held for the purposes of nurturing by a feeding method other than natural grazing and includes the following:

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- (a) feedlots, other than feedlots operated during periods of declared drought, or at times of other natural disasters such as fire or flood,
  - (b) piggeries,
  - (c) poultry farms,
  - (d) places used for fish farming (including the farming of crustaceans and oysters),

but does not include the following:

- (e) an animal boarding or training establishment,
- (f) a building or place used for the keeping of livestock intended solely for personal consumption or enjoyment by the owner or occupier of the building or place,
- (g) a building or place used for short-term feeding.

***irrigated agriculture*** means the use of a site for cultivation by irrigation for fruit farming and vegetable farming and includes plant propagation, plant breeding, ornamental floriculture, viticulture, landscape horticulture and turf farming.

***junk yard*** means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap metals or goods or used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of their parts.

***land fill site*** means land on which, as the principal use of the land, materials such as earth, soil, excavated earth material, demolition material or non-putrescible matter are placed as filling.

***light industry*** means an industry, not being an offensive or hazardous industry in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity or the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste paper, waste products, grit, oil, or otherwise but does not include an extractive industry.

***liquid fuel depot*** means a depot or place used for the bulk storage for the wholesale distribution of petrol, oil, petroleum or other flammable liquid or gas.

***low impact opal mining*** means underground mining on a 50 by 50 metre mineral claim, within the White Cliffs Mineral Claims District (constituted under section 173 the *Mining Act 1992*), carried out in accordance with the conditions outlined in appendices 1, 2

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and 3 of the *White Cliffs Mineral Claims District Management Plan* dated October 1992. Low impact opal mining does not include open cut mining.

**Note.** The White Cliffs Mineral Claims District is shown as map 1 in the *White Cliffs Mineral Claims District Management Plan*

**mine** means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on, in or by which any operation is carried on for or in connection with the purpose of obtaining any metal or mineral by any method and any place on which any produce of the mine is stacked, stored, crushed or otherwise treated, but does not include extractive industry.

**multiple occupancy** means multiple dwellings on the same allotment with shared facilities and resources under a scheme for collective management of the allotment. The dwellings are not held under strata title or any other form of separate land title, in a manner that involves separate legal rights to parts of the land through other means such as agreements, dealings, company shares, trusts or time-sharing arrangements.

**native vegetation** means vegetation that is indigenous to the State, including trees, shrubs, understorey and native grasslands.

**pine plantations** means private forestry involving the establishment of pine plantations of more than 5 hectares in area in respect of any one property.

**place of Aboriginal heritage significance** means:

- (a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people (it may include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening groves), or
- (b) a natural Aboriginal sacred site or other sacred feature (it may include natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance).

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***potential archaeological site*** means a site:

- (a) that is specified in Part 2 of Schedule 2 as a potential archaeological site, or
- (b) that, in the opinion of the consent authority, has the potential to be an archaeological site, even if it is not so specified.

***relic*** means:

- (a) any deposit, object or material evidence (that may consist of human remains) relating to the use or settlement of the local government area of Central Darling by Aboriginal persons (whether before or after its occupation by non-Aboriginal persons), or
- (b) any deposit, object or material evidence (that may consist of human remains) relating to the use or settlement of the local government area of Central Darling by other persons, but only if it is more than 50 years old and is a fixture or is wholly or partly within the ground.

***residential flat building*** means a building containing three or more dwellings.

***roadside stall*** means a place or temporary structure that is capable of being erected or dismantled within 24 hours and that is used for selling by retail agricultural produce or hand-crafted goods from the property of which the place forms part or on which the structure is located.

***service station*** means a building or place used for the fuelling of vehicles involving the sale by retail of petrol, oil or other petroleum products, whether or not the building or place is also used for one or more of the following:

- (a) the hiring of vehicles,
- (b) the retail selling, or the installing, of spare parts and accessories for vehicles,
- (c) the repairing or servicing of vehicles (not involving body building, panel beating or spray painting),
- (d) the retail selling or hiring of small consumer goods.

***shop*** means a building or place used for the purpose of selling, exposing or offering for sale, goods, merchandise or materials, but (in the zoning table) does not include a building or place elsewhere defined in this clause, a building or place used for a purpose elsewhere specifically defined in this clause.

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**stock and sale yard** means a building or place used for the purpose of offering animals for sale and includes a public cattle market.

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

**the map** means the map marked “Central Darling Local Environmental Plan 2004”, as amended by the maps (or the specified sheets of maps) marked as follows:

**tourist accommodation** means a building or buildings used for the temporary accommodation of tourists, visitors and travellers, which may have facilities for the convenience of patrons.

**tourist facility** means an establishment providing for holiday accommodation or recreation and may include a boatshed, boat handling facilities, camping ground, caravan park, holiday cabins, hotel, house boat, marina, motel, playground, refreshment room, water sport facilities or a club used in conjunction with any tourist activities.

**transport depot** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a passenger transport undertaking, business, industry or shop.

**tree** includes a live sapling or a shrub of a perennial plant species with a single or multi-stem configuration that has a growth height greater than 1.2 metres, but does not include any plant declared by or under an Act to be a noxious weed throughout the whole of the State or the local government area of Central Darling.

**vehicle body repair workshop** means a building or place used for the repair of vehicles, involving body painting, panel beating or spray painting.

**warehouse** means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

**waste disposal facility** means a place set aside for the disposal or treatment of domestic and commercial waste including putrescible or contaminated matter, but it does not include a land fill site.

**zoning table** means the Table to clause 9.



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- (2) In this plan:
- (a) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose, and
  - (b) a reference to a map is a reference to a map deposited in the office of the Council and available for inspection during office hours.

#### **4 Land to which plan applies**

This plan applies to all land within the local government area of Central Darling as shown on the map, with the boundaries indicated on the map.

#### **5 Amendment of Western Division Regional Environmental Plan No 1—Extractive Industries**

*Western Division Regional Environmental Plan No 1—Extractive Industries* is amended by inserting “*Central Darling Local Environmental Plan 2004*” in alphabetical order in Schedule 1.

#### **6 Adoption of Model Provisions**

- (1) The *Environmental Planning and Assessment Model Provisions 1980*, except for:
- (a) the definitions of terms defined in clause 3 of this plan, and
  - (b) clause 7 of Schedule 1,
- are adopted for the purposes of this plan.
- (2) For the purpose of this plan, the *Environmental Planning and Assessment Model Provisions 1980* are to be read as if Schedule 1 included the following:
- (a) The carrying out of works or other development by or on behalf of a public authority for the purposes of the provision or development or maintenance of recreational areas, recreation facilities, landscaping or gardening.
  - (b) The carrying out of works by or on behalf of the NSW Rural Fire Service for the purposes of bushfire hazard reduction.

#### **7 Consent authority**

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

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## Part 2 Zones

### 8 Zones indicated on the map

For the purposes of this plan, land to which this plan applies is within a zone specified below if the land is shown on the map in the manner specified below in relation to the zone:

Zone No 1 (a) (Rural Zone)—edged heavy black and lettered “1 (a)”

Zone No 1 (c) (Rural Small Holdings Zone)—edged heavy black and lettered “1 (c)”

Zone No 2 (t) (Township Zone)—edged heavy black and lettered “2 (t)”

Zone No 8 (a) (National Parks Zone)—edged heavy black and lettered “8 (a)”

### 9 Zone objectives and Development Control Table

- (1) The objectives of a zone are set out in the Table to this clause under the heading “Objectives of zone” appearing in the matter relating to the zone.
- (2) Except as otherwise provided by this plan, in relation to land within a zone specified in the Table to this clause, the development (if any) that:
  - (a) may be carried out without development consent, and
  - (b) may be carried out only with development consent, and
  - (c) is prohibited,
 is specified under the headings “Without development consent”, “Only with development consent” and “Prohibited”, respectively, appearing in the matter relating to the zone.
- (3) Except as otherwise provided by this plan, the consent authority must not grant consent to the carrying out of development on land to which this plan applies unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone in which the development is proposed to be carried out.

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Part 2 Zones

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### Development Control Table

#### Zone No 1 (a) (Rural Zone)

##### 1 Objectives of zone

The objective of the zone is to promote the proper management and utilisation of resources by:

- (a) protecting, enhancing and conserving:
  - (i) agricultural land in a manner that sustains its efficient and effective agricultural production potential, and
  - (ii) soil stability by controlling and locating development in accordance with soil and land capability, and
  - (iii) forests of existing and potential commercial value for timber production, and
  - (iv) valuable deposits of minerals, coal, petroleum and extractive materials by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits, and
  - (v) trees and other native vegetation on environmentally sensitive land where the conservation of the vegetation is significant to scenic amenity, recreation and protected and threatened species, populations or ecological communities or their habitats (including corridors) or is likely to control land degradation, and
  - (vi) water resources for use in the public interest, and
  - (vii) areas of significance for nature conservation, including areas with rare, threatened and protected plant species, populations or communities (including native grasslands), wetlands and significant wildlife habitats and corridors, and
  - (viii) heritage items and items of archaeological significance, and
- (b) fostering development of land for purposes other than agriculture to allow for income diversification, provided that any such development does not conflict with agriculture and does not place a burden on the community (such as through infrastructure requirements) without recompense, and
- (c) facilitating farm adjustments, and
- (d) minimising the cost to the community of:
  - (i) fragmented and isolated development of rural land, and
  - (ii) providing, extending and maintaining public amenities and services.

##### 2 Without development consent

Development for the purpose of:  
agriculture (other than irrigated agriculture); farm buildings; forestry (other than pine plantations); low impact opal mining.

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Part 2

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**3 Only with development consent**

Any development not included in item 2 or 4.

**4 Prohibited**

Development for the purpose of:  
motor showrooms; residential flat buildings; shops (other than general stores).

**Zone No 1 (c) (Rural Small Holdings Zone)**

**1 Objectives of zone**

The objectives of the zone are:

- (a) to promote development of land identified as suitable for rural residential or hobby farm purposes:
  - (i) in accordance with the need for that development, and
  - (ii) in a manner that does not unduly interfere with the efficient and effective agricultural and irrigated agricultural use of adjacent land or the extraction of valuable deposits of minerals, and
  - (iii) in a manner that does not result in undue inefficiency in the provision of services and facilities, and
- (b) to provide a range and mixture of allotment sizes:
  - (i) to meet various individual needs, and
  - (ii) to ensure that the density of development carried out is compatible with land capability (including soil resources and soil stability), natural constraints and hazards of the land, and
- (c) to conserve trees and other native vegetation where the conservation of the vegetation is significant to retain scenic amenity or natural habitat or is likely to control land degradation, and
- (d) to enable a range of light industrial and business land uses to be carried out in association with the rural residential or hobby farm use of the land where those industrial or business uses are compatible with the environmental capability of the land and the amenity of the area, and
- (e) to allow for light industrial and service uses that are compatible with adjacent land uses and are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential use.

**2 Without development consent**

Development for the purpose of:  
agriculture (other than irrigated agriculture).

**3 Only with development consent**

Any development not included in item 2 or 4.

Clause 9 Central Darling Local Environmental Plan 2004

Part 2 Zones

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#### **4 Prohibited**

Development for the purpose of:

boarding houses; extractive industries; hotels; institutions; intensive livestock keeping establishments; liquid fuel depots; mines; motor showrooms; offensive or hazardous industries; residential flat buildings; shops (other than general stores); waste depots.

#### **Zone No 2 (t) (Township Zone)**

##### **1 Objectives of zone**

The objectives of this zone are:

- (a) to promote development in existing township areas that is compatible with their rural service function, and
- (b) to preserve the general residential character and amenity of township areas, and
- (c) to allow for non-residential uses that are compatible with adjacent land uses and are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential use, and
- (d) to facilitate the provision of a range of residential accommodation appropriate to the diverse needs of the community, and
- (e) to facilitate the relocation of animal chillers, industrial and transport-related activities to more appropriate zones, and
- (f) to encourage tourist-related activities to establish in appropriate locations, and
- (g) to conserve and protect heritage items and the natural environment, and
- (h) to provide a full range of personal, commercial, cultural and social services to the community in appropriate locations, while protecting the character and amenity of township areas, and
- (i) to allow for commercial and retail uses or service and retail uses that are compatible with adjacent land uses and are unlikely to adversely affect residential amenity or place demands on public utility services beyond the level reasonably required for other service, commercial and retail uses, and
- (j) to provide an attractive, compact, safe and convenient shopping and commercial precinct, and
- (k) to encourage a commercial environment that is attractive to tourists and visitors, and
- (l) to prevent activities or industries that, by reason of noise, odour or other impact, detract from the amenity of the area, and
- (m) to allow for light industrial and service uses that are compatible with adjacent land uses and are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for residential use, and

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- (n) to facilitate the provision of a range of employment opportunities appropriate to the diverse needs of the community.

**2 Without development consent**

Development for the purpose of:  
home occupations.

**3 Only with development consent**

Any development not included in item 2 or 4.

**4 Prohibited**

Development for the purpose of:  
extractive industries; horse stables; intensive livestock keeping establishments; mines; offensive and hazardous industries; waste depots.

**Zone No 8 (a) (National Park Zone)**

**1 Objectives of zone**

The objectives of this zone are:

- (a) to promote the proper management and utilisation of resources by protecting, enhancing and conserving:
- (i) national parks, wildlife and nature reserve land in a manner that sustains its efficient and effective potential and use of those lands under the *National Parks and Wildlife Act 1974*, and
  - (ii) soil stability by controlling and locating development in accordance with soil and land capability, and
  - (iii) forests of existing and potential value for conservation purposes, and
  - (iv) trees and other native vegetation on environmentally sensitive areas where the conservation of vegetation is significant to scenic amenity or natural wildlife habitat or is likely to control land degradation, and
  - (v) water resources for use in the public interest, and
  - (vi) areas of significance for nature conservation including areas with rare plants, wetlands and significant habitat, and
  - (vii) items of heritage and archaeological significance, and
- (b) to allow a full range of activities and facilities associated with leisure, sports and recreation.

**2 Without development consent**

Any development authorised by or under the *National Parks and Wildlife Act 1974*.

**3 Only with development consent**

Nil.

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Part 2          Zones

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**4 Prohibited**

Any development not included in item 2.

**10 Certain development not restricted or prohibited by this plan**

Nothing in this plan prohibits, restricts or requires development consent for or allows the consent authority to prohibit or restrict, the use of existing buildings of the Crown by the Crown or the carrying out of any development under clause 35 of the *Environmental Planning and Assessment Model Provisions 1980*.

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## **Part 3 Special provisions**

### **11 General considerations for development in Zone No 1 (a)**

- (1) The consent authority must not consent to the carrying out of development in Zone No 1 (a) unless it has taken into consideration, if relevant, the impact of carrying out that development on:
  - (a) the present and potential use of the land for the purpose of agriculture or irrigated agriculture,
  - (b) the present and potential use of the land for the purpose of mining,
  - (c) vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the quality and stability of water courses and ground water storage and riparian rights),
  - (d) the protection of areas of significance for nature conservation or of high scenic or recreational value,
  - (e) the protection of places and buildings of heritage significance, including Aboriginal relics and places,
  - (f) the cost of providing, extending and maintaining public amenities and services to the site of the proposed development,
  - (g) any future expansion of settlement in the locality,
  - (h) the present and potential use of the land for the purpose of tourism,
  - (i) the availability, cost and practicability of constructed road access to the site of the proposed development, and
  - (j) the potential for flooding of the land.
- (2) Before granting consent to the carrying out of development in Zone No 1 (a), the consent authority must take into consideration the relationship of the proposed development to adjoining land and development or landuse in the locality.

### **12 Subdivision of land generally**

- (1) Land to which this plan applies must not be subdivided without the consent of the consent authority.
- (2) The consent authority must not consent to a subdivision of land within Zone No 1 (a) or 1 (c) unless it has obtained all of the relevant information in relation to, and made an assessment of the following:



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- (a) the primary purpose for which each allotment to be created by the subdivision is intended to be used,
  - (b) whether any allotment to be created by the subdivision is intended to be used primarily for the purpose of agriculture or irrigated agriculture,
  - (c) whether a dwelling is intended to be erected on any allotment to be created by the subdivision and the approximate location of any such dwelling,
  - (d) the availability of constructed road access within a dedicated road reserve to all allotments to be created by the subdivision.
- (3) The consent authority must not consent to the subdivision of land if the consent authority is of the opinion that:
- (a) the intended use of the land will require basic utility services, and
  - (b) the land will not be adequately provided with such services.

**13 Subdivision for the purpose of agriculture in Zone No 1 (a)**

- (1) This clause applies to land within Zone No 1 (a).
- (2) The consent authority may consent to the creation of an allotment of any size that has no dwelling if the consent authority is satisfied that the allotment is intended to be used for the purpose of agriculture or irrigated agriculture.
- (3) Consent must not be granted to the creation of an allotment that has no dwelling unless the consent authority has considered the following:
  - (a) whether basic utility services to the proposed allotment can be provided economically if the consent authority considers such services to be necessary,
  - (b) whether an adequate water supply is available to the proposed allotment,
  - (c) whether adverse on-site and off-site impacts on the environment and any other sector of the community have been minimised,
  - (d) whether the proposed use is financially viable and ecologically sustainable.
- (4) Consent may be granted to the creation of an allotment that has a dwelling if the consent authority is satisfied that:

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- (a) the proposed allotment is intended to be used for the purpose of agriculture or irrigated agriculture, and
  - (b) the proposed allotment will have an area of not less than 2000 hectares (in the case of agricultural use) or 20 hectares (in the case of irrigated agricultural use).
- (5) Consent must not be granted to the creation of an allotment that has a dwelling unless the consent authority has considered the following:
- (a) the effect on the existing and potential capability of the land and adjacent land to produce food or fibre or to be used for other agricultural or irrigated agricultural purposes,
  - (b) the effect of a proposed use on adjoining existing development,
  - (c) the effect of the proposed use on the natural environment including water resources.

**14 Subdivision for other purposes in Zone No 1 (a)**

- (1) The consent authority must not consent to an application to subdivide land within Zone No 1 (a) if any allotment to be created by the subdivision will, in the opinion of the consent authority, be used primarily for a purpose other than agriculture, irrigated agriculture or a dwelling unless, in the opinion of the consent authority, the area of each allotment to be created by the subdivision is appropriate having regard to the purpose for which it is being created and the layout of each lot.
- (2) Nothing in subclause (1) prevents the consent authority from granting consent to an application to subdivide land that will, in the opinion of the consent authority, be used for a purpose other than agriculture, irrigated agriculture or a dwelling, if the consent authority is satisfied that:
  - (a) the purpose for which the allotment is proposed to be used involves the supply of goods or services for which there is a demand in the locality, including tourism related services, and
  - (b) no other land in the locality could reasonably be used for the purpose, and
  - (c) the level of demand for the goods and services that are to be supplied from the allotment and the extent to which that allotment is proposed to be used to meet that demand justifies the creation of the proposed allotment despite its agricultural or irrigated agricultural value, and

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- (d) sufficient area is available on the allotment for the proper treatment and disposal of liquid effluent wastes in accordance with any standard published by Standards Australia that the consent authority considers relevant.

**15 Subdivision for the purpose of dwellings in Zone No 1 (c)**

- (1) The consent authority must not consent to an application to subdivide land within Zone No 1 (c) unless the area of each allotment intended, in the opinion of the consent authority, to be created for the purpose of a dwelling-house has an area of 1 hectare or more.
- (2) The consent authority must not grant consent to any such subdivision of land unless it has taken into consideration the following:
- (a) the land capability (including soil resources and soil stability), natural constraints and hazards of the land to be subdivided in relation to the density and layout of the proposed allotments to be created,
  - (b) the desirability of providing a range and mixture of allotment sizes,
  - (c) whether sufficient area is available on the allotment for the proper treatment and disposal of septic and liquid effluent wastes to the satisfaction of the consent authority and in accordance with any standard published by Standards Australia that the consent authority considers relevant,
  - (d) the availability or feasibility of a constructed road access to a dedicated road reserve,
  - (e) the availability of water supply,
  - (f) whether the design of each allotment to be created by the subdivision is satisfactory for the economic provision of other basic utility services.

**16 Subdivision for the purpose of dwellings in Zone No 2 (t)**

- (1) The consent authority must not consent to an application to subdivide land within Zone No 2 (t) unless each allotment that the consent authority is satisfied will be used for the purpose of a dwelling-house has an area of:
- (a) at least 450 square metres, where reticulated sewerage is available, or

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- (b) at least 1,000 square metres (or such lesser area as, in the opinion of the consent authority, can contain a dwelling and sufficient open space area to enable proper treatment and disposal of liquid wastes in a waste treatment system), where reticulated sewerage is not available.
  - (2) The consent authority must not consent to an application to subdivide land within Zone No 2 (t) unless each allotment to be created by the subdivision will be provided with constructed road access to a dedicated road reserve, and the consent authority has considered:
    - (a) whether an adequate water supply is available to each allotment, and
    - (b) whether other basic utility services can be provided to each allotment economically.

#### 17 Dwellings in Zone No 1 (a)

- (1) The consent authority must not consent to the erection of a dwelling on land within Zone No 1 (a) unless:
  - (a) the land has an area of:
    - (i) 20 hectares or more, where the consent authority is satisfied that the land is, and will continue to be, used for irrigated agriculture, or
    - (ii) 2,000 hectares or more, where the consent authority is satisfied that the land is, and will continue to be, used for agriculture, or
  - (b) the land comprises:
    - (i) an allotment created in accordance with this plan for a purpose other than agriculture or irrigated agriculture, or
    - (ii) an allotment created in accordance with a consent granted before the appointed day, being an allotment on which a dwelling-house could have been lawfully erected immediately before the appointed day, or
    - (iii) an existing holding.
- (2) In this clause:
  - existing holding* means:
    - (a) except as provided by paragraph (b), the area of a holding, lot, lease, portion or parcel of land as it was at the appointed day,

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- (b) if, as at the appointed day, a person owned or leased two or more adjoining holding, lots, leases, portions, or parcels of land, the combined area of those lots, leases, portions or parcels as they were at the appointed day.

**18 Dwellings in Zone No 1 (c)**

A person must not erect a dwelling on land within Zone No 1 (c) unless:

- (a) the land has an area of 1 hectare or more, and
- (b) the dwelling-house is 25 metres or more from any land within Zone No 1 (a), and
- (c) each allotment is provided with a safe and practicable constructed road to a dedicated road reserve, and
  - (i) an adequate water supply is available to each allotment, and
  - (ii) other basic utility services can be provided to each allotment economically.

**19 Erection of additional dwellings in Zones Nos 1 (a) and 1 (c)**

- (1) The consent authority may consent to the erection of 1 additional dwelling on land within Zone No 1 (a) or 1 (c) (or to the alteration of an existing dwelling on the land to create 2 dwellings) if:
  - (a) the additional dwelling is a rural worker's dwelling or is a dwelling to be occupied by a relative of the owner of the land, and
  - (b) no additional access to a public road is required from the land, and
  - (c) in the opinion of the consent authority, the dwelling will not interfere with the purpose for which the land is being used, and
  - (d) adequate provision is made for effluent disposal.
- (2) The consent authority must not consent to the subdivision of the land on which an additional dwelling is erected in pursuance of this clause except in accordance with this plan.

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- (3) In this clause:

*rural workers' dwelling* means a dwelling located on land on which another dwelling is or is intended to be erected and which is used as the principal place of residence by persons employed for the purpose of agriculture, aquaculture or a rural industry on that land.

**20 Erection of replacement dwellings in Zones Nos 1 (a) and 1 (c)**

The consent authority may consent to the erection of a dwelling-house on land within Zone No 1 (a) or 1 (c) on which another dwelling-house is erected where the dwelling-house to be erected is intended to replace the original dwelling-house, but only if the consent authority is satisfied that the replacement dwelling-house will not be used as a dwelling until the original dwelling-house is demolished or its occupation has permanently ceased.

**21 Dual occupancy in Zone No 2 (t)**

- (1) Subject to this clause, the consent authority may consent to:
- (a) the erection of 2 dwellings on a parcel of land within Zone No 2 (t) on which no dwelling exists, or
  - (b) the erection of 1 additional dwelling on a parcel of land within Zone No 2 (t) on which a single dwelling exists, or
  - (c) the alteration of an existing dwelling to create 2 dwellings on a parcel of land within Zone No 2 (t) on which a single dwelling exists.
- (2) The consent authority must not grant such consent unless:
- (a) where the dwellings are to be connected to the reticulated sewerage system—the land has an area greater than:
    - (i) 450 square metres, where the dwellings are proposed to be attached, or
    - (ii) 650 square metres, where the dwellings are proposed to be detached, and
  - (b) where domestic liquid effluent is to be disposed of on site—the consent authority is satisfied that liquid effluent can be disposed of on site in an environmentally acceptable and sustainable manner, and
  - (c) the dwellings are provided with constructed access to a dedicated road reserve.

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## 22 Solid waste facilities on land Zoned 1 (a)

- (1) A solid waste facility may be constructed on land within Zone No 1 (a) without consent if the facility:
- (a) is on the same allotment as a dwelling and the allotment has an area of not less than 40 hectares, and
  - (b) is not to receive any other waste than that generated on the allotment on which it is located, and
  - (c) is not placed in an environmentally sensitive area, and
  - (d) is more than 200 metres from the dwelling, and
  - (e) is more than 500 metres from each public road and each boundary and more than 200 metres from each waterway, if any, and
  - (f) is to be constructed with a purpose built hole that will prevent the entry of surface water, and
  - (g) is to receive less than 3 tonnes of waste per year, and
  - (h) is not to be used for contaminated or hazardous waste,
  - (i) is not on flood liable land.
- (2) In this clause:

*solid waste facility* means a self-contained waste disposal site for putrescible waste from rural dwellings.

## 23 Development applications that must be advertised

The following development is identified as advertised development for the purposes of the Act:

- (a) the demolition of a heritage item,
- (b) the carrying out of development of the kind specified in Schedule 4,
- (c) the carrying out of any development allowed by clause 35.

## 24 Development along arterial roads

- (1) The consent authority must not consent to carrying out of development on land that has frontage to an arterial road, unless, in the opinion of the consent authority, the safety and efficiency of the arterial road will not be adversely effected by:
- (a) the design of the access to the proposed development, or

Central Darling Local Environmental Plan 2004

Clause 25

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Part 3

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- (b) the emission of smoke or dust from the proposed development, or
  - (c) the nature, volume or frequency of vehicles using the arterial road to gain access to the proposed development.

(2) In this clause:

**arterial road** means an arterial road indicated on the map or a classified road within the meaning of the *Roads Act 1993*.

## 25 Environmentally sensitive land

(1) The objectives of this clause are:

- (a) to reduce soil erosion and other land degradation, and
- (b) to reduce the loss of scenic amenity, and
- (c) to reduce the loss of important vegetation systems or wildlife habitats.

(2) The consent authority must not consent to carrying out of development on environmentally sensitive land unless it is satisfied that:

- (a) the development is consistent with the objectives of this clause, and
- (b) effective measures have been incorporated into the proposed development to minimise the impact on the land.

(3) Before granting consent to carrying out of development on environmentally sensitive land, the consent authority must consider the impact of the development on the following:

- (a) the scientific and natural significance of the land,
- (b) the loss of important vegetation systems, natural wildlife habitats and corridors, including threatened species, populations or ecological communities,
- (c) the risk of soil erosion or other land degradation,
- (d) the loss of scenic amenity.

(4) In this clause:

**environmentally sensitive land** means:

- (a) land within 50 metres, in a horizontal line, of the top of the bank of the Darling River,
- (b) land within 50 metres, in a horizontal line, of the top of the bank of the Paroo River,



Clause 26 Central Darling Local Environmental Plan 2004

Part 3 Special provisions

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- (c) land that, in the opinion of the Council, is important for the conservation and protection of native vegetation, or protected and threatened species, population and ecological communities and their habitats (including corridors).

## **26 Ecologically sustainable development**

Before granting consent to carrying out of development, the consent authority must consider the principles of ecologically sustainable development and other matters set out in Schedule 3 in relation to land, air, water resources, biodiversity, waste and noise in so far as they are relevant to the proposed development.

## **27 Flood liable land**

- (1) Despite any other provision of this plan, a person must not erect a building on flood liable land except with the consent of the consent authority.
- (2) The aims of this plan in relation to flood liable land are to ensure that:
  - (a) the floor level of those parts of a building used for human habitation are constructed at least 500 millimetres above the the 1% flood event or the highest known flood level using the geomorphology method, and
  - (b) buildings are designed to withstand the impact of flooding.
- (3) Before granting consent to carrying out of development on land on a floodplain, the consent authority must consider the following:
  - (a) the potential for interference with natural periodic flooding of the floodplain,
  - (b) the distribution of flood waters across the floodplain,
  - (c) the potential for pollution in the event of a flood,
  - (d) the impact and cumulative impact of the development of flood flows.

## **28 Land subject to bushfire hazards**

- (1) In considering whether to grant consent to carrying out of development on land that, in the opinion of the consent authority, is likely to be affected by bushfire, the consent authority must take into account whether:

Central Darling Local Environmental Plan 2004

Clause 29

Special provisions

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- (a) the development is likely to have a significant adverse effect on the implementation of any strategies for bushfire control and fuel management adopted by the Council, and
  - (b) a significant threat to the lives of residents, visitors or emergency services personnel may be created or increased as a result of the development or the access arrangements to and from the development, and
  - (c) the increased demand for emergency services during bushfire events created by the development would lead to a significant decrease in the ability of emergency services personnel to effectively control major bushfires, and
  - (d) the measures adopted to avoid or mitigate the threat from bushfire, including siting of the development, design of structures and materials used, clearing of vegetation, fuel free and fuel reduced areas and landscaping and fire control aids such as roads and water supplies, are inadequate for the locality or would result in unacceptable environmental impacts.
- (2) In considering the matters referred to in subclause (1), the consent authority must have regard to and, as much as possible, be satisfied that, the provisions of *Planning for Bushfire Protection* have been met.
- (3) In this clause:
- Planning for Bushfire Protection*** means the document titled *Planning for Bushfire Protection* published in December 2001 by the NSW Rural Fire Service in collaboration with Planning NSW (as it then was), a copy of which is available for inspection at the office of the Council.

## 29 Objectives in relation to heritage

The objectives of this plan in relation to heritage are:

- (a) to conserve the environmental heritage of the local government area of Central Darling, and
- (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items, and
- (c) to conserve archaeological sites and places of Aboriginal heritage significance, and

Clause 30 Central Darling Local Environmental Plan 2004

Part 3 Special provisions

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- (d) to allow for the protection of places that have the potential to have heritage significance but are not identified as heritage items.

### **30 Protection of heritage items**

- (1) The following development may be carried out only with development consent:
  - (a) demolishing or moving a heritage item,
  - (b) altering a heritage item by making structural or non-structural changes to the detail, fabric, finish or appearance of its exterior,
  - (c) altering a heritage item by making structural changes to its interior,
  - (d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
  - (e) moving the whole or a part of a heritage item,
  - (f) erecting a building on land on which a heritage item is located.
- (2) Development consent is not required by this clause if:
  - (a) in the opinion of the consent authority:
    - (i) the proposed development is of a minor nature or consists of maintenance of the heritage item, and
    - (ii) the proposed development would not adversely affect the significance of the heritage item, and
  - (b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.
- (3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance:
  - (a) the creation of a new grave or monument, or

Central Darling Local Environmental Plan 2004

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- (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.
- (4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item concerned.
- (5) The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if it considers the development proposed should be assessed with regard to such a plan.
- (6) The minimum number of issues that must be addressed by the heritage impact statement are:
- (a) the heritage significance of the item as part of the environmental heritage of Central Darling, and
  - (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
  - (c) the measures proposed to conserve the heritage significance of the item and its setting, and
  - (d) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development, and
  - (e) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision.
- (7) In this clause:

***maintenance*** means the ongoing protective care of a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

Clause 31 Central Darling Local Environmental Plan 2004

Part 3 Special provisions

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**31 Notice of demolition to the NSW Heritage Office**

Before granting development consent to demolish a heritage item identified in Schedule 1, the consent authority must notify the NSW Heritage Office of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

**32 Development affecting places or sites of known or potential Aboriginal heritage significance**

Before granting consent to the carrying out of development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:

- (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and
- (b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of the Department of Environment and Conservation of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.

**33 Development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance**

- (1) Before granting consent to the carrying out of development that will be carried out on an archaeological site or a potential archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also the site of a relic of Aboriginal heritage significance), the consent authority must:
  - (a) consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
  - (b) notify the NSW Heritage Office of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

Central Darling Local Environmental Plan 2004

Clause 34

Special provisions

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- (2) This clause does not apply if the proposed development:
- (a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
  - (b) is integrated development.

#### **34 Development in the vicinity of a heritage item**

- (1) Before granting consent to the carrying out of development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item.
- (2) This clause extends to development:
  - (a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or
  - (b) that may undermine or otherwise cause physical damage to a heritage item, or
  - (c) that will otherwise have any adverse impact on the heritage significance of a heritage item.
- (3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.
- (4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed building or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

#### **35 Conservation Incentives**

The consent authority may grant consent to the use, for any purpose, of a building that is a heritage item, or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item depends on the granting of consent, and

Clause 36 Central Darling Local Environmental Plan 2004

Part 3 Special provisions

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- (b) the proposed use is in accordance with a conservation management plan that has been endorsed by the consent authority, and
- (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
- (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
- (e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

### **36 Stormwater drainage**

- (1) The carrying out of a work that will result in the disposal of stormwater, waste water or treated effluent into any river, stream or underlying aquifer is not permitted without the consent of the consent authority.
- (2) The consent authority may consent to the carrying out of a work that will result in the disposal of stormwater into any river, stream or underlying aquifer only if the water will be subjected to measures that are satisfactory to the consent authority to minimise the adverse affects of the stormwater on the river, stream or underlying aquifer.
- (3) Drainage of wetlands, cowals, swamps or bogs is not permitted without the consent of the consent authority.

### **37 Roads, drainage, recreation areas and parking**

- (1) Nothing in this plan prohibits the Council from, or requires the Council to obtain its own consent to the carrying out of development on land within any zone for the purposes of roads, utility undertakings, stormwater drainage, recreation areas, landscaping, gardening, bushfire hazard reduction, amenities buildings or parking, on land that is not Crown land.
- (2) A person may, with the consent of the consent authority (except in the case of landscaping and gardening, that may be carried out without consent), carry out development referred to in subclause (1) on land within any zone.

Central Darling Local Environmental Plan 2004

Clause 38

Special provisions

Part 3

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(3) In this clause:

**utility undertaking** means any undertaking carried out by or by authority of any Government department, or in pursuance of any Commonwealth or State Act, for the purpose of:

- (a) railway, road, water or air transport, or wharf or river undertakings, or
- (b) the provision of sewerage or drainage services, or
- (c) the supply of water, hydraulic power, electricity or gas, or
- (d) water quality control facilities.

### 38 General stores

The consent authority must not consent to carrying out of development for the purpose of a general store if the store:

- (a) will sell petroleum products and is less than 10 kilometres from a service station, or
- (b) has an area devoted to retail that exceeds 75 square metres, or
- (c) is located within 400 metres of an existing general store.

### 39 Temporary use of land

Despite any other provision of this plan, the consent authority may grant consent to the carrying out of development on land for any purpose (not being designated development) for a maximum period of 28 days, whether consecutive or non-consecutive, in any one year.

### 40 Ongoing projects

- (1) Development that is certified in writing by the Director-General as being part of the following ongoing projects does not require consent:
  - (a) Wilcannia weir,
  - (b) Darling annabranh piping,
  - (c) any other public infrastructure project that has been commenced before the appointed day and that is certified in writing by the Director-General as a project to which this clause applies.
- (2) Nothing in this clause affects any requirement that a person may have under Part 5 of the Act.



## Central Darling Local Environmental Plan 2004

## Schedule 1 Heritage items

**Schedule 1 Heritage items**

(Clauses 3 (1))

<b>Locality</b>	<b>Address</b>	<b>Building/site/area</b>
Wilcannia	Barrier Highway	Centre Lift bridge over the Darling River
Wilcannia	64 Reid Street	(Old) Queens Head Hotel
Wilcannia	44 Reid Street	Knox and Downs Store
Wilcannia	80–82 Woore Street	St James Anglican Church
Wilcannia	66–68 Reid Street	Courthouse
Wilcannia	70–72 Reid Street	Maximum Security Prison and Police Station
Wilcannia	74–76 Reid Street	Police Residence
Wilcannia	48 Reid Street	Old Newsagency
Wilcannia	50 Reid Street	Butcher Shop
Wilcannia	45 Reid Street	Post Office residence
Wilcannia	21 Reid Street	Shire Office Complex
Menindee	Kinchega National Park	Kinchega Woolshed including steam traction engine and locomotive boiler
Wilcannia	Adjacent to bridge	Old Wharf and winch
Wilcannia	77–79 Hood Street	Old Wilcannia Central School
Wilcannia	46 Reid Street	Club Hotel
Wilcannia	8–10 Myers Street	Two sandstone houses
Wilcannia	30 Reid Street	Old sandstone shop
Wilcannia	37 Reid Street	Museum/Wilcannia Athenaeum

## Central Darling Local Environmental Plan 2004

Heritage items

Schedule 1

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<b>Locality</b>	<b>Address</b>	<b>Building/site/area</b>
Wilcannia	71 Reid Street	Rich and Co Warehouse
Wilcannia	Baker Park	Memorial: World War I
Wilcannia	52–54 Woore Street	Old Roman Catholic convent
Menindee	Yartla Street	Maiden’s Hotel
Ivanhoe	Hillston—Ivanhoe Road	Boondara Homestead
Wilcannia	1–7 Ross Street	Hospital
Wilcannia	25–29 Ross Street	Golf Club
White Cliffs		St Mary’s Church
White Cliffs	Glen Hope Station	“Clancy’s” or “Frenchman’s” Hut
Wilcannia		Old Wilcannia water tower
Menindee		Old Wharf

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Central Darling Local Environmental Plan 2004

Schedule 2 Archaeological and potential archaeological sites

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## **Schedule 2 Archaeological and potential archaeological sites**

(Clause 3 (1))

### **Part 1 Archaeological sites**

The following sites have been identified as archaeological sites:

Any site recorded on the Aboriginal Heritage Information Management System maintained by the Department of Environment and Conservation.

### **Part 2 Potential archaeological sites**

The following sites have been identified as potential archaeological sites:

- (a) Any site under consideration for recording on the Aboriginal Heritage Information Management System maintained by the Department of Environment and Conservation.
- (b) Any sites or landscape features identified by a local Aboriginal Lands Council and notified in writing to the Council.

Central Darling Local Environmental Plan 2004

Matters to be considered by the consent authority when determining a development application

Schedule 3

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### **Schedule 3 Matters to be considered by the consent authority when determining a development application**

(Clause 26)

The principles of ecological sustainable development are as follows:

- (a) The precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- (b) Inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.
- (c) Conservation of biological diversity and ecological integrity.
- (d) Improved evaluation and pricing of environmental resources.

In assessing proposals for the carrying out of development on land, specific regard must be given to each of the environmental management objectives of this plan. In ensuring each objective is met, the consent authority must consider the best information available to the consent authority at the time, which may include any relevant management plans or policies adopted by the Council, as well as the following specific considerations:

- (a) in relation to **soil erosion**—whether the proposed development (either through its setting-up or operation) involves clearing land or other disturbances to the land, the likelihood of soil erosion or other disturbance to the land, and the likelihood of soil erosion or other instability, given any measures taken by the developer to reduce that potential for development to cause contamination,
- (b) in relation to **salinity**—whether there is potential for the development to cause or worsen any outbreaks of salinity,
- (c) in relation to **contamination**—whether there is potential for the land to be contaminated, given the known history of the land or nearby land which may be potentially contaminated and the potential for the proposed use to cause contamination,
- (d) in relation to **waterways**—whether there is potential for degradation of water quality or quantity, whether any removal of water from the river or from groundwater sources associated with the proposed development will adversely affect water quality and whether licences have been applied for or obtained,

## Central Darling Local Environmental Plan 2004

Schedule 3 Matters to be considered by the consent authority when determining a development application

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- (e) in relation to **aquifers**—whether the land is vulnerable to groundwater contamination and the potential of the development to affect water levels or quality in the aquifer,
- (f) in relation to **stormwater quality**—whether there is potential for degradation of the quality of stormwater discharges, given any stormwater quality control measures proposed by the developer,
- (g) in relation to **significant vegetation and wildlife habitats**—whether there is a conservation plan and, if so, its contents, and the effect of the development on threatened species, the provision and quality of habitats for indigenous and migratory species of wildlife, and whether there is potential for the proposed development to affect the growth of native plant communities,
- (h) in relation to **wetlands**—whether there is potential for the development to alter the quality or quantity of water flowing into, within or out of a wetland or the level, frequency or duration of wetland inundation,
- (i) in relation to **bushfire**—whether there is potential bushfire hazard by reason of the vegetation on the land and the nature of the development,
- (j) in relation to **waste**—the content of the Council’s proposals to dispose of solid and liquid waste,
- (k) in relation to **noise pollution**—whether there is potential for the development to degrade the environment in terms of noise generation (either through its setting-up or operation),
- (l) in relation to **air pollution**—whether there is potential for the development to degrade the air quality of the environment (either through its setting-up or operation),
- (m) in relation to **environmental heritage and scenic quality**—whether or not the proposed form and siting of buildings, the colours used, building materials or landscaping are appropriate having regard to the rural character of the immediate environment, and whether extensive, prominent or significant areas of vegetation will be cleared, and whether the surface or groundwater characteristics of the site will be affected,
- (n) in relation to **recreation and tourism**—whether the development is compatible with surrounding recreational land uses, and whether the proposed development will cause a deterioration of the area as a recreational resource,

Central Darling Local Environmental Plan 2004

Matters to be considered by the consent authority when determining a development application

Schedule 3

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- (o) in relation to **agriculture**—whether there exists the potential availability of alternative land of lower agricultural quality for the proposed development, whether the proposed development enhances the economic viability of the land, and whether the proposed development is in accordance with the land capability of the site.

Central Darling Local Environmental Plan 2004

Schedule 4 Development that must be advertised

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## **Schedule 4 Development that must be advertised**

(Clause 23)

### **Development that must be advertised**

- 1 Development for the purpose of conserving, protecting or restoring a heritage item that in the opinion of the Council warrants public comment.
- 2 Development for the purpose of hotels and motels.
- 3 Development for the purpose of transport terminals, junk yards, liquid fuel depots, saw mills, stock and sale yards.
- 4 Development for the purpose of brothels.
- 5 Development for the purpose of multiple occupancies on land within Zone No 1 (a) or 1 (c).



New South Wales

## **State Environmental Planning Policy No 58—Protecting Sydney’s Water Supply (Amendment No 3)**

under the

**Environmental Planning and Assessment Act 1979**

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

CRAIG JOHN KNOWLES, M.P.,  
Minister for Infrastructure and Planning



Clause 1 State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 3)

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## **State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 3)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 3)*.

### **2 Aims of Policy**

The aims of this Policy are:

- (a) to exclude certain road works from the requirement for development consent under *State Environmental Planning Policy No 58—Protecting Sydney's Water Supply*, and
- (b) to make a consequential amendment to a provision of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* that deals with development for the purposes of certain road works.

### **3 Land to which Policy applies**

This Policy applies to the whole of the State.

### **4 Amendment of State Environmental Planning Policy No 58—Protecting Sydney's Water Supply**

*State Environmental Planning Policy No 58—Protecting Sydney's Water Supply* is amended as set out in Schedule 1.

### **5 Amendment of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development**

*State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* is amended as set out in Schedule 2.

State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 3)

Amendment of State Environmental Planning Policy No 58—Protecting Sydney's Water Supply

Schedule 1

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## **Schedule 1 Amendment of State Environmental Planning Policy No 58—Protecting Sydney's Water Supply**

(Clause 4)

### **[1] Clause 6 Relationship to other environmental planning instruments**

Insert “*and Miscellaneous Exempt and Complying Development*” after “*Development Without Consent*” in clause 6 (1A).

### **[2] Clause 6 (1AA)**

Insert after clause 6 (1A):

(1AA) This Policy applies despite clause 11C of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development*.

### **[3] Schedule 2**

Insert after the matter relating to irrigated agriculture:

Road work on classified roads or proposed classified roads within the meaning of the *Roads Act 1993*, other than:

- (a) road work comprising the repair or maintenance of any such classified road or proposed classified road, or
- (b) road work on such part of Main Road 92 as lies between its intersection with Hames Road, near Nowra, and the village of Nerriga.

### **[4] Schedule 2**

Omit “, major rail works and major road works” from the matter relating to transport facilities.

Insert instead “and major rail works”.

State Environmental Planning Policy No 58—Protecting Sydney's Water Supply (Amendment No 3)

Schedule 2 Amendment of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

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## **Schedule 2 Amendment of State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development**

(Clause 5)

### **Clause 11C**

Omit the clause. Insert instead:

#### **11C Road work with respect to classified roads**

- (1) This clause applies to road work on classified roads or proposed classified roads that, in the absence of this clause, may be carried out only with development consent.
- (2) Road work to which this clause applies may be carried out without development consent.
- (3) In this clause, *classified road* and *road work* have the same meanings as they have in the *Roads Act 1993*.

## Natural Resources

### WATER ACT 1912

#### NOTICE UNDER SECTION 22B PUMPING RESTRICTIONS

##### *Dungay Creek and its Tributaries*

THE Department of Infrastructure Planning and Natural Resources pursuant to Section 22B of the Water Act, 1912, is satisfied that the quantity of water available in Dungay Creek and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Saturday 10 July 2004 and until further notice, the right to pump water is **RESTRICTED** to a maximum of six hours in any twenty four hour period.

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

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

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

One penalty unit = \$110.00.

DATED this twenty ninth day of September 2003.

G. LOLLBAC,  
Resource Access Manager  
North Coast Region, Grafton

GA2: 476086

### WATER ACT 1912

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

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

##### *Macintyre-dumaresq River Valley*

Donald Ian SHAW and Felicity Jane SHAW for a pump on the Beardy River located on Travelling Stock Route Lot 7003, DP753317 near Lot 1, DP591375, Parish of Tent Hill, County of Gough for stock and domestic purposes. New Licence. Ref: 90SL100797.

GA2472286.

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

### WATER ACT 1912

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

MARION FLANAGAN for a pump on Wybong Creek on Lot 58/750940, Parish of Manobalai, County of Brisbane, for irrigation of 10 hectares. (New licence; improved pasture; permanent water transfer; 20SL061311)

PHILIP GRANT for a pump on the Hunter River on Part Lot 4/233656, Parish of Russell, County of Durham, for water supply for stock and domestic purposes, industrial purposes and irrigation of 4 hectares. (Replacement licence; improved pasture and horticulture, stock and domestic added; 20SL061312)

ALLEN STANLEY WICKS for a pump on Dart Brook on Part Lot 3/1067970, Parish of Manbus, County of Brisbane, for water supply for stock and domestic purposes. (New licence; exempt from current embargo; 20SL061398)

ALLEN STANLEY WICKS for a pump on Dart Brook on Part Lot 3/1067970, Parish of Manbus, County of Brisbane, for water supply for stock and domestic purposes. (New licence; exempt from current embargo; 20SL061399)

MERVYN ALLEN & SADIE CROW for a pump on the Hunter River on Lot 67/1065676, Parish of Sedgfield, County of Durham, for water supply for 5 hectares of irrigation. (Replacement licence; improved pasture; splitting of existing license; 20SL061375)

NEIL & MELISSA RAMM for 2 pumps on an unnamed watercourse on Lot 1/231899, Parish of Eglington, County of Northumberland, for irrigation of 14.5 hectares. (Replacement license; stone fruits; combining existing license; 20SL061245)

CLINTON HARRIS for a pump on Wyong River on Part Lot 111/1050930, Parish of Stowe, County of Northumberland, for water supply for stock and domestic purposes. (New licence; exempt from current embargo; 20SL061259)

NEDIYM INVESTMENTS PTY LIMITED for a pump on the Pages River on Lot 1321/847915, Parish of Murulla, County of Brisbane, for water supply for irrigation of 11 hectares. (Replacement license; improved pasture; splitting of an existing license; 20SL061367)

Russell Beauchamp HAWKINS 3 dams. a diversion pipe and a 50 millimetre centrifugal pump on Unnamed Watercourses on Lots 26 and 27/17301 and Lot 1/188191, Parish of Millfield, County of Northumberland, for conservation of water for stock and irrigation of 2.0 hectares (grape vines; existing works exempt from current embargo. 20SL061270)

Anthony James and Patricia Louise SHARP for a 50 millimetre centrifugal pump on Swamp Creek on Lot PT64/755237, Parish of Maitland, County of Northumberland, for irrigation of 6.0 hectares (lucerne and oats; new license within old Hunter Valley Flood Mitigation Area. 20SL061335)

Matthew Colin, Susanne Lillian, Colin Vincent and Irena Marie DENNIS for a 65 millimetre and an 80 millimetre centrifugal pumps on Howes Lagoon and an Unnamed

Watercourse on Lots 15/865324 and 1/456998, Parish of Maitland, County of Northumberland for irrigation of 30.0 hectares (vegetables and lucerne; existing works within old Hunter Valley Flood Mitigation Area, pumping restrictions will apply. 20SL061341)

Jeremy Donald GROVER for an earthen bywash dam and a 50 millimetre centrifugal pump on an Unnamed Watercourse on Lot 8/239452, Parish of Rothbury, County of Northumberland for conservation of water for stock and irrigation (grape vines; existing works exempt from current embargo. 20SL061415)

Any inquiries regarding the above should be directed to Hemantha De Silva on telephone number (02) 4929 9844.

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

MARK MIGNANELLI,  
Resource Access Manager  
Hunter Region

Department of Infrastructure, Planning and Natural Resources  
PO Box 2213 DANGAR NSW 2309

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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 a proclaimed local area as generally described hereunder has been received as follows:

*Namoi River Valley*

Paul Wesley TABER and Lorraine Joy TABER for a pump on the Namoi River on Lot 4, DP572122, Parish of Alfred, County of Darling for irrigation of 18.5 hectares (83 megalitres). Replacement licence, existing allocation – to change location of pump site. Ref: 90SL100795.

GA2472285.

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  
P O Box 550 TAMWORTH NSW 2340

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### WATER ACT 1912

#### NOTICE UNDER SECTION 22B

#### PUMPING RESTRICTIONS

*Marshall's Creek & Lacks Creek and their Tributaries*

THE Department of Infrastructure Planning and Natural Resources pursuant to Section 22B of the Water Act, 1912, is

satisfied that the quantity of water available in Dungay Creek and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Saturday 10 July 2004 and until further notice, the right to pump water is **RESTRICTED** to a maximum of two hours in any twenty four hour period between either 8.00am and 10.00am or between 4.00pm and 6.00pm.

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

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

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

One penalty unit = \$110.00.

DATED this ninth day of July 2004.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region, Grafton

GA2: 476087

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### WATER ACT 1912

#### NOTICE UNDER SECTION 22B

#### PUMPING RESTRICTIONS

*Dungay Creek and its Tributaries*

THE Department of Infrastructure Planning and Natural Resources pursuant to Section 22B of the Water Act, 1912, is satisfied that the quantity of water available in Dungay Creek and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Saturday 10 July 2004 and until further notice, the right to pump water is **RESTRICTED** to a maximum of six hours in any twenty four hour period.

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

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

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

One penalty unit = \$110.00.

DATED this ninth day of July 2004.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region, Grafton

GA2: 476086

**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*

SHADOWGROVE PTY LTD for a pump on the Swampy Plain River, on Lots 4/717627 and 3, 4, 5, 8, 9 and 10/755873, Parish of Khancoban, County of Selwyn for Irrigation, Stock and Domestic purposes. (Replacement licence due to a permanent transfer of water – no increase in entitlement). (GA2:469518) (Ref:50SL75669).

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 13th August 2004.

C. PURTLE,  
Natural Resource Officer  
Murray-Murrumbidgee Region

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*

TOOMA HOLDINGS PTY LTD for a pump on the Murray River, on Lot 1/189092, Parish of Bringenonbrong, County of Selwyn for Irrigation purposes. (Replacement licence due to a permanent transfer of water – no increase in entitlement). (GA2:469516) (Ref:50SL75668).

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 13th August 2004.

C. PURTLE,  
Natural Resource Officer  
Murray-Murrumbidgee Region

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

**WATER ACT 1912**

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

Applications for a licence, under Section 10 of Part 2 of the Water Act have been received as follows;

*Murray River Valley*

Geoffrey John QUICK for a pump on the Murray River, on Lot 1/134542, Parish of Tocumwal, County of Denison for Irrigation purposes. (Replacement licence only – no increase in entitlement). (Ref:50SL75664).

Geoffrey John and Winifred Teresa and John Sandford QUICK for a pump on the Murray River, on Lots 1/184752 and 4/111594, Parish of Tocumwal, County of Denison for Irrigation purposes. (Replacement licence only – no increase in entitlement). (Ref:50SL75665).

Geoffrey John QUICK for a pump on the Murray River, on Lot 1/134542, Parish of Tocumwal, County of Denison for Irrigation purposes. (Replacement licence only – no increase in entitlement). (Ref:50SL75666).

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 13th August 2004.

C. PURTLE,  
Natural Resource Officer  
Murray-Murrumbidgee Region

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

(GA2:469517)

**WATER ACT 1912****NOTICE UNDER SECTION 22B****PUMPING RESTRICTIONS***South Creek*

THE Department of Infrastructure Planning and Natural Resources pursuant to Section 22B of the Water Act, 1912, is satisfied that the quantity of water available in South Creek is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Thursday 15 July 2004 and until further notice, the right to pump water is **RESTRICTED** to a maximum of six hours in any twenty four hour period.

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

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

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

One penalty unit = \$110.00.

DATED this fifteenth day of July 2004.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region, Grafton

GA2:- 476088

**WATER ACT 1912**

AN APPLICATION for a license, under the Section 10 of Part 2 of the Water Act 1912, as amended, has been received as follows:

Anthony Richard & Denise Eleanor HOBSON for a proposed bywash dam (3 megalitres) and pump on 12/1034680, Parish of Sutton Forrest, County of Camden for the conservation of water and water supply for domestic purposes (new licence) (10SL56566) (GA2:493309).

Wayne Peter and Sarah Jane MERRIMAN for a bywash dam and pump (off-creek storage) on 7/15311, Parish of Coghill, County of St Vincent for the conservation of water and water supply for domestic purposes and irrigation of 27.0 hectares (olives) (New Licence) (Dam in excess of MHRDC) (Capacity 16.0 megalitres) (Ref:10SL56578) (GA2:493387)

Any inquiries regarding the above should be directed to the undersigned (Ph: 9895 7194).

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

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

Department of Infrastructure, Planning and Natural  
Resources  
PO Box 3720 PARRAMATTA NSW 2124

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## Department of Lands

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### ARMIDALE OFFICE

108 Faulkner Street, Armidale, NSW 2350

Phone: (02) 6772 5488 Fax (02) 6771 5348

#### NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

TONY KELLY, M.L.C.,  
Minister for Lands.

\_\_\_\_\_  
Description

*Land District – Glen Innes; L.G.A. – Severn Shire*

Road closed: Lot 1, D.P. 1062817 at Stonehenge, Parish Stonehenge and County Gough.

File No.: AE 01 H 400.

Note: On closing, the land within Lot 1, D.P. 1062817 remains vested in the Severn Shire Council as “Operational land” (R7-2.49:JRB:KK:2002/998).



**BOARD OF SURVEYING AND SPATIAL INFORMATION****Panorama Avenue (PO Box 143), Bathurst, NSW 2795****Phone: (02) 6332 8238 Fax: (02) 6332 8240****SURVEYING ACT 2002**

## Registration of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, Section 10(1)(a), the undermentioned persons have been Registered as Land Surveyors in New South Wales from the dates shown.

Name	Address	Effective Date
ANDERSON, Tony Andrew	7/308 Bondi Road Bondi NSW 2026	1 July 2004
RYAN, Darran James	8 Aldon Crescent Blackalls Park NSW 2283	1 July 2004
SCANLON, Mark Nicholas	143 Bay Road Bolton Point NSW 2283	1 July 2004

W. A. WATKINS,  
President

G. K. A. LEATHERLAND,  
Registrar

**SURVEYING ACT 2002**

## Registration of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, Section 10(1)(b), the undermentioned persons have been Registered as a Mining Surveyors (unrestricted) in New South Wales from the dates shown.

Name	Address	Effective Date
BROOKS, David Alfred	5 Kensington Place Perthville NSW 2795	17 June 2004
SHUMACK Todd Andrew	6 Goulburn Street Singleton NSW 2330	4 June 2004

W. A. WATKINS,  
President

G. K. A. LEATHERLAND,  
Registrar

**SURVEYING ACT 2002**

## Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, Section 10 (1)(a), the undermentioned Land Surveyors have been restored to the Register of Surveyors.

Name	Date of Original Registration	Removal Date	Restoration Date
OLIVER, Noel	20 February 2004	17 October 2002	1 July 2004
RAWLING, Stephen	9 April 2002	30 September 2002	1 July 2004
TRAINOR, Bernard Oscar	25 September 1981	18 September 2000	1 July 2004

W. A. WATKINS,  
President

G. K. A. LEATHERLAND,  
Registrar

**SURVEYING ACT 2002**

## Removal of Name from the Register of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, Section 10, the undermentioned Land Surveyors have been removed from the Register of Surveyors.

Name	Date of Removal	Original Registration Date of Registration
JUNEK, Jerry	1 July 2004	27 September 1974
LORSCHY, David John	1 July 2004	24 March 1966

W. A. WATKINS,  
President

G. K. A. LEATHERLAND,  
Registrar

**SURVEYING (PRACTICE) AMENDMENT REGULATION 2003**

## Certificate of Meritorious Service

PURSUANT to the provisions of Clause 4K of the Surveying (Practice) Amendment Regulation 2003, the undermentioned Land Surveyors have been awarded a Certificate of Meritorious Service in recognition of their long service and contribution to the surveying profession in New South Wales, with effect 1 July 2004.

Name	Date of Original Registration	Removed from Register
JUNEK, Jerry	27 September 1974	1 July 2004
LORSCHY, David John	24 March 1966	1 July 2004

W. A. WATKINS,  
President

G. K. A. LEATHERLAND,  
Registrar

## FAR WEST REGIONAL OFFICE

**45 Wingewarra Street (PO Box 1840), Dubbo, NSW 2830**

**Phone: (02) 6883 3000**

**Fax: (02) 6883 3099**

### ASSIGNMENT OF NAME TO A RESERVE TRUST

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

TONY KELLY, M.L.C.,  
Minister for Lands

#### SCHEDULE

##### COLUMN 1

O'Connor Street East  
Park Reserve Trust

##### COLUMN 2

Reserve No. 87247  
Public Purpose: Children's Playground  
Notified: 27 June 1969  
File Reference: WL86R90/1

#### SCHEDULE

##### COLUMN 1

Buronga Tennis And  
Basketball Courts  
Reserve Trust

##### COLUMN 2

Reserve No. 83026  
Public Purpose: Public Recreation  
Notified: 27 January 1961  
File Reference: WL89R5/1

#### SCHEDULE

##### COLUMN 1

Wentworth Rowing Club  
Reserve Trust

##### COLUMN 2

Reserve No. 77930  
Public Purpose: Public Recreation  
Notified: 2 September 1955  
File Reference: WL86R277

#### SCHEDULE

##### COLUMN 1

Buronga Riverfront Old  
Pound Reserve Trust

##### COLUMN 2

Reserve No. 87250  
Public Purpose: Public Recreation  
Notified: 27 June 1969  
File Reference: WL86R22/1

#### SCHEDULE

##### COLUMN 1

Canegrass Artesian Bore  
Reserve Trust

##### COLUMN 2

Reserve No. 97386  
Public Purpose: Artesian Bore  
Notified: 17 August 1984  
File Reference: WL86R73/1

### APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

TONY KELLY, M.L.C.,  
Minister for Lands

#### SCHEDULE

##### COLUMN 1

THE Minister  
Administering The  
National Parks and  
Wildlife Act, 1974

##### COLUMN 2

Cobar Site For Dec  
Buildings Reserve  
Trust

##### COLUMN 3

Reserve No. 92637  
Public Purpose: Site For Public  
Buildings  
Notified: 13 June 1980  
File Reference: WL86R178/1

For a term commencing the date of this notice

### ALTERATION OF CONDITIONS OF A WESTERN LANDS LEASE

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

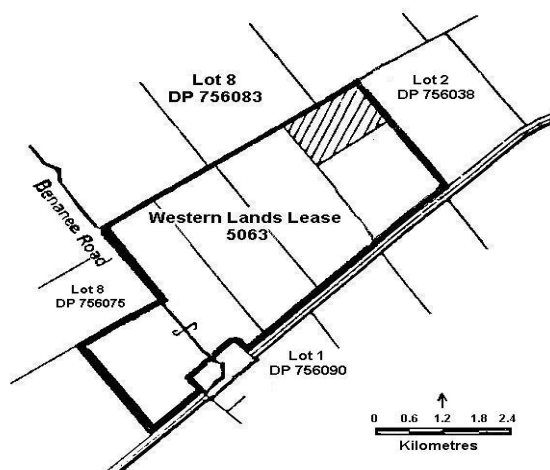
CRAIG KNOWLES, M.P.,  
Minister for Infrastructure and Planning  
Minister for Natural Resources

*Administrative District and Shire – Balranald;  
Parish – Benanee; County – Taila*

The conditions of Western Lands Lease No 5063. Being the lands contained within Folio Identifiers 3/756083, 4/756083, 5/756083, 6/756083 & 1/756075 have been altered effective from 24 June 2004 by the inclusion of the special conditions following. The conservation area indicated in the special conditions comprise of 204 hectares (being the buffer area adjoining the north-eastern corner boundary of the lease measuring approximately 1104 metres by 1836 metres) as shown by the hatched area in the diagram below.

#### SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 5063.

1. The lessees shall erect and maintain a domestic stockproof standard fence surrounding the areas shown hatched on the diagrams hereunder and ensure the areas remain ungrazed by both domestic stock and feral animals.
2. The lessees shall not clear any vegetation or remove any timber within the areas shown hatched on the diagrams hereunder unless written approval has been granted by either the Commissioner or the Minister.
3. The lessees shall manage the areas shown hatched on the diagrams hereunder in accordance with best management practices specified in the document known "Southern Mallee Regional Guidelines for the Department of Land Use Agreements".
4. Special Condition 1 above shall be revoked, upon application by the lessees, in the event of the revocation of Cultivation Consent for any reason other than a breach of Consent conditions(s).



**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 for Lands

SCHEDULE

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

For a term commencing 16 July 2004 and expiring 15 July 2005.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Geoff Firkin	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 16 July 2004 and expiring 15 July 2005.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Geoff Firkin	Morgo Street Reserve Trust	Reserve No. 82452 Public Purpose: Public Recreation Notified: 1 April 1960 File Reference: GF81R381

For a term commencing 16 July 2004 and expiring 15 July 2005.

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Marlene RAE (new member)	Tuggerah Lake (R1003002) Reserve Trust	Reserve No: 1003002 Public Purpose: Public Recreation and Coastal Environmental Protection Notified: 22 June 2001 File No: MD01R8

*Term of Office*

For a term commencing the date of this notice, and expiring 3rd October 2007.

**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 for Lands.

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Anthony SIGNOR	Lake Liddell Recreation Area (R87894) Reserve Trust	Reserve No.: 87894 Purposes: Public Recreation Notified: 21 August 1970 File Ref: MD 92 R 43

For a term commencing 16 July 2004 and expiring 15 January 2005.

**MOREE OFFICE****Department of Lands****Frome Street (PO Box 388), Moree, NSW 2400****Phone: (02) 6752 5055****Fax: (02) 6752 1707****NOTIFICATION OF CLOSING OF ROADS**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**Description**

*Land District – Moree;  
Council – Moree Plains Shire Council;  
Parish – Nepickallina County Courallie*

Lots 1 and 2 in D.P. 1068278 Parish Nepickallina, County Courallie

File Reference: ME02H90.

Note: Upon closure, the lands will vest in the Crown as Crown land.

**REVOCATION OF RESERVATION OF CROWN  
LAND**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Moree Local Government Area: Moree Plains Shire Council Locality: Bibble Reserve No: 23909 Public Purpose: Refuge in Time of Flood Notified: 11 April 1896 File Reference: ME00H163	The whole being Lot 11 DP 750423 Parish Bibble County Benarba with an area of 1036 ha.

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

PURSUANT to Section 90 of the Crown Lands Act 1989, the reservation of Crown Lands specified in Column 1 of the Schedules are revoked to the extent specified opposite thereto in Column 2 of the Schedules.

TONY KELLY, M.L.C.,  
Minister for Lands

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**SCHEDULE 1**
**Column 1**

Land District – Parkes  
LGA – Parkes  
Parish – Ossory  
County – Kennedy  
Location – Alagala  
Reserve – 97635  
Purpose – Access  
Date of Notification – 28 December 1984  
File – OE85H41.

**Column 2**

Lots 54 and 56 DP 705282  
of 70.56 hectares.

**DISSOLUTION OF RESERVE TRUST**

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

TONY KELLY, M.L.C.,  
Minister for Lands

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**SCHEDULE**
**COLUMN 1**

Sunny Corner School Of Arts Trust

**COLUMN 2**

Reserve No. 83124  
Public Purpose: Public Hall  
Notified: 14 April 1961  
File Reference: OE81R77/3

**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.

TONY KELLY, M.L.C.,  
Minister for Lands

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**SCHEDULE**
**COLUMN 1**

Sunny Corner Historic Reserve Trust

**COLUMN 2**

Reserve No. 83124  
Public Purpose: Public Hall  
Notified: 14 April 1961  
File Reference: OE84R17/2

**NOTIFICATION OF CLOSING OF A ROAD**

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

TONY KELLY, M.L.C.,  
Minister for Lands

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**Description**

*Land District Orange; Shire of Cabonne*

Road closed: Lot 1 DP1069678 Parish Colville, County Bathurst. File Reference: OE03H157.

Note: On closing title to the land comprised in Lot 1 remains vested in the Crown.

**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**

**APPOINTMENT OF ADMINISTRATOR**

PURSUANT to Section 117 of the Crown Lands Act, 1989, the person named in Column 1 of the Schedule hereunder is appointed to be the 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 for Lands.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Peter Colin WESTWOOD	Rose Bay War Memorial (D500321) Reserve Trust	Dedication No. 500321 Public Purpose: War Memorial Notified: 18 October 1946 File Ref: MN80R287/3

For a term commencing 19 July 2004 and expiring 18 October 2004.

**APPOINTMENT OF ADMINISTRATOR**

PURSUANT to Section 117 of the Crown Lands Act, 1989, the person named in Column 1 of the Schedule hereunder is appointed to be the 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 for Lands.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Ross DAVIS	Northern Suburbs Cemetery and Crematorium (R100265) Reserve Trust.	R100265 for Cemetery and Crematorium notified 23 August 1996 MN84R92

For a term of three (3) months from 19 July 2004.

**ERRATUM**

IN the *Government Gazette* of 9th July 2004 Folio 5833 under the heading "NOTIFICATION OF CLOSING OF ROAD" with reference to Lot 20 DP 1069068 at Razorback, Parish Picton, County Camden – delete the words "as operational land" from the sentence following "Note:" thereunder. File No. MN00H287

TONY KELLY, M.L.C.,  
Minister for Lands.

**APPOINTMENT OF CORPORATION TO  
MANAGE RESERVE TRUST**

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule. File No: MN03A26

TONY KELLY, M.L.C.,  
Minister for Lands.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Pittwater Council	Beeby Park (R45244) Reserve Trust	Reserve 45244 for the public purpose of Public Recreation notified in the Government Gazette of 18 May 1910.
	Governor Phillip Park (R56217, R61140, R64483) Reserve Trust	Reserve 56217 for the public purpose of Public Recreation notified in Government Gazette of 22 June 1923.
		Reserve 61140 for the public purpose of Public Recreation notified in the Government Gazette of 17 May 1929.
		Reserve 64483 for the public purpose of Public Recreation notified in the Government Gazette of 29 March 1934.
Pittwater Council	Bilgola Beach (R58243) Reserve	Reserve 58243 for the public purpose of Public Recreation notified in the Government Gazette of 21 August 1925.
Pittwater Council	Hitchcock Park (R70736) Reserve Trust	Reserve 70736 for the public purpose of Public Recreation notified in the Government Gazette of 13 November 1942
Pittwater Council	Ingleside (R77336) Reserve Trust	Reserve 77336 for the public purpose of Sanitary Purposes notified in the Government Gazette of 7 January 1955
Pittwater Council	Katoa (R80154) Reserve Trust	Reserve 80154 for the public purpose of Public Hall and Public Recreation notified in the Government Gazette of 22 November 1957.
Pittwater Council	Newport Public Recreation (R82181) Reserve Trust	Reserve 82181 for the public purpose of Public Recreation notified in the Government of 27 November 1959.
Pittwater Council	Church Point Public Recreation (R88218) Reserve Trust	Reserve 88218 for the public purpose of Public Recreation notified in the Government Gazette of 30 April 1971

Pittwater Council	Tumbledown Dick Bush Fire Brigade (R91581) Reserve Trust	Reserve 91581 for the public purpose of Bush Fire Brigade notified in the Government Gazette of 12 October 1979.	Palm Beach Public Recreation (R100205) Reserve Trust	Reserve 100205 for the public purpose of Public Recreation notified in the Government Gazette of 16 February 1990.	
Pittwater Council	McCarrs Creek Public Recreation (R91656) Reserve Trust	Reserve 91656 for the public purpose of Public Recreation notified in the Government Gazette of 14 December 1979	Mona Vale General Cemetery (D500520) Reserve Trust	Dedication 500520 for the public purpose of General Cemetery notified in the Government Gazette of 18 October 1905.	
Pittwater Council	Church Point Public Recreation (R100084) Reserve Trust	Reserve 100084 for the public purpose of Public Recreation notified in the Government Gazette of 10 April 1987	<b>APPOINTMENT OF TRUST BOARD MEMBERS</b>		
Pittwater Council	Porter Hall (R100179) Reserve Trust	Reserve 100179 for the public purpose of Community Purposes notified in the Government Gazette of 27 October 1989	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.		
Pittwater Council	Palm Beach Public Recreation (R100205) Reserve Trust	Reserve 100205 for the public purpose of Public Recreation notified in the Government Gazette of 16 February 1990	TONY KELLY, M.L.C., Minister for Lands.		
Pittwater Council	Bayview (R100220) Reserve Trust	Reserve 100220 for the public purpose of Access and Urban Services notified in the Government Gazette of 13 March 1992.	SCHEDULE		
Pittwater Council	Mona Vale General Cemetery (D500520) Reserve Trust	Dedication 500520 for the public purpose of General Cemetery notified in the Government Gazette of 18 October 1905.	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
			Francis CRANNY (re-appointment) Hendro HARSOJO (re-appointment) Janice Alva File Ref: MN84R91 CRUICKSHANK (re-appointment) Peter GOUDA (re-appointment) David BROCK (re-appointment)	Liverpool Baptist Cemetery Trust	Dedication No. 500701 Public Purpose: General Cemetery Notified 16 December 1892

**ASSIGNMENT OF NAME TO A RESERVE TRUST**

PURSUANT to paragraph 4(3) of Schedule 8 of the Crown Lands Act 1989 the name specified in Column 1 of the Schedule is assigned to the reserve trust constituted as trustee for the reserve specified in Column 2 of the Schedule. MN03A26.

TONY KELLY, M.L.C.,  
Minister for Lands.

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Katoa(R80154) Reserve Trust	Reserve 80154 for the public purpose of Public Hall and Public Recreation notified in the Government Gazette of 22 November 1957.
Newport Public Recreation (R82181)	Reserve 82181 for the public purpose of Public Recreation notified in the Government Gazette of 27 November 1959
Church Point Public Recreation (R88218) Reserve Trust	Reserve 88218 for the public purpose of Public Recreation notified in the Government Gazette of 30 April 1971
McCarrs Creek Public Recreation (R91656) Reserve Trust	Reserve 91656 for the public purpose of Public Recreation notified in the Government Gazette of 14 December 1979.
Church Point Public Recreation (R100084) Reserve Trust	Reserve 100084 for the public purpose of Public Recreation notified in the Government Gazette of 10 April 1987.

For a term commencing 19 July 2004 and expiring 18 July 2009

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Francis CRANNY (re-appointment) Hendro HARSOJO (re-appointment) Janice Alva CRUICKSHANK (re-appointment) Peter GOUDA (re-appointment) David BROCK (re-appointment)	Liverpool General Cemetery Uniting Church Portion Trust	Dedication No. 500705 Public Purpose: General Cemetery Notified 16 December 1892 File Ref: MN84R93

For a term commencing 19 July 2004 and expiring 18 July 2009

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Francis CRANNY (re-appointment) Hendro HARSOJO (re-appointment) Janice Alva CRUICKSHANK (re-appointment) Peter GOUDA (re-appointment) David BROCK (re-appointment)	Liverpool General Cemetery Presbyterian Portion Trust	Dedication No. 500702 Public Purpose: General Cemetery Notified 16 December 1892 File Ref: MN84R225

For a term commencing 19 July 2004 and expiring 18 July 2009

## SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Ernest Bruce KENNARD (re-appointment) Ronald George WEIR (re-appointment) Ronald Edward PARSONS (re-appointment) Rosetta TROVATELLO (new member)	Field of Mars Church of England Cemetery Trust	Dedication No. 500909 Public Purpose: General Cemetery Notified 29 April 1884 File Ref: MN84R85

For a term commencing 19 July 2004 and expiring 18 July 2009

## SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Ernest Bruce KENNARD (re-appointment) Ronald George WEIR (re-appointment) Ronald Edward PARSONS (re-appointment) Rosetta TROVATELLO (new member)	Field of Mars Cemetery Independent (Congregational) Trust	Dedication No. 500801 Public Purpose: General Cemetery Notified 29 April 1884 File Ref: MN84R23

For a term commencing 19 July 2004 and expiring 18 July 2009

## SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Kevin Barnett BUTLER (re-appointment) Harold Frederick Gregory McKAY (re-appointment) Serge Auguste BECHARD (re-appointment) Ashok Kumar RUDHAR (new member) Ex-officio: The person for the time being occupying the position of the Trust Services Director of the Seventh Day Adventist Church of Greater Sydney Conference	Liverpool General Seventh Day Adventist Portion Trust	Dedication No. 500703 Public Purpose: General Cemetery Notified 16 December 1892 File Ref: MN84R115

For a term commencing 19 July 2004 and expiring 18 July 2009

## SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Warren James LOMAX (re-appointment) Allan David JAMES (re-appointment) Edna Jean HICKSON (re-appointment) Kenneth Harry COWLING (re-appointment) Diane WILLS (new member) Angela HARDMAN (new member) Colin James HARRINGTON (new member)	Liverpool General Cemetery Church of England Portion Trust	Dedication No. 500700 Public Purpose: General Cemetery Notified 16 December 1892 File Ref: MN83R101

For a term commencing 19 July 2004 and expiring 18 July 2009



**TAREE OFFICE****98 Victoria Street (PO Box 440), Taree, NSW 2430****Phone: (02) 6552 2788 Fax: (02) 6552 2816****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 for Lands

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Lindsay Neil Keay Anne Gillies & Stewart Folley (new members)	Collombatti Public Hall Trust	Dedication No. 610016 Public Purpose: Public Hall Notified: 19 July 1918 File Reference: TE80R351/2

For a term commencing the date of this notice and expiring 05 September 2007.

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Marie O'Neill Judith Anne Clenton Rex Dennis Clenton Robert Leonard Steinmetz Raymond Arthur O'Neill Delilah Edna Norrie (re-appointments)	Kendall War Memorial Reserve Trust	Reserve No. 76015 Public Purpose: War Memorial Notified: 26 June 1953 File Reference: TE80R156/2

For a term commencing 19 July 2004 and expiring 18 July 2009.

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Loretta Gwendoline Stennett Mervyn Claude Unicomb John Wesley Chick and Terrence Keith Lambert (reappointments)	Moorland Recreation Reserve Trust	Reserve No. 84341 Public Purpose: Public Recreation Notified: 22 March 1963 File Reference: TE80R196/2

For a term commencing 19 July 2004 and expiring 18 July 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 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**

*Parish – Grant; County – Gloucester;  
Local Government Area – Great Lakes*

Road being Lot 1 DP1065585 at Wards River.

Note: On closing the land within the former road remains vested in Great Lakes Council as operational land.

TE03 H 206 Council Ref: Doc 569194

**WAGGA WAGGA REGIONAL OFFICE**  
**Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650**  
**Phone: (02) 6937 2709      Fax: (02) 6921 1851**

**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.

TONY KELLY, M.L.C.,  
Minister for Lands.

—————  
SCHEDULE

**COLUMN 1**

Tumut Shire Council Crown  
Reserves Reserve Trust

**COLUMN 2**

Reserve No. 1010128  
Public Purpose: Public Recreation  
Notified: 2 July 2004  
File Reference: WA04R8

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## Department of Primary Industries

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### Argiculture

#### POULTRY MEAT INDUSTRY ACT 1986

Price Order No. 37

THE Poultry Meat Industry Committee, pursuant to Sections 6 (c) and 10 of the Poultry Meat Industry Act 1986, has determined on 1 and 28 June 2004, the base rates for the following classes of batch poultry respectively to be paid by processors to growers for designated poultry, namely chickens of the species [*Gallus gallus*] which are not more than 18 weeks old, and turkeys of the species [*Meleagris gallopavo*] from 1 January 2004, being the base rate adjustment date from which this order has effect, being base rates as follows, based on the requirements of Section 10 (4) of the Act. Fees for all classes of batch poultry for the fee period 1 January to 30 June 2004, have now been determined and submitted for gazettal.

#### **Baiada Poultry Pty Limited:**

Baiada Sydney conventional shed class of batch poultry:

51.75 cents per bird, plus a three cents per bird cleanout fee.

Baiada Sydney tunnel shed class of batch poultry:

52.75 cents per bird, plus three cents per bird cleanout fee.

#### **Inghams Enterprises Pty Ltd:**

Inghams turkey standard facilities of batch poultry:

\$38.74 per m<sup>2</sup> per annum, plus a brooding gas, litter and cleanout allowance

Inghams turkey improved facilities of batch poultry:

\$40.00 per m<sup>2</sup> per annum, plus a brooding gas, litter and cleanout allowance.

B. BUFFIER,  
Chairman, PMIC

28 June 2004.

#### POULTRY MEAT INDUSTRY ACT 1986

Price Order No. 36

THE Poultry Meat Industry Committee, pursuant to Sections 6 (c) and 10 of the Poultry Meat Industry Act 1986, has determined on 30 March 2004, the base rates for the following class of batch poultry to be paid by processors to growers for designated poultry, namely chickens of the species [*Gallus gallus*] which are not more than 18 weeks old, and turkeys of the species [*Meleagris gallopavo*] from 1 January 2004, being the base rate adjustment date from which this order has effect, based on the requirements of Section 10 (4) of the Act. Base rates for Baiada (Sydney) tunnel and conventional, and Inghams turkey, have not yet been determined for this period.

#### **Inghams Enterprises Pty Ltd:**

Northern Conventional shed class of batch poultry:  
54.75 cents per bird.

B. BUFFIER,  
Chairman, PMIC

1 April 2004.

## Mineral Resources

### MINING ACT 1992

#### ORDER UNDER SECTION 367

(T01-0197)

MARIE BASHIR, 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 367 of the Mining Act 1992, do by this order, constitute the lands described in the Schedule below as Reserve No 3232. I further order that no exploration licence, assessment lease, mining lease or mineral claim is to be granted over land in the reserve.

Signed and Sealed at Sydney, this 30th day of June 2004.

By Her Excellency's Command

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

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#### SCHEDULE

All that land situated within Armidale 1:1,000,000 Area, Block 964, Units g, h, j, k, m, n, o, p, s, t, u, x, y and z and Block 965, Units l, q and v.

Schedule 6 Land identification, Mining Regulation 2003.

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NOTICE is given that the following applications have been received:

#### EXPLORATION LICENCE APPLICATIONS

(04-574)

No. 2393, ELEPHANT MINES PTY LIMITED (ACN 097 799 025), area of 36 units, for Group 1, dated 8 July, 2004. (Sydney Mining Division).

(04-575)

No. 2394, AGRICULTURAL EQUITY INVESTMENTS PTY LIMITED (ACN 064 646 108), area of 17 units, for Group 1, dated 8 July, 2004. (Orange Mining Division).

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#### MINING LEASE APPLICATION

(04-1723)

No. 247, GLOUCESTER COAL LTD (ACN 008 881 712) and CIM STRATFORD PTY LTD (ACN 070 387 914), area of about 2.2 hectares, to mine for coal, dated 5 July, 2004. (Singleton Mining Division).

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

NOTICE is given that the following applications have been granted:

#### EXPLORATION LICENCE APPLICATIONS

(T02-0438)

No. 2009, now Exploration Licence No. 6258, TEMPLAR RESOURCES LIMITED (ACN 085 644 944), County of Cowper, Map Sheet (8137), area of 160 units, for Group 1, dated 21 June, 2004, for a term until 20 June, 2006.

(T04-0005)

No. 2269, now Exploration Licence No. 6263, MALACHITE RESOURCES NL (ACN 075 613 268), Counties of Buller and Drake, Map Sheet (9340), area of 100 units, for Group 1, dated 2 July, 2004, for a term until 1 July, 2006. As a result of the grant of this title, Exploration Licence No. 5427 has ceased to have effect.

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#### MINERAL CLAIM APPLICATION

(T02-0460)

Broken Hill No. 80, now Mineral Claim No. 298 (Act 1992) FARID KHAN, Parish of Hogarth, County of Fitzgerald, area of about 2 hectares, to mine for opal, dated 23 June, 2004, for a term until 22 June, 2009.

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

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NOTICE is given that the following application has been refused:

#### EXPLORATION LICENCE APPLICATION

(T04-0014)

No. 2277, MARK FREEMAN, County of Westmoreland, Map Sheet (8830). Refusal took effect on 29 June, 2004.

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

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

(04-1806)

Authorisation No. 405, HUNTER VALLEY ENERGY COAL LIMITED (ACN 062 894 464), area of 87 square kilometres. Application for renewal received 8 July, 2004.

(T91-0066)

Exploration Licence No. 4022, RIO TINTO EXPLORATION PTY LIMITED (ACN 000 057 125), area of 23 units. Application for renewal received 6 July, 2004.

(C02-0153)

Exploration Licence No. 5892, CENTENNIAL MANDALONG PTY LIMITED (ACN 101 508 892), area of 172.5 hectares. Application for renewal received 5 July, 2004.

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

**WITHDRAWAL OF APPLICATIONS FOR  
RENEWAL**

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

(C95-0473)

Consolidated Coal Lease No. 765 (Act 1973), AVON COLLIERY PTY LTD, Parish of Kembla, County of Camden, Map Sheet (9028-4-N, 9029-3-S), area of 43.04 hectares. The authority ceased to have effect on 7 July, 2004.

(C95-0474)

Coal Lease No. 603 (Act 1973), AVON COLLIERY PTY LTD, Parish of Kembla, County of Camden, Map Sheet (9028-4-N, 9029-3-S), area of 5.66 hectares. The authority ceased to have effect on 7 July, 2004.

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

**CANCELLATION OF AUTHORITIES AT  
REQUEST OF HOLDERS**

NOTICE is given that the following authorities have been cancelled:

(T02-0792)

Exploration Licence No. 6100, COMPASS RESOURCES N.L. (ACN 010 536 820), County of Narromine, Map Sheet (8532, 8533), area of 35 units. Cancellation took effect on 8 July, 2004.

(T03-0981)

Exploration Licence No. 6244, COMPASS RESOURCES N.L. (ACN 010 536 820), County of Bland and County of Gipps, Map Sheet (8430), area of 60 units. Cancellation took effect on 8 July, 2004.

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

# Roads and Traffic Authority

## Roads Act 1993

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

Eastern Capital City Regional 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.

Robert Morgan  
General Manager  
Eastern Capital City Regional Council  
(by delegation from the Minister for Roads)

## Schedule

### 1. Citation

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

### 2. Commencement

This Notice takes effect from the date of gazettal.

### 3. Effect

This Notice remains in force until 31 December 2009 unless it is amended or repealed earlier.

### 4. Application

4.1 This Notice applies to B-Doubles that 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 Eastern Capital City Regional Council

Type	Rd No	Road Name	Starting point	Finishing point	Conditions
25	92	Nerriga Rd	Kings Hwy (MR51), Braidwood	'Strathallan' 3km north of Braidwood	1. Travel is not permitted during the following hours on school days: 7.30am to 9am & 3pm to 4.30pm 2. Route on trial until 31 July 2005

## Roads Act 1993

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

CARRATHOOL SHIRE COUNCIL, in pursuance of Division 2 of Part 3 of the *Road Transport (mass, Loading and Access) Regulation 1996*, by this Notice, specify the roads and road related areas on or in which Road Trains may be used subject to any requirements or conditions set out in the Schedule.

**PETER KOZLOWSKI**  
**GENERAL MANAGER**  
**CARRATHOOL SHIRE COUNCIL**  
 (by delegation from the Minister for Roads)

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### Schedule

#### 1. Citation

This Notice may be cited as the **CARRATHOOL SHIRE** Road Train Notice No 2/2004

#### 2. Commencement

This Notice takes effect on **DATE OF GAZETTAL**

#### 3. Effect

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

#### 4. Application

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

#### 5. Routes

**Road Train routes within the CARRATHOOL SHIRE COUNCIL.**

(see schedule)

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT	000	Smith Road	MR501 (Lachlan Valley Way)	MR80 (Kidman Way)	

**ROADS ACT 1993****Notice under the Roads Transport (Mass, Loading and Access) Regulation, 1996**

**Carrathool Shire Council**, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 1996, makes the amendment in the Schedule to the routes and areas previously specified on or in which Road Trains may be used.

**PETER KOZLOWSKI**

**General Manager**

**CARRATHOOL SHIRE COUNCIL**

**(by delegation from the Minister for Roads)**

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

This Notice may be cited as the **Carrathool Shire Council Road Train Repeal Notice No 1/2004**

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Amendment**

The **Carrathool Shire Council Road Train Notice 1/2004** is amended by omitting the following from that Notice:

<b>Type</b>	<b>Road</b>	<b>Starting point</b>	<b>Finishing point</b>
RT	Grays Road	Lachlan Valley Way (MR501)	Kidman Way (MR80)



## Roads Act 1993

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

Greater Argyle 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.

**Don Cooper**  
**General Manager**  
**Greater Argyle City Council**  
 (by delegation from the Minister for Roads)

### Schedule

#### 1. Citation

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

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until 31 December 2009 unless it is amended or repealed earlier.

#### 4. Application

4.1 This Notice applies to B-Doubles that 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 Greater Argyle City Council

Type	Rd No	Road Name	Starting point	Finishing point	Conditions
25	000	Murac St, Goulburn	Chantry St	Maud St	Travel permitted only in the direction of listing
25	000	Maud St, Goulburn	Murac St	Wilmot St	Travel permitted only in the direction of listing
25	000	Wilmot St, Goulburn	Maud St	Chantry St	Travel permitted only in the direction of listing
25	000	Sinclair St, Goulburn	Common St	Goulburn Rubbish Depot	

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road at  
Baulkham Hills in the Baulkham Hills Shire 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.

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**SCHEDULE**

ALL those pieces or parcels of land situated in the  
Baulkham Hills Shire Council area, Parishes of Castle  
Hill and Field of Mars, County of Cumberland, shown as:

Lot 2 Deposited Plan 230475;

Lots 29 and 30 Deposited Plan 239191;

Lot 2 Deposited Plan 851790;

Lot 401 Deposited Plan 851792;

Lots 13, 14, 15, 18, 19, 21, 23, 24 and 25 Deposited Plan  
876649;

Lot 2 Deposited Plan 866949;

Lots 15, 16 and 17 Deposited Plan 863341;

Lot 11 Deposited Plan 863389; and

Lot 3 Deposited Plan 856038.

(RTA Papers: 31.1339)

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## Other Notices

### APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

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

#### CITATION

The order is cited as the Entertainment Order.

#### ORDER

A summary of the Order is given below.

##### (a) Term of Training

##### (i) Full-time

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

##### (ii) Part-time

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

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

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

##### (b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Entertainment Industry Competency Standards.

##### (c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Certificate II in Live Production, Theatre and Events CUE20103

Certificate III in Live Production, Theatre and Events (Construction and Manufacturing) CUE30103

Certificate III in Live Production, Theatre and Events (Technical Operations) CUE30203

Certificate III in Venues and Events (Customer Service) CUE30303

Certificate IV in Live Production, Theatre and Events (Construction and Manufacturing) CUE40103

Certificate IV in Costume for Performance CUE40203

Certificate IV in Make-up CUF40203

Certificate IV in Live Production, Theatre and Events (Technical Operations) CUE40303

Certificate IV in Venues and Events (Customer Service) CUE40403

#### AVAILABILITY FOR INSPECTION

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

#### ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of incorporation pursuant to Sections 55A and 55B

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

Cancellation is effective as at the date of gazettal.

Branxton Greta Meals on Wheels Incorporated	Y939741
Hawkesbury Fil-Aus Community Incorporated	Y2373816
Lake Macquarie Newcastle Catamaran Club Inc	Y0232019
Pound Animals Welfare Scheme – (P.A.W.S.) Incorporated	C9878560
Education Support Service Association Inc	Y0399704
Griffith Association for Greening Australia Inc	Y1462726
Maryland/Fletcher Progress Association Incorporated	Y1937600
Sydney Airport Social Club Incorporated	Y2157332
Cooks Gaps Bush Fire Brigade Social Club Incorporated	Y1935018
Eurobodalla Youth Service Inc	Y0228936
Southern Highlands Landcare Network Incorporated	Y3005210
The Lighthouse Church Incorporated	Y2013904

CHRISTINE GOWLAND,  
A/General Manager

Registry of Co-operatives & Associations

Office of Fair Trading  
Department of Commerce  
14/07/2004

**CONTAMINATED LAND MANAGEMENT  
ACT 1997**

Environment Protection Authority

Declaration of remediation site

Section 21

Declaration Number 21026, Area No. 3197

THE Environment Protection Authority ("the 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 site")**

The premises located at 127 Orchard Road, Chester Hill, NSW 2162, comprising Lot 2 of DP700896 in the local government area of Bankstown

**2. Nature of the substances causing the contamination ("the contaminants"):**

Contaminants in soil and groundwater at the site include a range of volatile chlorinated hydrocarbons ("VCH") - most significantly vinyl chloride, Cis 1,2 dichloroethene (cis 1,2 DCE), 1,2 dichloroethane (1,2 DCA), trichloroethene (TCE), chloroform and carbon tetrachloride.

**3. Nature of harm that the substance may cause:**

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

- The VCH contaminants are impacting on the ambient air quality within the main warehouse on the site. People working in the warehouse could be exposed to unacceptable levels of VCH contamination. This presents a health risk to those people.
- The International Agency for Research on Cancer (IARC) classifies vinyl chloride as a known human carcinogen, TCE as a probable carcinogen and 1,2 DCA as a possible carcinogen.
- The contamination is migrating off-site via groundwater flow. Because of the volatile nature of the contaminants and the fact that the contaminants are permeating from soil into the atmosphere, the contamination has the potential to impact on the adjoining properties to the west of the premises.

**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 5930

by not later than 6 August 2004

CAROLYN STRANGE,  
Director Contaminated Sites  
Department of Environment and Conservation  
(by delegation)

Date: 13 July 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 a subsequent declaration. It remains in force until it is otherwise varied or 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 that this declaration has been made, as soon as practicable. 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 area. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate can be removed.

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**CO-OPERATIVES ACT 1992**

Notice under section 601ac of The Corporations Law as applied by section 325 of The Co-Operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

NEWBOLD BOWLING CLUB CO-OPERATIVE LTD

Dated this fourteen day of July 2004.

C. GOWLAND,  
Delegate of The Registrar of Co-Operatives

**DISTRICT COURT OF NEW SOUTH WALES****DIRECTION**

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Armidale 10:00 a.m. 9th August 2004 (3 weeks)  
In lieu of 9th August 2004 (2 weeks)

Coonamble 10:00 a.m. 9th August 2004 (2 weeks)  
In lieu of 9th August 2004 (3 weeks)

Dated this 6th day of July 2004.

R. O. BLANCH,  
Chief Judge

**GAS SUPPLY ACT 196****INDEPENDENT PRICING AND REGULATORY  
TRIBUNAL OF NEW SOUTH WALES****Application for Variation of Gas Distributor's Licence**  
(ref: 00/242-2)

THE Tribunal has received an application from Wesfarmers Kleenheat Gas Pty Ltd (ACN 40 008 679 543) for a variation to its Gas Distributor's Licence issued under the Gas Supply Act 1996.

If approved, the variation would add the Local Government Area of the Shire of Tweed to those areas in which the company is currently licensed to reticulate liquefied petroleum gas and other gases, not including natural gas.

A summary of the application details can be obtained from the Tribunal's office and from its website at [www.ipart.nsw.gov.au](http://www.ipart.nsw.gov.au). Public submissions on the application are invited and should address the assessment criteria contained in the Gas Supply Act 1996.

All submissions should reach the Tribunal by 25 August 2004. Inquiries to Mr Gary Drysdale (02) 9290 8477.

James Cox,  
Acting Chairman  
16 July 2004

Level 2  
44 Market Street  
SYDNEY NSW 2000  
PO Box Q290  
QVB Post Office  
NSW 1230

**HOUSING ACT 2001****NOTICE OF COMPULSORY ACQUISITION OF LAND  
AT HEATHCOTE**

THE New South Wales Land and Housing Corporation 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 Housing Act 2001. (LANDCOM 12752/1 D01/1090/01)

Dated at Parramatta this 12th day of July 2004.

SEAN O'TOOLE,  
Managing Director  
Landcom

**SCHEDULE**

All that piece or parcel of land situated at Heathcote in the Shire of Sutherland, Parish of Heathcote, County of Cumberland, being lot 101 DP1061706.

**HOUSING ACT 2001**

Notice of compulsory acquisition of land at Heathcote  
THE New South Wales Land and Housing Corporation 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 Housing Act 2001. (LANDCOM 12752/2 D01/1090/01)

Dated at Parramatta this 12th day of July 2004.

SEAN O'TOOLE,  
Managing Director  
Landcom

**SCHEDULE**

All that piece or parcel of land situated at Heathcote in the Shire of Sutherland, Parish of Heathcote, County of Cumberland, being lot 1 DP1061705.

**NATIONAL PARKS AND WILDLIFE ACT 1974****Notice of Reservation**

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under Section 71O(2) of the National Parks and Wildlife Act 1974, do, by this notice;

- (a) revoke the reservation of the lands described in Schedule 1 hereunder,
- (b) vest those lands described in Schedule 1 hereunder, in the Cobar Local Aboriginal Land Council, subject to the matters listed in Section 71O(2)(b), and
- (c) reserve as Mount Grenfell Historic Site, in accordance with Section 71O(2)(c) and described in Schedule 2 hereunder.

Signed and sealed at Sydney this 14th day of July, 2004.

MARIE BASHIR, Governor,

By Her Excellency's Command,

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

GOD SAVE THE QUEEN

**SCHEDULE 1**

All that piece or parcel of land being the whole of Mount Grenfell Historic Site reserved by proclamation published in the *NSW Government Gazette* on 12 October, 1979.

**SCHEDULE 2**

All that piece or parcel of land being the whole of the area formerly known as Mount Grenfell Historic Site reserved by proclamation published in the *NSW Government Gazette* on 12 October, 1979, also being lots 4715 & 4716 DP767880; A/2932.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Erratum

IN the proclamation appearing in the Government Gazette dated 25<sup>th</sup> June 2004, folio 4808 – 9; reserving part of Yengo National Park, County Northumberland Parish Milbrodale, the addition of the Crown Public Road within lots 21, 42, 44, 47, 48, 50 and 55 DP 755240 is incorrect and should read “the Crown Public Roads within lots 21, 42, 44, 46, 47, 48, 50 and 55 DP 755240”; NPWS/F/2973.

LISA CORBYN,  
Director General  
Department of Environment and Conservation

**PARLIAMENTARY REMUNERATION  
TRIBUNAL**

## ERRATUM

THE electoral allowance for members of the Legislative Council appearing in the Parliamentary Remuneration Tribunal determination of 30 June 2004 and published in *Government Gazette* of 2 July 2004 was incorrect. The correct rate, effective from 1 July 2004, is \$40,680 per annum.

The Honourable Justice R, BOLAND,  
Parliamentary Remuneration Tribunal

**RURAL FIRES ACT 1997**

PURSUANT to Section 82 of the Rural Fires Act 1997 as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

**Area of Variation:**

Clarence Valley Zone Incorporating;  
Clarence Valley Local Government Area

The Local Bush Fire Danger period has been extended for the period 1 September until 1st October each year.

During this period permits pursuant to Section 87 of the Rural Fires Act 1997 as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER, AFSM,  
Assistant Commissioner  
Executive Director Operations & Regional  
Management  
Delegate

**RURAL FIRES ACT 1997**

PURSUANT to Section 82 of the Rural Fires Act 1997 as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

**Area of Variation:**

Cessnock/Maitland Team Incorporating;  
Cessnock Local Government Area  
Maitland Local Government Area

The Local Bush Fire Danger period has been extended for the period 1 September until 1st October each year.

During this period permits pursuant to Section 87 of the Rural Fires Act 1997 as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER, AFSM,  
Assistant Commissioner  
Executive Director Operations & Regional  
Management  
Delegate

**SPORTING INJURIES INSURANCE ACT 1978**

Order of Declaration under Section 5

SPORTING INJURIES COMMITTEE

SYDNEY, 7th July, 2004

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this order the

**Canowindra Squash Club Inc**

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Squash.

JON BLACKWELL,  
Chairperson

Date: 28th June, 2004.

**SPORTING INJURIES INSURANCE ACT 1978**

Order of Declaration under Section 5

SPORTING INJURIES COMMITTEE

SYDNEY, 7th July, 2004

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this order the

**NSW Squash Ltd**

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Squash.

JON BLACKWELL,  
Chairperson

Date: 7th July, 2004.

**SPORTING INJURIES INSURANCE ACT 1978**

Order of Declaration under Section 5

SPORTING INJURIES COMMITTEE

SYDNEY, 7th July, 2004

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare be this order the

**Warialda Touch Football Association**

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Touch Football.

IAN EATHER,  
A/Chairperson

Date: 7th July, 2004

**SUBORDINATE LEGISLATION ACT 1989**

## Sporting Injuries Committee

In accordance with section 5 of the Subordinate Legislation Act 1989, notice is given of the proposed Sporting Injuries Insurance Regulation 2004 under the Sporting Injuries Insurance Act 1978.

The Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989. The object is to remake the provisions of the Sporting Injuries Insurance Regulation 1997, which are still required, without any changes in substance. The Regulation provides for:

- interest rates relating to the Supplementary Fund;
- funeral expenses;
- compensation payable under Table A in Schedule 1 to the Act (which deals with injuries to arms, legs, sight and miscellaneous injuries); and
- other matters of a machinery nature.

A copy of the Regulatory Impact Statement and the draft Regulation may be obtained from:

John Anderson  
Executive Officer  
NSW Sporting Injuries Committee  
Level 4, 92-100 Donnison Street  
Gosford NSW 2250

Written comments and submissions should be addressed to the Executive Officer and received by 9 August 2004.

**SUBORDINATE LEGISLATION ACT 1989  
LORD HOWE ISLAND REGULATION 2004**Public Exhibition of Proposed New Regulation and  
Regulatory Impact Statement

THE Lord Howe Island Board has drafted a new Regulation under the Lord Howe Island Act 1953 to replace the current Lord Howe Island (General) Regulation 1994 and the Lord Howe Island (Elections) Regulation 1999. A Regulatory Impact Statement has been prepared in accordance with the Subordinate Legislation Act 1989 to assess the economic, social and environmental costs and benefits of the proposed Regulation. The new Regulation will take effect from 1 September 2004.

The draft Regulation proposes a wide range of provisions to enable the efficient and effective care, control and management of Lord Howe Island and the affairs and trade of the Island.

You are invited to comment on the draft Regulation and the associated Regulatory Impact Statement (RIS).

Copies of the RIS and the draft Regulation are available from the Lord Howe Island Board on telephone 02 6563 2066 or by email on [lhib@bigpond.com](mailto:lhib@bigpond.com).

Send your written comment by 6 August 2004 to:

The Manager  
Lord Howe Island Board  
PO Box 5  
Lord Howe Island NSW 2898  
or via email to [lhib@bigpond.com](mailto:lhib@bigpond.com)

**TRANSPORT ADMINISTRATION ACT 1988****LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

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

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

Dated this 18th day of March 2004.

VINCE GRAHAM,  
Chief Executive Officer

**SCHEDULE**

All that piece or parcel of land situate at Chullora in the Local Government Area of Bankstown, Parish of Liberty Plains, County of Cumberland and State of New South Wales, being Lot 499 in Deposited Plan 1058360, exclusive of (A) EASEMENT FOR WATER SUPPLY 4.57 WIDE (D.P.558060) RESUMED VIDE G.G. DATED 22.12.72 FOL.5263 and (B) EASEMENT TO DRAIN WATER 4.57W, 3W. & VAR. (D.P.46561) RESUMED VIDE G.G. DATED 27.7.84 FOL.3927 having an area of 1105 square metres or thereabouts and said to be in the possession of The State of New South Wales.

SRA Reference: 011503

**WORKERS COMPENSATION ACT 1987**Workers Compensation (Public Hospital Rates)  
Order 2004 No 1

I, JON BLACKWELL, Chief Executive Officer of the WorkCover Authority of New South Wales, pursuant to section 62 (1) of the Workers Compensation Act 1987, and with the concurrence of the Minister for Health, make the following Order.

Dated this 12th day of July 2004.

JON BLACKWELL,  
Chief Executive Officer  
WorkCover Authority

**1. Name of Order**

This Order is the *Workers Compensation (Public Hospital Rates) Order 2004 No 1*.

**2. Commencement**

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

**3. Application of Order**

- (1) This Order applies to the hospital treatment of a worker at a public hospital, being treatment of a type referred to in clauses 5 to 8 and provided on or after the date of commencement of this Order, whether the treatment relates to an injury that is received before, on or after that date.

- (2) Any previous Order of WorkCover in force under section 62 of the Act continues to apply except to the extent that it is inconsistent with this Order.
- (3) Any order of the Director-General of the Department of Health made pursuant to clause 18 of the *Workers Compensation (General) Regulation 1995* has effect as if it were an order relating to the classification of hospitals made for the purposes of clause 5 of this Order, subject to any amendment of it made by any subsequent order of the Director-General of the Department of Health.
- (4) Any order of the Director-General of the Department of Health relating to the classification of hospitals made for the purposes of clause 5 of this Order or any previous Order under section 62 of the Act has effect, subject to any amendment of it made by any subsequent order of the Director-General of the Department of Health.
- (5) Any order relating to the classification of hospitals made for the purposes of clause 5 of this Order may provide that a hospital is not a public hospital of a particular type in respect of treatment provided to a specified class of patient.

#### 4. Definitions

- (1) In this Order:

**classification** refers to a classification of hospital, category of patient or otherwise (or any combination of them), appearing in Column 1 of the Tables to clauses 5 to 8 of this Order.

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

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

- (2) A reference to treatment or services in this Order is (consistent with the definition of “hospital treatment” in section 59 of the Act) a reference to treatment or services provided at a public hospital or at any rehabilitation centre conducted by such a hospital.

#### 5. Fees for hospital patient services generally

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being treatment provided to a worker within a classification specified in Column 1 of the Table to this clause is:

- (a) in the case of inpatient services, for each day (or part of a day) that the worker is a patient of the hospital, or
- (b) in the case of outpatient services, for each occasion of service,

the corresponding amount specified in Column 2 of that Table.

- (2) This clause does not apply to hospital treatment of a type referred to in clauses 6 to 8 of this Order.
- (3) In this clause and the Table to this clause:

**critical care**, in relation to a patient, has the same meaning as it has in the “NSW Department of Health – DOHRS” issued by the Department of Health in June 2000 or in any subsequent revision of that document issued by that Department.

**metropolitan (non-referral) hospital** means a public hospital classified as a metropolitan (non-referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.

**metropolitan (referral) hospital** means a public hospital classified as a metropolitan (referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.

**non-metropolitan hospital** means a public hospital classified as a non-metropolitan hospital in an order published in the Gazette by the Director-General of the Department of Health.

**other public hospital** means a public hospital other than a metropolitan (non-referral) hospital, a metropolitan (referral) hospital, a non-metropolitan hospital or a psychiatric hospital.

**outpatient** means a patient who does not undergo a formal admission process.

**psychiatric hospital** means a public hospital classified as a psychiatric hospital in an order published in the Gazette by the Director-General of the Department of Health.

**public hospital** means a public hospital within the meaning of section 59 of the Act.

**Table Fees for hospital patient services generally**

Column 1 Hospital classification	Column 2 Amount (\$)
(1) Metropolitan (referral) hospital:	
(a) Critical care	1,970 per day
(b) Other	795 per day
(c) Outpatient occasion of service (excluding physiotherapy)	90
(2) Metropolitan (non-referral) hospital:	
(a) Critical care	1,150 per day
(b) Other	595 per day
(c) Outpatient occasion of service (excluding physiotherapy)	70
(3) Non-metropolitan hospital:	
(a) Critical care	910 per day
(b) Other	550 per day
(c) Outpatient occasion of service (excluding physiotherapy)	60
(4) Psychiatric hospital:	
(a) Inpatient	335 per day
(b) Outpatient occasion of service (excluding physiotherapy)	60
(5) Other public hospital:	
(a) Inpatient	185 per day
(b) Outpatient occasion of service (excluding physiotherapy)	60

#### 6. Fees for brain injury rehabilitation services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being brain injury rehabilitation services within a classification specified in Column 1 of the Table to this clause, is the corresponding amount specified in Column 2 of that Table.
- (2) This clause does not apply to hospital treatment of a type referred to in clause 5, 7 or 8 of this Order.



- (3) In this clause and the Table to this clause:

**Category A patient** means a patient being assessed for or receiving active rehabilitation.

**Category B patient** means a patient receiving personal and nursing support who is resident in a brain injury program unit.

**Category X patient** means a patient needing an extremely high level of support.

**metropolitan (non-referral) hospital** means a public hospital classified as a metropolitan (non-referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.

**outpatient** means a patient who does not undergo a formal admission process.

**Table Fees for brain injury rehabilitation services**

Column 1 Item/Hospital classification	Column 2 Amount (\$)
(1) Admitted patient services:	
(a) Category A patient	805 per day
(b) Category B patient	515 per day
(c) Category X patient	1,145 per day
(2) Metropolitan (non-referral) hospital:	
(a) Category A patient	575 per day
(b) Category B patient	285 per day
(3) Non-admitted patient services	55 per half hour
(4) Outpatient medical clinic appointments	
(a) Medical consultation – initial assessment	190
(b) Medical consultation – follow-up assessment	95
(5) Group activities	
(a) directly supervised by qualified allied health clinician	35 per half hour
(b) not directly supervised by qualified allied health clinician	25 per half hour

## 7. Fees for spinal injury rehabilitation services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being spinal injury rehabilitation services within a classification specified in Column 1 of the Table to this clause, is the corresponding amount specified in Column 2 of that Table.
- (2) This clause does not apply to hospital treatment of a type referred to in clauses 5, 6 or 8 of this Order.

**Table Fees for spinal injury rehabilitation services**

Column 1 Item/Hospital classification	Column 2 Amount (\$)
(1) Admitted patients (Northern Area Health Service, Royal Rehabilitation Centre of Sydney)	550 per day
(2) Outpatient services	
(a) Conference	50 per half hour per therapist
(b) Therapy	50 per half hour per therapist

## 8. Fee amount payable for physiotherapy outpatient services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being physiotherapy services provided to the worker as an outpatient and within a classification specified

in Column 1 of the Table to this clause is the corresponding amount specified in Column 2 of that Table.

- (2) This clause does not apply to hospital treatment of a type referred to in clauses 5, 6 or 7 of this Order.
- (3) The *Workers Compensation (Physiotherapy Fees) Order 2004 No 1* contains requirements relating to physiotherapy management plans where more than eight occasions of service are required.
- (4) In this clause and the Table to this clause:

**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.

**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.

**initial consultation and treatment** means the first session provided by the physiotherapist in respect of an injury, and may include:

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

**standard consultation and treatment** means treatment sessions provided subsequently to the initial session, and may include:

- re-assessment;
- treatment/service; and
- clinical recording.

**two distinct areas** means two areas affected by entirely separate compensable injuries or conditions, which are assessed and treated separately. Where areas are distinct, treatment provided for one condition does not affect the symptoms of the other condition. Areas are not distinct where a condition causes referred symptoms to another area.

**Table Physiotherapy outpatient services**

Column 1 Item/type of service	Column 2 Amount (\$)
(1) Initial consultation and treatment	60
(2) Standard consultation and treatment	50
(3) Initial consultation and treatment of two distinct areas	90
(4) Standard consultation and treatment of two distinct areas	75
(5) Complex treatment	100
(6) Group/class service	35 per participant
(7) Other aspects of treatment not covered by items (1) to (6), for instance case conferencing and employer consultations	120 per hour

**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

### ALBURY CITY COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads – Prospero Court, Benu Circuit, Juno Court and Vine Street

NOTICE is hereby given that the Albury City Council, in pursuance of section 162 of the Roads Act 1993, has approved the following road names:

<i>Description</i>	<i>New Name</i>
The constructed service road on the southern boundaries of Lots 451, 453 and 454, DP 1000873 and Lot 2, DP 1057849. This service road runs parallel to the Riverina Highway off Pheonix Place, Thurgoona.	Prospero Court.
New roads on a proposed subdivision of land abutting the eastern end of Ariel Drive, Thurgoona.	Benu Circuit. Juno Court.
The southern section of Mate Street between North Street and Tribune Street.	Vine Street, Albury.

Authorised by the delegated officer. GENERAL MANAGER, Albury City Council, 553 Kiewa Street, Albury, NSW 2640. [0493]

### BELLINGEN SHIRE COUNCIL

Roads (General) Regulation 2000

Naming of Roads

NOTICE is hereby given that Council has pursuant to section 162 of the Roads Act 1993, named those sections of road as described hereunder:

- A road intersecting Tamarind Drive, Dorrigo - "Walnut Close". (Authorised by a Council Resolution of 6th July, 2004).
- The Street within the subdivision located off Old Coramba Road, Dorrigo - "Cofton Close". (Authorised by a Council Resolution of Tuesday, 8th June, 2004).

P. J. DOYLE, General Manager, Bellingen Shire Council, PO Box 117, Bellingen, NSW 2450. [0494]

### BLACKTOWN CITY COUNCIL

Roads Act 1993, Sections 39 and 40

Closure and Transfer of Temporary Road

THE Council hereby declares, pursuant to sections 39 and 40 of the Roads Act 1993, that the temporary road comprised in the lot described in the Schedule hereunder is closed and is to be transferred to Henley Investment Projects Pty Ltd. I. REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148.

## SCHEDULE

Lot 189, DP 1007801, situated between Old Windsor Road and Arnold Place, Glenwood. [0495]

### COROWA SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Corowa Shire Council as successor of Hume Shire Council declares with the approval of Her Excellency the Governor, that the lands described in the Schedule below, excluding any mines or deposits of minerals in those lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Albury this 5th day of July 2004. B. CORCORAN, General Manager, Corowa Shire Council, PO Box 77, Corowa, NSW 2646.

## SCHEDULE

Lot 1, DP 1048757. [0492]

### GREAT LAKES COUNCIL

Roads Act 1993, Section 162

Roads (General) Regulation 2000

Naming of Roads

NOTICE is hereby given that Great Lakes Council, pursuant to the aforementioned Act and Regulation, has named the roads described hereunder.

<i>Description</i>	<i>Name</i>
Proposed cul-de-sac heading north-west off Aquatic Road, Failford.	Serene Close.
Proposed road heading north-east off Serene Close, Failford.	Glider Avenue.
Proposed cul-de-sac heading west and east off Glider Avenue, Failford.	Osprey Place.

KEITH O'LEARY, General Manager, Great Lakes Council, Breese Parade, Forster, NSW 2428. [0496]

### SUTHERLAND SHIRE COUNCIL

Roads Act 1993

Roads (General) Regulation 1994

Naming of Roads – Margaret Lane, Sylvania and Warburton Lane, Gympea

NOTICE is hereby given that Sutherland Shire Council, pursuant to Division 2 of the Roads (General) Regulation, notified the proponents by way of advertisement and written correspondence, for a period not less than one (1) month, of the intention to name an unnamed Lane that runs between Belgrave Esplanade and Clare Street,

Sylvania to Margaret Lane, Sylvania and name an unnamed Lane that runs off Warburton Street, Gynea to Warburton Lane, Gynea. Having received no objection after giving due consideration to all submissions, Council has resolved to proceed with the road naming effective from 21st June, 2004. J. W. RAYNER, General Manager, Sutherland Shire Council, PO Box 17, Sutherland, NSW 1499. [0497]

### TWEED SHIRE COUNCIL

Roads Act 1993

Renaming of Public Road

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has renamed a public road that was dedicated in a plan of subdivision at Pottsville as Lomandra Avenue. Authorised by resolution of the Council on 7th July, 2004. GENERAL MANAGER, Tweed Shire Council, Civic Centre, Tumbulgam Road, Murwillumbah, NSW 2484. [0499]

### WEDDIN SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Acquisition of Crown Land for  
Rubbish Depot Extensions

WEDDIN SHIRE COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provision of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of extending Grenfell Rubbish Depot. Dated at Grenfell this 9th day of July, 2004. T. V. LOBB, General Manager, Weddin Shire Council, PO Box 125, Grenfell, NSW 2810.

#### SCHEDULE

Lots 77, 120, 121, 122 in DP 752945; Lots 1, 2, 3 in DP 1067922. [0498]

### WYONG SHIRE COUNCIL

Roads Act 1993

Closure of Temporary Road

PURSUANT to section 39 of the Roads Act 1993, notice is hereby given that the temporary road providing access to Willandra Road, Woongarra, being Lot 501, DP 874312, is closed and the land comprised in the temporary road is freed and discharged from any rights of the public or any person to use the land comprised therein as public road. K. YATES, General Manager, PO Box 20, Wyong, NSW 2259. [0509]

### WYONG SHIRE COUNCIL

#### ERRATUM

THE notice published in *Government Gazette* No. 112, dated 2nd July, 2004, page 5748, under the heading Wyong Shire Council, Water Management Act 2000, Service Charges for 2004/2005, was printed with the name J. S. DAWSON, General Manager, which was incorrect. The name should have been K. YATES, General Manager. This erratum now amends this error.

## ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of GILLIAN MARGARET HENRY, late of 57 Isis Street, Wahroonga, in the State of New South Wales, who died on 14th January, 2004, must send particulars of his/her claim to the executor, Terry Henry, c.o. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby, NSW 2077, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executor has notice. Probate was granted in New South Wales on 1st July, 2004. COLLINS & THOMPSON, Solicitors, 8 Coronation Street, Hornsby, NSW 2077 (PO Box 455, Hornsby 1630), (DX 9691, Hornsby), tel.: (02) 9476 2788. (Reference: DJT:JC:86001) [0501]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOHN BRIAN HILL, late of 9 Heeley Street, Paddington, in the State of New South Wales, cartoonist, who died on 24th April, 2004, must send particulars of the claim to the executor, Milan Djekovic, c.o. Djekovic, Hearne & Walker, Solicitors, 266A Oxford Street, Paddington, NSW 2021, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 3rd June, 2004. DJEKOVIC, HEARNE & WALKER, Solicitors, 266A Oxford Street, Paddington, NSW 2021 (DX 225, Sydney), tel.: (02) 9331 1933. (Reference: SMH.DJEK9327.04) [0502]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HELENA OPRYSZKO, late of 28 Jasmine Crescent, Cabramatta, in the State of New South Wales, widowed, who died on 20th March, 2004, must send particulars of his/her claim to the executors, Wladimir Opryszko, Alina Clemente and Sandra Cummins, c.o. Doherty Partners, Solicitors, Level 1, 171 Bigge Street, Liverpool, NSW 2170, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executors have notice. Probate was granted in New South Wales on 21st June, 2004. DOHERTY PARTNERS, Solicitors, Level 1, 171 Bigge Street, Liverpool, NSW 2170 (PO Box 1163, Liverpool BC 1871), (DX 5034, Liverpool), tel.: (02) 9601 7300. (Reference: JULIE SHEDDEN:CS:SC 41367) [0503]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MAUDE SAID, late of Rose Bay, in the State of New South Wales, widow, who died on 20th February, 2004, must send particulars of their claim to the executors, David Michael Said and Cathryn Debra Said, c.o. Truman Hoyle, Lawyers, Level 18, 68 Pitt Street, Sydney, NSW 2000, within one (1) calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have

notice. Probate was granted in New South Wales on 21st June, 2004. TRUMAN HOYLE, Lawyers, Level 18, 68 Pitt Street, Sydney, NSW 2000, (DX 263, Sydney), tel.: (02) 9232 5588. (Reference: DLS(SR)3813) [0504]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOAN DOROTHY WALTON, late of Mosman, in the State of New South Wales, widow, who died on 22nd April, 2004, must send particulars of their claim to the executor, Matthew Walton, c.o. Truman Hoyle, Lawyers, Level 18, 68 Pitt Street, Sydney, NSW 2000, within one (1) calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 25th June, 2004. TRUMAN HOYLE, Lawyers, Level 18, 68 Pitt Street, Sydney, NSW 2000, (DX 263, Sydney), tel.: (02) 9232 5588. (Reference: SR3842) [0505]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CONCETTINA VIZZARRI, late of 29 Groongal Avenue, Griffith, in the State of New South Wales, widow, who died on 24th April, 2004, must send particulars of his claim to the executrix, Anna Guiseppina Kolarik, c.o. Messrs Olliffe & McRae, Solicitors, PO Box 874, Griffith, NSW 2680, 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 1st July, 2004. MESSRS OLLIFFE & McRAE, Solicitors, 381 Banna Avenue (PO Box 874), Griffith, NSW 2680, (DX 5901, Griffith), tel.: (02) 6962 1744. (Reference: JFM:CP/N490) [0506]

## COMPANY NOTICES

NOTICE convening final meeting of creditors.—P & M CONCRETING PTY LIMITED, ACN 002 572 643 (in liquidation).—Notice is hereby given pursuant to section 509 of the Corporations Law that the final creditors meeting of the abovenamed company will be held at the office of Lower, Russell & Farr, First Floor, 81 Henry Street, Penrith, on 13th August, 2004, at 10:00 a.m., for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of. Persons claiming to be creditors are required to prove their debt by no later than 4 o'clock of the previous day. In default they will be excluded from the benefit of the dividend. Dated this 13th day of July, 2004. STEPHEN HENRY LOWER, Liquidator, c.o. Lower, Russell & Farr, Chartered Accountants, First Floor, 81 Henry Street (PO Box 459), Penrith, NSW 2751, tel.: (02) 4732 3033. (Reference: SHL/JRC:LIQ161) [0508]

NOTICE convening final meeting of creditors.—WERRINGTON DEVELOPMENTS PTY LTD, ACN 000 285 576 (in liquidation).—Notice is hereby given pursuant to section 509 of the Corporations Law that the final creditors meeting of the abovenamed company will be held at the office of Lower, Russell & Farr, First Floor, 81 Henry Street, Penrith, on 13th August, 2004, at 10:00 a.m., for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of. Persons claiming to be creditors are required to prove their debt by no later than 4 o'clock of the previous day. In default they will be excluded from the benefit of the dividend. Dated this 13th day of July, 2004. STEPHEN HENRY LOWER, Liquidator, c.o. Lower, Russell & Farr, Chartered Accountants, First Floor, 81 Henry Street (PO Box 459), Penrith, NSW 2751, tel.: (02) 4732 3033. (Reference: SHL/JRC:LIQ162) [0507]

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MICHAEL J. O'SHEA, Acting Government Printer.