



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 148  
Friday, 2 December 2005

Published under authority by Government Advertising and Information

## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 24 November 2005

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. 91 2005 - An Act to amend the Superannuation Administration Act 1996 and the First State Superannuation Act 1992 with respect to the conversion of the FSS Trustee Corporation to a proprietary company limited by shares and the conversion of the First State Superannuation Fund to a superannuation fund regulated under Commonwealth legislation; and for other purposes. **[First State Superannuation Legislation Amendment (Conversion) Bill]**

Act No. 92 2005 - An Act to amend the Shops and Industries Act 1962 with respect to the closure of certain shops on Sunday 25 December 2005, Monday 26 December 2005 and Sunday 1 January 2006. **[Shops and Industries Amendment (Special Shop Closures) Bill]**

Act No. 93 2005 - An Act to amend the Children and Young Persons (Care and Protection) Act 1998 with respect to the powers of the Children's Court to compel attendance and other powers of the Children's Court, Children's Magistrates and certain registrars; powers of arrest; and for other purposes. **[Children and Young Persons (Care and Protection) Amendment Bill]**

Act No. 94 2005 - An Act to amend the Crimes Act 1900, the Criminal Procedure Act 1986 and the Law Enforcement (Powers and Responsibilities) Act 2002 with respect to animal cruelty offences; and for other purposes. **[Crimes Amendment (Animal Cruelty) Bill]**

Act No. 95 2005 - An Act to amend the Farm Debt Mediation Act 1994 so that the provisions of that Act apply in respect of a farm debt secured by an interest in a water access licence. **[Farm Debt Mediation Amendment (Water Access Licences) Bill]**

Act No. 96 2005 - An Act to make miscellaneous amendments to the Protection of the Environment Operations Act 1997 and other Acts and a regulation relating to penalties, regulation of waste, land pollution, water pollution, smoke pollution from residences, green offsets, environment protection licences, reports and other matters; and for other purposes. **[Protection of the Environment Operations Amendment Bill]**

Act No. 97 2005 - An Act to amend the Marketing of Primary Products Act 1983 with respect to the marketing of rice; and for other purposes. **[Rice Marketing Amendment (Prevention of National Competition Policy Penalties) Bill]**

Act No. 98 2005 - An Act to repeal certain Acts 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 (No 2)]**

Russell D. Grove PSM  
Clerk of the Legislative Assembly

**ACTS OF PARLIAMENT ASSENTED TO**

Legislative Assembly Office, Sydney, 28 November 2005

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. 99 2005 - An Act to amend the Technical and Further Education Commission Act 1990 to make special provision for the movement of staff between the TAFE Commission and the Department of Education and Training; and for other purposes. [**Technical and Further Education Commission Amendment (Staff) Bill**]

Act No. 100 2005 - An Act to provide for the registration of training organisations and the accreditation of vocational courses in accordance with national standards and the approval of providers of courses to overseas students; to reconstitute the Vocational Education and Training Accreditation Board; to repeal the Vocational Education and Training Accreditation Act 1990; and for other purposes. [**Vocational Education and Training Bill**]

Act No. 101 2005 - An Act to amend the Companion Animals Act 1998 to make further provision with respect to dangerous and restricted dogs and the duties and responsibilities of their owners; to increase penalties for certain offences under the Act and to consolidate enforcement powers under the Act; and for other purposes. [**Companion Animals Amendment Bill**]

Russell D. Grove PSM  
Clerk of the Legislative Assembly

---



---

## Proclamations

---



---



New South Wales

### Proclamation

under the

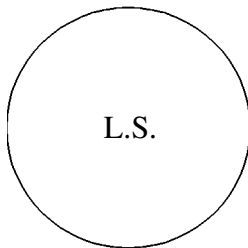
Roman Catholic Church Communities' Lands Act 1942

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 26 of the *Roman Catholic Church Communities' Lands Act 1942*, do, by this my Proclamation, amend Schedule 2 to that Act by omitting the matter relating to the Society of St. Gerard Majella.

Signed and sealed at Sydney, this 30th day of November 2005.

By Her Excellency's Command,



BOB DEBUS, M.P.,  
Attorney General

GOD SAVE THE QUEEN!

#### Explanatory note

Schedule 2 to the *Roman Catholic Church Communities' Lands Act 1942* (**the Act**) contains canonical and corporate names of certain Roman Catholic orders, congregations, communities, associations and societies. By virtue of being listed in the Schedule, each such organisation is a community as defined in the Act, and by virtue of the Act, the trustees for the community become a body corporate and acquire the powers conferred by the Act in relation to property held by them.

The Trustees of the Society of St. Gerard Majella were a body corporate created by the Act. The body corporate has been wound up under the Act. This proclamation amends Schedule 2 to the Act as a consequence.

---

# Regulations

---



New South Wales

## Liquor Amendment (Sunday Trading) Regulation (No 3) 2005

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 object of this Regulation is to prescribe Sunday 11 December 2005 (the day of a boxing event involving Anthony Mundine and Danny Green) and the following dates (coinciding with various Day/Night International cricket matches between Australia, South Africa and Sri Lanka) as the dates on which hotels can stay open until midnight:

- (a) Sunday 15 January 2006,
- (b) Sunday 22 January 2006,
- (c) Sunday 29 January 2006,
- (d) Sunday 5 February 2006,
- (e) Sunday 12 February 2006.

This Regulation is made under the *Liquor Act 1982*, including sections 24B and 156 (the general regulation-making power).

Clause 1           Liquor Amendment (Sunday Trading) Regulation (No 3) 2005

---

## **Liquor Amendment (Sunday Trading) Regulation (No 3) 2005**

under the

Liquor Act 1982

### **1 Name of Regulation**

This Regulation is the *Liquor Amendment (Sunday Trading) Regulation (No 3) 2005*.

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

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

Liquor Amendment (Sunday Trading) Regulation (No 3) 2005

Amendment

Schedule 1

---

## **Schedule 1    Amendment**

(Clause 2)

### **Clause 83A Dates prescribed for special events Sunday hotel trading**

Omit each date specified in the clause. Insert instead:

Sunday 11 December 2005

Sunday 15 January 2006

Sunday 22 January 2006

Sunday 29 January 2006

Sunday 5 February 2006

Sunday 12 February 2006



New South Wales

## Public Lotteries Amendment (Unclaimed Prizes) Regulation 2005

under the

Public Lotteries Act 1996

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

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

### Explanatory note

The object of this Regulation is to make provision with respect to:

- (a) the time within which claims for unclaimed prizes must be made, and
- (b) the disposal of prizes that remain unclaimed.

An **unclaimed prize** is defined as a prize that remains unclaimed by the prizewinner for a period of one year after the date on which the public lottery to which the prize relates was conducted.

This Regulation is made under the *Public Lotteries Act 1996*, including sections 27 (9) and 83 (the general regulation-making power).

Clause 1            Public Lotteries Amendment (Unclaimed Prizes) Regulation 2005

---

## **Public Lotteries Amendment (Unclaimed Prizes) Regulation 2005**

under the

Public Lotteries Act 1996

### **1 Name of Regulation**

This Regulation is the *Public Lotteries Amendment (Unclaimed Prizes) Regulation 2005*.

### **2 Amendment of Public Lotteries Regulation 2002**

The *Public Lotteries Regulation 2002* is amended as set out in Schedule 1.



Public Lotteries Amendment (Unclaimed Prizes) Regulation 2005

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 2)

**[1] Clause 3A**

Insert before clause 4:

**3A Period in which prizes may be claimed**

A claim for an unclaimed prize must be made:

- (a) on or before 1 December 2016, in the case of a prize won in a public lottery conducted on or before 30 November 2010, or
- (b) on or before the sixth anniversary of the date on which the public lottery to which the prize relates was conducted, in the case of a prize won in a public lottery conducted on or after 1 December 2010.

**[2] Clause 4 Unclaimed public lottery prizes**

Omit clause 4 (1). Insert instead:

- (1) This clause applies to unclaimed prizes that have not been claimed within the time allowed by clause 3A.

**[3] Clause 4 (2)**

Omit “won in a public lottery”. Insert instead “to which this clause applies”.

**[4] Clause 4 (3)**

Omit the subclause.



New South Wales

# Security Industry Amendment (National Security Exemption) Regulation 2005

under the

Security Industry Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Security Industry Act 1997*.

CARL SCULLY, M.P.,  
Minister for Police

## Explanatory note

The object of this Regulation is to exempt persons who are employed in or by government agencies to carry out functions in relation to national security, as well as employees and officers of ASIO, from the operation of the *Security Industry Act 1997* (including the requirement to be licensed in order to carry out security activities).

This Regulation is made under the *Security Industry Act 1997*, including section 6 (3).

Clause 1 Security Industry Amendment (National Security Exemption)  
Regulation 2005

---

## **Security Industry Amendment (National Security Exemption) Regulation 2005**

under the

Security Industry Act 1997

### **1 Name of Regulation**

This Regulation is the *Security Industry Amendment (National Security Exemption) Regulation 2005*.

### **2 Amendment of Security Industry Regulation 1998**

Clause 5 (Exemptions: section 6) of the *Security Industry Regulation 1998* is amended by inserting after paragraph (o) the following paragraphs:

- (p) persons who are employed by or in any government agency (whether of this State, of the Commonwealth or of another State or Territory) that exercises functions in relation to national security, but only to the extent to which they carry out national security duties in the course of that employment,
- (q) officers and employees of the Australian Security Intelligence Organisation, but only to the extent to which they are exercising functions under the *Australian Security Intelligence Organisation Act 1979* of the Commonwealth.

---

## Orders

---



New South Wales

# Growth Centres (South Sydney Development Corporation) Order 2005

under the

Growth Centres (Development Corporations) Act 1974

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 23C (1) of the *Growth Centres (Development Corporations) Act 1974*, make the following Order.

Dated, this 30th day of November 2005.

By Her Excellency's Command,

FRANK SARTOR, M.P.,  
Minister for Planning

### Explanatory note

The object of this Order is to dissolve the South Sydney Development Corporation.

This Order is made under section 23C (1) of the *Growth Centres (Development Corporations) Act 1974*.

Clause 1 Growth Centres (South Sydney Development Corporation) Order 2005

---

## **Growth Centres (South Sydney Development Corporation) Order 2005**

under the

Growth Centres (Development Corporations) Act 1974

### **1 Name of Order**

This Order is the *Growth Centres (South Sydney Development Corporation) Order 2005*.

### **2 Dissolution of South Sydney Development Corporation**

The South Sydney Development Corporation is dissolved.

### **3 Amendment of Growth Centres (Development Corporations) Act 1974**

Schedule 1 to the *Growth Centres (Development Corporations) Act 1974* is amended by omitting from Columns 1 and 2 the matter relating to Part 6.

---

**OFFICIAL NOTICES**

---

**Appointments**

---

---

**EDUCATION ACT 1990**

## Notification of Appointment to the Board of Studies

I, CARMEL TEBBUTT, Minister for Education and Training, in pursuance of Schedule 1, Clause 8 of the Education Act 1990, appoint Mr Xian-Zhi SOON as a Member of the Board of Studies, being a nominee provided by section 100(3)(k) of the said Act, for a term commencing on and from 1 August 2005 until 31 July 2008.

CARMEL TEBBUTT, M.L.C.,  
Minister for Education and Training

---

## Department of Lands

---

### DUBBO OFFICE

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

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

#### NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any other person to the same as highways.

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

\_\_\_\_\_  
Description

*Local Government Area of Narromine;  
Land District of Dubbo.*

Lots 1 - 3, DP 1086772, Parish of Wentworth, County of Narromine (not being land under the Real Property Act).

File Nos: DB02 H 236 and DB03 H 501.

Note: On closing, the titles for Lots 1 - 3 shall remain vested in the State of New South Wales as Crown Land.

\_\_\_\_\_  
Description

*Local Government Area of Gilgandra;  
Land District of Coonamble.*

Lots 1 - 4, DP 1089088, Parish of Yalcogrin, County of Gowen (not being land under the Real Property Act).

File No.: DB02 H 110.

Note: On closing, the titles for Lots 1 - 4 shall vest in the State of New South Wales as Crown Land.

---

#### APPOINTMENT OF ADMINISTRATOR

Cudgegong River Park Trust

THE Minister for Lands, pursuant to section 117 of the Crown Lands Act 1989, hereby appoints Lester Graham LYNCH as administrator of the Cudgegong River Park Trust with effect from the 5 December 2005.

File No.: DB80 R 65.

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

#### REMOVAL OF MEMBERS

Cudgegong River Park Trust

THE Minister for Lands, pursuant to Clause 6(4) of Schedule 3 of the Crown Lands Act 1989, hereby removes from office the persons specified in the Schedule hereunder as members of the trust board for the Cudgegong River Park Trust.

File No.: DB80 R 65.

\_\_\_\_\_  
SCHEDULE

Colleen Jane WALKER;  
Wayne Mc CARROLL;  
Desmond Mathew KENNEDY;  
Walter Jeffrey MOORE;  
Lindsay John Sevicke JONES;  
William David SUTTOR;  
Director, Technical Services, Wellington Council  
(ex-officio member);  
Chairman, Burrendong Dam Cudgegong Siteholders  
Association Inc (ex-officio member);  
Councillor, Mudgee Shire Council (ex-officio member).

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

**FAR WEST REGIONAL OFFICE**  
**45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830**  
**Phone: (02) 6883 3000 Fax: (02) 6883 3099**

**GRANTING OF A WESTERN LANDS LEASE**

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Leases specified in the following Schedule have been granted.

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder.

The land is to be used only for the purpose of Residence.

Initial rent will be \$100.00 per annum and re-assessed thereafter annually on 1 April of each year.

The Conditions and Reservations annexed to the leases are those published in the *Government Gazette* of 18 February 2005, Folios 434 and 435.

All amounts due and payable to the Crown MUST be paid to the Department of Lands by the due date.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources

SCHEDULE

*Administrative District – Walgett North; L.G.A. – Walgett;  
Parish – Wallangulla; County – Finch.*

WLL No.	Name of Lessee	Lot	Deposited Plan	Folio Identifier	Area (m <sup>2</sup> )	Term of Lease	
						From	To
WLL 14577	Barry Thomas REYNOLDS and Elaine Marie REYNOLDS	72	1073508	72/1073508	2268	24-11-2005	23-11-2025

**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	COLUMN 2	COLUMN 3
Brewarrina Business Cooperative Limited.	Brewarrina Aboriginal Cultural Museum Trust.	Reserve No.: 230074. Public Purpose: Public recreation. Notified: 26 July 1991. Reserve No.: 230001. Public Purpose: Museum. Notified: 8 May 1987. File No.: WL90 R 31.

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

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

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources

*Administrative District – Willyama;  
Shire – Unincorporated Area and Central Darling;  
Parish – Kars and Others;  
Counties – Menindee and Tandora.*

The purpose of Western Lands Leases 2429, 4756, 5622 and 6024, being the land contained within Folio Identifiers 477/761339, 2078/763975, 2/752528 and 3574/765926 have been altered from "Grazing" to "Grazing and Farm Tourism," effective from 21 November 2005.

As a consequence of the alteration of purpose rent will be assessed annual in line with the Western Lands Act 1901 and Regulations.

The lease conditions have been altered by the inclusion of the special conditions following.

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASES 2429, 4756, 5622 and 6024

1. Those special conditions published in the *Government Gazette* of 19 March 2004, Folios 1446-1451.
2. The lessees shall undertake any appropriate measures, at his/her own expense, to ensure that the building(s) being used for farm tourism purposes comply with the minimum provisions of the Building Code of Australia with respect to essential fire safety measures.



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

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

Description

*Land District – Lismore; Shire – Lismore.*

Road Closed: Lot 1, DP 1089411, at Nimbin, Parish Nimbin, County Rous.

File No.: GF03 H 342.

Note: On closing, the land within Lot 1, DP 1089411 remains vested in the State of New South Wales as Crown Land.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Susan Lesley WATSON (new member), Peter LEWIS (re-appointment), Rodney CONROY (new member), Joe LANDERS (new member).	Eden Creek Public Recreation and Public Hall Reserve Trust.	Reserve No.: 97395. Public Purpose: Public hall and public recreation. Notified: 17 August 1984. File No.: GF85 R 11.

Term of Office

For a term commencing the date of this notice and expiring 1 December 2010.

## SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Catherine Ann FORD (new member), Garth Ananda KINDRED (new member), Alan Thomas DAVIES (new member), Benjamin GLASMAN (new member).	Rosebank Recreation Reserve Trust.	Reserve No.: 86049. Public Purpose: Public recreation. Notified: 4 November 1966. File No.: GF00 R 36.

Term of Office

For a term commencing the date of this notice and expiring 1 December 2010.

**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	COLUMN 2
Yamba Pilot Station (R8920) Reserve Trust.	Reserve No.: 75324. Public Purpose: Future public requirements. Notified: 5 September 1952. File No.: GF99 R 19.

**GRIFFITH OFFICE**  
**2nd Floor, Griffith City Plaza,**  
**120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680**  
**Phone: (02) 6962 7522 Fax: (02) 6962 5670**

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Lynette Ann BROWN (new member), Paul DRISCOLL (new member), Marija Luiza OREL (re-appointment).	Leeton Showground Trustees.	Dedication No.: 559040. Public Purpose: Public recreation and showground. Notified: 6 July 1934. File No.: LN87 R 7/4.

Term of Office

For a term commencing the date of this notice and expiring  
 1 December 2010.

**MAITLAND OFFICE**  
**Newcastle Road (PO Box 6), East Maitland NSW 2323**  
**Phone: (02) 4937 9300 Fax: (02) 4934 2252**

**ESTABLISHMENT OF RESERVE TRUST**

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

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Tanilba Bay Bush Fire Brigade (R91631) Reserve Trust.	Reserve No.: 91631. Public Purpose: Bush Fire Brigade purposes. Notified: 23 November 1979. File No.: MD79 R 34/1.

**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**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Port Stephens Council.	Tanilba Bay Bush Fire Brigade (R91631) Reserve Trust.	Reserve No.: 91631. Public Purpose: Bush Fire Brigade purposes. Notified: 23 November 1979. File No.: MD79 R 34/1.

**ERRATUM****Description**

*Parish – Wallarah; County – Northumberland;*  
*Land District – Gosford;*  
*Local Government Area – Lake Macquarie;*  
*Locality – Cams Wharf.*

IN the *Government Gazette* of 25 November 2005, at Folio 9760, under the heading "ERRATUM", the notice is hereby amended by deleting the Lot description, "Lot 26" in DP 1091001; and inserting in lieu "Lot 1".

File No.: MD04 H 120.

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

**DECLARATION OF LAND TO BE CROWN LAND**

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared to be Crown Land within the meaning of that Act.

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

**SCHEDULE****Description**

*Land District – Newcastle; Council – Port Stephens;*  
*Parish – Sutton and Stowell; County – Gloucester.*

13.20 hectares, being Lot 1, DP 358427; 10.12 hectares, being Lot 10, DP 576206; 10.12 hectares, being Lot 11, DP 576206; 5.11 hectares, being Lot 7, DP 588899; 3 hectares, being Lot 8, DP 588899; 23.25 hectares, being Lot 9, DP 588899 and 2.357 hectares, being Lot 1, DP 548945, held in the name of Her Majesty Queen Elizabeth The Second (Department of Land and Water Conservation).

File No.: MD04 H 333.

**ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedules hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedules.

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

**SCHEDULE 1**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Newcastle. Local Government Area: Port Stephens Council. Locality: Oyster Cove. Lot 1, DP No. 548945, Parish Sutton, County Gloucester. Area: 581.2 hectares. File No.: MD04 H 333/1.	Reserve No.: 72152. Public Purpose: Water. Notified: 17 January 1947. Lot 26, DP No. 753194, Parish Sutton, County Gloucester; Lot 7014, DP No. 753194#, Parish Sutton, County Gloucester; Lot 7015, DP No. 753194#, Parish Sutton, County Gloucester; Lot PT 278, DP No. 40324, Parish Sutton, County Gloucester; Lot PT 392, DP No. 1002768, Parish Sutton, County Gloucester; Lot PT 391, DP No. 1002768, Parish Sutton, County Gloucester. New Area: 685.7 hectares.

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

## SCHEDULE 2

**COLUMN 1**

Land District: Newcastle.  
 Local Government Area:  
 Port Stephens Council.  
 Locality: Salt Ash.  
 Lot 1, DP No. 358427,  
 Parish Stowell,  
 County Gloucester;  
 Lot 10, DP No. 576206,  
 Parish Stowell,  
 County Gloucester;  
 Lot 11, DP No. 576206,  
 Parish Stowell,  
 County Gloucester;  
 Lot 20, DP No. 873928,  
 Parish Stowell,  
 County Gloucester;  
 Lot 7, DP No. 588899,  
 Parish Stowell,  
 County Gloucester;  
 Lot 8, DP No. 588899,  
 Parish Stowell,  
 County Gloucester;  
 Lot 9, DP No. 588899,  
 Parish Stowell,  
 County Gloucester.  
 Area: 84.38 hectares.  
 File No.: MD04 H 333/1.

**COLUMN 2**

Reserve No.: 57573.  
 Public Purpose: Water Supply.  
 Notified: 7 November 1924.  
 Lot 7011, DP No. 753192#,  
 Parish Stowell,  
 County Gloucester;  
 Lot 7007, DP No. 753192#,  
 Parish Stowell,  
 County Gloucester;  
 Lot 174, DP No. 753192,  
 Parish Stowell,  
 County Gloucester;  
 Lot 7008, DP No. 1053009,  
 Parish Stowell,  
 County Gloucester;  
 Lot 112, DP No. 753192,  
 Parish Stowell,  
 County Gloucester.  
 New Area: 3169.28 hectares.

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

**NOTIFICATION OF CLOSING OF ROAD**

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

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

## Description

*Parish – Kincumber; County – Northumberland;  
 Land District – Gosford;  
 Local Government Area – Gosford.*

Road Closed: Lot 1, DP 1087455 at North Avoca.

File No.: MD03 H 211.

## SCHEDULE

On closing, the land within Lot 1, DP 1087455 remains vested in Gosford City Council as operational land for the purposes of the Local Government Act 1993.

**MOREE OFFICE**

**Frome Street (PO Box 388), Moree NSW 2400**  
**Phone: (02) 6752 5055 Fax: (02) 6752 1707**

**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 opposite thereto in Column 2 of the Schedule.

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

## SCHEDULE

**COLUMN 1**

Land District: Bingara.  
 Local Government Area:  
 Gwydir Shire.  
 Parish: Myall.  
 County: Murchison.  
 Reserve: 94159.  
 Purpose: Future public requirements.  
 Notified: 9 January 1981.  
 File No.: ME04 H 610.

**COLUMN 2**

The whole of Reserve 94159, being Lot 1 in DP 754853, Parish of Myall, County of Murchison, with an area of 7.183 hectares.

**SYDNEY METROPOLITAN OFFICE**  
**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150**  
**(PO Box 3935, Parramatta NSW 2124)**  
**Phone: (02) 8836 5300 Fax: (02) 8836 5365**

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the person whose names are specified in Column 1 of the Schedules hereunder, are appointed for the term of Office specified thereunder, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedules.

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

**SCHEDULE 1**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Tasso TRICOS (re-appointment), Robyn Gai HARVEY (re-appointment), Ian Charles Arthur HARDWICK (re-appointment), Peter Brian KILKEARY (new appointment).	Field of Mars Cemetery Uniting Church Portion Trust.	Area at Ryde, dedicated for the purpose of general cemetery in the <i>Government Gazettes</i> of 29 April 1884; 17 September 1920 (addition) and 3 October 1969 (addition). Dedication No.: 500803. File No.: MN84 R 105.

**Term of Office**

For a term of 5 years commencing the date of this notice

**SCHEDULE 2**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Tasso TRICOS (re-appointment), Robyn Gai HARVEY (re-appointment), Ian Charles Arthur HARDWICK (re-appointment), Peter Brian KILKEARY (new appointment).	Field of Mars Cemetery Baptist Portion Trust.	Area at Ryde, dedicated for the purpose of general cemetery in the <i>Government Gazette</i> of 29 April 1884. Dedication No.: 500805. File No.: MN83 R 93.

**Term of Office**

For a term of 5 years commencing the date of this notice.

The term of the Administrator will expire on 1 December 2005.

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

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

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

**SCHEDULE 1**

*Land District – Picton;  
Local Government Area – Wollondilly;  
Parish – Appin; County – Cumberland.*

The part of Kennedy Street, Appin, from Church Street to Market Street.

**SCHEDULE 2**

Roads Authority: Wollondilly Shire Council.

File No.: MN05 H 208.

Council's Reference No.: D11/19.

**ERRATUM**

IN the notification appearing in the *Government Gazette* of 4 November 2005, Folio 9329, under the heading "RESERVATION OF CROWN LAND" in Column 1 of the Schedule, Lot 233 should read Lot 223.

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

**TAMWORTH OFFICE****25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340****Phone: (02) 6764 5100 Fax: (02) 6766 3805****ROADS ACT 1993**

## Order

Transfer of Crown Road to Council

IN pursuance of provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown public road.

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

## SCHEDULE 1

*Parish – Gulligal; County – Darling;  
Land District – Tamworth;  
L.G.A. – Tamworth Regional Council.*

Crown public road of 20.115 metres wide and described as north of Lot 2 in DP 599998.

## SCHEDULE 2

Roads Authority: Tamworth Regional Council.

File No.: TH82 H 108.

**ERRATA**

THE notices appearing in *Government Gazette* No.140 on the 18 November 2005, Folio 9553 and 9554 are amended by the addition of the following notes.

Folio 9553, Note: Reserve No. 65783 for Public Recreation notified 24 January 1936 and addition notified 18 November 2005 are not intended to be revoked.

Folio 9554, Note: Reserve No. 200001 for Environmental Protection notified 25 July 1986 and addition notified 18 November 2005 are not intended to be revoked.

It is intended that all the Crown Lands affected by the abovementioned notifications are reserved for Public Recreation and Environmental Protection.

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

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

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

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

## Description

*Land District – Taree;  
Local Government Area – Greater Taree.*

Road Closed: Lot 5, DP 1087118 at Taree, Parish of Taree, County of Macquarie.

File No.: TE03 H 34.

Note: Easement to drain sewerage 2 metres wide and variable, and Right of Carriageway of variable width, are created by the subject plan.

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 1 being vested in the Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purposes of the Roads Act.

Council's Reference: R2070.

**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

**COLUMN 1**

Land District: Port Macquarie.  
Local Government Area:  
Port Macquarie-Hastings.  
Locality: Port Macquarie.  
Reserve No.: 56146.  
Purpose: From sale or lease generally.  
Notified: 11 May 1923.  
File No.: TE 91 H 227.

**COLUMN 2**

The part being Lot 1,  
DP 1061495, Parish  
Macquarie, County  
Macquarie.  
Area: 1.07 hectares.

**WAGGA WAGGA OFFICE****Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650****Phone: (02) 6937 2700 Fax: (02) 6921 1851****NOTIFICATION OF CLOSING OF A ROAD**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder specified is closed, the road 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 for Lands

\_\_\_\_\_  
Description

*Parish – North Gundagai; County – Clarendon;  
Land District – Gundagai; Shire – Gundagai.*

Lot 1, DP 1084666 at Gundagai.

File No.: WA04 H 190.

Note: On closing, the land within Lot 1, DP 1084666 remains vested in the State of New South Wales as Crown Land.



---

## Department of Natural Resources

---

### WATER ACT 1912

AN application under Part 2, within proclaimed (declared) local areas under section 5(4) of the Water Act 1912.

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

*Macquarie River Valley*

John Paul TRACEY and Lisa Gai TRACEY for a pump on Colemans Creek, Lot 7003, DP 1030472 (Part Reserve 64), Parish of Mulyan, County of Wellington, for water supply for domestic purposes (new licence) (Reference: 80SL96225) (GA2:306744).

Any inquiries regarding the above should be directed to the undersigned (telephone: 6884 2560).

Written objections to the application specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Regional Office at Dubbo, within twenty-eight (28) days as prescribed by the Act.

FRED HUNDY,  
Water Access Manager,  
Macquarie

Department of Natural Resources,  
PO Box 717, Dubbo NSW 2830.

### WATER ACT 1912

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

Keith Robert BERGER and LINDISFARNE ANGLICAN SCHOOL for a dam and two pumps on Lot 2, DP 1018747 and easement within Lot 2, DP 1018747, all Parish of Terranora, County of Rous, for conservation of water and irrigation of 12 hectares (18 megalitres) (replacement application – replacement of existing licence with a Joint Water Supply Authority – no increase in authorised area or allocation) (Reference: GRA6322399) (GA2:476146).

Any enquiries regarding the above should be directed to the undersigned (telephone: (02) 6640 2000).

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

G. LOLLBACK,  
Resource Access Manager

Department of Natural Resources,  
Locked Bag 10, Grafton NSW 2460.

---

### WATER ACT 1912

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

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

*Lachlan River Valley*

Phillip Sydnee James SLOANE for an earthen dam and pump on an unnamed watercourse, on Lot 38, DP 750159, Parish of Goimbla, County of Ashburnham, for conservation of water for stock and domestic purposes (new licence) (Reference: 70SL091055) (GA2:522352).

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

VIV RUSSELL,  
Manager,  
Resource Access,  
Central West Region

Department of Natural Resources,  
PO Box 136, Forbes NSW 2871,  
tel.: (02) 6852 1222.



---

## Department of Planning

---



New South Wales

# **Blacktown Local Environmental Plan 1988 (Amendment No 204)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P04/00358/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

Clause 1            Blacktown Local Environmental Plan 1988 (Amendment No 204)

---

## **Blacktown Local Environmental Plan 1988 (Amendment No 204)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 204)*.

### **2 Aims of plan**

This plan aims:

- (a) to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (b) to rezone the land from Zone No 6 (a) (the Public Recreation Zone) to Zone No 2 (a) (the Residential "A" Zone) under *Blacktown Local Environmental Plan 1988*.

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

This plan applies to Lot 2, DP 554769, Templar Street, Blacktown, as shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 204)" deposited in the office of the Council of the City of Blacktown.

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

*Blacktown Local Environmental Plan 1988* is amended as set out in Schedule 1.

Blacktown Local Environmental Plan 1988 (Amendment No 204)

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 4)

**[1] Clause 6 Interpretation**

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

Blacktown Local Environmental Plan 1988 (Amendment No 204)

**[2] Schedule 4 Classification and reclassification of public land as operational land**

Insert in alphabetical order of street name in Part 2 under the heading "Blacktown":

Templar Street

Lot 2, DP 554769, as shown edged heavy black on the map marked "Classification Map No 25"—Easements for drainage noted on Certificate of Title Folio Identifier 2/554769—*Blacktown Local Environmental Plan 1988 (Amendment No 204)*.



New South Wales

## **Fairfield Local Environmental Plan 1994 (Amendment No 99)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P04/00149/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

Clause 1            Fairfield Local Environmental Plan 1994 (Amendment No 99)

---

## **Fairfield Local Environmental Plan 1994 (Amendment No 99)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Fairfield Local Environmental Plan 1994 (Amendment No 99)*.

### **2 Aims of plan**

This plan aims:

- (a) to rezone part of the land to which this plan applies from Zone 6 (a) Existing and Proposed Recreation to Zone 3 (c) Local Business Centre under *Fairfield Local Environmental Plan 1994 (the 1994 plan)*, and
- (b) to rezone the remaining land from Zone 6 (a) Existing and Proposed Recreation to Zone 6 (b) Private Recreation under the 1994 plan, and
- (c) to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

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

- (1) To the extent that this plan rezones part of the land to Zone 3 (c), it applies to Lot 67, DP 30466, Harden Street, Canley Heights, as shown edged heavy black on Sheet 1 of the map marked "Fairfield Local Environmental Plan 1994 (Amendment No 99)" deposited in the office of the Fairfield City Council.
- (2) To the extent that this plan rezones the remaining land to Zone 6 (b), it applies to Lot 1, DP 204583, Humphries Road, Mt Pritchard, as shown edged heavy black on Sheet 2 of the map marked "Fairfield Local Environmental Plan 1994 (Amendment No 99)" deposited in the office of the Council.
- (3) To the extent that this plan reclassifies land to operational land, it applies to Lot 67, DP 30466, Harden Street, Canley Heights and Lot 1, DP 204583, Humphries Road, Mt Pritchard, as shown edged heavy black on Sheets 1 and 2, respectively, of the map marked "Fairfield

Fairfield Local Environmental Plan 1994 (Amendment No 99)

Clause 4

---

Land Classification Map—Amendment No 21” deposited in the office of the Council.

**4 Amendment of Fairfield Local Environmental Plan 1994**

*Fairfield Local Environmental Plan 1994* is amended as set out in Schedule 1.

Fairfield Local Environmental Plan 1994 (Amendment No 99)

Schedule 1 Amendments

---

## Schedule 1 Amendments

(Clause 4)

### [1] Schedule 3 Classification or reclassification of public land

Insert at the end of Part 2 of the Schedule:

Lot 67, DP 30466, Harden Street, Canley Heights, as shown edged heavy black on Sheet 1 of the map marked "Fairfield Land Classification Map—Amendment No 21" is reclassified as operational land.

Lot 1, DP 204583, Humphries Road, Mt Pritchard, as shown edged heavy black on Sheet 2 of the map marked "Fairfield Land Classification Map—Amendment No 21" is reclassified as operational land.

### [2] Dictionary

Insert in appropriate order in the definition of *Map*:

Fairfield Local Environmental Plan 1994 (Amendment No 99)



New South Wales

## **Shoalhaven Local Environmental Plan 1985 (Amendment No 229)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W04/00079/S69)

FRANK SARTOR, M.P.,  
Minister for Planning



Clause 1 Shoalhaven Local Environmental Plan 1985 (Amendment No 229)

---

## **Shoalhaven Local Environmental Plan 1985 (Amendment No 229)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Shoalhaven Local Environmental Plan 1985 (Amendment No 229)*.

### **2 Aims of plan**

This plan aims to designate the land to which this plan applies as a scenic preservation area under *Shoalhaven Local Environmental Plan 1985*.

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

This plan applies to land situated in the City of Shoalhaven, being rural land in Cambewarra and Bangalee surrounding the village of Cambewarra, as shown edged heavy black and hatched on the map marked "Shoalhaven Local Environmental Plan 1985 (Amendment No 229)" deposited in the office of the Council of the City of Shoalhaven.

### **4 Amendment of Shoalhaven Local Environmental Plan 1985**

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

Shoalhaven Local Environmental Plan 1985 (Amendment No 229)

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 4)

### [1] Clause 6 Interpretation

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

Shoalhaven Local Environmental Plan 1985 (Amendment No 229)

### [2] Clause 43A

Insert after clause 43

#### 43A Scenic preservation area surrounding village of Cambewarra

- (1) Despite any other provision of this plan, consent is not required for the carrying out of development for the purpose of agriculture or in accordance with clause 54A on the land shown edged heavy black and hatched on the map marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 229)”, being land surrounding the village of Cambewarra that is designated as a scenic preservation area.
- (2) Any development application lodged with respect to the land referred to in subclause (1), but not finally determined before the commencement of *Shoalhaven Local Environmental Plan 1985 (Amendment No 229)*, is to be assessed and determined as if that plan had not been made.



New South Wales

## **Wollongong Local Environmental Plan 1990 (Amendment No 233)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (WOL2000322/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

Clause 1            Wollongong Local Environmental Plan 1990 (Amendment No 233)

---

## **Wollongong Local Environmental Plan 1990 (Amendment No 233)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Wollongong Local Environmental Plan 1990 (Amendment No 233)*.

### **2 Aims of plan**

This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

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

This plan applies to land situated in the City of Wollongong, being Lot B, DP 158287, No 9 Farrell Street, Balgownie, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 233)” deposited in the office of the Council of the City of Wollongong.

### **4 Amendment of Wollongong Local Environmental Plan 1990**

*Wollongong Local Environmental Plan 1990* is amended by inserting at the end of Schedule 4B the following words:

Lot B, DP 158287, No 9 Farrell Street, Balgownie, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 233)”.

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

land acquisition (just terms compensation) act 1991

notice of compulsory acquisition of land in the local government area of penrith

THE Minister administering the Environmental Planning and Assessment Act 1979 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 Environmental Planning and Assessment Act 1979.

Dated at Sydney this 30th day of November 2005.

By Her Excellency's Command

FRANK SARTOR, M.P.,  
Minister for Planning

---

**SCHEDULE**

All those pieces or parcels of land situated at Cranebrook, City of Penrith, Parish of Castlereagh, County of Cumberland being part of McCarthys Lane, being that part both 10.06m and 20.115m wide, bounded to the west by the eastern boundary of lot 1 in D.P.860391, to the north by the southern boundaries of lot 102 in D.P.1043503, part Por. 82 (McCarthys Cemetery), lot 2 in D.P.882361 (formerly Wrights Lane), lot 1 in D.P.129802 and lot 1 in D.P.121142, to the east by the western boundary of lot 1 in D.P.882356, to the south by the northern boundary of that part of McCarthys Lane 20 wide and variable width created by D.P.847895; the northern boundaries of lot 3 in D.P.847895, lot 18, 17 and 16 in D.P.1013504 back to the eastern boundary of lot 1 in D.P.860391 firstly referred to, along with that part of McCarthys Lane 20 wide and variable width created by D.P.847895 bounded to the north by the prolongation of the northern boundary of lot 3 in D.P.847895 easterly for 27.855m, to the east by the western boundary of that part of lot 10 in D.P.1014419 starting from the common boundary point of the south western corner of lot 1 in D.P.882356 and the north western corner of lot 10 in D.P.1014419 along the western boundary of lot 10 in D.P.1014419 for an arc of 16.36m radius 35m, chord bearing 176048'55" for 16.225m, bearing 190013'10" for 245.47m, arc of 78.34m radius 110m chord bearing 169 0 49'40" for 76.69m, bounded to the south by a line bearing of 239025'50" for 20m traversing McCarthys Lane created by D.P.847895, to the north eastern and northern boundary of that part of lot 1 in D.P.1013504 being an arc of 13.6m radius 130m chord bearing 332025'25" for 13.595m, arc of 24.53m radius 24m chord bearing 306008'30" for 23.475m, bearing 276053'30" for 10.18m, to the west by the eastern boundary of lot 18 in D.P.1013504 for a distance of 14m then by the south eastern, eastern and north eastern boundary of lot 3 in D.P.847895 to the prolongation of the northern boundary of lot 3 in D.P.847895 firstly referred to, containing a combined total area of 2.269ha or thereabouts and said to be in the possession of the City of Penrith.

## Department of Primary Industries

### EXOTIC DISEASES OF ANIMALS ACT 1991

#### Order

Declaration of exotic diseases for the purposes of the  
Exotic Diseases of Animals Act 1991

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to section 6A of the Exotic Diseases of Animals Act 1991:

- A. revoke the Order entitled "Declaration of exotic diseases for the purposes of the Exotic Diseases of Animals Act 1991" signed by me on 30 June 2005 and published in *Government Gazette* No. 89 of 13 July 2005, and any Order revived as a result of that revocation; and
- B. declare any animal disease specified in the Schedule to be an exotic disease for the purposes of the Exotic Diseases of Animals Act 1991.

#### SCHEDULE

African horse sickness  
Africanised honeybees  
African swinefever  
Asian honeybee (*Apis cerana*)  
Aujeszky's disease  
Australian bat lyssavirus  
Avian influenza  
Bluetongue  
Borna  
Bovine brucellosis (*Brucella abortus*)  
Bovine spongiform encephalopathy  
Braula fly (Bee louse, *Braula coeca*)  
Caprine and ovine brucellosis (*Brucella melitensis*)  
Chagas disease  
Chronic wasting disease of deer  
Classical swine fever  
Contagious agalactia  
Contagious bovine pleuropneumonia  
Contagious caprine pleuropneumonia  
Contagious equine metritis  
Dourine  
Dwarf honeybee (*Apis florea*)  
East Coast fever (*Theileriosis*)  
Encephalitides (*tick borne*)  
Enterovirus encephalomyelitis (*porcine polioencephalomyelitis, Teschen*)  
Epizootic lymphangitis  
Equine babesiosis (*piroplasmosis*)  
Equine encephalomyelitis (*Eastern, Western and Venezuelan equine encephalomyelitis*)  
Equine encephalosis  
Equine herpes – virus 1 (abortigenic and neurological strains)  
Equine influenza  
Fowl typhoid (*Salmonella gallinarum*)  
Getah virus  
Giant honeybee (*Apis dorsata*)  
Glanders  
Goat pox  
Haemorrhagic septicaemia  
Heartwater  
Hendra virus  
Infectious bursal disease (hypervirulent form)

Japanese encephalitis  
Jembrana disease  
Lumpy skin disease  
Maedi-visna  
Malignant catarrhal fever (wildebeest associated)  
Menangle virus  
Nairobi sheep disease  
Newcastle disease (virulent)  
Nipah virus  
Peste des petits ruminants  
Porcine epidemic diarrhoea  
Porcine reproductive and respiratory syndrome  
Potomac fever  
Post-weaning multi-systemic wasting syndrome  
Pulmonary adenomatosis  
Rift Valley fever  
Rinderpest  
*Salmonella abortus ovis* infection in sheep  
*Salmonella abortus ovis* infection in horses  
Scrapie  
Screw worm fly  
Sheep pox  
Sheep scab  
Surra (*Trypanosoma evansi*)  
Swine influenza  
Swine vesicular disease  
Tracheal mite (Acarine, Acariasis, *Acarapis woodi*)  
Transmissible spongiform encephalopathies  
Trichinellosis  
Tropilaelaps mite (Asian mite, *Tropilaelaps clareae*)  
Trypanosomiasis  
Varroasis (*Varroa destructor*)  
Varroasis (*Varroa jacobsoni*)  
Vesicular exanthema  
Vesicular stomatitis  
Virulent porcine circovirus  
Warble fly  
Wesselsbron disease  
West Nile virus infection – clinical

Note: Section 3 of the Exotic Diseases of Animals Act 1991, provides that "foot and mouth disease" and "rabies" are diseases for the purposes of that Act.

Dated this 25th day of November 2005.

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

### PLANT DISEASES ACT 1924

#### Appointment of Inspectors

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to section 11(1) of the Plant Diseases Act 1924 ("the Act"), appoint the persons named in Schedule 1 as Inspectors under the Act:

#### SCHEDULE 1

MORRIS, Luke Ross;  
HOUGHTON, Benjamin John;  
PICCOLO, Anthony.

Dated this 24th day of November 2005.

B. D. BUFFIER,  
Director-General

**STOCK MEDICINES ACT 1989**

## Section 48 – Order

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to section 48(1) of the Stock Medicines Act 1989 (“the Act”), do by this Order authorise the person named in Schedule 1 as Inspector under the Act:

## SCHEDULE 1

DEANE, David.

Dated this 24th day of November 2005.

B. D. BUFFIER,  
Director-General

**STOCK DISEASES ACT 1923**

## Appointment of Inspector

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to section 6(1) of the Stock Diseases Act 1989 (“the Act”), appoint the person named in Schedule 1 as Inspector under the Act:

## SCHEDULE 1

DEANE, David.

Dated this 24th day of November 2005.

B. D. BUFFIER,  
Director-General

**STOCK FOODS ACT 1940**

## Section 20 – Order

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to section 20(1)(a) of the Stock Foods Act 1989 (“the Act”), do by this Order authorise the person named in Schedule 1 as Inspector under the Act:

## SCHEDULE 1

DEANE, David.

Dated this 24th day of November 2005.

B. D. BUFFIER,  
Director-General

**NOTICE OF RECEIPT OF APPLICATION FOR  
AQUACULTURE LEASE**

Notification under s.163(7) of the Fisheries Management Act 1994 and cl.33 of the Fisheries Management (Aquaculture) Regulation 2002

NSW Department of Primary Industries (DPI) advises that two applications have been received for new aquaculture (oyster) leases over public water land for the purposes of cultivating Sydney rock oysters. Location is Camden Haven River for areas described as follows:

- (1) Application by Kerry SIMMONDS of Kendall, NSW: AL04/010 (in 2 sections) – approx 0.6771 hectares over a portion of former oyster lease OL89/047.
- (2) Application by Anthony TROUP and Joneen TROUP of Laurieton, NSW: AL04/011 – approx 0.7484 hectares over a portion of former oyster lease OL89/047.

DPI is calling for written submissions from any person supporting or objecting to this oyster lease proposal, citing reasons for the support/objection.

The applications are to be determined by NSW Department of Primary Industries under Part 5 of the Environmental Planning and Assessment Act 1979. If granted the leases will be subject to standard covenants and conditions of an aquaculture lease as imposed by DPI, and any other condition imposed by Council or other approval/consent authorities.

Specific details of the proposed leases can be obtained, or enquiries made with Department of Primary Industries, Aquaculture Administration Section, Port Stephens on (02) 4982 1232. Any comments or objections for consideration in the determination of the applications must be received at the address below, within 30 days from the date of publication of this notification:

Director,  
Fisheries Management,  
Agriculture and Fisheries Division,  
Aquaculture Administration Section,  
Port Stephens Fisheries Centre,  
Locked Bag 1, Nelson Bay NSW 2315.

ANTHONY HURST,  
A/Director,  
Fisheries Management,  
Agriculture and Fisheries Division,  
NSW Department of Primary Industries

**FISHERIES MANAGEMENT ACT 1994****FISHERIES MANAGEMENT (AQUACULTURE)  
REGULATION 2002**

Section 177(c) – Notice of Aquaculture Lease Cancellation

OL88/043 within the estuary of Wallis Lake, having an area of 0.3502 hectares formerly leased by Mr Bruce PARSONS.

OL88/066 within the estuary of Wallis Lake, having an area of 0.9143 hectares formerly leased by Mr Bruce PARSONS.

ANYHONY HURST,  
A/Director,  
Fisheries Management,  
Agriculture and Fisheries Division,  
Department of Primary Industries

**FISHERIES MANAGEMENT ACT 1994****FISHERIES MANAGEMENT (AQUACULTURE)  
REGULATION 2002**

Clause 37 (3) – Notice of Granting of Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Leases:

AL04/014 within the estuary of the Crookhaven River, having an area of 1.2109 hectares to Christopher MUNN of Greenwell Point NSW, for a term of 15 years expiring on 12 July 2020.



AL03/021 within the estuary of Port Stephens, having an area of 1.8988 hectares to Gary O'BRYAN of Karuah NSW, for a term of 15 years expiring on 23 May 2020.

ANTHONY HURST,  
A/Director,  
Fisheries Management,  
Agriculture and Fisheries Division,  
NSW Department of Primary Industries

**FISHERIES MANAGEMENT ACT 1994**  
**FISHERIES MANAGEMENT (AQUACULTURE)**  
**REGULATION 2002**

Clause 39(4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL86/140 within the estuary of Port Stephens, having an area of 2.3726 hectares to THE COVE OYSTERS PTY LTD of Oyster Cove NSW, for a term of 15 years expiring on 6 July 2019.

OL60/159 within the estuary of Merimbula Lake, having an area of 2.1257 hectares to Stirling CULLENWARD and Kerry CULLENWARD of Nethercote NSW, for a term of 15 years expiring on 1 September 2020.

OL59/162 within the estuary of the Crookhaven River, having an area of 3.5659 hectares to Christopher MUNN of Greenwell Point NSW, for a term of 15 years expiring on 28 June 2020.

OL59/375 within the estuary of Wallis Lake, having an area of 0.6210 hectares to CLIFT OYSTERS PTY LTD of Tuncurry NSW, for a term of 15 years expiring on 8 November 2020.

ANTHONY HURST,  
A/Director,  
Fisheries Management,  
Agriculture and Fisheries Division,  
NSW Department of Primary Industries

**FISHERIES MANAGEMENT ACT 1994**  
**FISHERIES MANAGEMENT (AQUACULTURE)**  
**REGULATION 2002**

Clause 49 (8) – Notice of Aquaculture Lease Subdivision

THE Minister has subdivided the following Aquaculture Leases:

OL72/242 within the estuary of Wagonga Inlet having an area of 3.1744 hectares is subdivided into two leases referred to as AL05/009 having an area of 1.9212 hectares and AL05/010 having an area of 1.2532 hectares to James Harry CROUCHER of Narooma NSW. The subdivided leases will expire on 22 August 2017.

ANTHONY HURST,  
A/Director,  
Fisheries Management,  
Agriculture and Fisheries Division,  
Department of Primary Industries

**MINERAL RESOURCES**

NOTICE is given that the following applications have been received:

**EXPLORATION LICENCE APPLICATIONS**

(05-302)

No. 2620, BEMAX RESOURCES NL (ACN 009 247 858), area of 17 units, for Group 10, dated 18 November 2005. (Broken Hill Mining Division).

(05-303)

No. 2621, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), area of 139 units, for Group 1, dated 22 November 2005. (Broken Hill Mining Division).

(05-305)

No. 2623, MINING EXPLORATION PTY LTD (ACN 113 513 321), area of 11 units, for Group 1, dated 22 November 2005. (Broken Hill Mining Division).

(05-306)

No. 2624, SNOWMIST PTY LTD (ACN 011 041 384), area of 6 units, for Group 1, dated 23 November 2005. (Wagga Wagga Mining Division).

(05-307)

No. 2625, MALACHITE RESOURCES NL (ACN 075 613 268), area of 100 units, for Group 1, dated 24 November 2005. (Orange Mining Division).

(05-309)

No. 2626, John Leslie LOVE, area of 2 units, for Group 1, dated 28 November 2005. (Sydney Mining Division).

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

**EXPLORATION LICENCE APPLICATIONS**

(05-191)

No. 2510, now Exploration Licence No. 6466, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), Counties of Ashburnham and Bathurst, Map Sheet (8630, 8631), area of 148 units, for Group 1, dated 5 October 2005, for a term until 4 October 2007.

(05-225)

No. 2544, now Exploration Licence No. 6475, PLATSEARCH NL (ACN 003 254 395), Counties of Farnell and Yancowinna, Map Sheet (7134), area of 51 units, for Group 1, dated 17 November 2005, for a term until 16 November 2007.

(05-232)

No. 2553, now Exploration Licence No. 6476, TURON GOLD PTY LTD (ACN 108 675 216), Counties of Georgiana and King, Map Sheet (8729), area of 40 units, for Group 1, dated 17 November 2005, for a term until 16 November 2007.



(05-233)

No. 2554, now Exploration Licence No. 6477, TURON GOLD PTY LTD (ACN 108 675 216), Counties of Argyle and Murray, Map Sheet (8827), area of 58 units, for Group 1, dated 17 November 2005, for a term until 16 November 2007.

(05-242)

No. 2559, now Exploration Licence No. 6486, SIBERIA MANAGEMENT PTY LTD (ACN 106608986), County of Vernon, Map Sheet (9235, 9335), area of 13 units, for Group 1, dated 21 November 2005, for a term until 20 November 2007.

(05-247)

No. 2567, now Exploration Licence No. 6478, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Cairn, Kilfera, Taila and Waradgery, Map Sheet (8827), area of 1263 units, for Group 10, dated 17 November 2005, for a term until 16 November 2007. As a result of the grant of this title, Exploration Licence No. 5421, Exploration Licence No. 5611 and Exploration Licence No. 5751 have ceased to have effect.

(05-252)

No. 2572, now Exploration Licence No. 6483, BIACIL PTY LTD (ACN 099 826 972), Counties of Hardinge and Sandon, Map Sheet (9136, 9137), area of 100 units, for Group 1, dated 21 November 2005, for a term until 20 November 2007.

#### MINING LEASE APPLICATION

(T03-0071)

Orange No. 224, now Mining Lease No. 1568 (Act 1992), EZY LIME PTY LIMITED (ACN 102 219 367), Parish of Gunningbland, County of Ashburnham, Map Sheet (8431-1-N), area of 50.31 hectares, to mine for limestone, dated 26 October 2005, for a term until 25 October 2026. As a result of the grant of this title, Exploration Licence No. 5323 has partly ceased to have effect.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

NOTICE is given that the following applications have been refused:

#### EXPLORATION LICENCE APPLICATIONS

(05-160)

No. 2479, TURON GOLD PTY LTD (ACN 108 675 216), County of Buckland, Map Sheet (9035). Refusal took effect on 15 July 2005.

(05-178)

No. 2497, TOM'S WATERHOLE PTY LIMITED (ACN 111 557 807), County of Bathurst, Map Sheet (8730). Refusal took effect on 22 November 2005.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

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

(T93-1013)

Exploration Licence No. 4632, ANGLOGOLD ASHANTI AUSTRALIA LIMITED (ACN 008 737 424) and TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 70 units. Application for renewal received 21 November 2005.

(T97-1003)

Exploration Licence No. 5420, ILUKA MIDWEST LIMITED (ACN 008 763 666), area of 129 units. Application for renewal received 21 November 2005.

(C97-2542)

Exploration Licence No. 5431, MUSWELLBROOK COAL COMPANY LIMITED (ACN 000 009 521), area of 3733 hectares. Application for renewal received 25 November 2005.

(C98-2716)

Exploration Licence No. 5600, MUSWELLBROOK COAL COMPANY LIMITED (ACN 000 009 521), area of 5780 hectares. Application for renewal received 25 November 2005.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

#### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T97-1201)

Exploration Licence No. 5323, NORTH MINING LIMITED (ACN 000 081 434), Counties of Ashburnham, Cunningham and Kennedy, Map Sheet (8431, 8531), area of 76 units, for a further term until 17 July 2007. Renewal effective on and from 18 November 2005.

(T99-0031)

Exploration Licence No. 5570, YOUNG MINING COMPANY PTY LTD (ACN 004 301 508), Counties of Bland and Monteagle, Map Sheet (8429, 8529), area of 24 units, for a further term until 18 April 2007. Renewal effective on and from 21 November 2005.

(T00-0014)

Exploration Licence No. 5784, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), County of Yancowinna, Map Sheet (7234), area of 3 units, for a further term until 5 October 2007. Renewal effective on and from 21 November 2005.

(T99-0223)

Exploration Licence No. 5795, EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454) and WESTERN PLAINS GOLD LTD (ACN 109 426 502), County of Yancowinna, Map Sheet (7233), area of 50 units, for a further term until 29 November 2006. Renewal effective on and from 19 October 2005.

(T99-0132)

Exploration Licence No. 5864, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), Counties of Bland and Bourke, Map Sheet (8329, 8429), area of 23 units, for a further term until 28 May 2007. Renewal effective on and from 14 November 2005.

(T01-0200)

Exploration Licence No. 5944, ADE ENVIRONMENTAL PTY LTD (ACN 111 779 232), Counties of Darling and Murchison, Map Sheet (9037), area of 16 units, for a further term until 21 May 2006. Renewal effective on and from 14 November 2005.

(T02-0458)

Exploration Licence No. 6081, ADANAK EXPLORATIONS PTY LIMITED (ACN 001 955 513), County of Georgiana, Map Sheet (8729), area of 4 units, for a further term until 18 May 2007. Renewal effective on and from 9 November 2005.

(T02-0459)

Exploration Licence No. 6082, ADANAK EXPLORATIONS PTY LIMITED (ACN 001 955 513), County of Georgiana, Map Sheet (8729), area of 10 units, for a further term until 18 May 2006. Renewal effective on and from 9 November 2005.

(T03-0050)

Exploration Licence No. 6108, PEREGRINE MINERAL SANDS NL (ACN 009 307 591), Counties of Perry, Wentworth and Windeyer, Map Sheet (7330, 7331, 7430, 7431), area of 56 units, for a further term until 10 August 2007. Renewal effective on and from 17 November 2005.

(T03-0062)

Exploration Licence No. 6109, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), County of Yancowinna, Map Sheet (7134), area of 13 units, for a further term until 10 August 2007. Renewal effective on and from 17 November 2005.

(T03-0045)

Exploration Licence No. 6112, MORELLO EARTHMOVING PTY LTD (ACN 055 015 051), County of Tara, Map Sheet (7229, 7230), area of 9 units, for a further term until 13 August 2007. Renewal effective on and from 17 November 2005.

(T03-0016)

Exploration Licence No. 6130, BIG DAM DIAMONDS PTY LTD (ACN 103 542 427), Counties of Hardinge and Murchison, Map Sheet (9038), area of 11 units, for a further term until 28 September 2007. Renewal effective on and from 21 November 2005.

(T03-0741)

Gold Lease No. 5828 (Act 1906), William John Robert FINLAYSON, Parish of Cargo, County of Ashburnham, Map Sheet (8631-2-S), area of 10.11 hectares, for a further term until 29 June 2026. Renewal effective on and from 30 June 2005.

(T00-0614)

Mining Lease No. 947 (Act 1973), Trevor Maxwell LOCKWOOD, Parish of Flagstone, County of Gough, Map Sheet (9239-3-N), area of 41.07 hectares, for a further term until 7 July 2012. Renewal effective on and from 27 October 2005.

(04-1213)

Mineral Lease No. 5938 (Act 1906), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Map Sheet (???) , area of 12.95 hectares, for a further term until 14 June 2016. Renewal effective on and from 3 November 2005.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

---

### CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(T03-0052)

Exploration Licence No. 6177, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), County of Bligh and County of Lincoln, Map Sheet (8733), area of 26 units. Cancellation took effect on 15 November 2005.

(T03-0054)

Exploration Licence No. 6179, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), County of Roxburgh, Map Sheet (8831), area of 44 units. Cancellation took effect on 15 November 2005.

(04-533)

Exploration Licence No. 6327, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), County of Georgiana, Map Sheet (8730), area of 11 units. Cancellation took effect on 15 November 2005.

(04-535)

Exploration Licence No. 6329, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), Map Sheet (8830), area of 18 units. Cancellation took effect on 15 November 2005.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

---

### PART CANCELLATION

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

(05-2454)

Exploration Licence No. 6257, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165).

Description of area cancelled:

An area of 48 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 21 October 2005.

The authority now embraces an area of 48 units.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

**TRANSFERS**

(05-2830)

Assessment Lease No. 8 (Act 1992), formerly held by RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761), has been transferred to HUNTER VALLEY COAL CORPORATION PTY LIMITED (ACN 003 827 361). The transfer was registered on 8 September 2005.

(05-2830)

Authorisation No. 268, formerly held by RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761), has been transferred to HUNTER VALLEY COAL CORPORATION PTY LIMITED (ACN 003 827 361). The transfer was registered on 8 September 2005.

(05-2830)

Mining Lease No. 1415 (Act 1992), formerly held by RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761), has been transferred to HUNTER VALLEY COAL CORPORATION PTY LIMITED (ACN 003 827 361). The transfer was registered on 8 September 2005.

(05-2830)

Mining Lease No. 1475 (Act 1992), formerly held by RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761), has been transferred to HUNTER VALLEY COAL CORPORATION PTY LIMITED (ACN 003 827 361). The transfer was registered on 8 September 2005.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources,  
Minister for Primary Industries  
and Minister for Mineral Resources

**MINING ACT 1992**

Order Under Section 224

I, JOHN LEEKS, Manager Mineral Titles and Lightning Ridge by delegation from the Minister for Mineral Resources, pursuant to the provisions of section 224 of the Mining Act 1992, do, by this Order, constitute lands within Opal Prospecting Area No. 4 and depicted on plan catalogued M27049 in the Department of Primary Industries-Minerals Division, Maitland, as Opal Prospecting Block No's 200 to 205 inclusive.

Dated this 28th day of November 2005.

IAN MACDONALD, M.L.C.,  
Minister for Mineral Resources

## Roads and Traffic Authority

### ROAD TRANSPORT (VEHICLE REGISTRATION) ACT 1997

Roads and Traffic Authority

Notice Fixing Fees

I, MIKE HANNON, Acting Chief Executive of the Roads and Traffic Authority, pursuant to section 8(1)(k) of the Road Transport (Vehicle Registration) Act 1997 and Clause 79 of the Road Transport (Vehicle Registration) Regulation 1998, make the Notice set forth hereunder.

This Notice takes effect on 28 November 2005.

MIKE HANNON,  
Acting Chief Executive,  
Roads and Traffic Authority

#### Amendments

The Notice Fixing Fees published in *Government Gazette* No. 77 of 24 June 2005 at pages 3123 to 3224 and amended in *Government Gazette* No. 118 of 23 September 2005 at page 7587 is further amended by inserting the following services and fees in the Schedule to that Notice.

<b>Column 1</b>	<b>Column 2</b>
58. Order fee for personalised yellow plates	\$30
59. Annual content fee for personalised yellow plates	\$60
60. Remake fee for personalised yellow plates	\$33

### ROAD TRANSPORT (VEHICLE REGISTRATION) ACT 1997

Roads and Traffic Authority

Notice Fixing Fees

I, MIKE HANNON, Acting Chief Executive of the Roads and Traffic Authority, pursuant to section 8(1)(k) of the Road Transport (Vehicle Registration) Act 1997 and Clause 79 of the Road Transport (Vehicle Registration) Regulation 1998, make the Notice set forth hereunder.

This Notice takes effect on 28 November 2005.

MIKE HANNON,  
Acting Chief Executive,  
Roads and Traffic Authority

#### Amendments

The Notice Fixing Fees published in *Government Gazette* No. 77 of 24 June 2005 at pages 3123 to 3224 and amended in *Government Gazette* No. 118 of 23 September 2005 at page 7587 is further amended by inserting the following services and fees in the Schedule to that Notice.

<b>Column 1</b>	<b>Column 2</b>
57. Remake fee for bordered white plates	\$30

**ROADS ACT 1993**

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

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

ROWAN PERKINS,  
General Manager,  
Berrigan Shire Council  
(by delegation from the Minister for Roads)

---

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

This Notice may be cited as the Berrigan Shire Council B-Doubles Notice No. 01/2005.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 19 January 2010, unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

B-Doubles routes within the Berrigan Shire Council.

(For Single Road Listings)

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	00	Rice Mill Road	Newell Highway (SH 17)	500 metres west of the Newell Highway (SH17) at the western property entrance of the Rice Marketing Board (NSW) grain depot	

**ROADS ACT 1993**

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

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

ROWAN PERKINS,  
General Manager,  
Berrigan Shire Council  
(by delegation from the Minister for Roads)

---

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

This Notice may be cited as the Berrigan Shire Council Road Trains Notice No. 02/2005.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 22 November 2010, unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

Road Train routes within the Berrigan Shire Council.

(For Single Road Listings)

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
RT	00	Harley Court, Finley	Rice Mill Road	Entire length of Harley Court	
RT	00	James Court, Finley	Rice Mill Road	Entire length of James Court	

**ROAD TRANSPORT (GENERAL) ACT 2005**

Notice Under Clause 20 the Road Transport (Mass, Loading and Access) Regulation 2005

WELLINGTON COUNCIL in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

D. H. RAMSLAND,  
General Manager,  
Wellington Council  
(by delegation from the Minister for Roads)

---

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

This Notice may be cited as Wellington Council 25 Metre Harvest B-Double Route Notice No. 01/2005.

**2. Commencement**

This Notice takes effect on the date of Gazettal.

**3. Effect**

This Notice remains in force until 28 February 2006, unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25		Blathersys Creek Road	Mitchell Highway	"Ingleburn"	80kph speed limit
25		Campbells Lane	Cobborah Road (MR353)	Goolma Road (MR233)	80kph speed limit
25		Cobborah Road (MR353)	Campbells Lane	"Muronbung Park"	
25		Combo Road	Mitchell Highway (SH7)	Cobborah Road (MR353)	80kph speed limit
25		Comobella Road	Ballimore Road	Cobborah Road (MR353)	
25		Forestvale Road	Cobborah Road (MR353)	"Lynwood"	
25		Gillinghall Road	Spicers Creek Road	"Gold Hill"	80kph speed limit
25		Maryvale Road	Mitchell Highway (SH7)	Cobborah Road (MR353)	80kph speed limit
25		Oakey Creek Road	Goolma Road (MR233)	"Westwood"	80kph speed limit
25		Runcimans Lane	Forestvale Road	Gillinghall Road	80kph speed limit
25		Spicers Creek Road	Goolma Road (MR233)	"Gillinghall"	80kph speed limit



**ROAD TRANSPORT (GENERAL) ACT 2005**

Notice Under Clause 20 the Road Transport (Mass, Loading and Access) Regulation 2005

WEDDIN SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which B-Double may be used subject to any requirements or conditions set out in the Schedule.

TREVOR VINCENT LOBB,  
General Manager,  
Weddin Shire Council  
(by delegation from the Minister for Roads)  
25 October 2005

---

SCHEDULE

**1. Citation**

This Notice may be cited as Weddin Shire Council 25 Metre B-Double Notice No. 1/2005.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30 June 2008, unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	MR237	Gooloogong Road/Cross Street	Forbes-Weddin Shire Council Boundary	Melyra Street, Grenfell	
25	MR237	Melyra Street, Grenfell	Cross Street	Brundah Street	
25	000	Brundah Street, Grenfell	Melyra Street	Grafton Street (SH6)	



## Other Notices

### ANTI-DISCRIMINATION ACT 1977

#### Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 8 and 51 of the Anti-Discrimination Act 1977, to Penrith City Council to designate, advertise and recruit for an Aboriginal Project Worker to work within Children's Services.

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

Dated this 23rd day of November 2005.

BOB DEBUS, M.P.,  
Attorney General

### ASSOCIATIONS INCORPORATION ACT 1984

Notice Under Section 601AB(2)(C) of the Corporations Act 2001 as Applied by Section 52 of the Associations Incorporation Act 1984

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

Theatresports Inc (In Liquidation).

Dated this 29th day of November 2005.

C. GOWLAND,  
Delegate of the Registrar of Co-operatives

### CHARITABLE TRUSTS ACT 1993

#### Notice Under Section 15

Proposed Cy-Pres Scheme Relating to the  
FK Barton Classical Foundation

IN 1965 Felix K Barton and the Trustees Executors and Agency Company set up a classical foundation. The original trustee was later changed to the current trustee, the ANZ Executors and Trustee Company Limited, by legislative change.

The FK Barton Classical Foundation was to hold the Fund on trust for the 'encouragement and furthering of the study in NSW and the ACT of...Ancient Greek and Roman languages, life and literature..' and to be used variously for assisting in the publication of text books, establishing and maintaining scholarships, subsidising and assisting school libraries, providing and awarding prizes to induce students to take up Latin and Greek study, providing financial aid to the teaching of Greek and Latin and providing financial assistance to teachers and advanced students for travelling in Classical lands.

In May 2004 the treasurer of the Classical Languages Teachers' Association (CLTA) wrote to the trustee proposing to take over the management of the funds of the trust and setting out how the CLTA would administer and manage the funds. The CLTA is a professional organisation of classics teachers whose aim is to provide a support network for classical teachers and improve and maintain the quality

of classical language teaching. The CLTA is recognised by the NSW Board of Studies and has extensive links and connections both interstate and internationally.

The CLTA proposed that it would place the trust funds (which currently stand at \$18,458.93) in a special account and interest from the funds would be recorded separately in the CLTA's balance sheet. A standing committee would be delegated by the CLTA to replace the Advisory Panel and to determine how the income from the funds should be disbursed, with the focus on the promotion of the study of classics in NSW and the ACT in accordance with the spirit of the trust.

The Chairman of the Advisory Panel of the FK Barton Foundation advised that the Panel supports the distribution of the trust funds to the CLTA and is of the view that the CLTA is well suited to ensure that the purposes of the trust are fulfilled in the future.

The trustee accordingly seeks an order from the Attorney General under section 12(1)(b) of the Charitable Trusts Act 1993 to establish a scheme to vary the manner or mode of administration of the trust. Section 12(1)(b) permits the Attorney General to establish extend or vary the powers of trustees of a charitable trust or prescribe or vary the manner or mode of administration of any charitable trust.

The Solicitor General, under delegation from the Attorney General in and for the State of New South Wales, has formed the view that it is appropriate that the Attorney General make an order to establish a scheme to vary the manner of administration of the FK Barton Classical Foundation as proposed by the CLTA.

Take note that within one month after the publication of this notice any person may make representations or suggestions to the Attorney General in respect of the proposed scheme.

A copy of the proposed scheme may be inspected, by appointment, during business hours at Level 9, Goodsell Building, 8-12 Chifley Square, Sydney. Please telephone (02) 9228 8102 for an appointment.

Signed: Laurie Glanfield, 28 November 2005.

LAURIE GLANFIELD,  
Director General,  
Attorney General's Department

### CONSTITUTION ACT 1902

#### Ministerial Arrangements during the Absence of the Minister for Health

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Hon. J. J. DELLA BOSCA, M.L.C., Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, Assistant Treasurer and Vice President of the Executive Council, to act for and on behalf of the Minister for Health, as on and from 10 December 2005, with a view to him performing the duties of the Honourable J. HATZISTERGOS, M.L.C., during his absence from duty.

MORRIS IEMMA, M.P.,  
Premier

**CO-OPERATIVES ACT 1992**

Notice Under Section 601AA of the Corporations Law as Applied by Section 325 of the Co-operatives Act 1992

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

Cover-Up Curtains Co-operative Limited.

Dated this 29th day of November 2005.

C. GOWLAND,  
Delegate of the Registrar of Co-operatives

**DISTRICT COURT ACT 1973**

District Court of New South Wales

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Campbelltown, 10:00 a.m., 20 March 2006 (1 week), sitting cancelled.

Dated this 29th day of November 2005.

R. O. BLANCH,  
Chief Judge

**DISTRICT COURT ACT 1973**

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:

Nowra, 10:00 a.m., 20 February 2006 (1 week), special fixture.

Dated this 28th day of November 2005.

R. O. BLANCH,  
Chief Judge

**DISTRICT COURT CRIMINAL PRACTICE NOTE 4**

Media Access to Sexual Assault Proceedings Heard in Camera

1. The purpose of this practice note is to provide arrangements under s 291 C 2 of the Criminal Procedure Act for the media to access sexual assault proceedings held in camera.
2. In circumstances where s 291 C 2 applies, and such arrangements are sought, the media representative should contact the registrar of the court where the proceedings are to be held.
3. Upon application by a media representative, the registrar will discuss with the media representative the reasonable and practical options available. Wherever possible, the application is to be made prior to the date of hearing. The longer the period of notice given to the registrar the more likely it will be that a practical arrangement can be made.

4. The registrar will discuss with the media representative the options available and then provide a written report to the court advising what is reasonably practical to provide pursuant to s 291 C 2. The court will then determine what arrangements should be made and these will usually be announced in court.
5. Any additional costs incurred in making arrangements pursuant to s 291 C 2 are to be met by the media representative (eg cost of installing live audio/visual feeds, cost of a sheriff/court officer to supervise access to a remote audio/visual feed, cost of providing a real time or a daily transcript). The registrar may require an undertaking to be given by the media representative to pay the additional costs.
6. If the media is given electronic access to the evidence, the media must not make an electronic recording of the proceedings.

Dated: 28 November 2005.

The Hon. Justice R. O. BLANCH,  
Chief Judge

**GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of section 7(1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the recorded geographical names listed hereunder.

Reference: GNB 5068.

Assigned Name:	Arrawarra Beach.
Designation:	Beach.
L.G.A.:	Coffs Harbour City Council.
Parish:	Woolgoolga.
County:	Fitzroy.
L.P.I. Map:	Woolgoolga.
100,000 Map:	Coffs Harbour 9537.

Assigned Name:	Diggers Camp Beach.
Designation:	Beach.
L.G.A.:	Clarence Valley Council.
Parish:	Scope.
County:	Clarence.
L.P.I. Map:	Bare Point.
100,000 Map:	Bare Point 9538.

Assigned Name:	Emerald Beach.
Designation:	Beach.
L.G.A.:	Coffs Harbour City Council.
Parish:	Mooney.
County:	Fitzroy.
L.P.I. Map:	Moonee Beach.
100,000 Map:	Coffs Harbour 9537.

Assigned Name:	Freshwater Beach.
Designation:	Beach.
L.G.A.:	Clarence Valley Council.
Parish:	Red Rock.
County:	Clarence.
L.P.I. Map:	North Solitary Island.
100,000 Map:	Bare Point 9538.

Assigned Name: Jones Beach.  
 Designation: Beach.  
 L.G.A.: Clarence Valley Council.  
 Parish: Wooli Wooli.  
 County: Clarence.  
 L.P.I. Map: North Solitary Island.  
 100,000 Map: Bare Point 9538.

Assigned Name: Minnie Water Back Beach.  
 Designation: Beach.  
 L.G.A.: Clarence Valley Council.  
 Parish: Scope.  
 County: Clarence.  
 L.P.I. Map: Bare Point.  
 100,000 Map: Bare Point 9538.

Assigned Name: Minnie Water Beach.  
 Designation: Beach.  
 L.G.A.: Clarence Valley Council.  
 Parish: Scope.  
 County: Clarence.  
 L.P.I. Map: Bare Point.  
 100,000 Map: Bare Point 9538.

Assigned Name: Sandon Beach.  
 Designation: Beach.  
 L.G.A.: Clarence Valley Council.  
 Parish: Candole.  
 County: Clarence.  
 L.P.I. Map: Sandon.  
 100,000 Map: Bare Point 9538.

Assigned Name: Station Creek Beach.  
 Designation: Beach.  
 L.G.A.: Coffs Harbour City Council.  
 Parish: Red Rock.  
 County: Clarence.  
 L.P.I. Map: Red Rock.  
 100,000 Map: Bare Point 9538.

Assigned Name: Woolgoolga Back Beach  
 Designation: Beach  
 L.G.A.: Coffs Harbour City Council  
 Parish: Woolgoolga  
 County: Fitzroy  
 L.P.I. Map: Woolgoolga  
 100,000 Map: Coffs Harbour 9537

Assigned Name: Wooli Beach.  
 Designation: Beach.  
 L.G.A.: Clarence Valley Council.  
 Parish: Wooli Wooli.  
 County: Clarence.  
 L.P.I. Map: Bare Point.  
 100,000 Map: Bare Point 9538.

Assigned Name: Pipeclay Lake.  
 Designation: Lagoon.  
 L.G.A.: Coffs Harbour City Council.  
 Parish: Corindi.  
 County: Fitzroy.  
 L.P.I. Map: Woolgoolga.  
 100,000 Map: Coffs Harbour 9537.

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

WARWICK WATKINS,  
 Chairperson

Geographical Names Board,  
 PO Box 143, Bathurst NSW 2795.

#### GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the names listed hereunder as geographical names.

Any person wishing to make comment upon these proposals may within one (1) month of the date of this notice, write to the Secretary of the Board with that comment.

Proposed Name: Eileen Cammack Reserve.  
 Assigned Name: Eileen Cammack Soccer Fields.  
 Designation: Reserve.  
 L.G.A.: Penrith City Council.  
 Parish: Mulgoa.  
 County: Cumberland.  
 L.P.I. Map: Penrith.  
 1:100,000 Map: Penrith 9030.  
 Reference: GNB 4933.

Proposed Name: Elsmer Jones Park.  
 Assigned Name: Jones Park.  
 Designation: Reserve.  
 L.G.A.: Richmond Valley Council.  
 Parish: North Casino.  
 County: Rous.  
 L.P.I. Map: Casino.  
 1:100,000 Map: Lismore 9540.  
 Reference: GNB 5073.

Proposed Name: Graham Creek.  
 Designation: Creek.  
 L.G.A.: Tweed Shire Council.  
 Parish: Kynnumboon.  
 County: Rous.  
 L.P.I. Map: Murwillumbah.  
 1:100,000 Map: Murwillumbah 9541.  
 Reference: GNB 5059.

Proposed Name: George Graham Crossing.  
 Designation: Crossing.  
 L.G.A.: Tweed Shire Council.  
 Parish: Kynnumboon.  
 County: Rous.  
 L.P.I. Map: Murwillumbah.  
 1:100,000 Map: Murwillumbah 9541.  
 Reference: GNB 5059.

Proposed Name: Sam Fiszman Park.  
 Designation: Reserve.  
 L.G.A.: Waverley Council.  
 Parish: Alexandria.  
 County: Cumberland.  
 L.P.I. Map: Bondi.  
 1:100,000 Map: Sydney 9130.  
 Reference: GNB 5069.

Proposed Name: Benny Walfords Crossing.  
 Designation: Rural Place.  
 L.G.A.: Walgett Shire Council.  
 Parish: Mebea.  
 County: Finch.  
 L.P.I. Map: Lightning Ridge.  
 1:100,000 Map: Lightning Ridge 8439.  
 Reference: GNB 5071.

Proposed Name: Burma Track.  
 Designation: Track.  
 L.G.A.: Lake Macquarie Council.  
 Parish: Kahibah.  
 County: Northumberland.  
 L.P.I. Map: Swansea.  
 1:100,000 Map: Lake Macquarie 9231.  
 Reference: GNB 5028.

Proposed Name: Courtneys Park.  
 Designation: Reserve.  
 L.G.A.: Blacktown City Council.  
 Parish: Prospect.  
 County: Cumberland.  
 L.P.I. Map: Prospect.  
 1:100,000 Map: Penrith 9030.  
 Reference: GNB 5075.

Proposed Name: Callala Creek Bicentennial Park.  
 Designation: Reserve.  
 L.G.A.: Shoalhaven City Council.  
 Parish: Wollumboola.  
 County: St Vincent.  
 L.P.I. Map: Huskisson.  
 1:100,000 Map: Jervis Bay 9027.  
 Reference: GNB 5076.

Proposed Name: Light Horse Interchange.  
 Designation: Landmark.  
 L.G.A.: Blacktown City Council.  
 Parish: Melville.  
 County: Cumberland.  
 L.P.I. Map: Prospect.  
 1:100,000 Map: Penrith 9030.  
 Reference: GNB 5074.

Proposed Name: Tom Caddy Point.  
 Designation: Point.  
 L.G.A.: Randwick City Council.  
 Parish: Alexandria.  
 County: Cumberland.  
 L.P.I. Map: Bondi.  
 1:100,000 Map: Sydney 9130.  
 Reference: GNB 5080.

Proposed Name: Timbery.  
 Designation: Reserve.  
 L.G.A.: Randwick City Council.  
 Parish: Botany.  
 County: Cumberland.  
 L.P.I. Map: Botany Bay.  
 1:100,000 Map: Sydney 9130.  
 Reference: GNB 5077.

Proposed Name: Hearnese Lake.  
 Assigned Name: Hearnese Lake.  
 Designation: Lake.  
 L.G.A.: Coffs Harbour City Council.  
 Parish: Woolgoolga.  
 County: Fitzroy.  
 L.P.I. Map: Moonee Beach.  
 1:100,000 Map: Coffs Harbour 9537.  
 Reference: GNB 5068.

Proposed Name: Hearnese Lake Beach.  
 Designation: Beach.  
 L.G.A.: Coffs Harbour City Council.  
 Parish: Woolgoolga.  
 County: Fitzroy.  
 L.P.I. Map: Moonee Beach.  
 1:100,000 Map: Coffs Harbour 9537.  
 Reference: GNB 5068.

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

WARWICK WATKINS,  
 Chairperson

Geographical Names Board,  
 PO Box 143, Bathurst NSW 2795.

#### GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has assigned the name Central Coast for a region currently encompassing the local government areas of Gosford City Council and Wyong Shire Council.

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

WARWICK WATKINS,  
 Chairperson

Geographical Names Board,  
 PO Box 143, Bathurst NSW 2795.

#### GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 11(2) of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day assigned the name for a Post Office below:

Assigned Name: World Square Postshop.  
 Designation: Post Office.  
 L.G.A.: Greater Sydney City Council.  
 Parish: St Lawrence.  
 County: Cumberland.  
 L.P.I. Map: Parramatta River.  
 1:100,000 Map: Sydney 9130.  
 Reference: 05/2513.



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

WARWICK WATKINS,  
Chairperson

Geographical Names Board,  
PO Box 143, Bathurst NSW 2795.

### LOCAL GOVERNMENT ACT 1993

#### Decrease in Number of Councillors

##### Cowra Shire Council

I, KERRY HICKEY, M.P., Minister for Local Government, in pursuance of sections 224A and 294A of the Local Government Act 1993, do hereby approve of the number of councillors of the Cowra Shire Council being decreased from eleven to nine.

#### PROVIDED:

1. The decrease does not take place until the next ordinary election of the Council.
2. A casual vacancy in civic office occurring during the period starting from the date of this approval and until the next ordinary election is not to be filled unless the vacancy would cause the number of councillors of the Council to become less than nine.

Dated this 7th day of November 2005.

KERRY HICKEY, M.P.,  
Minister for Local Government

### NATIONAL PARKS AND WILDLIFE ACT 1974

#### Declaration of Wild Rivers

I, LISA CORBYN, Director-General of the Department of Environment and Conservation, declare the rivers, watercourses and waterbodies described hereunder to be wild rivers under the provisions of section 61(1) of the National Parks and Wildlife Act 1974.

Signed at Sydney this 22nd day of November 2005.

LISA CORBYN,  
Director-General  
Department of Environment and Conservation

#### SCHEDULE

*Land District – Grafton;  
L.G.A. – Clarence Valley and Glenn Innes Severn.*

County Drake, Parish Albert and Plevna, Washpool National Park being the main watercourse of Washpool Creek upstream of its point of intersection with the boundary of the park and all of its tributaries upstream of the aforesaid point of intersection and shown as a stream or lake on the following Department of Lands map sheets Coombadjha 9339 – 2 – S (printed 1977, reprinted 1982 first edition) and Washpool 9339 – 2 – N (printed 1976 first edition); NPWS04/08859.

### NATIONAL PARKS AND WILDLIFE ACT 1974

#### Declaration of Wild Rivers

I, LISA CORBYN, Director-General of the Department of Environment and Conservation, declare the rivers, watercourses and waterbodies described hereunder to be wild rivers under the provisions of section 61(1) of the National Parks and Wildlife Act 1974.

Signed at Sydney this 22nd day of November 2005.

LISA CORBYN,  
Director-General,  
Department of Environment and Conservation

#### SCHEDULE

*Land District – Bega; L.G.A. – Bega Valley.*

County Auckland, Parish Kokoboreeka, Mokoreeka and Mookerwah, Wadbilliga National Park being the main watercourse of Brogo River and Galoon Creek upstream of their points of intersection with the boundary of the park and all of their tributaries upstream of the aforesaid points of intersection and shown as a stream or lake on the following Department of Lands map sheets Kydra 8725 – 2 – S (printed 1983 first edition), Nimmitabel 8724 – 1 – N (printed 1973, reprinted 1983), Puen Buen 8725 – 3 – S (printed 1988 second edition), Yankees Gap 8824 – 4 – N (printed 1974, reprinted 1979) and Yowrie 8825 – 3 – N (printed 1988 second edition); NPWS04/08859.

### NATIONAL PARKS AND WILDLIFE ACT 1974

#### Declaration of Wild Rivers

I, LISA CORBYN, Director-General of the Department of Environment and Conservation, declare the rivers, watercourses and waterbodies described hereunder to be wild rivers under the provisions of section 61(1) of the National Parks and Wildlife Act 1974.

Signed at Sydney this 22nd day of November 2005.

LISA CORBYN,  
Director-General,  
Department of Environment and Conservation

#### SCHEDULE

*Land District – Port Macquarie; L.G.A. – Hastings.*

County Macquarie, Parish Moorabark, Werrikimbe National Park being the main watercourse of Forbes River upstream of its point of intersection with the boundary of the park and all of its tributaries upstream of the aforesaid point of intersection and shown as a stream or lake on the following Department of Lands map sheets Banda Banda 9335 – 1 – S (printed 1984 second edition), Birdwood 9335 – 2 – N (printed 1982 second edition), Kangaroo Flat 9335 – 4 – S (printed 1983 second edition) and Kemps Pinnacle 9335 – 1 – N (printed 1983 second edition); NPWS04/08859.

### NATIONAL PARKS AND WILDLIFE ACT 1974

#### Declaration of Wild Rivers

I, LISA CORBYN, Director-General of the Department of Environment and Conservation, declare the rivers, watercourses and waterbodies described hereunder to be wild rivers under the provisions of section 61(1) of the National Parks and Wildlife Act 1974.

Signed at Sydney this 22nd day of November 2005.

LISA CORBYN,  
Director-General,

Department of Environment and Conservation

#### SCHEDULE

*Land District – Port Macquarie; L.G.A. – Hastings.*

County Macquarie, Parish Moorabark, Vernon and Werrikimbe, Werrikimbe National Park being the main watercourse of Hastings River upstream of its point of intersection with the boundary of the park and all of its tributaries upstream of the aforesaid point of intersection, excluding Bishops Creek and all its tributaries, and shown as a stream or lake on the following Department of Lands map sheets Banda Banda 9335 – 1 – S (printed 1984 second edition), Green Gully 9335 – 4 – N (printed 1983 second edition), Kemps Pinnacle 9335 – 1 – N (printed 1983 second edition), Kangaroo Flat 9335 – 4 – S (printed 1983 second edition) and Seaview 9335 – 3 – N (printed 1982 second edition); NPWS04/08859.

#### NATIONAL PARKS AND WILDLIFE ACT 1974

##### Declaration of Wild Rivers

I, LISA CORBYN, Director-General of the Department of Environment and Conservation, declare the rivers, watercourses and waterbodies described hereunder to be wild rivers under the provisions of section 61(1) of the National Parks and Wildlife Act 1974.

Signed at Sydney this 22nd day of November 2005.

LISA CORBYN,  
Director-General,

Department of Environment and Conservation

#### SCHEDULE

*Land District – Lithgow and Picton; L.G.A. – Oberon.*

County Westmoreland, Parish Banshea, Colong, Cyclops, Gangerang, Merlin, Speedwell and Tartarus, Blue Mountains National Park and Kanangra – Boyd National Park being the main watercourse of Kowmung River downstream of the junction of Tuglow River and Hollander's River to the point of intersection of Kowmung River and the boundary of Blue Mountains National Park, and all of its tributaries between the aforesaid junction and point of intersection within the reserved area of Blue Mountains National Park and Kanangra – Boyd National Park and shown as a stream or lake on the following Department of Lands map sheets Bimlow 8930 – 2 – S (printed 1982 second edition), Bindook 8929 – 4 – S (printed 1984 second edition), Gurnang 8829 – 1 – N (printed 1977, reprinted 1989 first edition), Jamison 8930 – 2 – N (printed 1982 second edition), Kanangra 8930 – 3 – S (printed 1982 second edition), Shooters Hill 8830 – 2 – S (printed 1982 second edition) and Yerranderie 8929 – 4 – N (printed 1984 second edition); NPWS04/08859.

#### NATIONAL PARKS AND WILDLIFE ACT 1974

Kattang Nature Reserve  
Basket Swamp National Park  
Plans of Management

A plan of management for Kattang Nature Reserve was adopted by the Minister for the Environment on 18 August 2005.

A plan of management for Basket Swamp National Park was adopted by the Minister for the Environment on 28 October 2005.

Copies of the Kattang plan may be obtained from the NPWS Office, 152 Horton Street, Port Macquarie (phone 6584 2203). Copies of the Basket Swamp plan may be obtained from the NPWS Office, 10 Miles Street, Tenterfield (phone 6736 4298). The cost of the plans is \$8.50 each.

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

#### PARENTS AND CITIZENS' ASSOCIATIONS INCORPORATION ACT 1976

##### Incorporation of Parents and Citizens' Associations

THE following associations are hereby incorporated under the Parents and Citizens' Associations Incorporation Act 1976.

1. Alma Public School
2. Bossley Park High School
3. Cambridge Park Public School
4. Coonamble Public School
5. Denman Public School
6. Dundurrabin Public School
7. Erskine Park High School
8. Largs Public School
9. Larnook Public School
10. Oakhill Drive Public School
11. Parkes East Public School
12. West Ryde Public School

CARMEL TEBBUTT, M.P.,  
Minister for Education and Training

#### PESTICIDES ACT 1999

##### Pesticide Control Order Under Section 38

##### Name

1. This Order is to be known as the Pesticide Control (1080 Fox Bait) Amendment Order 2005.

##### Commencement

2. This Order commences on 2 December 2005.

##### Authority for Order

3. This Order is made by the Environment Protection Authority with the approval of the Minister for the Environment under Part 4 of the Pesticides Act 1999.

##### Application

4. This Order authorises the use of PAKS DE- FOX 1080 FOX BAIT subject to conditions as specified for "1080 fox bait" in Pesticide Control (1080 Fox Bait) Order 2002.

5. This Order amends Pesticide Control (1080 Fox Bait) Order 2002 by inserting in condition 5 (definitions) under the matter "1080 fox bait" the following—  
Paks De- FOX 1080 Fox Bait (APVMA Product Registration Number 58999) containing 3.0mg Sodium Fluoroacetate per bait as its only active constituent.

LISA CORBYN,  
Director-General,  
Environment Protection Authority

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

**Notes:**

Words used in this Order have the same meaning as in the Pesticides Act 1999.

A person must not contravene this Order – maximum penalty \$120,000 in the case of a corporation and \$60,000 in the case of an individual.

A pesticide control order remains in force until it is revoked by another pesticide control order.

**WILDERNESS ACT 1987**

Declaration of Wilderness Area

I, ROBERT JOHN DEBUS, Minister for the Environment in the State of New South Wales, declare the lands hereunder within Chaelundi National Park to be a wilderness area under the provisions of section 8(1A) of the Wilderness Act 1987, and to be known as the Chaelundi Wilderness.

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

Description

*Land District – Grafton; L.G.A. – Clarence Valley.*

County Gresham, Parishes Nullama, Marara West, Sturt, Alder and Stanley, about 10,833 hectares, being the area shown by hatching in miscellaneous plan R00231 held in the Hurstville Office of the Department of Environment and Conservation.: DEC/03/01351.

**THREATENED SPECIES CONSERVATION ACT  
1995**

Extension of Public Exhibition Period

THE public exhibition period for the Preliminary Determination supporting a proposal to list the Invasion, establishment and spread of Lantana (*Lantana camara* L. sens. Lat) as a KEY THREATENING PROCESS in Schedule 3 of the Act, has been extended to 13 January 2006.

A copy of the Determination, which contains the reasons for the determination, may be obtained free of charge on the Internet [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au), by contacting the Scientific Committee Unit, PO Box 1967, Hurstville NSW 2220. Tel.: (02) 9585 6940 or Fax: (02) 9585 6606 or in person at the Department of Environment and Conservation Information Centre, Level 14, 59-61 Goulburn Street, Sydney. Copies of the determination may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

Any person may make a written submission regarding the Preliminary Determination. Send submissions to: Scientific Committee, PO Box 1967, Hurstville NSW 2220. Attention Suzanne Chate. Submissions must be received by 13 January 2006.

Dr LESLEY HUGHES,  
Chairperson



NEW SOUTH WALES  
CASINO CONTROL AUTHORITY

CASINO CONTROL ACT 1992

**Order**

Pursuant to section 66(1) of the Casino Control Act 1992, the Casino Control Authority does, by this Order, add to the list of games approved for play in the casino, the game of “Four Card Poker”, approves the following rules for the playing of the game of “Four Card Poker”, and approves the following amendments to the rules for the playing of the game of “Big Wheel” in the casino operated by Star City Pty Limited under licence granted by the Casino Control Authority on 14 December 1994:

**(1) Rules for the playing of ‘Four Card Poker’**

The rules for the playing of the game of ‘Four Card Poker’ in the casino as set forth in the attachment hereto are approved.

**(2) Amendments to the rules for the playing of ‘Big Wheel’**

The existing rules for the playing of the game of ‘Big Wheel’ in the casino are repealed and in substitution therefor, the rules as set forth in the attachment hereto are approved.

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

Signed at Sydney, this 29<sup>th</sup> day of November 2005.

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



## FOUR CARD POKER

1. Definitions
2. Table Layout and Equipment
3. The Cards
4. The Shuffle and Cut
5. Wagers
6. Minimum and Maximum Wagers
7. The Deal
8. Betting Round
9. Final Settlement
10. Settlement Odds
11. Order of Poker Hands
12. Irregularities
13. Shuffling Device Malfunction
14. General Provisions

DIAGRAM A

## 1. Definitions

1.1 In these rules, unless the contrary intention appears:

“**Aces Up**” means an alternative or optional additional wager which may be made by a player in accordance with rule 5.2, which shall win if the player’s hand contains a pair of Aces or higher, regardless of the dealer’s hand.

"**Act**" means the Casino Control Act 1992;

"**Ante**" means a player's initial wager placed in a round of play;

“**Ante Bonus**” means an automatic bonus paid to Ante wagers, regardless of the dealer’s hand, if the hand qualifies for a bonus in accordance with rule 10.2;

"**Play wager**" means an additional wager placed by a player in order to continue in a round of play;

“**card shoe**” means a device from which cards are dealt;

“**deck-checking device**” means a machine used to check that each deck of cards contains the correct cards for the game;

“**casino promotional voucher**” means a voucher of a nominated value issued by the casino operator to enable a player to wager at a gaming table to the amount identified on the voucher, subject to any conditions specified on the voucher. Where a player presents a promotional voucher at a gaming table the dealer shall exchange the voucher for an equivalent value in chips or promotional tokens, which may then be wagered on the appropriate area(s) of the layout. Any winnings resulting from such wagers are to be paid in chips;

"**casino supervisor**" means a person employed in a casino in a managerial capacity relating to the conduct of gaming and includes a games supervisor;

"**dealer**" means a person responsible for the operation of the game;

"**fold**" means a decision by a player to no longer continue with his/her hand for that particular round of play;

"**games supervisor**" means a person responsible for the immediate supervision of the operation of the game;

"**hand**" means five cards dealt to each player and six cards dealt to the dealer in a round of play;

"**inspector**" means a person appointed under section 106 of the Act;

"**round of play**" means the period of play commencing with the removal of the first card from the card shoe or shuffling device by the dealer and concluding when the dealer, after drawing the last card, announces a result and, if applicable, collects losing wagers and pays out winning wagers;

“**shuffling device**” means a device used for the shuffling of cards and from which cards are dealt;

"**stand off**" means where a wager shall neither win nor lose;

"**void**" means invalid with no result.

## 2. Table Layout and Equipment

2.1 The game of Four Card Poker shall be played at a table having on one side places for the players and on the opposite side a place for the dealer.

2.2 The layout cloth covering the table shall be marked in a manner substantially similar to that shown in diagram "A" with:

- 2.2.1 playing areas designated for the placement of wagers;
- 2.2.2 an inscription to the effect that the "Dealer Always Plays – Player Wins if Hand is Equal to or Greater than the Dealer";
- 2.2.3 the name and/or logo of the casino imprinted thereon;
- 2.3 The following equipment shall also be used:
  - 2.3.1 either a card shoe, capable of holding a single deck of cards, or a shuffling device, capable of holding two individual decks of cards;
  - 2.3.2 a discard rack, capable of holding a single deck of cards, which shall be attached to the table at the approximate location shown in diagram "A";
- 2.4 The table shall have a drop box attached to it.

### 3. The Cards

- 3.1 The game of Four Card Poker shall be played with one deck of cards, having 52 cards without jokers, with backs of the same colour and design and a cutting card.
- 3.2 When a shuffling device is in use at a table:
  - 3.2.1 the device may be loaded with one deck of cards while another deck is used in play; and
  - 3.2.2 the backs of the deck of cards being used in play must be of a different colour to that of the backs of the other deck of cards in the shuffling device.
- 3.3 All suits have the same rank. The rank of cards, from highest to lowest, shall be as follows:  
ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, 2,  
except as provided in rule 11.1.2 and 11.1.5 where the ace may be counted low.
- 3.4 Cards shall be checked by a dealer or a casino supervisor or by use of a deck-checking device prior to use on a gaming table.
- 3.5 Cards may be checked, pre-shuffled and secured until such time as they may be required.
- 3.6 All cards used in the game of Four Card Poker shall be dealt from a card shoe or shuffling device specifically designed for such purpose.
- 3.7 Cards may, at the discretion of a casino supervisor, be changed after any round of play if, for any reason, a card or cards become unfit for further use. If all the cards are replaced, the new cards shall be checked, shuffled and cut in accordance with these rules.
- 3.8 A casino supervisor or an inspector may, at any time, instruct the dealer to check and verify the number of cards.

### 4. The Shuffle and Cut

- 4.1 The cards shall be shuffled so that they are randomly intermixed within the deck:
  - 4.1.1 immediately prior to the start of play;
  - 4.1.2 at the completion of each round of play; or
  - 4.1.3 following any period that the table has been vacant, immediately prior to the recommencement of play.

- 4.2 When a card shoe is used, after the cards have been shuffled the dealer shall cut the cards, place them on the cutting card and then insert all the cards in the card shoe for commencement of play.
- 4.3 No person other than the dealer shall cut the cards.
- 4.4 When a shuffling device is used, the cards shall be placed in the shuffling device to be shuffled and the cards shall not be cut.
- 4.5 The dealer may perform a manual shuffle prior to inserting the cards into the shuffling device

## **5. Wagers**

- 5.1 All wagers shall be placed by means of chips and/or casino promotional tokens.
- 5.2 Prior to the first card being dealt in each round of play, each player wishing to participate in the round of play shall place an Ante and/or place an Aces Up wager on the appropriate wagering area of the layout
- 5.3 A player who has only wagered on the Aces Up option shall not be permitted to place a Play wager
- 5.4 Until a decision and settlement has been made in respect of any wager, no wager may be handled, placed, increased or withdrawn after the first card of a round of play has been removed from the card shoe or shuffling device unless explicitly permitted by these rules.
- 5.5 A player shall not wager on more than one hand in any round of play.
- 5.6 Only one wager shall be accepted on any one wagering area.
- 5.7 Players are responsible for the positioning of their wagers on the layout, whether or not they are assisted by the dealer. Players must ensure that any instructions given to the dealer regarding the placement of their wagers are correctly carried out.

## **6. Minimum and Maximum Wagers**

- 6.1 The minimum and maximum wagers permitted per player per playing area shall be shown on a sign at the table. Unless stated on the sign, wagers are not required to be made in multiples of the minimum. The sign may also state the minimum unit in which wagers may be made above the table minimum.
- 6.2 A wager found to be below the stated minimum, after the first card has been removed from the card shoe or shuffling device, shall be valid.
- 6.3 A wager found to be above the stated maximum, after the first card has been removed from the card shoe or shuffling device, shall be paid or collected to the maximum. In the event that a player has been found to have wagered above the stated maximum on any previous round(s) of play the wagers and results of the previous round(s) of play shall stand.
- 6.4 Players are responsible for ensuring that their wagers comply with the limits stated on the sign on the table.
- 6.5 A casino supervisor may alter the limits on a gaming table at any time except that a minimum wager can only be changed to a higher minimum if a sign indicating the new minimum and the proposed time of change has been displayed at the table at least 20 minutes before the change.

## **7. The Deal**

- 7.1 All cards shall be dealt face downwards.

- 7.2 Immediately prior to the commencement of a round of play and after all Ante and/or Aces Up wagers are placed, the dealer shall:
- 7.2.1 announce “no more bets”; and
  - 7.2.2 starting from his/her left and continuing clockwise around the table, deal the cards.
- 7.3 When a card shoe is in use, the cards shall be dealt in the following manner:
- 7.3.1 one card to each playing area containing an Ante and/or Aces Up wager; and
  - 7.3.2 one card to the dealer;
  - 7.3.3 in sequence, a second, third, fourth and fifth card to each playing area containing an Ante and/or Aces Up wager and to the dealer; and
  - 7.3.4 a sixth card to the dealer’s hand which shall be dealt face up.
- 7.4 When a shuffling device is in use, the cards shall be dealt in the following manner:
- 7.4.1 five cards at a time to each playing area containing an Ante and/or Aces Up wager; and
  - 7.4.2 five cards to the dealer face down and then a sixth card face up.

## 8. Betting Round

- 8.1 After the cards have been dealt in accordance with rule 7, players shall pick up their cards and declare their intention to either fold or play.
- 8.2 Players must ensure that their cards do not leave the area of the table layout nor are held away from the table.
- 8.3 A player who elects to fold shall pass his/her cards, face downwards on the table, to the dealer.
- 8.4 The dealer shall collect the Ante and/or Aces Up wagers and the cards from each player who elects to fold. The cards shall be individually spread out face downwards by the dealer, counted and then placed in the discard rack.
- 8.5 A player who elects to play shall place his/her cards face downwards on the Play wager area and, if the player has placed an Ante wager, place a Play wager between one and three times their Ante, on top of their cards.
- 8.6 After all Play wagers have been placed, the dealer shall turn all the cards of his/her hand face upwards and declare the highest possible four-card poker value of the hand as determined in accordance with rule 11.
- 8.7 Players are not permitted to communicate, other than declaring an intention to either fold or play, until all players have completed the betting round.

## 9. Final Settlement

- 9.1 The dealer shall arrange his/her hand from highest to lowest, and announce his/her best four-card hand. The two remaining cards shall be positioned separate to the four-card hand.
- 9.2 The dealer shall then reveal the individual player’s hands and declare and arrange the highest possible four-card hand; and
- 9.2.1 comparing his/her hand to each player’s individual hand shall then:
    - 9.2.1.1 pay the Ante wager an Ante Bonus, regardless of the dealer’s hand, to those hands containing three of a kind or higher;

- 9.2.1.2 collect the Ante and the Play wagers for those hands containing a lower poker value than the dealer's;
  - 9.2.1.3 collect the Aces Up wager for those hands of a lower value than a pair of Aces;
  - 9.2.1.4 pay the Ante and the Play wagers for those hands containing an equal or higher poker value than the dealer's, in accordance with rule 10;
  - 9.2.1.5 pay the Aces Up wager on any hand containing at least a pair of Aces or higher, regardless of the value of the dealer's hand, in accordance with rule 10.
- 9.2.2 after the dealer has compared individual hands and has paid or collected the wagers, he/she shall collect and count the cards and place them in the discard rack.
- 9.3 After the dealer's hand is exposed a player may concede his/her hand by indicating with a sweeping motion of his/her hand towards the dealer. The dealer will then announce "conceding hand" and collect the player's wagers and cards which shall be checked in accordance with rule 8.4.
- 9.4 After a player's hand has been conceded it cannot be returned to play.
- 9.5 Each player at the table shall be responsible for correctly computing the optimal value of their hand in accordance with rule 11.
- 9.6 At settlement the dealer shall be responsible for settling each player's hand based on the optimal hand value achievable under rule 11 and in accordance with the odds described under rule 10.

## 10. Settlement Odds

- 10.1 Winning Ante wagers at the game of Four Card Poker shall be paid at the odds of 1 to 1.
- 10.2 Ante wagers will qualify for a bonus payment if the hand contains three of a kind or higher, regardless of the dealer's hand.
- 10.3 The Ante Bonus payment will be paid in accordance with the prize schedule approved by the Authority. The applicable bonus odds will be displayed on a sign at the table.
- 10.4 Winning Play wagers at the game of Four Card Poker shall be paid at the odds of 1 to 1.
- 10.5 Winning Aces Up wagers at the game of Four Card Poker shall be paid in accordance with one of the prize schedules approved by the Authority. The applicable odds will be displayed on a sign at the table.
- 10.6 The player's Ante and Play wager shall win if the player's hand equals the dealer's hand.

## 11. Order of Poker Hands

11.1 The order of hands, highest to lowest is as follows:

11.1.1	Four of a kind	is a hand containing four cards of the same rank;
11.1.2	Straight Flush	is a hand containing four cards of the same suit in consecutive ranking. An ace may be counted high or low;
11.1.3	Three of a kind	is a hand containing three cards of the same rank;
11.1.4	Flush	is a hand containing four cards of the same suit but not in consecutive ranking;
11.1.5	Straight	is a hand containing four cards of consecutive rank not all of the same suit. An ace maybe counted high or low;
11.1.6	Two pair	is a hand containing two "pairs"
11.1.7	One pair	is a hand containing two cards of the same rank;
11.1.8	Four odd cards	is a hand containing four cards of different rank and at least two suits.

11.2 Hands of the same value but consisting of different card values shall be ranked in accordance with the rank of cards prescribed in rule 3.3. For example:

11.2.1 a Straight containing an ace, king, queen, jack shall be ranked higher than a Straight containing a 4, 3, 2, ace;

11.2.2 if both hands hold an equal value pair, the value of the remaining cards of the hands determines which shall be higher.

## 12. Irregularities

12.1 Where a dealer realises, prior to any player handling their cards, that cards have been dealt incorrectly, he/she shall declare a misdeal.

12.2 An incorrect number of cards dealt to the dealer's hand shall constitute a misdeal.

12.3 Two or more cards exposed in error during the deal shall constitute a misdeal.

12.4 In the event of a misdeal all wagers shall be void and a new round of play shall be dealt.

12.5 Where an exposed card is dealt, it shall not constitute a misdeal. The dealer shall turn the card over and continue dealing.

12.6 A player's hand containing too few cards or too many cards shall be declared void.

12.7 Where a dealer realises, after a player has handled their cards, that a hand has been dealt to a playing area that does not contain an Ante and/or an Aces Up wager, the cards for that hand shall be counted and placed in the discard rack.

12.8 Should the dealer's hands be set incorrectly and the first player's hand has been exposed, the dealer's hand, as set, shall stand.

- 12.9 Should the dealer make an error when declaring and arranging a player's hand, and the error is detected and notified to the dealer before the commencement of the next round of play, every effort must be made to reconstruct that hand and correct the error. However, should a reconstruction not be possible, then the casino supervisor shall authorise that player's hand being declared void and all monies returned to the player.
- 12.10 In the event that a card(s) is found to be missing from a card shoe or shuffling device; or a card(s) is found that does not form part of the cards that make up a deck in accordance with rule 3.1, the following shall apply:
- 12.10.1 the result of any rounds of play previously completed shall stand; and
  - 12.10.2 the round of play where the missing card(s) is discovered or the foreign card(s) is found shall be declared void and all monies returned to players for that round of play; and
  - 12.10.3 the deck shall be checked for any further missing or foreign cards.
- 12.11 If during play a player cannot place a Play wager at least equal to his/her Ante then the player's Ante wager will be void and returned to the player. If no Aces Up wager has been placed, then the dealer shall collect and count the cards and placed them in the discard rack. The player will be informed any further instances will result in forfeiture of the Ante. An Aces Up wager shall be played to completion and settled in accordance with rule 10.5.
- 12.12 Where a player or players are suspected of viewing another player's cards or collecting information from other active or non active players, a casino supervisor may:
- 12.12.1 direct the player or players concerned to play their hand prior to other players handling their cards;
  - 12.12.2 restrict players suspected of collusion from playing together at the same table;
  - 12.12.3 direct the players on a table to speak English only at all times.
- 12.13 Where a player makes a wager in accordance with rule 5.2 and is not present to make decision in regard to the cards dealt to that playing area, then any Ante wager shall be void and returned to the player on his/her return. If no Aces Up wager has been placed, then the dealer shall collect and count the cards and placed them in the discard rack. An Aces Up wager shall be played to completion and settled in accordance with rule 10.5.

### **13. Shuffling Device Malfunction**

- 13.1 Where a shuffling device jams, stops intermixing cards during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.
- 13.2 Where it becomes evident, in a round of play for which one or more cards have been dealt, that the shuffling device is no longer capable of operating in the way it is intended to operate:
- 13.2.1 that round of play shall be declared void; and
  - 13.2.2 the result of any rounds of play previously completed shall stand; and
  - 13.2.3 the game shall be continued with another shuffling device or a card shoe and using new cards, subject to rule 3.7.



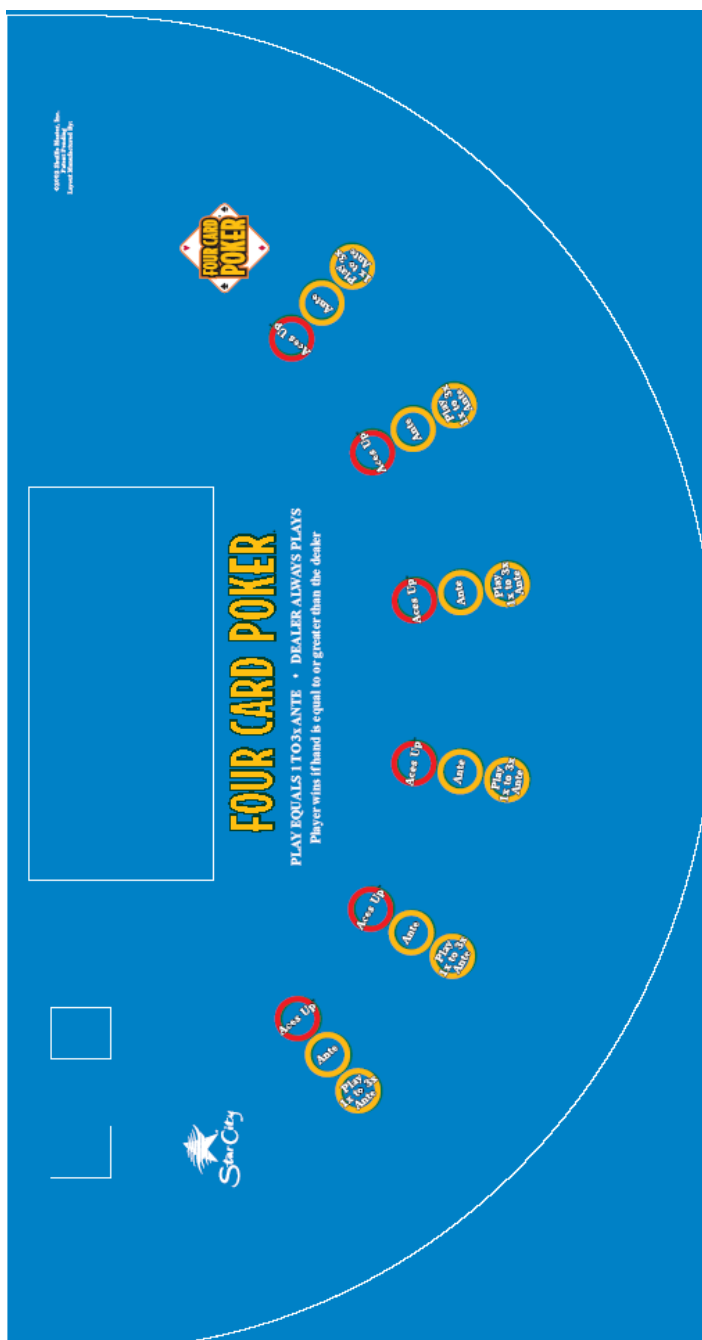
**14. General Provisions**

- 14.1 A person shall not, either alone or in concert with any other person, use or control at or near a gaming table or location related to the playing of a game a calculator, computer, or other electronic, electrical or mechanical apparatus or device that is capable, with respect to a game or a part thereof, of recording, projecting, analysing or transmitting an outcome or the changing probabilities or the playing strategies to be used.
- 14.2 Rule 14.1 shall not apply to use or control by an agent or employee of the casino operator or an inspector where such person is acting in the course of their duty.
- 14.3 Where a casino supervisor is satisfied that a person has contravened any provision of rule 14.1, he/she may:
- 14.3.1 declare that any wager made by the person is void;
  - 14.3.2 direct that the person shall be excluded from further participation in the game;
  - 14.3.3 exclude the person from the casino in line with the provisions of section 79 of the Act.
- 14.4 A casino supervisor may invalidate the outcome of a game if:
- 14.4.1 the game is disrupted by civil commotion, fire, riot, brawl, robbery, an act of God; or
  - 14.4.2 any fraudulent act is perpetrated by any person that, in the opinion of the casino supervisor, affects the outcome of the game.
- 14.5 Where the outcome of a game is invalidated under rule 14.4, all wagers made by the players for that particular result may be refunded provided that a casino supervisor may direct that the wager of any player referred to in rule 14.4.2 be forfeited.
- 14.6 A player shall not be advised by an employee of the casino on how to play, except to ensure compliance with these rules.
- 14.7 No spectator or any player wagering at any table may, unless requested by a player, attempt to influence, influence or offer advice to that player regarding that player's decisions of play.
- 14.8 A casino supervisor may close a gaming table at which players are present provided a sign showing the proposed time of closure has been displayed at the table for at least 20 minutes before the closure.
- 14.9 A player who abstains from placing any wagers for three consecutive rounds of play, while all other seats or positions at the table are in use, may be required to vacate his/her seat or position.
- 14.10 Players and spectators are not permitted to have side wagers with or against each other.
- 14.11 A casino supervisor or above may refuse, on reasonable grounds, any wager made by a player prior to the first card of a round of play being removed from the card shoe or shuffling device, and in so doing may cause the wager(s) to be removed from the layout.
- 14.12 Any dispute or complaint concerning a casino game shall be referred for decision in the first instance to a games supervisor, subject to a review (if requested) by a casino supervisor. In the absence of a games supervisor the matter shall be referred in the first instance to a casino supervisor.

- 14.13 In any dispute arising from these Rules, the decision of the casino operator is final. Where any person is not satisfied with a decision of the casino operator relating to the conduct of gaming, the person will be advised of their right to lodge a complaint with an inspector under section 110 of the Act.
- 14.14 A copy of these rules shall be made available for inspection upon request.

Diagram "A"

FOUR CARD POKER LAYOUT



# **BIG WHEEL**

- 1. Definitions**
  - 2. Table Layout and Equipment**
  - 3. Wagers**
  - 4. Minimum and Maximum Wagers**
  - 5. Rotation of the Wheel**
  - 6. Settlement Odds**
  - 7. Rapid Big Wheel**
  - 8. Irregularities**
  - 9. General Provisions**
- Diagrams 'A' 'B' and 'C'**

1. Definitions

1.1 In these rules, unless the contrary intention appears:

"**Act**" means the Casino Control Act 1992;

"**ATS**" means an automated transaction station featuring a touch screen monitor designed to allow a player to place wagers on an electronic Big Wheel layout in accordance with these rules;

"**ATS chip account**" means an account established under rule 7.2.2;

"**casino promotional voucher**" means a voucher of a nominated value issued by the casino operator to enable a player to wager at a gaming table to the amount identified on the voucher, subject to any conditions specified on the voucher. Where a player presents a promotional voucher at a gaming table the dealer shall exchange the voucher for an equivalent value in chips or promotional tokens, which may then be wagered on the appropriate area(s) of the layout. Any winnings resulting from such wagers are to be paid in chips;

"**casino supervisor**" means a person employed in a casino in a managerial capacity relating to the conduct of gaming and includes a games supervisor;

"**colour checks**" means chips without denomination markings;

"**dealer**" means a person responsible for the operation of the game;

"**game hardware**" means all the computer equipment needed for the conduct of the game of Rapid Big Wheel, including one or more ATS, one or more printers, an SGC and routing, networking and communications devices and cabling;

"**games supervisor**" means a person responsible for the immediate supervision of the operation of the game;

"**game system**" means the configuration of software and game hardware necessary to conduct the game of Rapid Big Wheel at any time when it is not connected to a central monitoring system, but does not include a WND;

"**inspector**" means a person appointed under section 106 of the Act;

"**marker button**" means a button used to denote the value of colour checks;

"**Rapid Big Wheel**" means a variation of the game of Big Wheel;

"**SGC**" means streamlined game console:

- designed to enable the dealer to enter all information required for the operation of the Rapid Big Wheel game system, including player buy-in amounts and confirmations, player payouts, outcomes of games, permissible wagers; and
- designed to provide the dealer with all information in the Rapid Big Wheel game system which the dealer requires for the purpose of conducting the game; and

- designed to enable a casino supervisor to manage the Rapid Big Wheel game functions.

"**value chips**" means chips marked with denominations of value;

"**void**" means invalid with no result;

"**wagering period**" means the period determined by the casino supervisor during which a player is permitted to place, move or cancel bets. The period commences when the dealer starts a new game via the SGC and finishes either when the game clock expires or wagering has been closed via an electronic sensor;

"**WND**" (**Winning Number Display**) means an electronic display and sensor that may, at the discretion of the casino operator, be attached to a table for the purpose of recording and displaying the present and most recent winning results at the table.

## 2. Table Layout and Equipment

- 2.1 The game of Big Wheel shall be played at a table having on one side places for the players, and on the opposite side a place for the dealer(s) with a circular wheel of not less than 1.5 metres in diameter.
- 2.2 The rim of the wheel shall be divided, by means of pegs, into 52 equally spaced sections which shall be marked in the same order shown in diagram "A" and have the following:
- 2.2.1 24 sections exhibiting one particular symbol or number;
- 2.2.2 12 sections exhibiting a second particular symbol or number;
- 2.2.3 8 sections exhibiting a third particular symbol or number;
- 2.2.4 4 sections exhibiting a fourth particular symbol or number;
- 2.2.5 2 sections exhibiting a fifth particular symbol or number;
- 2.2.6 1 section exhibiting a sixth particular symbol or number;
- 2.2.7 1 section exhibiting a seventh particular symbol or number.
- 2.3 The layout of the table shall display the name and/or logo of the casino, shall have areas designated for the placement of wagers and shall be marked in a manner substantially similar to that shown in diagram "B" or "C".
- 2.4 The table may be fitted with electronic equipment which would, by the activation of the relevant button or switch, illuminate the winning areas on the table.
- 2.5 The following equipment shall also be used:
- 2.5.1 an indicator which stops the wheel and indicates the winning section;
- 2.5.2 marker buttons, constructed of plastic in different colours, sufficient to indicate the values of the colour checks in use at the table.

- 2.6 The table shall have a drop box attached to it.
- 3. Wagers**
- 3.1 A permissible wager by a player shall be a wager on a particular symbol or number which shall:
- 3.1.1 win if the indicator comes to rest in a section of the wheel depicting that particular symbol or number; and
- 3.1.2 lose if the indicator comes to rest in a section of the wheel depicting any other symbol or number.
- 3.2 All wagers shall be made by placing value chips or colour checks and/or casino promotional tokens on the appropriate wagering areas of the layout.
- 3.3 The colour checks of a set shall each bear the same distinguishing emblem or mark to differentiate them from colour checks of other sets in use at other tables. Each set shall be subdivided into various colours.
- 3.4 Colour checks issued at a Big Wheel table shall only be used for gaming at that table and shall not be used for gaming at any other table in the casino.
- 3.5 Colour checks shall only be presented for redemption at the table from which they were issued and shall not be redeemed or exchanged at any other location in the casino unless that table is closed at the time of the redemption request.
- 3.6 No player shall be issued with colour checks which are identical in colour and design to colour checks which have been issued to another player at the same table unless the player(s) issued with the colour checks agreed to the issue.
- 3.7 Where a player purchases colour checks, the specific value to be assigned to each shall be ascertained by the dealer and if that value exceeds the table minimum it shall be denoted by a colour check and a related marker button bearing a number on it to designate the value set by that player.
- 3.8 At the discretion of a casino supervisor, a player may be issued with colour checks of more than one colour at the same table, provided that as a result, no other player is precluded from wagering with colour checks. In such instances the colours issued to the one player shall be designated the same value.
- 3.9 Immediately before the wheel is spun the dealer shall call "no more bets". A wager cannot be withdrawn, changed or placed once the wheel has been activated nor shall wagers be placed or removed until winning wagers from the previous result have been paid.
- 3.10 Wagers orally declared shall be accepted only when accompanied by chips or colour checks or casino promotional tokens and the dealer has sufficient time to place the wager on the layout prior to the wheel being spun.
- 3.11 Players are responsible for the positioning of their wagers on the layout, whether or not they are assisted by the dealer. Players must ensure that any instructions given to the dealer regarding the placement of their wagers are correctly carried out.

3.12 Wagers shall be settled strictly in accordance with the position of chips or colour checks or casino promotional tokens on the layout when the indicator comes to rest in a section of the wheel.

3.13 A casino supervisor may modify the application of rule 3.12 if it is apparent, in the circumstances, that a strict application of the rule would be unfair to the player.

#### **4. Minimum and Maximum Wagers**

4.1 The minimum and maximum wagers permitted by a player shall be shown on a sign at the table. Unless stated on the sign, wagers are not required to be made in multiples of the minimum. The sign may also state the minimum unit in which wagers may be made above the table minimum.

4.2 A wager found to be below the stated minimum, after the call of no more bets, shall be valid.

4.3 A wager found to be above the stated maximum shall be paid or collected to the maximum. In the event that a player has been found to have wagered above the stated maximum on any previous spin(s) the wagers and results of the previous spin(s) shall stand.

4.4 Players are responsible for ensuring that their wagers comply with the limits stated on the sign on the table.

4.5 A casino supervisor may alter the limits on a gaming table at any time except that a minimum wager can only be changed to a higher minimum if a sign indicating the new minimum and proposed time of change has been displayed at the table at least 20 minutes before the change.

4.6 A casino supervisor may allow a player to wager in excess of the stated maximum provided that a sign denoting the new minimum and maximum wagers for that player is placed on an appropriate area of the table.

#### **5. Rotation of the Wheel**

5.1 The wheel shall be spun by either a dealer or casino supervisor and the direction of the wheel may be alternated. The wheel must complete at least three revolutions, measured from the moment the dealer or casino supervisor removes their hand from the wheel for the final time to the time that the indicator comes to rest in a section of the wheel, to constitute a valid spin.

5.2 Upon the indicator coming to rest in a section of the wheel, the dealer or casino supervisor shall announce the winning symbol or number and then the dealer(s) shall first collect all losing wagers and then pay all winning wagers.

5.3 No person other than a dealer or casino supervisor responsible for the operation and integrity of the game, shall, at any time during play interfere with the wheel or the rotation of the wheel.

5.4 The indicator must be clearly inside one of the sections at the completion of a spin to constitute a valid spin.

## 6. Settlement Odds

6.1 Winning wagers at the game of Big Wheel shall be paid at the odds listed below:

Wager	Odds
24 sections referred to in rule 2.2.1	1 to 1
12 sections referred to in rule 2.2.2	3 to 1
8 sections referred to in rule 2.2.3	5 to 1
4 sections referred to in rule 2.2.4	11 to 1
2 sections referred to in rule 2.2.5	23 to 1
1 section referred to in rule 2.2.6	47 to 1
1 section referred to in rule 2.2.7	47 to 1

## 7. Rapid Big Wheel

Where the game in play is Rapid Roulette, the approved rules of Roulette shall apply, except where the rules are inconsistent with the rules of Rapid Roulette, in which case the rules of Rapid Roulette shall prevail.

### 7.1 Equipment

7.1.1 In addition to the wheel described in rules 2.1, 2.2 and 2.5.1 the game of Rapid Big Wheel shall be played with the following equipment:

- 7.1.1.1 up to 20 ATS units;
- 7.1.1.2 an SGC;
- 7.1.1.3 a game system (other than an SGC and one or more ATS units); and
- 7.1.1.4 at the discretion of the casino operator, a winning number display unit (WND).

7.1.2 The display of the touch screen monitor of an open ATS must display all the elements substantially similar to that shown in Diagram 'C'; and

- 7.1.2.1 may contain any additional elements necessarily required by these rules; and/or
- 7.1.2.2 may include features in addition to those shown in Diagram 'C', if those features are not inconsistent with Diagram 'C' or these rules.

7.1.3 A drop box shall be attached to the dealer's (SGC) podium and may, where so provided, be attached to each ATS.

### 7.2 Wagers

7.2.1 The permissible wagers for the game of Rapid Big Wheel shall be those wagers defined in rule 3.1.

7.2.2 A person wishing to play the game must first establish an ATS account by either:

- 7.2.2.1 the tendering to the dealer of an amount of cash, chips or casino promotional vouchers; or
- 7.2.2.2 inserting an amount of cash into the ATS drop box.



- 7.2.3 Where a player tenders cash, chips or casino promotional vouchers to the dealer the dealer must:
- 7.2.3.1 give the player control of an ATS; and
  - 7.2.3.2 activate an ATS chip account in respect of the ATS by crediting it with the amount tendered, thereby causing that amount to be shown as standing to the credit balance of the ATS chip account.
- 7.2.4 Where a player inserts cash into an ATS drop box, the amount of cash will automatically be credited to the ATS chip account in respect of that ATS, thereby causing that amount to be shown as standing to the credit of the ATS chip account.
- 7.2.5 The person for the time being in control of an open ATS may at any time:
- 7.2.5.1 tender further amounts of cash, chips or casino promotional vouchers to the dealer who must, as soon as practicable, credit the amount tendered to the player's ATS chip account; or
  - 7.2.5.2 insert a further amount of cash into the ATS drop box.
- 7.2.6 All wagers shall be made by the player appropriating money standing to the credit of the player's ATS chip account to a particular bet by first selecting the value to be placed by touching a denomination chip on the ATS screen and then touching the appropriate playing area(s) on the layout prior to the end of the wagering period for that game, thereby debiting the player's ATS balance by the amount of the wager.
- 7.2.7 The player to whom the dealer has given control of an ATS is solely responsible for the placement of the chips appearing on the ATS.
- 7.2.8 A wager cannot be withdrawn, placed or changed after the expiry of the wagering period.
- 7.2.9 Wagers shall be settled strictly in accordance with the position of the chips appearing on the ATS electronic layout at the time a wagering period expires.
- 7.2.10 A casino supervisor may modify the application of rule 7.2.9 if it is apparent, in the circumstances, that a strict application of the rule would be unfair to the player.

### **7.3 Minimum and Maximum Wagers**

- 7.3.1 The minimum and maximum wagers permitted by a player shall be shown on a sign at the table. Unless stated on the sign, wagers are not required to be made in multiples of the minimum. The sign may also state the minimum unit in which wagers may be made above the table minimum and/or the minimum and/or maximum permitted aggregate wager (if any).
- 7.3.2 If a player attempts to place an individual wager that is less than the minimum permissible wager for a particular bet, at the end of the wagering period the ATS must reject such wager and will cause the amount of the wager to be credited back to the player's ATS balance.
- 7.3.3 If a player attempts to place a wager(s) that is:
- 7.3.3.1 in a multiple over the minimum which is not permitted; or

7.3.3.2 is greater than the maximum permissible wager; or

7.3.3.3 in aggregate greater than the permitted aggregate wager;

the ATS must display only so many chips or such denomination of chips as is the next lowest permitted wager and will not debit the player's ATS balance in respect of that portion of the wager which is not permitted.

7.3.4 If, by the end of the wagering period for a single game, a player has placed one or more wagers which are in aggregate less than the permitted aggregate wager the ATS must not accept the wager(s) and will cause the amount of the wager(s) to be credited back the player's ATS balance.

#### **7.4 Play of the Game**

7.4.1 The casino operator will determine the length of the wagering period for the game.

7.4.2 Each ATS must clearly display a countdown of the remaining portion of the wagering period for the next game.

7.4.3 The dealer:

7.4.3.1 tender further amounts of cash, chips or casino promotional vouchers to the dealer who must, as soon as practicable, credit the amount tendered to the player's ATS chip account; or

7.4.3.2 must spin the wheel as soon as practicable after the wagering period expires.

7.4.4 When, after the wheel is spun, it comes to rest the dealer shall:

7.4.4.1 announce the winning symbol; and

7.4.4.2 enter that outcome into the SGC, or

7.4.4.3 where a winning symbol sensor is being used, confirm the symbol with the SGC by accepting the symbol displayed on the SGC.

#### **7.5 Settlement**

7.5.1 When an outcome has been entered into the SGC, the game system must display the outcome of the game on each open ATS; and in respect of the wager or wagers placed on an ATS must:

7.5.1.1 clear any losing wager, by causing the chips representing that wager to disappear from the electronic layout; and

7.5.1.2 pay any winnings thereby causing an appropriate amount to be shown on the ATS win meter; and

7.5.1.3 credit the value of the winnings and the winning wagers to the ATS chip account; and

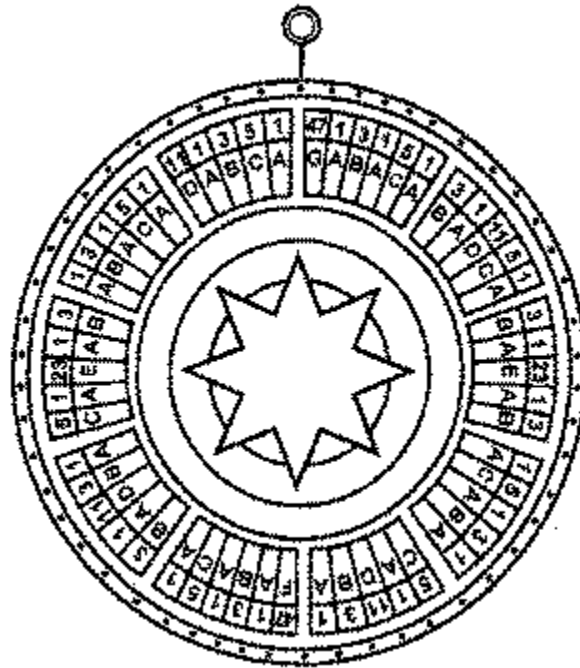
- 7.5.1.4 on opening of the next wagering period, deduct the value of the winning wager(s) from the ATS chip account.
- 7.5.2 Winning wagers at the game of Rapid Big Wheel shall be paid in accordance with rule 6.
- 7.5.3 A player wishing to leave the game may do so at any time within the wagering period by activating the cash out button providing no wagers have been placed on the current game. The dealer must pay out the full value of the player's ATS chip account balance by tendering chips and closing the ATS chip account.
- 8. Irregularities**
- 8.1 If a dealer or the casino supervisor anticipates that the wheel will not complete three revolutions, the dealer or casino supervisor shall announce "no-spin".
- 8.2 If the indicator stops on the peg between two sections, all wagers shall be void on that spin and a dealer or the casino supervisor shall announce "no spin".
- 8.3 If there is a physical interference or a mechanical malfunction with the spin of the wheel, a dealer or the casino supervisor shall announce "no-spin".
- 8.4 If in the game of Rapid Big Wheel the wheel comes to rest prior to the end of the wagering period the dealer or casino supervisor shall announce "no spin".
- 8.5 If a dealer or the casino supervisor announces "no-spin", all wagers shall be void on that spin.
- 8.6 Once the dealer or a casino supervisor has announced "no spin", it shall be an invalid spin regardless of whether or not the indicator comes to rest in one of the sections of the wheel.
- 8.7 After a "no spin" the dealer shall re-spin in accordance with rule 5.
- 8.8 Where the game in play is Rapid Big Wheel, if the dealer reasonably forms the view that he or she has entered an incorrect outcome into the SGC, the dealer or casino supervisor must freeze all ATS chip accounts and cause the results to be re-calculated based on the actual outcome.
- 8.9 Where the game in play is Rapid Big Wheel, if an ATS and/or the SGC experiences a malfunction the dealer or casino supervisor must seek to confirm what wagers were placed through the analysis of available records in the ATS and/or SGC and cause the results to be re-calculated and/or make appropriate adjustments to the patron(s) ATS credit meter based on the actual outcome.
- 8.10 For the purposes of rule 8.9, a Rapid Big Wheel SGC or ATS shall be taken to have malfunctioned where:
- 8.10.1 multiple credits are displayed on the credit meter of the ATS and/or SGC that are not in keeping with the settlement odds contained in rule 6 and the amount wagered; or
- 8.10.2 the normal playing sequence of the ATS and/or SGC is interrupted or the normal display is faulty; or

- 8.10.3 for any other reason the casino operator is of the opinion that the ATS and/or SGC is not functioning correctly.
- 8.11 If the dealer or casino supervisor is unable, for the purpose of rule 8.9, to confirm the relevant wagers placed through the analysis of available records in the ATS or SGC, the casino supervisor shall declare void the relevant wagers.
- 8.12 Where the game in play is Rapid Big Wheel, the casino operator may withhold payment of any amount to be credited to a player's ATS chip account, or demand the return of any amount credited to a player's ATS chip account, until such time as the casino operator has completed an investigation and made a determination. An Inspector is to be notified as soon as practicable of such an event.
- 8.13 Where the game in play is Rapid Big Wheel, players are required to notify the casino operator in the event of any malfunction of an ATS at which they are playing. Failure to do so, and the retention of any benefit, chip account credit or free play as a result of an ATS malfunction or dealer error, may be considered to be a contravention of these rules.
- 8.14 The WND unit must be disregarded if the WND unit displays a result other than the actual outcome.
- 9. General Provisions**
- 9.1 A person shall not, either alone or in concert with any other person, use or control at or near a gaming table or location related to the playing of a game a calculator, computer, or other electronic, electrical or mechanical apparatus or device that is capable, with respect to a game or a part thereof, of recording, projecting, analysing or transmitting an outcome or the changing probabilities or the playing strategies to be used.
- 9.2 Rule 8.1 shall not apply to use or control by an agent or employee of the casino operator or an inspector where such person is acting in the course of their duty.
- 9.3 Where a casino supervisor is satisfied that a person has contravened any provision of rule 9.1, he/she may:
- 9.3.1 declare that any wager made by the person is void;
- 9.3.2 direct that the person shall be excluded from further participation in the game;
- 9.3.3 exclude the person from the casino in line with the provisions of section 79 of the Act;
- 9.3.4 cause the person(s) in possession of a prohibited device to be detained until such time as an inspector or a police officer has attended and assumed responsibility for the situation.
- 9.4 A casino supervisor may invalidate the outcome of a game if:
- 9.4.1 the game is disrupted by civil commotion, fire, riot, brawl, robbery, an act of God;  
or

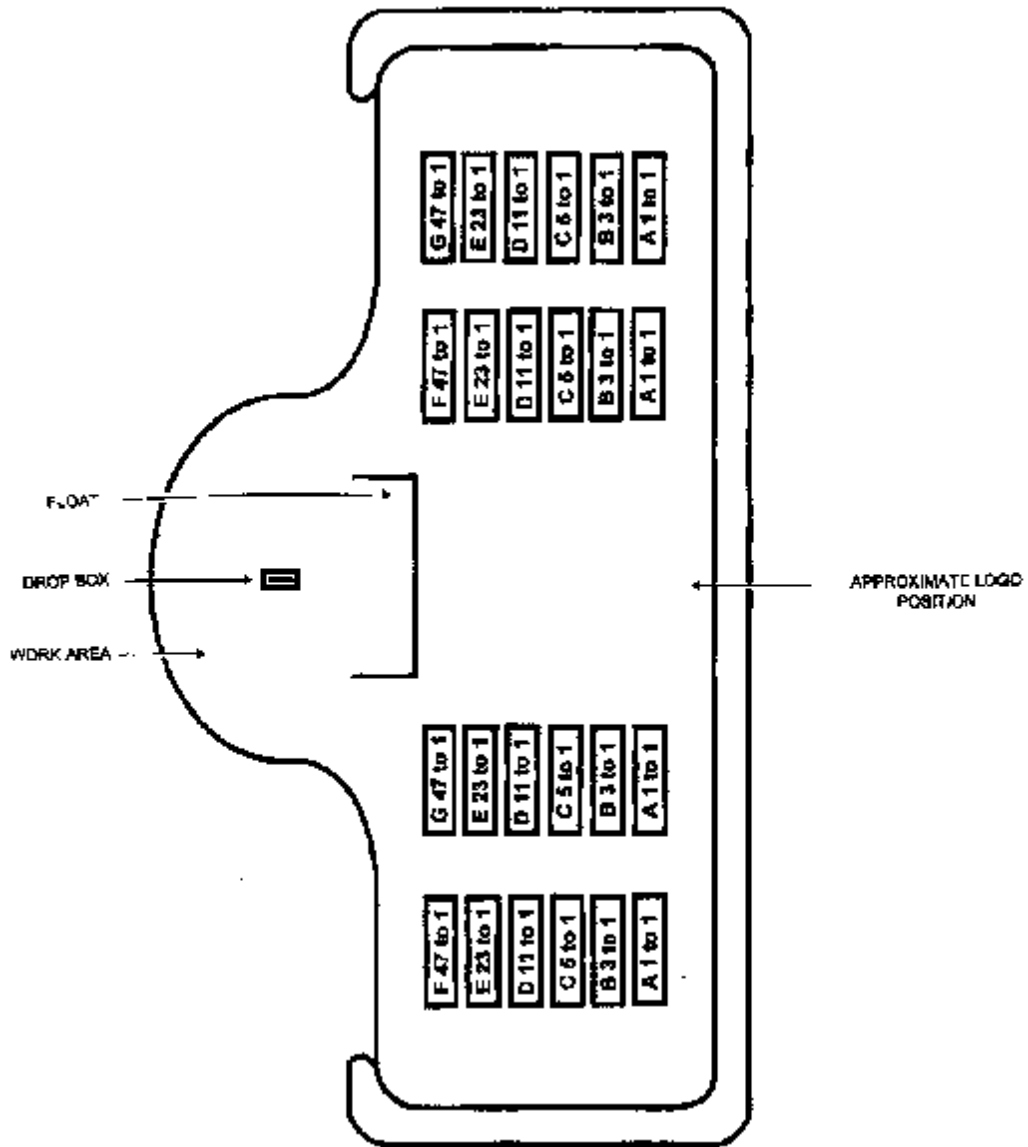
- 9.4.2 any fraudulent act is perpetrated by any person that, in the opinion of the casino supervisor, affects the outcome of the game.
- 9.5 Where the outcome of a game is invalidated under rule 9.4, all wagers made by the players for that particular result may be refunded provided that a casino supervisor may direct that the wager of any player referred to in rule 9.4.2 be forfeited.
- 9.6 A player shall not be advised by an employee of the casino on how to play, except to ensure compliance with these rules.
- 9.7 No spectator or any player wagering at any table may, unless requested by a player, attempt to influence, influence or offer advice to that player regarding that player's decisions of play.
- 9.8 A casino supervisor may close a gaming table at which players are present provided a sign showing the proposed time of closure has been displayed at the table for at least 20 minutes before the closure.
- 9.9 A player who abstains from placing any wagers for three consecutive rounds of play, while all other seats or positions at the table are in use, may be required to vacate his/her seat or position.
- 9.10 Players and spectators are not permitted to have side bets with or against each other.
- 9.11 A casino supervisor or above may refuse, on reasonable grounds, any wager made by a player prior to the call of no more bets and in so doing may cause the wager(s) to be removed from the layout.
- 9.12 Any dispute or complaint concerning a casino game shall be referred for decision in the first instance to a game supervisor, subject to a review (if requested) by a casino supervisor. In the absence of a games supervisor the matter shall be referred in the first instance to a casino supervisor.
- 9.13 In any dispute arising from these rules, the decision of the casino operator is final. Where any person is not satisfied with a decision of the casino operator relating to the conduct of gaming, the person will be advised of their right to lodge a complaint with an inspector under section 110 of the Act.
- 9.14 A copy of these rules shall be made available for inspection upon request.

DIAGRAM A

BIG WHEEL

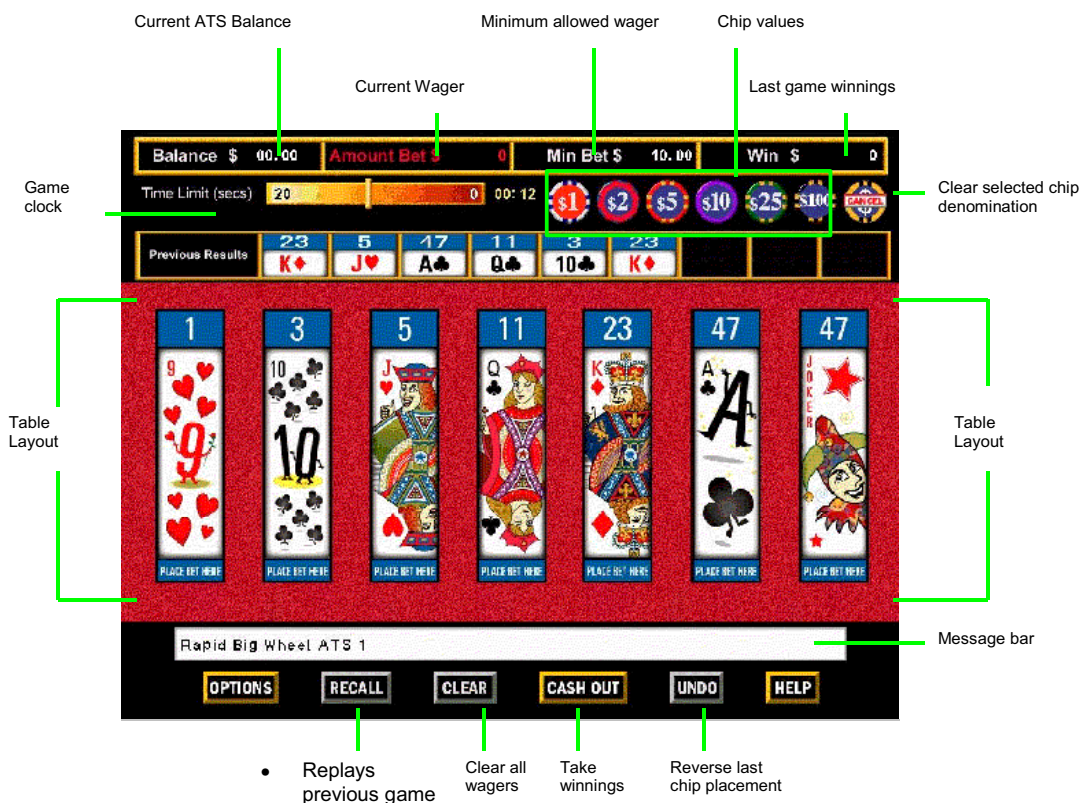


**DIAGRAM B**  
BIG WHEEL LAYOUT



**DIAGRAM C**

Rapid Big Wheel ATS Layout





**TOTALIZATOR ACT 1997**  
**TAB LIMITED TOTALIZATOR RULES**

In accordance with the provision of section 54(1) of the Totalizator Act 1997, the Minister for Gaming and Racing has approved of amendments to the Totalizator Rules which were published in the Gazette on 12 August 2005. The amendments, to take effect on Monday 5 December 2005, are as follows:

**1. 5 Definitions**

Insert after “**finisher**”

“**first 4 jackpot allocation table**” means the following table:

<b>Meeting Class</b>	<b>Definition</b>
NSW Metropolitan Race	A horse race held in New South Wales at one of the following racecourse: (a) Royal Randwick; (b) Rosehill Gardens; (c) Warwick Farm; or (d) Canterbury Park.
NSW Non-Metropolitan Race	A horse race held in the Australian Capital Territory or a horse race held in New South Wales which is not a NSW Metropolitan Race.
VIC Metropolitan Race	A horse race held in Victoria at one of the following racecourses: (a) Flemington; (b) Caulfield; (c) Sandown; or (d) Moonee Valley.
VIC Non-Metropolitan Race	A horse race held in Victoria that is not a VIC Metropolitan Race.
Other Metropolitan Race	A horse race held outside New South Wales, Australian Capital Territory or Victoria at one of the following racecourses: (a) Eagle Farm (QLD); (b) Doomben (QLD); (c) Morphettville (SA); (d) Cheltenham (SA); (e) Victoria Park (SA); (f) Ascot (WA); (g) Belmont (WA); or (h) Hobart (TAS).

Meeting Class	Definition
Other Non-Metropolitan Race	A horse race held outside New South Wales, Australian Capital Territory or Victoria that is not defined as an Other Metropolitan Race.
NSW Harness race	A harness race held in New South Wales.
VIC harness race	A harness race held in Victoria.
Other harness race	A harness race that is not defined in this table as a NSW harness race or Victoria harness race.
NSW greyhound race	A greyhound race held in New South Wales.
VIC greyhound race	A greyhound race held in Victoria.
Other greyhound race	A greyhound race that is not defined in this table as a NSW greyhound race or a Victoria greyhound race.

Delete “**jackpot race class**” and insert “**jackpot allocation table**” means the following table;

Meeting Class	Definition
NSW Metropolitan Race	A horse race held in New South Wales and conducted by a club that is licensed to conduct race meetings at one of the following racecourses: (a) Royal Randwick; (b) Rosehill Gardens; (c) Warwick Farm; or (d) Canterbury Park.
NSW/ACT Non-Metropolitan Race	A horse race held in New South Wales or Australian Capital Territory that is not defined in this table as a NSW Metropolitan Race.
VIC Metropolitan Race	A horse race held in Victoria and conducted by a club that is licensed to conduct race meetings at one of the following racecourses: (a) Flemington; (b) Caulfield; (c) Sandown; or (d) Moonee Valley.

<b>Meeting Class</b>	<b>Definition</b>
VIC Non-Metropolitan Race	A horse race held in Victoria that is not defined in this table as a VIC Metropolitan Race.
TAS Metropolitan Race	A horse race held in Tasmania and conducted by a club that is licensed to conduct race meetings at one of the following racecourses: (a) Hobart; or (b) Launceston.
TAS Non-Metropolitan Race	A horse race held in Tasmania that is not defined in this table as a TAS Metropolitan Race.
QLD Metropolitan Race	A horse race held in Queensland and conducted by a club that is licensed to conduct race meetings at one of the following racecourses: (a) Eagle Farm; or (b) Doomben.
QLD/NT Non-Metropolitan Race	A horse race held in Queensland or Northern Territory that is not defined in this table as a QLD Metropolitan Race.
SA Metropolitan Race	A horse race held in South Australia and conducted by a club that is licensed to conduct race meetings at one of the following racecourses: (a) Morphettville; (b) Cheltenham; or (c) Victoria Park.
SA Non-Metropolitan Race	A horse race held in South Australia that is not defined in this table as a SA Metropolitan Race.
WA Metropolitan Race	A horse race held in Western Australia and conducted by a club that is licensed to conduct race meetings at one of the following racecourses: (a) Ascot; or (b) Belmont.
WA Non-Metropolitan Race	A horse race held in Western Australia that is not defined in this table as a WA Metropolitan Race.
International Race	A horse race held outside Australia.

Meeting Class	Definition
NSW/ACT Harness race	A harness race held in New South Wales or Australian Capital Territory.
VIC harness race	A harness race held in Victoria.
TAS harness race	A harness race held in Tasmania.
QLD/NT harness race	A harness race held in Queensland or Northern Territory.
SA harness race	A harness race held in South Australia.
WA harness race	A harness race held in Western Australia.
International harness race	A harness race held outside Australia.
NSW/ACT greyhound race	A greyhound race held in New South Wales or Australian Capital Territory.
VIC greyhound race	A greyhound race held in Victoria.
TAS greyhound race	A greyhound race held in Tasmania.
QLD/NT greyhound race	A greyhound race held in Queensland or Northern Territory.
SA greyhound race	A greyhound race held in South Australia.
WA greyhound race	A greyhound race held in Western Australia.
International greyhound race	A greyhound race held outside Australia.

Delete “**NSW Metropolitan Race**” definition

Delete “**NSW Non-Metropolitan Race**” definition

Delete “**Other Metropolitan Race**” definition

Delete “**Other Non-Metropolitan Race**” definition

Replace Clause (b) in the definition of “**succeeding first 4 race**” with the following -

- (b) the next first 4 race at a meeting selected by the TAB and within the same meeting class as defined in the first 4 jackpot allocation table;

Replace the definition of “**succeeding quaddie**” with -

means, in relation to a quaddie (“**initial quaddie**”) the next quaddie at a meeting selected by the TAB and within the same meeting class as defined in the jackpot allocation table ;

Replace Clause (b) in the of definition of "**succeeding superfecta race**" with the following -

- (b) the next superfecta race at a meeting selected by the TAB and within the same meeting class as defined in the jackpot allocation table;

Replace Clause (b) in the of definition of "**succeeding trifecta race**" with the following –

- (b) the next trifecta race at a meeting selected by the TAB and within the same meeting class as defined in the jackpot allocation table;

Delete “**Victorian Metropolitan Race**” definition

Delete “**Victorian Non-Metropolitan Race**” definition

#### **Amendment of Rule 9.2.1**

Rule 9.2.1 (b) is deleted and replaced by a new clause in the following terms:

- (b) must be terminated if the number of contestants in the race falls below 4 at any time or if there are no finishers in the race.

#### **Amendment of Rule 9.3.2**

Rule 9.3.2 is deleted and replaced by a new rule in the following terms:

#### **9.3.2 Distribution of first 4 dividend pool**

- (a) If there are 4 or more finishers in a first 4 race, the first 4 dividend pool is (except to the extent otherwise provided in these rules) to be divided among the investors who select the combination comprising the first 4 placed finishers in the race in the correct order.
- (b) Where there are 3 finishers only in a first 4 race then:
  - (i) the jackpot pool for that first 4 race is carried forward to the jackpot pool for the first 4 totalizator conducted on the succeeding first 4 race; and
  - (ii) the remainder of the dividend pool after carrying forward the jackpot pool in accordance with clause 9.3.2(b)(i) is to be divided among the investors who select a combination comprising the first 3 placed finishers in the race in the correct order, together with any other starter.
- (c) Where there are 2 finishers only in a first 4 race then:
  - (i) the jackpot pool for that first 4 race is carried forward to the jackpot pool for the first 4 totalizator conducted on the succeeding first 4 race; and

- (ii) the remainder of the dividend pool after carrying forward the jackpot pool in accordance with clause 9.3.2(c)(i) is to be divided among the investors who select a combination comprising the first 2 placed finishers in the race in the correct order, together with any other 2 starters.
- (d) Where there is one finisher only in a first 4 race then:
  - (i) the jackpot pool for that first 4 race is carried forward to the jackpot pool for the first 4 totalizator conducted on the succeeding first 4 race; and
  - (ii) the remainder of the dividend pool after carrying forward the jackpot pool in accordance with clause 9.3.2(d)(i) is to be divided among the investors who select a combination comprising, in the correct order, the one finisher in the race together with any other starters.

### **Amendment of Rule 9.3.3**

Rule 9.3.3 is deleted and replaced by a new rule in the following terms:

#### **9.3.3 Dead-heats**

- (a) Subject to sub-clause (b), if 2 or more finishers in a first 4 race dead-heat for any of the first 4 places:
  - (i) each of those finishers is taken to have filled that place and each subsequent place up to the number of subsequent places corresponding to one less than the number of finishers involved in the dead-heat; and
  - (ii) the dividend pool is to be divided into as many equal parts as there are combinations in respect of which a dividend is to be distributed under clause 9.3.2; and
  - (iii) a part is allotted to each combination; and
  - (iv) for each backed combination, the part is to be divided among the investors on that backed combination to which the part is allotted; and
  - (v) for each unbacked combination the part is to be carried forward in accordance with clause 9.3.4(a) or (b)
- (b) Where a dead-heat occurs within any of the first 4 places which results in there being more than 12 winning combinations in a first 4, for the purpose of the declaration of dividends:
  - (i) that placing and any subsequent placing in that first 4 shall not be taken into account; and

- (ii) the dividend pool is to be divided into as many equal parts as there are combinations for the placings that are being taken into account in respect of which a dividend is to be distributed under clause 9.3.2; and
- (iii) a part is allotted to each combination; and
- (iv) for each backed combination, the part is to be divided among the investors on that backed combination to which the part is allotted; and
- (v) for each unbacked combination the part is to be carried forward in accordance with clause 9.3.4(a) or (b)

\*\*\*\*\*

## Protection of the Environment Operations (Waste) Regulation 2005—General Exemption under Part 6

### The ash from burning bagasse and cane trash exemption 2005

#### Name

1. This exemption is to be known as 'The ash from burning bagasse and cane trash exemption 2005'.

#### Commencement

2. This exemption commences on 1 December 2005.

#### Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the Government Gazette.

#### Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of ash from burning bagasse and cane trash is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Ash from burning bagasse and cane trash may only be applied to land where the conditions of this exemption are met.

#### Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of consumers and suppliers.

#### Definitions

6. In this exemption:

- **Consumer** means a person who applies, or causes or permits the application of, ash from burning bagasse and cane trash to land. The consumer will generally be the landholder responsible for the land to which the ash from burning bagasse and cane trash is applied.
- **In-ash** means the ash from burning bagasse and cane trash prior to blending, mixing or otherwise processing.
- **Processor** means a person who mixes, blends or otherwise incorporates ash from burning bagasse and cane trash into a land application material.
- **Supplier** means a person who supplies, or causes or permits the supply of, ash from burning bagasse and cane trash to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the ash from burning bagasse and cane trash.



For further information on the terms used in this document, refer to Appendix 1—Guidance.

### Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

**Table 1**

<b>Column 1</b> <b>Responsible person</b>	<b>Column 2</b> <b>Provisions from which the responsible person is exempt</b>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises-based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste not to be applied to certain land]

### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:

- 8.1 This exemption applies only to ash from burning bagasse and cane trash.
- 8.2 The supplier, processor and/or consumer must not cause or permit the land application of ash from burning bagasse and cane trash where the in-ash contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.4 The Processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

### Maximum contaminant concentrations

9. The in-ash contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

**Table 2**

<b>Column 1</b> <b>Contaminant</b>	<b>Column 2</b> <b>Maximum concentration</b>
Boron (mg/kg)	60
Electrical conductivity EC <sub>se</sub> (dS/m)	4
Mercury (mg/kg)	1

**Test methods**

- 10.1 Test methods for measuring boron concentrations in ash from bagasse and cane trash require:
- 10.1.1 Analysis using hot water soluble method for boron, Wear J.I. 1965, *Methods of Soil Analysis, Part 2* (ed. C.A. Black), pp 1062–3, American Society of Agronomists, Madison, Wisconsin.
  - 10.1.2 Reporting as mg/kg dry weight.
- 10.2 Test methods for measuring mercury concentrations in ash from bagasse and cane trash require:
- 10.2.1 Cold-vapour atomic absorption (sample preparation and analytical method) USEPA 7471A (or equivalent analytical method with a 'detection limit' < 10% of the stated total concentration in the General Exemption).
  - 10.2.2 Reporting as mg/kg dry weight.
- 10.3 Test methods for measuring electrical conductivity concentrations in ash from burning bagasse and cane trash require:
- 10.3.1 Sample preparation by mixing 1 part ash with 5 parts distilled/deionised water.
  - 10.3.2 Measurement technique—National Environment Protection Council, Method 104 'Electrical Conductivity', *Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999* available at: [www.ephc.gov.au/pdf/cs/cs\\_03\\_lab\\_analysis.pdf](http://www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf) (or equivalent analytical method with a 'detection limit' < 10% of the stated 'electrical conductivity' limit in the General Exemption).
  - 10.3.3 Reporting as 'electrical conductivity' in deciSeimens per metre (dS/m).

**Supplier responsibilities**

11. The following conditions must be met by the supplier for this exemption to apply:

**11.1 Chemical characterisation**

- 11.1.1 Suppliers of ash from burning bagasse and cane trash must, initially, fully chemically characterise their ash from burning bagasse and cane trash.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their ash from burning bagasse and cane trash at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the ash from burning bagasse and cane trash, initial characterisation of the ash from burning bagasse and cane trash must be repeated.
- 11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1, 10.2 and 10.3.
- 11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission 1994, *National Code of Practice for the Preparation of Material Safety Data Sheets*, AGPS, Canberra.

**11.2 Maximum allowable contaminant concentrations**

- 11.2.1 The in-ash contaminants specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance, and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

**11.3 Information to be provided to processor**

- 11.3.1 Suppliers who provide ash from burning bagasse and cane trash to a processor must provide a written statement of compliance to the processor with each transaction of ash from burning bagasse and cane trash, certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption.
- 11.3.2 Suppliers who provide ash from burning bagasse and cane trash to processors must provide the processor with a copy of this exemption and the MSDS.

**11.4 Information to be provided to consumer**

- 11.4.1 Suppliers who cause or permit the provision of ash from burning bagasse and cane trash to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the ash from burning bagasse and cane trash, certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of ash from burning bagasse and cane trash.
- 11.4.2 Suppliers who cause or permit the direct provision of ash from burning bagasse and cane trash to consumers must provide the consumer with a copy of this exemption and the MSDS.

**11.5 Monitoring and record keeping**

- 11.5.1 Suppliers of ash from burning bagasse and cane trash shall undertake routine testing of representative samples to ensure that the quality of the suppliers' ash from burning bagasse and cane trash quality is consistently maintained.
- 11.5.2 At a minimum, suppliers of ash from burning bagasse and cane trash must test the ash from burning bagasse and cane trash three times a year where less than 1000 tonnes of ash from burning bagasse and cane trash is provided to processors and/or consumers in total. Where more than 1000 tonnes of ash from burning bagasse and cane trash is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.5.4 Results shall be kept for a minimum of three years.

**Processor responsibilities**

12. The following conditions only apply where the ash from burning bagasse and cane trash is mixed, blended or otherwise incorporated into a land application material prior to land application. For requirements relating to the direct land application of ash from burning bagasse and cane trash, refer to section 13, 'Consumer responsibilities'.

**12.1 Maximum allowable contaminant concentrations**

- 12.1.1 Prior to mixing, blending or otherwise incorporating them into a land application material, the processor must ensure that the in-ash contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

**12.2 Information to be provided to the consumer**

- 12.2.1 Where ash from burning bagasse and cane trash is mixed, blended or otherwise incorporated into a land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that land application material to the consumer.

**12.3 Monitoring and record keeping requirements**

- 12.3.1 Processors must obtain and keep from each supplier a written statement with each transaction of ash from burning bagasse and cane trash, certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of ash from burning bagasse and cane trash received, the supplier's name and the period over which the ash from burning bagasse and cane trash was received must be kept for a period of three years.

**Consumer responsibilities**

13. The following conditions only apply where ash from burning bagasse and cane trash is directly applied to the land. These conditions do not apply where the ash from burning bagasse and cane trash is mixed or blended with, or otherwise incorporated into, a land application material. The following conditions must be met by the consumer for this exemption to apply.

**13.1 Soil application**

- 13.1.1 The ash from burning bagasse and cane trash must be incorporated into the topsoil.

**13.2 Monitoring and record keeping requirements**

- 13.2.1 Consumers applying ash from burning bagasse and cane trash to land shall obtain and keep a written statement with each transaction of ash from burning bagasse and cane trash received, certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption.
- 13.2.2 Records of the quantity of ash from burning bagasse and cane trash received, the supplier's name and the date the ash was received must be kept for a period of three years.

**Exemption Granted**

**Mark Gorta**  
**Manager, Waste Management Section**  
**Environment Protection Authority**

## Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

## Appendix 1—Guidance

### **Where the supplier and consumer are the same person**

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the ash from bagasse and cane trash and that show compliance with 11.2 'Maximum allowable contaminant concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

### **What is a 'transaction'?**

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of ash from bagasse and cane trash from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

### **Information to be included in a statement of compliance**

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

### **Environmentally appropriate land application of ash from bagasse and cane trash**

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the ash from bagasse should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc. Any potential consequential implications for agricultural produce or future land use should also be considered.

While maximum contaminant concentration limits and application rates are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application and should normally be no more than the agronomic rate for the most limiting factor.

As a guide, EPA recommends that the following in soil contaminant concentrations following application of ash from bagasse and cane trash to soil should not be exceeded. It should be noted that these limits are provided as a guide only, and plants may display symptoms of toxicity, and/or reductions in yield may occur at values below these limits.

<b>Contaminant</b>	<b>Maximum in soil</b>
Boron (extractable concentrations)	10 mg/kg
Electrical conductivity EC <sub>se</sub>	4 dS/m

## Protection of the Environment Operations (Waste) Regulation 2005—General Exemption under Part 6

### The ash from burning uncontaminated wood, timber, forestry residues or paper exemption 2005

#### Name

1. This exemption is to be known as 'The ash from burning uncontaminated wood, timber, forestry residues or paper exemption 2005'.

#### Commencement

2. This exemption commences on 1 December 2005.

#### Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the Government Gazette.

#### Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of fly ash and bottom ash from any furnace is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Ash from burning uncontaminated wood, timber, forestry residues or paper may only be applied to land where the conditions of this exemption are met.

#### Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of consumers and suppliers.

#### Definitions

6. In this exemption:

- **Consumer** means a person who applies, or causes or permits the application of, ash from burning uncontaminated wood, timber, forestry residues or paper to land. The consumer will generally be the landholder responsible for the land to which the ash is applied.
- **In-ash** means the ash from burning uncontaminated wood, timber, forestry residues or paper prior to blending, mixing or otherwise processing.
- **Processor** means a person who mixes, blends or otherwise incorporates the ash from uncontaminated wood, timber, forestry residues or paper into a commercial land application material.
- **Supplier** means a person who supplies, or causes or permits the supply of, ash from uncontaminated wood, timber, forestry residues or paper to a party processing



these substances or applying these substances to land. The supplier will generally be the generator of the ash from uncontaminated wood, timber, forestry residues or paper.

For further information on the terms used in this document, refer to Appendix 1—Guidance.

### Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

**Table 1**

<b>Column 1</b>	<b>Column 2</b>
<b>Responsible person</b>	<b>Provisions from which the responsible person is exempt</b>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste must not be applied to certain land]

### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:

- 8.1 This exemption applies only to ash from burning uncontaminated wood, timber, forestry residues or paper.
- 8.2 The supplier, processor and/or consumer must not cause or permit the land application of ash from burning uncontaminated wood, timber, forestry residues or paper where the in-ash contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.4 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

### Maximum contaminant concentrations

9. The in-ash contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

**Table 2**

Column 1	Column 2
Contaminant	Maximum concentration
Boron (mg/kg)	60
Electrical conductivity EC <sub>se</sub> (dS/m)	4
Arsenic (mg/kg)	20
Copper (mg/kg)	100
Chromium <sub>(total)</sub> (mg/kg)	100
Lead (mg/kg)	100

### Test methods

- 10.1 Test methods for measuring boron concentrations in ash from burning uncontaminated wood, timber, forestry residues or paper require:
- 10.1.1 Analysis using the hot water soluble method for boron, Wear J.I. 1965, *Methods of Soil Analysis, Part 2* (ed. C.A. Black), pages 1062–3, American Society of Agronomists, Madison, Wisconsin.
  - 10.1.2 Reporting as mg/kg dry weight.
- 10.2 Test methods for measuring arsenic, chromium, copper and lead concentrations in ash from burning uncontaminated wood, timber, forestry residues or paper require:
- 10.2.1 Sample preparation by digesting ash using USEPA 3051 or equivalent.
  - 10.2.2 Analysis using USEPA 6010B (or equivalent analytical method with a 'detection limit' < 10% of the stated total concentration in the General Exemption).
  - 10.2.3 Reporting as mg/kg dry weight.
- 10.3 Test methods for measuring electrical conductivity concentrations in ash from burning uncontaminated wood, timber, forestry residues or paper require:
- 10.3.1 Sample preparation by mixing 1 part ash with 5 parts distilled/deionised water.
  - 10.3.2 Measurement technique—National Environment Protection Council, Method 104 'Electrical Conductivity', *Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999* available at: [www.ephc.gov.au/pdf/cs/cs\\_03\\_lab\\_analysis.pdf](http://www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf) (or equivalent analytical method with a 'detection limit' < 10% of the stated 'electrical conductivity' limit in the General Exemption).
  - 10.3.3 Report as 'electrical conductivity' in deciSeimens per metre (dS/m).

**Supplier responsibilities**

11. The following conditions must be met by the supplier for this exemption to apply:

**11.1 Chemical characterisation**

- 11.1.1 Suppliers of ash from burning uncontaminated wood, timber, forestry residues or paper must, initially, fully chemically characterise their ash from burning uncontaminated wood, timber, forestry residues or paper.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their ash from burning uncontaminated wood, timber, forestry residues or paper at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the ash from burning uncontaminated wood, timber, forestry residues or paper, initial characterisation of the ash from burning uncontaminated wood, timber, forestry residues or paper must be repeated.
- 11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1, 10.2 and 10.3.
- 11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission 1994, *National Code of Practice for the Preparation of Material Safety Data Sheets*, AGPS, Canberra.

**11.2 Maximum allowable contaminant concentrations**

- 11.2.1 The in-ash contaminants specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

**11.3 Information to be provided to processor**

- 11.3.1 Suppliers who provide ash from burning uncontaminated wood, timber, forestry residues or paper to a processor must provide a written statement of compliance to the processor with each transaction of ash from burning uncontaminated wood, timber, forestry residues or paper, certifying that the ash from burning uncontaminated wood, timber, forestry residues or paper complies with the relevant conditions of this exemption.
- 11.3.2 Suppliers who provide ash from burning uncontaminated wood, timber, forestry residues or paper to processors must provide the processor with a copy of this exemption and the MSDS.

**11.4 Information to be provided to consumer**

- 11.4.1 Suppliers who cause or permit the provision of ash from burning uncontaminated wood, timber, forestry residues or paper to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the ash from burning uncontaminated wood, timber, forestry residues or paper, certifying that the ash from burning uncontaminated wood, timber, forestry residues or paper complies with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of ash from burning uncontaminated wood, timber, forestry residues or paper.
- 11.4.2 Suppliers who cause or permit the provision of ash from burning uncontaminated wood, timber, forestry residues or paper to consumers

for direct land application must provide the consumer with a copy of this exemption and the MSDS.

#### **11.5 *Monitoring and record keeping***

- 11.5.1 Suppliers of ash from burning uncontaminated wood, timber, forestry residues or paper shall undertake routine testing of representative samples to ensure that the quality of the ash from burning uncontaminated wood, timber, forestry residues or paper is consistently maintained.
- 11.5.2 At a minimum, suppliers of ash from burning uncontaminated wood, timber, forestry residues or paper must test the ash from burning uncontaminated wood, timber, forestry residues or paper three times a year where less than 1000 tonnes of ash from burning uncontaminated wood, timber, forestry residues or paper is provided to processors and/or consumers in total. Where more than 1000 tonnes of ash from burning uncontaminated wood, timber, forestry residues or paper is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.5.4 Results shall be kept for a minimum of three years.

#### **Processor responsibilities**

12. The following conditions only apply where the ash from burning uncontaminated wood, timber, forestry residues or paper is mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of ash from burning uncontaminated wood, timber, forestry residues or paper, refer to section 13, 'Consumer responsibilities'.

#### **12.1 *Maximum allowable contaminant concentrations***

- 12.1.1 Prior to mixing, blending or otherwise incorporating them into a commercial land application material, the processor must ensure that the in-ash contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

#### **12.2 *Information to be provided to the consumer***

- 12.2.1 Where ash from burning uncontaminated wood, timber, forestry residues or paper is mixed, blended or otherwise incorporated into a commercial land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.

#### **12.3 *Monitoring and record keeping requirements***

- 12.3.1 Processors must obtain and keep a written statement from each supplier with each transaction of ash from burning uncontaminated wood, timber, forestry residues or paper, certifying that the ash from burning uncontaminated wood, timber, forestry residues or paper complies with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of ash from burning uncontaminated wood, timber, forestry residues or paper received, the supplier's name and the

period over which the ash from burning uncontaminated wood, timber, forestry residues or paper was received must be kept for a period of three years.

### **Consumer responsibilities**

13. The following conditions only apply where ash from burning uncontaminated wood, timber, forestry residues or paper is directly applied to the land. These conditions do not apply where ash from burning uncontaminated wood, timber, forestry residues or paper is mixed or blended with, or otherwise incorporated into, a commercial land application material. The following conditions must be met by the consumer for this exemption to apply.

#### **13.1 *Soil application***

13.1.1 The ash from burning uncontaminated wood, timber, forestry residues or paper must be incorporated into the topsoil.

#### **13.2 *Monitoring and record keeping requirements***

13.2.1 Consumers applying ash from burning uncontaminated wood, timber, forestry residues or paper to land shall obtain and keep a written statement with each transaction of ash received, certifying that the ash from burning uncontaminated wood, timber, forestry residues or paper complies with the relevant conditions of this exemption.

13.2.2 Records of the quantity of ash from burning uncontaminated wood, timber, forestry residues or paper received, the supplier's name and the date the ash from burning uncontaminated wood, timber, forestry residues or paper was received must be kept for a period of three years.

### **Exemption Granted**

**Mark Gorta**  
**Manager, Waste Management Section**  
**Environment Protection Authority**

## Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such change on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

## Appendix 1—Guidance

### **Where the supplier and consumer are the same person**

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the ash from burning uncontaminated wood, timber, forestry residues or paper and that show compliance with 11.2 'Maximum allowable contaminant concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

### **What is a 'transaction'?**

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of ash from burning uncontaminated wood, timber, forestry residues or paper from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

### **Information to be included in a statement of compliance**

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

### **Environmentally appropriate land application of ash from burning uncontaminated wood, timber, forestry residues or paper**

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the ash from burning uncontaminated wood, timber, forestry residues or paper should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc. Any potential consequential implications for agricultural produce or future land use should also be considered.

While maximum contaminant concentration limits and application rates are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application and should normally be no more than the agronomic rate for the most limiting factor.

As a guide, EPA recommends that the following in soil contaminant concentrations following application of ash from burning uncontaminated wood, timber, forestry residues or paper to soil should not be exceeded. It should be noted that these limits are provided as a guide only and plants may display symptoms of toxicity, and/or reductions in yield may occur at values below these limits.

<b>Contaminant</b>	<b>Maximum in soil</b>
Boron (extractable concentrations)	10 mg/kg
Electrical conductivity EC <sub>se</sub>	4 dS/m



## Protection of the Environment Operations (Waste) Regulation 2005—General Exemption under Part 6

### The fly ash and bottom ash from burning NSW or Queensland coal exemption 2005

#### Name

1. This exemption is to be known as 'The fly ash and bottom ash from burning NSW or Queensland coal exemption 2005'.

#### Commencement

2. This exemption commences on 1 December 2005.

#### Duration

3. This exemption is valid until 1 December 2006 or until otherwise revoked by the Environment Protection Authority by notice published in the Government Gazette.

#### Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of fly ash and bottom ash from any furnace is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Fly ash and bottom ash produced by any furnace that burns only NSW or Queensland coal may only be applied to land where the conditions of this exemption are met.

#### Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of suppliers, processors and consumers.

#### Definitions

6. In this exemption:

- **Burning NSW or Queensland coal** means burning coal that was mined in NSW or Queensland. It is recognised that other substances, such as oil, may be used as ignition start-up fuels. Burning NSW or Queensland coal is taken to include the use of such materials during the start-up process.
- **Consumer** means a person who applies, or causes or permits the application of, fly ash or bottom ash to land. The consumer will generally be the landholder responsible for the land to which the ash is applied.
- **Fly ash or bottom ash** means fly ash or bottom ash from burning NSW or Queensland coal.
- **In-ash** means the fly ash or bottom ash prior to blending, mixing or otherwise processing.

- **Processor** means a person who mixes, blends or otherwise incorporates fly ash or bottom ash into a commercial land application material.
- **Supplier** means a person who supplies, or causes or permits the supply of, fly ash or bottom ash to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the fly ash or bottom ash.

For further information on the terms used in this document, refer to Appendix 1—Guidance.

### Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

**Table 1**

<b>Column 1</b>	<b>Column 2</b>
<b>Responsible person</b>	<b>Provisions from which the responsible person is exempt</b>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste not to be applied to certain land]

### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:

- 8.1 This exemption applies only to fly ash or bottom ash generated from burning NSW or Queensland coal.
- 8.2 The supplier, processor and/or consumer must not cause or permit the land application of fly ash or bottom ash where the in-ash contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.4 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

### Maximum contaminant concentrations

9. The in-ash contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

**Table 2**

Column 1	Column 2
Contaminant	Maximum concentration
Boron (mg/kg)	60
Electrical conductivity EC <sub>se</sub> (dS/m)	4

**Test methods**

10.1 Test methods for measuring boron concentrations in fly ash or bottom ash require:

- 10.1.1 Analysis using hot water soluble method for boron, Wear, J.I. 1965, *Methods of Soil Analysis, Part 2* (ed. C.A. Black), pp 1062–3, American Society of Agronomists, Madison, Wisconsin.
- 10.1.2 Reporting as mg/kg dry weight.

10.2 Test methods for measuring electrical conductivity concentrations in fly ash or bottom ash require:

- 10.2.1 Sample preparation by mixing 1 part ash with 5 parts distilled/deionised water.
- 10.2.2 Measurement technique—National Environment Protection Council, Method 104 'Electrical Conductivity', *Schedule B (3) Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999* available at [www.ephc.gov.au/pdf/cs/cs\\_03\\_lab\\_analysis.pdf](http://www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf) (or equivalent analytical method with a 'detection limit' < 10% of the stated 'electrical conductivity' limit in the General Exemption).
- 10.2.3 Reporting as 'electrical conductivity' in deciSeimens per metre (dS/m)

**Supplier responsibilities**

11. The following conditions must be met by the supplier for this exemption to apply:

**11.1 Chemical characterisation**

- 11.1.1 Suppliers of fly ash or bottom ash must initially fully chemically characterise their fly ash or bottom ash.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their fly ash or bottom ash at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the fly ash or bottom ash, initial characterisation of the fly ash or bottom ash must be repeated.
- 11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1 and 10.2.
- 11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission 1994, *National Code of Practice for the Preparation of Material Safety Data Sheets*, AGPS, Canberra.

**11.2 Maximum allowable contaminant concentrations**

- 11.2.1 The in-ash contaminants specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance, and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

**11.3 Information to be provided to processor**

- 11.3.1 Suppliers who provide fly ash or bottom ash to a processor must provide a written statement of compliance to the processor with each transaction of fly ash or bottom ash, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption.
- 11.3.2 Suppliers who provide fly ash or bottom ash to processors must provide the processor with a copy of this exemption and the MSDS.

**11.4 Information to be provided to consumer**

- 11.4.1 Suppliers who cause or permit the provision of fly ash or bottom ash to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the fly ash or bottom ash, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of fly ash or bottom ash.
- 11.4.2 Suppliers who cause or permit the provision of fly ash or bottom ash to the consumer for direct land application must provide the consumer with a copy of this exemption and the MSDS.

**11.5 Monitoring and record keeping**

- 11.5.1 Suppliers of fly ash or bottom ash must undertake routine testing of representative samples to ensure that the quality of the fly ash or bottom ash is consistently maintained.
- 11.5.2 At a minimum, suppliers of fly ash or bottom ash must test the fly ash or bottom ash three times a year where less than 1000 tonnes of fly ash or bottom ash is provided to processors and/or consumers in total. Where more than 1000 tonnes of fly ash or bottom ash is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.5.4 Results shall be kept for a minimum of three years.

**Processor responsibilities**

12. The following conditions only apply where the fly ash or bottom ash is mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of fly ash or bottom ash, refer to section 13, 'Consumer responsibilities'.

**12.1 Maximum allowable contaminant concentrations**

- 12.1.1 Prior to mixing, blending or otherwise incorporating fly ash or bottom ash into a commercial land application material, the processor must ensure that the in-ash contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

**12.2 Information to be provided to the consumer**

- 12.2.1 Where fly ash or bottom ash is mixed, blended or otherwise incorporated into a commercial land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.

**12.3 *Monitoring and record keeping requirements***

- 12.3.1 Processors must obtain and keep a written statement from each supplier with each transaction of fly ash or bottom ash, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of fly ash or bottom ash received, the supplier's name and the period over which the fly ash or bottom ash was received must be kept for a period of three years.

**Consumer responsibilities**

13. The following conditions only apply where fly ash or bottom ash is directly applied to the land. These conditions do not apply to fly ash or bottom ash that is mixed, blended or otherwise incorporated into a commercial land application material. The following conditions must be met by the consumer for this exemption to apply.

**13.1 *Soil application***

- 13.1.1 The fly ash or bottom ash must be incorporated into the topsoil.

**13.2 *Monitoring and record keeping requirements***

- 13.2.1 Consumers applying fly ash or bottom ash to land shall obtain and keep a written statement with each transaction of fly ash or bottom ash received, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption.
- 13.2.2 Records of the quantity of fly ash or bottom ash received, the supplier's name and the date the fly ash or bottom ash was received must be kept for a period of three years.

**Exemption Granted**

**Mark Gorta**  
**Manager, Waste Management Section**  
**Environment Protection Authority**

## Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

## Appendix 1—Guidance

### **Where the supplier and consumer are the same person**

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the fly ash or bottom ash and that show compliance with 11.2 'Maximum allowable contaminant concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

### **What is a 'transaction'?**

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of fly ash or bottom ash from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

### **Information to be included in a statement of compliance**

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

### **Environmentally appropriate land application of fly ash and bottom ash**

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the fly ash or bottom ash should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc. Any potential consequential implications for agricultural produce or future land use should also be considered.

While maximum contaminant concentration limits and application rates are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application and should be no more than the agronomic rate for the most limiting factor.

As a guide, EPA recommends that the following in soil contaminant concentrations following application of fly ash or bottom ash to soil should not be exceeded. It should be

noted that these limits are provided as a guide only and plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the these limits.

<b>Contaminant</b>	<b>Maximum in soil</b>
Boron (extractable concentrations)	10 mg/kg
Electrical conductivity EC <sub>se</sub>	4 dS/m



## Protection of the Environment Operations (Waste) Regulation 2005—General Exemption under Part 6

### The foundry sand exemption 2005

#### Name

1. This exemption is to be known as 'The foundry sand exemption 2005'.

#### Commencement

2. This exemption commences on 1 December 2005.

#### Duration

3. This exemption is valid until 1 April 2006 or until otherwise revoked by the Environment Protection Authority by notice published in the Government Gazette.

#### Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of foundry sand is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Foundry sand may only be applied to land where the conditions of this exemption are met.

#### Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of suppliers, processors and consumers.

#### Definitions

6. In this exemption:

- **Foundry sand** means material recovered from the moulds used in the hot casting of metals, comprised predominantly of sand. Foundry sand does not include other materials from foundries such as bag dusts, dross and slags.
- **In-sand** means the chemical levels in the foundry sand prior to blending, mixing or otherwise processing.
- **Supplier** means a person who supplies, or causes or permits the supply of, foundry sand to a processor. The supplier will generally be the generator of the foundry sand.
- **Processor** means a person who mixes, blends or otherwise incorporates foundry sand with other materials to make compost or artificial soil.
- **Consumer** means a person who applies compost or artificial soil which incorporates foundry sand to land for the purpose of growing plants.

For further information on the terms used in this document, refer to Appendix 1—Guidance.

### Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

**Table 1**

<b>Column 1</b>	<b>Column 2</b>
<b>Responsible person</b>	<b>Provisions from which the responsible person is exempt</b>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste not to be applied to certain land]

### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:

- 8.1 The exemption only applies to foundry sand from the casting of iron and/or aluminium. Foundry sand from the casting of other materials, including brass, bronze, stainless steel or any other metal alloys, combination of alloys or hot dipping or surface treating is excluded from this exemption.
- 8.2 The foundry sand must be mixed or blended with, or otherwise incorporated into, compost or artificial soil.
- 8.3 The direct application to land of foundry sand is not permitted.
- 8.4 The supplier, processor and consumer must not cause or permit the use of foundry sand where the in-sand chemicals identified in section 9 and listed in Column 1 of Table 2 do not conform with the concentrations listed in Column 2 of Table 2.
- 8.5 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.6 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.7 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

### Chemical concentrations

9. The in-sand chemical concentrations listed in Column 1 of Table 2 must comply with the concentrations listed in Column 2 of Table 2.

**Table 2**

<b>Column 1</b>	<b>Column 2</b>
<b>Chemical</b>	<b>Maximum concentration</b>
1 Zinc (mg/kg on a dry mass basis)	100
2 Copper (mg/kg on a dry mass basis)	75
3 Molybdenum (mg/kg on a dry mass basis)	20
4 Arsenic (mg/kg on a dry mass basis)	7.5
5 Cadmium (mg/kg on a dry mass basis)	1
6 Chromium (mg/kg on a dry mass basis)	75
7 Lead (mg/kg on a dry mass basis)	30
8 Selenium (mg/kg on a dry mass basis)	5
9 Nickel (mg/kg on a dry mass basis)	40
10 Silver (mg/kg on a dry mass basis)	7.5
11 Beryllium (mg/kg on a dry mass basis)	2
12 Fluoride (mg/kg on a dry mass basis)	7.5
13 Mercury (mg/kg on a dry mass basis)	0.3

**Test methods**

10.1 Test methods for measuring chemicals 1–12 in foundry sand require:

- 10.1.1 Sample preparation by digesting foundry sand using USEPA 3051 or equivalent.
- 10.1.2 Analysis using USEPA 6010B (or equivalent analytical method with a 'detection limit' < 10% of the stated total concentration in the General Exemption, ie 5 mg/kg for lead and 0.1 mg/kg for cadmium).
- 10.1.3 Reporting as mg/kg dry weight.

10.2 Test methods for measuring mercury concentrations in foundry sand require:

- 10.2.1 Cold-vapour atomic absorption (sample preparation and analytical method) using USEPA 7471A (or equivalent analytical method with a 'detection limit' < 20% of the stated total concentration in the General Exemption, ie 0.03 mg/kg).
- 10.2.2 Reporting as mg/kg dry weight.

**Supplier responsibilities**

11. The following conditions must be met by the supplier for this exemption to apply:

**11.1 Chemical characterisation**

- 11.1.1 Suppliers must, initially, chemically characterise their foundry sand by taking 20 individual samples, by taking one sample from each batch of foundry sand or each truckload or skip bin of foundry sand (whichever is more frequent) that is removed from the foundry for reuse.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their foundry sand at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the foundry sand, initial characterisation of the foundry sand must be repeated.

- 11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1 and 10.2.
- 11.1.5 A mean and a 95% confidence interval should be calculated for each chemical listed in Column 1 of Table 2 to illustrate compliance with Column 2, Table 2, 95% of the time.
- 11.1.6 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission 1994, *National Code of Practice for the Preparation of Material Safety Data Sheets*, AGPS, Canberra.

#### 11.2 **Maximum allowable chemical concentrations**

- 11.2.1 The in-sand chemical or chemical values specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance, and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

#### 11.3 **Information to be provided to processor**

- 11.3.1 Suppliers of foundry sand must provide a written statement of compliance to the processor with each transaction of foundry sand, certifying that the foundry sand complies with the relevant conditions of this exemption. The certificate must be provided prior to mixing the foundry sand with other materials.
- 11.3.2 The supplier must provide a copy of this exemption and the MSDS to the processor.

#### 11.4 **Monitoring and record keeping**

- 11.4.1 Suppliers of foundry sand shall undertake routine testing of representative samples to ensure that the quality of the supplier's foundry sand is consistently maintained.
- 11.4.2 At a minimum, suppliers of foundry sand must test the foundry sand three times a year where less than 1000 tonnes of foundry sand is provided to processors and/or consumers in total. Where more than 1000 tonnes of foundry sand is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.4.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.4.4 Characterisation and routine test results shall be kept for a minimum of three years.
- 11.4.5 Suppliers of foundry sand must keep records of all transactions for three years, including the name and address of the processor of each transaction of foundry sand.

#### **Processor responsibilities**

12. The following conditions must be met by the processor for this exemption to apply.

#### 12.1 **Incorporation into compost or artificial soil**

- 12.1.1 The foundry sand must be incorporated into a commercial compost or artificial soil.
- 12.1.2 The foundry sand must be incorporated into a commercial compost or artificial soil at a rate not greater than 10% of dry volume in any mix.

**12.2 Information to be provided to the consumer**

- 12.2.1 The processor must provide the consumer with recommendations on the appropriate use, including recommendations regarding appropriate application rates, for commercial land application materials which are mixed or blended with, or otherwise incorporate, foundry sand.

**12.3 Monitoring and record keeping requirements**

- 12.3.1 Processors shall obtain and keep a written statement from each supplier of compliance with each transaction of foundry sand, certifying that the foundry sand complies with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of foundry sand supplied, the supplier's name and the date the foundry sand was received must be kept for a period of three years.

**Consumer responsibilities**

13. The following conditions must be met by the consumer for this exemption to apply:

- 13.1 Foundry sand must not be applied to land unless it is a constituent of commercial compost or artificial soil.

**Exemption Granted**

**Mark Gorta**  
Manager, Waste Management Section  
Environment Protection Authority

## Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required when additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Contaminant limits and blending rates are specified as maximums only. These rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

## Appendix 1—Guidance

### **Where the supplier and consumer are the same person**

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the foundry sand and that show compliance with 11.2 'Maximum allowable chemical concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

### **What is a 'transaction'?**

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of foundry sand from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

### **Information to be included in a statement of compliance**

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

### **Environmentally appropriate land application of compost and artificial soil containing foundry sand**

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the compost or artificial soil made from foundry sand should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc.

While maximum contaminant concentration limits are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application.

As a guide, EPA recommends that the following contaminant concentrations in the finished compost or artificial soils made with foundry sand should not be exceeded. It

should be noted that these limits are provided as a guide only and plants may display symptoms of toxicity and/or reductions in yield at values below these limits.

<b>Contaminant</b>	<b>Maximum in compost or artificial soil</b>
Total lead (mg/kg dry weight)	< 50 mg/kg dry weight
Total cadmium (mg/kg dry weight)	< 1 mg/kg dry weight
Total mercury (mg/kg dry weight)	< 0.15 mg/kg dry weight

Note: The test methods listed in 10.1 and 10.2 should be used to determine the concentration of the contaminants in compost and manufactured soil products.



## Protection of the Environment Operations (Waste) Regulation 2005—General Exemption under Part 6

### The lime and gypsum residues from plasterboard exemption 2005

#### Name

1. This exemption is to be known as 'The lime and gypsum residues from plasterboard exemption 2005'.

#### Commencement

2. This exemption commences on 1 December 2005.

#### Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the Government Gazette.

#### Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of lime and gypsum residues from any industrial or manufacturing process is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Lime and gypsum residues from plasterboard may only be applied to land where the conditions of this exemption are met.

#### Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of consumers, processors and suppliers.

#### Definitions

6. In this exemption:

- **Consumer** means a person who applies, or causes or permits the application of, lime and gypsum residues from plasterboard to land. The consumer will generally be the landholder responsible for the land to which the lime and gypsum residues from plasterboard is applied.
- **Lime and gypsum residues from plasterboard** are the residues from plasterboard from manufacturing, construction or fit-outs which comprise > 80% calcium sulphate dihydrate, < 10% paper, < 10% natural clays, < 10% paraffin waxes, < 10% mica, < 2% crystalline silica, with minor quantities (< 5%) of starch and fibrous glass.
- **In-plasterboard** means the lime and gypsum residues from plasterboard prior to blending, mixing or otherwise processing.

- **Processor** means a person who mixes, blends or otherwise incorporates lime and gypsum residues from plasterboard into a commercial land application material.
- **Supplier** means a person who supplies, or causes or permits the supply of, lime and gypsum residues from plasterboard to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the lime and gypsum residues from plasterboard.

For further information on the terms used in this document, refer to Appendix 1—Guidance.

### Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

**Table 1**

<b>Column 1</b>	<b>Column 2</b>
<b>Responsible person</b>	<b>Provisions from which the responsible person is exempt</b>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste not to be applied to certain land]

### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:

- 8.1 This exemption applies only to lime and gypsum residues from plasterboard.
- 8.2 The supplier, processor and/or consumer must not cause or permit the land application of lime and gypsum residues from plasterboard where the in-plasterboard contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.4 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

### Maximum contaminant concentrations

9. The in-plasterboard contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

**Table 2**

Column 1	Column 2
Contaminant	Maximum concentration
Lead (mg/kg)	100

**Test methods**

10.1 Test methods for measuring lead concentrations in lime and gypsum residues from plasterboard require:

- 10.1.1 Sample preparation by digesting plasterboard using USEPA 3051 or equivalent.
- 10.1.2 Analysis using USEPA 6010B (or equivalent analytical method with a 'detection limit' < 10% of the stated total concentration in the General Exemption).
- 10.1.3 Reporting as mg/kg dry weight.

**Supplier responsibilities**

11. The following conditions must be met by the supplier for this exemption to apply:

**11.1 Chemical characterisation**

- 11.1.1 Suppliers of lime and gypsum residues from plasterboard must, initially, fully chemically characterise their lime and gypsum residues from plasterboard.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their lime and gypsum residues from plasterboard at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the lime and gypsum residues from plasterboard, initial characterisation of the lime and gypsum residues from plasterboard must be repeated.
- 11.1.4 The contaminant specified in Table 2 must be measured in accordance with the test methods specified in 10.1.
- 11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety 1994, *National Code of Practice for the Preparation of Material Safety Data Sheets*, AGPS, Canberra.

**11.2 Maximum allowable contaminant concentrations**

- 11.2.1 The in-plasterboard contaminants specified in Column 1, Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance and must not exceed the maximum contaminant concentration specified in Column 2, Table 2.

**11.3 Information to be provided to processor**

- 11.3.1 Suppliers who provide lime and gypsum residues from plasterboard to a processor must provide a written statement of compliance to the processor with each transaction of lime and gypsum residues from plasterboard, certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption.
- 11.3.2 Suppliers who provide lime and gypsum residues from plasterboard to processors must provide the processor with a copy of this exemption and the MSDS.

**11.4 Information to be provided to consumer**

- 11.4.1 Suppliers who cause or permit the provision of lime and gypsum residues from plasterboard to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the lime and gypsum residues from plasterboard, certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of lime and gypsum residues from plasterboard.
- 11.4.2 Suppliers who cause or permit the direct provision of lime and gypsum residues from plasterboard to consumers must provide a copy of this exemption and the MSDS to the consumer.

**11.5 Monitoring and record keeping**

- 11.5.1 Suppliers of lime and gypsum residues from plasterboard shall undertake routine testing of representative samples to ensure that the quality of the supplier's lime and gypsum residues is consistently maintained.
- 11.5.2 At a minimum, suppliers of lime and gypsum residues from plasterboard must test the lime and gypsum residues from plasterboard three times a year where less than 1000 tonnes of lime and gypsum residues from plasterboard are provided to processors and/or consumers in total. Where more than 1000 tonnes of lime and gypsum residues from plasterboard are provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.5.4 Results shall be kept for a minimum of three years.

**Processor responsibilities**

12. The following conditions only apply where the lime and gypsum residues from plasterboard are mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of lime and gypsum residues from plasterboard, refer to section 13, 'Consumer responsibilities'.

**12.1 Maximum allowable contaminant concentrations**

- 12.1.1 Prior to mixing, blending or otherwise incorporating them into a commercial land application material, the processor must ensure that the in-plasterboard contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

**12.2 Information to be provided to the consumer**

- 12.2.1 Where lime and gypsum residues from plasterboard are mixed or blended with, or otherwise incorporated into a commercial land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.

**12.3 *Monitoring and record keeping requirements***

- 12.3.1 Processors must obtain and keep a written statement from each supplier with each transaction of lime and gypsum residues from plasterboard, certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of lime and gypsum residues from plasterboard received, the supplier's name and the period over which the lime and gypsum residues from plasterboard were received must be kept for a period of three years.

**Consumer responsibilities**

13. The following conditions only apply where lime and gypsum residues from plasterboard are directly applied to the land. These conditions do not apply to lime and gypsum residues from plasterboard that is mixed, blended or otherwise incorporated into a commercial land application material. The following conditions must be met by the consumer for this exemption to apply.

**13.1 *Soil application***

- 13.1.1 The soil to which the lime and gypsum residues from plasterboard will be applied must be characterised prior to the initial application of the lime and gypsum residues from plasterboard to determine appropriate application rates.
- 13.1.2 Application rates must be equal to or less than the agronomic rate for the most limiting factor.
- 13.1.3 The lime and gypsum residues from plasterboard must be incorporated into the topsoil.

**13.2 *Monitoring and record keeping requirements***

- 13.2.1 Consumers applying lime and gypsum residues from plasterboard must obtain and keep a written statement with each transaction, certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption.
- 13.2.2 Records of the supplier's name and the date the lime and gypsum residues from plasterboard were received must be kept for a period of three years.

**Exemption Granted**

**Mark Gorta**  
**Manager, Waste Management Section**  
**Environment Protection Authority**

## Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

## Appendix 1—Guidance

### **Where the supplier and consumer are the same person**

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the lime and gypsum residues and that show compliance with 11.2 'Maximum allowable contaminant concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

### **What is a 'transaction'?**

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of lime and gypsum residues from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

### **Information to be Included in a statement of compliance**

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

## Protection of the Environment Operations (Waste) Regulation 2005—General Exemption under Part 6

### The lime and gypsum residues from drinking water treatment exemption 2005

#### Name

1. This exemption is to be known as 'The lime and gypsum residues from drinking water treatment exemption 2005'.

#### Commencement

2. This exemption commences on 1 December 2005.

#### Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the Government Gazette.

#### Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of lime and gypsum residues from any industrial or manufacturing process is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Lime and gypsum residues from drinking water treatment may only be applied to land where the conditions of this exemption are met.

#### Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of consumers, processors and suppliers.

#### Definitions

6. In this exemption:

- **Consumer** means a person who applies, or causes or permits the application of, lime and gypsum residues from drinking water treatment to land. The consumer will generally be the landholder responsible for the land to which the lime and gypsum residues are applied.
- **Lime and gypsum residues from drinking water treatment** are the residues from water treated for human consumption or uses associated with human consumption using lime or gypsum. These residues may include calcium oxide, calcium hydroxide, calcium sulphate, calcium carbonate, magnesium hydroxide, magnesium sulphate, sodium sulphate, magnesium silicates and natural organic matter (NOM).
- **Processor** means a person who mixes, blends or otherwise incorporates lime and gypsum residues from drinking water treatment into a commercial land application material.



- **Supplier** means a person who supplies, or causes or permits the supply of, lime and gypsum residues from drinking water treatment to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the lime and gypsum residues from drinking water treatment.

For further information on the terms used in this document, refer to Appendix 1—Guidance.

### Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

**Table 1**

<b>Column 1</b>	<b>Column 2</b>
<b>Responsible person</b>	<b>Provisions from which the responsible person is exempt</b>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste not to be applied to certain land]

### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:

- 8.1 This exemption applies only to lime and gypsum residues from drinking water treatment.
- 8.2 The supplier must comply with all requirements specified in section 9, 'Supplier responsibilities'.
- 8.3 The processor must comply with all requirements specified in section 10, 'Processor responsibilities'.
- 8.4 The consumer must comply with all requirements specified in section 11, 'Consumer responsibilities'.

### Supplier responsibilities

9. The following conditions must be met by the supplier for this exemption to apply:

#### 9.1 *Chemical characterisation*

- 9.1.1 Suppliers of lime and gypsum residues from drinking water treatment must, initially, fully chemically characterise their lime and gypsum residues from drinking water treatment.
- 9.1.2 Suppliers must repeat the full chemical characterisation of their lime and gypsum residues from drinking water treatment at least every three years.

9.1.3 Where there is a change in inputs that is likely to affect the contaminants in the lime and gypsum residues from drinking water treatment, initial characterisation of the lime and gypsum residues from drinking water treatment must be repeated.

9.1.4 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission 1994, *National Code of Practice for the Preparation of Material Safety Data Sheets*, AGPS, Canberra.

## **9.2 Information to be provided to processor**

9.2.1 Suppliers who provide lime and gypsum residues from drinking water treatment to a processor must provide a written statement of compliance to the processor with each transaction of lime and gypsum residues from drinking water treatment, certifying that the lime and gypsum residues from drinking water treatment comply with the relevant conditions of this exemption. The statement of compliance must be provided prior to mixing, blending or otherwise incorporating the lime and gypsum residues from drinking water treatment with other materials.

9.2.2 Suppliers who provide lime and gypsum residues from drinking water treatment to processors must provide the processor with a copy of this exemption and the MSDS.

## **9.3 Information to be provided to consumer**

9.3.1 Suppliers who cause or permit the provision of lime and gypsum residues from drinking water treatment to consumers for direct land application must provide the consumer with a written statement of compliance, a copy of this exemption and the MSDS.

## **9.4 Monitoring and record keeping**

9.4.1 Suppliers of lime and gypsum residues from drinking water treatment must undertake routine testing of representative samples to ensure that the quality of the lime and gypsum residues from drinking water treatment is consistently maintained.

9.4.2 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.

9.4.3 Results shall be kept for a minimum of three years.

9.4.4 Records of the quantity of lime and gypsum residues from drinking water treatment supplied, the processor's or consumer's name and the period over which the lime and gypsum residues from drinking water treatment were received must be kept for a period of three years.

## **Processor responsibilities**

10. The following conditions only apply where the lime and gypsum residues from drinking water treatment are mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of lime and gypsum residues from drinking water treatment, refer to section 11, 'Consumer responsibilities'.

### **10.1 Information to be provided to the consumer**

10.1.1 Where lime and gypsum residues from drinking water treatment are mixed, blended or otherwise incorporated into a commercial land

application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.

#### **10.2 *Monitoring and record keeping requirements***

- 10.2.1 Processors must obtain and keep a written statement from each supplier with each transaction of lime and gypsum residues from drinking water treatment, certifying that the lime and gypsum residues from drinking water treatment comply with the relevant conditions of this exemption.
- 10.2.2 Records of the quantity of lime and gypsum residues from drinking water treatment received, the supplier's name and the period over which the lime and gypsum residues from drinking water treatment were received must be kept for a period of three years.

#### **Consumer responsibilities**

11. The following conditions only apply where lime and gypsum residues from drinking water treatment are directly applied to the land. These conditions do not apply to processed commercial land application products that contain lime and gypsum residues from drinking water treatment. The following conditions must be met by the consumer for this exemption to apply.

#### **11.1 *Soil application***

- 11.1.1 The soil to which the lime and gypsum residues from drinking water treatment will be applied must be characterised prior to the initial application of the lime and gypsum residues from drinking water treatment, to determine appropriate application rates.
- 11.1.2 Application rates must be equal to or less than the agronomic rate for the most limiting factor.
- 11.1.3 The lime and gypsum residues from drinking water treatment must be incorporated into the topsoil.

#### **11.2 *Monitoring and record keeping requirements***

- 11.2.1 Records of the supplier's name and the date the lime and gypsum residues from drinking water treatment were received must be kept for a period of three years.
- 11.2.2 Consumers must obtain and keep a written statement with each transaction of lime and gypsum residues from drinking water treatment, certifying that the lime and gypsum residues from drinking water treatment comply with the relevant conditions of this exemption.

#### **Exemption Granted**

**Mark Gorta**  
**Manager, Waste Management Section**  
**Environment Protection Authority**

## Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

## Appendix 1—Guidance

### **Where the supplier and consumer are the same person**

Records required to be kept by the supplier, as specified in section 9, 'Supplier responsibilities', that relate to 9.1 'Chemical characterisation' of the residues, are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

### **What is a 'transaction'?**

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of residues from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

### **Information to be Included in a statement of compliance**

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

# 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

### BAULKHAM HILLS SHIRE COUNCIL

Roads Act 1993, Section 39

Closure of Temporary Public Road

Linking Langford Smith Close to Green Road, Kellyville

THE Baulkham Hills Shire Council hereby advises that pursuant to section 39 of the Roads Act 1993, it intends to close to vehicular traffic the temporary public road linking Langford Smith Close to Green Road, Kellyville. The temporary public road is situated on Lot 21, DP 1005949. On publication of this notice the temporary public road ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. Dated at Castle Hill this 22nd day of November 2005. DAVE WALKER, General Manager, Baulkham Hills Shire Council, PO Box 75, Castle Hill NSW 1765. [1782]

### BYRON SHIRE COUNCIL

ERRATUM

THE notice appearing in the *Government Gazette* No. 122, Folio 8728, under the heading Byron Shire Council, Naming of Public Road – William Flick Avenue, was incorrect. The correct name is William Flick Lane. P. WESTING, General Manager, Byron Shire Council, PO Box 219, Mullumbimby NSW 2482. [1777]

### COFFS HARBOUR CITY COUNCIL

Roads Act 1993, Section 16

Notice of Dedication of Land as Public Road

COFFS HARBOUR CITY COUNCIL hereby notifies that the land described in the Schedule below is dedicated as a public road pursuant to section 16 of the Roads Act 1993. Dated at Coffs Harbour this 28th day of November 2005. S. SAWTELL, General Manager, Coffs Harbour City Council, Locked Bag 55, Coffs Harbour NSW 2450.

#### SCHEDULE

*Land District of Coramba; Parish of Comlaroi; County of Fitzroy; Council of the City of Coffs Harbour.*

Namely:

1. Part Lane 31 Links wide in DP 5512 being the residue of the land in Certificates of Title Volume 2233, Folio 79 and 1705, Folio 178.
2. Lot 46, section B, DP 5512 (formerly reserve), being the whole of the land in Folio Identifier 46/B/5512. [1778]

### RICHMOND VALLEY COUNCIL

Roads (General) Regulation 2000, Section 9

Notice of Naming Roads

COUNCIL at its meeting on 15th November 2005, adopted to formerly endorse the following road name (Minute Number 2005-680):

Bungawalbin Whiporie Road - This road commences at the intersection of MR145 Coraki Woodburn Road and runs in a southerly direction for approximately 45km

and ends at the intersection of MR83 Summerland Way, Whiporie. This road also may be known as Gibberagee Road.

B. A. WILKINSON, General Manager, Richmond Valley Council, Locked Bag 10, Casino NSW 2470. [1787]

### CITY OF RYDE

Local Government Act 1993

Land Acquisition (Just Terms Compensation) 1991

Notice of Compulsory Acquisition of Land

THE City of Ryde declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Local Government Act 1993. Dated at Ryde this 22nd day of November 2005. MICHAEL WHITTAKER, General Manager, Ryde City Council, Locked Bag 2069, North Ryde NSW 1670.

#### SCHEDULE

Deed of Conveyance Registered No. 305, Book 1212 and shown in Deposited Plan 73920, Parish of Hunters Hill, County of Cumberland. [1786]

### TWEED SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Tweed Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Murwillumbah, 23rd August 2005. J. F. GRIFFIN, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah NSW 2484.

#### SCHEDULE

Lot 3 in DP 1064338.

[1779]

## ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FRANCES ELIZABETH SMITH, late of 216 Gardeners Road, Rosebery, in the State of New South Wales, who died on 29th September 2005, must send particulars of their claim to the executors, James Barent Haasnoot and Steven Paul Schwarz, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington NSW 2033, 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 17th



November 2005. SIMPSON & CO., Solicitors, 103A Anzac Parade, Kensington NSW 2033 (PO Box 340, Kensington 1465), tel.: (02) 9662 4381. [1776]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of GRAHAM HARVEY RUCK, late of Smiths Lake, in the State of New South Wales, retired senior technical officer, who died on 23rd September 2005, must send particulars of their claim to the executors, Nancy Claire Ruck and Kim Patricia Ruck, c.o. Bennett Stewart & Shirvington, Solicitors, Level 1, 1 York Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution the executors have notice. Probate was granted in New South Wales on 18th November 2005. BENNETT STEWART & SHIRVINGTON, Solicitors, Level 1, 1 York Street, Sydney NSW 2000, tel.: (02) 9247 5563. [1781]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ATTILIO VITTOZZI, late of Five Dock, in the State of New South Wales, who died on 6th May 2004, must send particulars of his/her claim to the executor, c.o. Mercuri & Co, Solicitors, PO Box 198, Five Dock NSW 2046, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 23rd November 2005. MERCURI & CO., Solicitors, PO Box 198, Five Dock NSW 2046 (DX 21014, Drummoyne). [1783]

### COMPANY NOTICES

NOTICE of application relating to THE SUNSET GROUP PTY LTD, ACN 111 132 560.—In respect of proceedings commenced on 17th November 2005, application will be made by David Phillip Kirwan to the Supreme Court of New South Wales at 11:00 a.m., on 16th December 2005, at Queens Square, Sydney, for an order that THE SUNSET GROUP PTY LTD be wound up in insolvency under section 459A. Any person intending to appear at the hearing must file a notice of appearance in the prescribed form and serve that notice on the applicant at its address for service shown below no later than 5:00 p.m., on 15th December 2005. JOHN ANTHONY GLYNN, c.o. McMahon Broadhurst Glynn, Lawyers, 20 Fitzroy Street, Tamworth NSW 2340, tel.: (02) 6766 6566. Reference: JAG:050028. [1775]

NOTICE of application relating to KNITCOM PTY LIMITED, ACN 086 596 625.—Notice is hereby given that Queensgate Development Pty Limited, ACN 081 887 283, will apply to the Supreme Court of New South Wales at 11:00 a.m., on the 15th December 2005, at the Supreme Court of New South Wales, 184 Phillip Street, Sydney, for an order that Knitcom Pty Limited be wound up in insolvency under section 459A. Any person intending to appear at the hearing must file a notice of appearance in the prescribed form and serve that notice on the applicant at its address for service shown below not later than the 12th December 2005. TREVOR HOWARD DRAKE, c.o. T H Drake & Associates, Suite 1, 206 The Entrance Road, Erina NSW 2250 (DX 20759, Erina). [1780]

NOTICE of general meeting of members.—PRINCIPLE HOLDINGS NO. 2 PTY LIMITED, ACN 079 990 588 (in voluntary liquidation).—Notice is hereby given that the a general meeting of members of the company will be held at 9:15 a.m., on Tuesday, 3rd January 2006, at Level 5, 14 Martin Place, Sydney NSW 2000. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 28th day of November 2005. By Order of the Board. S. B. HUMPHRYS, Liquidator, c.o. MOORE STEPHENS, CML Building, Level 5, 14 Martin Place, Sydney NSW 2000, tel.: (02) 8236 7700. [1785]

### OTHER NOTICES

IN the Local Court of New South Wales.—NORMA FLORENCE SHEATHER and EDWARD CARL SHEATHER vs GARY CHARLES DOW and KAREN DOW.—On Friday, 16th December 2005, at 11:00 a.m., unless the Writ of Execution herein be previously satisfied, the Sheriff will cause to be sold by public auction at 101 Lambie Street, Tumut NSW 2720, all the right, title and interest of Gary Charles Dow and Karen Dow, the defendant herein, of, in and to: All that equity of redemption and all other right, title and interest (if any) of the said defendant of, and to all the piece of land situated at 101 Lambie Street, Tumut NSW 2720, being described as Lot 1 in deposited plan 358490 at Tumut Local Government Area, Tumut Shire, Parish of Tumut, County of Wynyard and title diagram DP 358490 and Gary Charles Dow and Karen Dow as joint tenants. Title Folio Identifier: 1/358490. Intending purchasers should make their own searches and enquiries. C. HOLLAND, Acting Sergeant, Court House, Parker Street, Cootamundra NSW 2590, tel.: (02) 6942 3810. [1784]





# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 149**  
**Friday, 2 December 2005**

Published under authority by Government Advertising and Information

## **PUBLIC SECTOR NOTICES**

### **CHIEF EXECUTIVE SERVICE APPOINTMENT UNDER SECTION 12**

THE Director-General, Premier's Department, under delegation from the Premier and pursuant to the provisions of the Public Sector Employment and Management Act 2002, has appointed the officer listed below to the chief executive service position shown, effective from the date shown within the brackets:

Department of Planning

Sam HADDAD, Director-General [21 November 2005].

The Hon. F. E. SARTOR, M.P.,  
Minister for Planning,  
Minister for Redfern Waterloo,  
Minister for Science and Medical Research,  
Minister Assisting the Minister for Health (Cancer)

---

ISSN 0155-6320

Authorised to be printed  
ROBERT J. GALLAGHER, Government Printer.