



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Proclamation



New South Wales

Proclamation

under the

Veterinary Practice Act 2003 No 87

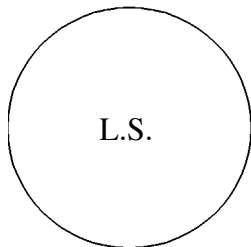
JAMES JACOB SPIGELMAN, Lieutenant-Governor

I, the Honourable James Jacob Spigelman, Lieutenant Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (1) of the *Veterinary Practice Act 2003*, do, by this my Proclamation, appoint 9 May 2005 as the day on which the following provisions of that Act commence:

- (a) sections 11, 12, 14, 15, 91, 99, 100, 102 and 103,
- (b) Part 1 of Schedule 4, and section 106 in its application to that Part.

Signed and sealed at Sydney, this 4th day of May 2005.

By His Excellency's Command,



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

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence sections 11, 12, 14 and 15 of the *Veterinary Practice Act 2003* which contain offences relating to representations by certain persons and firms that they are veterinary practitioners or veterinary practices and other offences prohibiting an employer of a veterinary practitioner from inciting the veterinary practitioner to engage in unsatisfactory professional conduct. Other provisions to be commenced relate to procedural matters and enable savings and transitional regulations to be made.

OFFICIAL NOTICES

Appointments

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:

Stephen BALL, Stephen BARNES, Amy BERTHON, Edward BIEL, Nigel DIRKIN, Cole FISHLOCK, Robert Lee HAMPTON, Herman HARFOD, Pat HUBATKA, Scott MCDONALD, Nissa Salina MURPHY, Paul NORDEN and Raymond SCHIRMER,

as Inspectors under the Act.

Dated this 28th day of April 2005.

B. D. BUFFIER,
Director-General,
NSW Department of Primary Industries

Department of Infrastructure, Planning and Natural Resources

Infrastructure and Planning

LOCAL GOVERNMENT ACT 1993

Notice Under Section 733

FOR the purposes of section 733 the manual relating to the management of flood liable land is the manual entitled "Floodplain Development Manual: the management of flood liable land" dated April 2005, reference no. DIPNR 05_020, deposited in the office of the Department of Infrastructure, Planning and Natural Resources.

An electronic copy of the manual is available on the Department of Infrastructure, Planning and Natural Resources' website www.dipnr.nsw.gov.au. Copies can be inspected or purchased from the Department of Infrastructure, Planning and Natural Resources' Information Centre, Ground Floor, 20 Lee Street, Sydney NSW 2000, between the hours of 9:00 a.m. to 5:00 p.m., Monday to Friday. Telephone (02) 9762 8044 or 1300 305 695 (outside Sydney), Fax (02) 9762 8701, Email: information@dipnr.nsw.gov.au.

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



New South Wales

Blacktown Local Environmental Plan 1988 (Amendment No 193)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/03385/PC)

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

Clause 1 Blacktown Local Environmental Plan 1988 (Amendment No 193)

Blacktown Local Environmental Plan 1988 (Amendment No 193)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 193)*.

2 Aims of plan

The aims of this plan are:

- (a) to allow for a variety of development forms that will meet the economic, environmental and social needs of the residents of the Colebee release area, and
- (b) to introduce a planning framework for the development of the Colebee release area having regard to its special characteristics, and
- (c) to identify and protect significant archaeological areas, and
- (d) to identify and protect riparian environmental corridors and introduce appropriate development controls in these corridors, recognising their significant environmental, scenic and aesthetic values, and
- (e) to ensure the protection of significant natural and ecological elements within the Colebee release area.

3 Land to which plan applies

This plan applies to land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 193)" 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 193)

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 193)

[2] Clause 48 Development of land in Zones Nos 2 (a), 2 (b) and 2 (c)

Insert after clause 48 (6):

- (7) Notwithstanding any of the above provisions, land to which clause 50 applies is excluded from the provisions of this clause.

[3] Clauses 50 and 51

Insert after clause 49:

50 Development of certain land in the Colebee Release Area

- (1) This clause applies to the land shown edged heavy black on the Colebee Release Area map.
- (2) In this clause:
Colebee Release Area map means the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 193)".
the Aboriginal Heritage Site means the area so identified on the Colebee Release Area map.
the riparian environmental corridor means the riparian zone along Eastern Creek or Bells Creek, the general extent of which is shown hatched on the Colebee Release Area map.
Note. The area marked "Aboriginal Heritage Site" shown edged heavy black on that map is covered by a voluntary conservation order.
- (3) The council must not consent to the carrying out of development for any purpose on the land to which this clause applies unless it is satisfied that appropriate arrangements have been made for the ongoing protection and management of the Aboriginal Heritage Site.
- (4) The council must refer any development application relating to an area directly adjacent to the Aboriginal Heritage Site to the NSW Department of Environment and Conservation for comment and must not consent to the carrying out of the development until:

Blacktown Local Environmental Plan 1988 (Amendment No 193)

Schedule 1 Amendments

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- (a) the council has received and considered advice with respect to the development application from the Department, or
- (b) the council has been notified by the Department that it does not wish to provide any advice with respect to the development application, or
- (c) 28 days have elapsed since a copy of the development application was referred to the Department for comment, whichever first occurs.
- (5) The council must not consent to the carrying out of development for any purpose (other than a golf course) on the land to which this clause applies unless it is satisfied that:
- (a) any facilities that are to be provided to serve the needs of the residents are located to ensure convenience of access and are to be provided at the earliest opportunity, and
- (b) adequate provision has been or is to be made for pedestrian and bicycle access within the land and connecting to other land, and
- (c) the proposed development of the land is capable of accommodating bus access and bus stops for the provision of public transport services throughout the development site, and
- (d) satisfactory road connections to the external road network are in place, and
- (e) the proposed development will not restrict the obtaining of extractive material from the adjoining extractive industry, and
- (f) consistently with relevant NSW Department of Environment and Conservation policies and guidelines, the impacts of particulates, noise and odours associated with the adjoining extractive industry have been assessed and appropriate mitigation arrangements have been or are to be made.
- (6) The council must not consent to development for the purpose of a sewage treatment plant on the land to which this plan applies until, consistently with relevant NSW Department of Environment and Conservation policies and guidelines, an odour impact assessment has been undertaken demonstrating, in accordance with section 129 of the *Protection of the Environment Operations Act 1997*, that any offensive odour will not impact on any existing dwellings.

Blacktown Local Environmental Plan 1988 (Amendment No 193)

Amendments

Schedule 1

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- (7) The council must not consent to the subdivision of land to which this clause applies that is within 400 metres of a sewage treatment plant (or any associated effluent storage pond) until, consistently with relevant NSW Department of Environment and Conservation policies and guidelines, an odour impact assessment has been undertaken demonstrating, in accordance with section 129 of the *Protection of the Environment Operations Act 1997*, that any offensive odour will not impact on any dwellings erected on the subdivided land.
- (8) In addition to the purposes for which development on land within Zone No 2 (a) is permitted with the consent of the council, an area of land to which this clause applies that is not greater in total than 4 hectares may, with the consent of the council, be used for the following purposes:
- (a) a club related to a golf course located on land within Zone No 6 (b),
 - (b) access to the club from a public road,
 - (c) a connection between different parts of the golf course,
 - (d) tourist accommodation (up to a maximum of 150 rooms) associated with the golf course.
- (9) Prior to the commencement of operations of a golf course on land within Zone No 6 (b), the council must not consent to the carrying out of any other development on land within that Zone that is not associated with the golf course or the provision of utilities or services to adjoining land within Zone No 2 (a).
- (10) In deciding whether to consent to any development on land to which this clause applies that is within 40 metres of Eastern Creek or Bells Creek (when measured from the top of the bank of the creek), the council is to have regard to the following:
- (a) the nature and function of the riparian environmental corridors affected by the proposed development,
 - (b) the impact of the proposed development on the riparian environment,
 - (c) whether the area has high biological diversity, and
 - (d) whether the land has connective importance as part of the corridor of bushland that allows for the potential passage of species of flora or fauna between two or more areas of bushland.
- (11) Any incursion into the riparian environmental corridor along Eastern Creek related to development for the purposes of a golf course must not exceed a total area of 0.8 hectare.

Blacktown Local Environmental Plan 1988 (Amendment No 193)

Schedule 1 Amendments

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- (12) This clause has effect despite any other provisions of this plan.

51 Restriction on certain subdivisions in Colebee Release Area

- (1) This clause applies to land to which clause 50 applies that is within a residential zone.
- (2) The council must not consent to the subdivision of land to which this clause applies that will create a lot with an area of less than 40 hectares unless:
- (a) the Director-General has certified in writing to the council that satisfactory arrangements have been made for contributions to the provision of regional transport infrastructure and services in relation to the land comprising that lot, and
 - (b) the provisions of any agreement for those or any other contributions relating to the proposed development have been complied with.
- (3) The object of contributions referred to in subclause (2) (a) is to require assistance towards the provision of regional transport infrastructure and services to satisfy needs that will arise from intensive urban development of land to which this clause applies.
- (4) The reference in subclause (2) to a lot of less than 40 hectares does not include a reference to any such lot:
- (a) that is identified in the certificate of the Director-General as a residue lot, or
 - (b) that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities or any other public purpose.
- (5) This clause does not apply to a subdivision of land for the purpose of rectifying an encroachment on any existing allotment.
- (6) *State Environmental Planning Policy No 1—Development Standards* does not apply to development to which this clause applies.
- (7) This clause has effect despite any other provisions of this plan.



New South Wales

Blayney Local Environmental Plan 1998 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/01702/S69)

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

Clause 1 Blayney Local Environmental Plan 1998 (Amendment No 7)

Blayney Local Environmental Plan 1998 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Blayney Local Environmental Plan 1998 (Amendment No 7)*.

2 Aims of plan

This plan aims to allow, with the consent of Blayney Shire Council, the erection of only one dwelling-house on each of the 3 lots to which this plan applies.

3 Land to which plan applies

This plan applies to Lots 1, 3 and 4, Section 33, DP 758767, Carcoar and Egbert Streets, Neville.

4 Amendment of Blayney Local Environmental Plan 1998

Blayney Local Environmental Plan 1998 is amended by inserting at the end of Schedule 10 the following words:

Lots 1, 3 and 4, Section 33, DP 758767, Carcoar and Egbert Streets, Neville—erection of only one dwelling-house on each of the 3 lots, but only if the Council is satisfied that each lot:

- (a) will have an adequate area, and be suitable, for the on-site disposal of effluent (having regard to sustainable natural resource management principles), as set out in a geotechnical or water balance report prepared (in the opinion of the Council) by a suitably qualified person, and
- (b) will be provided with an adequate water supply for domestic and firefighting purposes, and
- (c) will have adequate access to the adjoining public road, and
- (d) will have access to electricity and telecommunications services.



New South Wales

Conargo Local Environmental Plan 1987 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (Q02/00346/PC)

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

Clause 1 Conargo Local Environmental Plan 1987 (Amendment No 3)

Conargo Local Environmental Plan 1987 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Conargo Local Environmental Plan 1987 (Amendment No 3)*.

2 Aims of plan

The aim of this plan is to replace a provision in *Conargo Local Environmental Plan 1987* that sets out the foreshore building line.

3 Land to which plan applies

This plan applies to all land to which *Conargo Local Environmental Plan 1987* applies.

4 Amendment of Conargo Local Environmental Plan 1987

Conargo Local Environmental Plan 1987 is amended as set out in Schedule 1.

Conargo Local Environmental Plan 1987 (Amendment No 3)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Clause 20

Omit the clause. Insert instead:

20 Foreshore building line

(1) In this clause:

bank means a change in slope that defines the extent of the bed of any lake or river.

bed means the land that contains any lake or river, including that which is alternatively inundated or left bare from a rise or fall in the supply of water, but does not include any land that is inundated only in a time of flood.

Billabong Creek Estate means Lots 2–8, 10–13, 15, 17, 18, 20–22 and 24–35, DP 285618, Parish of North Conargo, County of Townsend.

lake and *river* have the same meaning as they have in the *Water Management Act 2000*.

(2) A person must not erect a building or carry out work on land that is less than 70 metres from the bank of a lake or river specified in Schedule 3.

(3) Nothing in subclause (2) prevents a person from:

- (a) carrying out development for the purposes of irrigation, fencing or utility installations on any land, or
- (b) carrying out development for any other purpose, with the consent of the council, on land that is less than 70 metres but not less than 40 metres from a bank of Billabong Creek if that land is in the Billabong Creek Estate.

Natural Resources

WATER ACT 1912

APPLICATIONS for licences under section 10 of Part 2 of the Water Act 1912, have been received as follows:

Dougal Hamish Hamilton MACINTYRE and Philippa Jane MACINTYRE for a pump on the Hunter River on part Lot 1, DP 961491, Parish of Strathearn, County of Brisbane, for water supply for stock and domestic purposes (exempt from current embargo) (Reference: 20SL061416).

Bruce Bernhardt FOYE and Jan May FOYE for a pump on the Isis River on Lot 9, DP 270212, Parish of Alma, County of Brisbane, for irrigation of 17 hectares (improved pasture) (permanent water transfer – replacement licence) (Reference: 20SL061476).

SOUTH BICKHAM PASTORAL COMPANY PTY LIMITED for a pump on the Pages River on Lot 2, DP 1042278, Parish of Murulla, County of Brisbane, for irrigation of 33 hectares (lucerne) (permanent water transfer) (Reference: 20SL061480).

David Ian LOWE and Sally Maree LOWE for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (exempt from current embargo) (Reference: 20SL061482).

Gordon Robert THOMPSON for a pump on the Goulburn River on Lot 125, DP 750743, Parish of Collaroy, County of Bligh and Lot 14, DP 755422, Parish of Comiala, County of Phillip, for irrigation of 20 hectares (lucerne) (transfer of existing entitlement) (Reference: 20SL061481).

Richard Hamish Myles McLACHLAN and Sonia Maree CLANCY for a dam and pump on the Barnard River on Lot 3, DP 235165, Parishes of Yeerawun and Vant, both County of Hawes, for conservation of water for stock and domestic purposes and irrigation of 15 hectares (improved pasture) (Reference: 20SL061470).

Phillip GUEST and Mellisa GUEST for a pump on the Allyn River on Lot 131, DP 722324, Parish of Colonna, County of Durham, for irrigation of 2 hectares (improved pasture) (split of existing entitlement) (Reference: 20SL060307).

Any inquiries regarding the above should be directed to Brian McDougall on telephone number (02) 4929 9817.

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

MARK MIGNANELLI,
Resource Access Manager,
Hunter Region

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

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:

Belubula River Valley

Melvyn Lloyd SHREEVE for a pump on the Belubula River on 49//1057817, Parish of Chaucer, County of Bathurst, for irrigation of 5 hectares (lucerne, cherries and grape vines) (replacement licence – change in pump site) (Reference: 70SL091039) (GA2:466371).

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,
Resource Access Manager

Department of Infrastructure, Planning and
Natural Resources,
Central West Region, PO Box 136, Forbes NSW 2871.

WATER ACT 1912

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

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

Murrumbidgee Valley

Peter James HARVEY for a pump on Little Gilmore Creek, Lot 46, DP 1049978, Parish of Selwyn, County of Wynyard, for irrigation of 3 hectares (apples) (new licence as a result of a permanent transfer of 5 megalitres) (Reference: 40SL71053).

Any enquiries regarding the above should be directed to the undersigned (telephone: [02] 6953 0700).

Formal objections to the application specifying the grounds thereof, may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged with the Department at Leeton within the 28 days as fixed by the Act.

S. F. WEBB,
Resource Access Manager,
Murrumbidgee Region

Department of Infrastructure Planning and
Natural Resources,
PO Box 156, Leeton NSW 2705.

WATER ACT 1912

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

Malcolm Thomas HENRY and Julie Ann HENRY for a pump on Cattai Creek on Pt 6//247498, Parish of Pitt Town, County of Cumberland, for water supply for stock and domestic purposes (new licence) (not subject to the 1995 Hawkesbury/Nepean Embargo) (Reference: 10SL56644)(GA2:493398).

Any inquiries regarding the above should be directed to the undersigned (telephone: [02] 9895 7194).

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

WAYNE CONNERS,
Natural Resource Project Officer,
Sydney/South Coast Region

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

WATER ACT 1912

Narrabri Local Land Board

Notice of Hearing Under Part 2 of the Water Act 1912

THE Local Land Board for the Land District of Narrabri will sit at the Narrabri Court House, Narrabri on Thursday, 19 May 2005, commencing at 10:00 a.m.

The hearing will publicly inquire as to the desirability of granting an application under Part 2 of the Water Act 1912, for a licence by Glen Leslie HAMBLIN, Lynette Ethel HAMBLIN and Anthony Glen HAMBLIN for a pump on Maules Creek on Lot 50, DP 754948, Parish of Therribri, County of Nandewar, for irrigation purposes (L.O. Papers: 90SL100765).

GEOFF CAMERON,
Resource Access Manager

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

Department of Lands

FAR WEST REGIONAL OFFICE

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

Phone: (02) 6883 3000 Fax: (02) 6883 3099

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

E.P. O'Neill Park Reserve Trust.

COLUMN 2

Reserve No.: 70321.
Public Purpose: Public recreation.
Notified: 3 October 1941.
File No.: WL86 R 77/1.

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

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

SCHEDULE

COLUMN 1

Ultralight Aircraft Reserve Trust.

COLUMN 2

Reserve No.: 230050.
Public Purpose: Public recreation.
Notified: 23 September 1988.
File No.: WL88 R 148/1.

ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

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

*Administrative District – Bourke; Shire – Bourke;
Parish – East Bourke; County – Cowper.*

The purpose of Western Lands Lease 14377, being the land contained within Folio Identifier 2/1057615 has been altered from "Irrigation and Mixed Farming" to "Local Government Purposes (Levee Bank)" effective from 2 May 2005.

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

The conditions previously annexed to Western Lands Lease 14377 have been revoked and the following conditions have been annexed thereto.

CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14377

- (1) In the conditions annexed to the lease, the expression "the Minister" means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression "the Commissioner" means the Commissioner charged with the administration of the Western Lands Act 1901 ("the Act") in accordance with section 4(2) of the Act.
- (3)
 - (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty's Heirs and Successors and the Minister.
 - (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder's use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
 - (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
 - (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.

- (6) (a) "GST" means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
- "GST law" includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (10) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (11) The land leased shall be used only for the purpose of Local Government Purposes (Levee Bank).
- (12) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (16) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (17) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (18) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (19) The lessee shall not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
- (20) The lessee shall erect gates on roads within the land leased when and where directed by the Commissioner for public use and shall maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (21) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee shall not obstruct access or passage by any member of the public to or along the bank.

- (22) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.
- (23) The lessee shall comply with requirements of section 18DB of the Western Lands Act 1901 which provides that, except in the circumstances referred to in subsection (4) of that section, any native vegetation on the land the subject of the lease, and any part of the land that is protected land, must not be cleared except in accordance with the Native Vegetation Conservation Act 1997.
- (24) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Department has first been obtained and any condition to which the consent is subject under subsection (6) is complied with.
- (25) Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing or firewood, carefully preserve all timber, scrub, vegetative cover and any regeneration thereof (except noxious plants and those "woody weeds" specified in Clause 28(1) and parts 9 and 13 in Schedule 4 of the Regulations) on the following parts of the land leased:
- between the banks of, and within strips at least 20 metres wide along each bank of, any creek or defined watercourse;
 - within strips at least 30 metres wide on each side of the centre line of any depression, the sides of which have slopes in excess of 1 (vertically) in 4 (horizontally), that is, approximately 14 degrees;
 - where the slopes are steeper than 1 (vertically) in 3 (horizontally), that is, approximately 18 degrees;
 - within strips not less than 60 metres wide along the tops of any ranges and main ridges;
 - not in contravention of section 21CA of the Soil Conservation Act 1938.
- In addition to the foregoing requirements of this condition, the lessee shall preserve on so much of the land leased as is not the subject of a clearing licence (where possible, in well distributed clumps or strips) not less than an average of 30 established trees per hectare, together with any other timber, vegetative cover or any regeneration thereof which may, from time to time, be determined by the Commissioner to be useful or necessary for soil conservation or erosion mitigation purposes or for shade and shelter.
- (26) The lessee shall not interfere with the timber on any of the land leased which is within a State forest, timber reserve or flora reserve unless authorisation has been obtained under the provisions of the Forestry Act 1916 and shall not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and shall not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless a clearing licence has been issued in accordance with the Native Vegetation Conservation Act 1997, but the lessee may take such timber as the lessee may reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.
- (27) The lessee shall take all necessary steps to protect the land leased from bush fire.
- (28) The lessee shall, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and shall keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (29) The lessee shall not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry licence under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.

GRANTING OF A WESTERN LANDS LEASE

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Lease of the land specified has been granted to the undermentioned persons.

The lease is subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder and to the special conditions, provisions, exceptions, covenants and reservations set out hereunder.

The land is to be used only for the purpose for which the lease is granted.

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

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

*Administrative District – Broken Hill;
Shire – Unincorporated Area;*

Parishes – Bligh and Badjerrigarn; County – Farnell.

Western Lands Lease 14501 was granted to Reginald James HALL, comprising Lot 6537, DP 766183 (Folio Identifier 6537/766183), of 3407 hectares, for the purpose of "Grazing" for a term of 40 years commencing 4 March 2005 and expiring 3 March 2045.

Papers: WLL 14501.

CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14501

- (1) In the conditions annexed to the lease, the expression "the Minister" means the Minister administering the Western Lands Act 1901, and any power, authority,

duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.

- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
- (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
“GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee’s own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (10) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (11) The land leased shall be used only for the purpose of Grazing.
- (12) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters

- or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (16) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except to the satisfaction of the Commissioner.
- (17) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (18) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (19) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (20) The lessee shall not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
- (21) The lessee shall erect gates on roads within the land leased when and where directed by the Commissioner for public use and shall maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (22) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee shall not obstruct access or passage by any member of the public to or along the bank.
- (23) Any part of a reserve for travelling stock, camping or water supply within the land leased shall, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee shall post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing the land leased, the lessee shall provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities shall be erected and maintained to the satisfaction of the Commissioner. The lessee shall not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.
- (24) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.
- (25) The lessee shall comply with requirements of section 18DB of the Western Lands Act 1901 which provides that, except in the circumstances referred to in subsection (4) of that section, any native vegetation on the land the subject of the lease, and any part of the land that is protected land, must not be cleared except in accordance with the Native Vegetation Conservation Act 1997.
- (26) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Department has first been obtained and any condition to which the consent is subject under subsection (6) is complied with.
- (27) Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing or firewood, carefully preserve all timber, scrub, vegetative cover and any regeneration thereof (except noxious plants and those "woody weeds" specified in Clause 28(1) and parts 9 and 13 in Schedule 4 of the Regulations) on the following parts of the land leased:
- between the banks of, and within strips at least 20 metres wide along each bank of, any creek or defined watercourse;
 - within strips at least 30 metres wide on each side of the centre line of any depression, the sides of which have slopes in excess of 1 (vertically) in 4 (horizontally), that is, approximately 14 degrees;
 - where the slopes are steeper than 1 (vertically) in 3 (horizontally), that is, approximately 18 degrees;
 - within strips not less than 60 metres wide along the tops of any ranges and main ridges;
 - not in contravention of section 21CA of the Soil Conservation Act 1938.
- In addition to the foregoing requirements of this condition, the lessee shall preserve on so much of the land leased as is not the subject of a clearing licence (where possible, in well distributed clumps or strips) not less than an average of 30 established trees per hectare, together with any other timber, vegetative cover or any regeneration thereof which may, from time to time, be determined by the Commissioner to be useful or necessary for soil conservation or erosion mitigation purposes or for shade and shelter.
- (28) The lessee shall not interfere with the timber on any of the land leased which is within a State forest, timber reserve or flora reserve unless authorisation has been obtained under the provisions of the Forestry Act 1916 and shall not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and shall not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless a clearing licence has been issued in accordance with the Native Vegetation Conservation Act 1997, but the lessee may take such timber as the lessee may reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.

- (29) The lessee shall take all necessary steps to protect the land leased from bush fire.
- (30) The lessee shall, as the Commissioner may from time to time direct, foster and cultivate on the land leased such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.
- (31) Whenever so directed by the Commissioner, the lessee shall, on such part or parts of the land leased as shall be specified in the direction, carry out agricultural practices, or refrain from agricultural practices, of such types and for such periods as the Commissioner may in the direction specify.
- (32) The lessee shall not overstock, or permit or allow to be overstocked, the land leased and the decision of the Commissioner as to what constitutes overstocking shall be final and the lessee shall comply with any directions of the Commissioner to prevent or discontinue overstocking.
- (33) The lessee shall, if the Commissioner so directs, prevent the use by stock of any part of the land leased for such periods as the Commissioner considers necessary to permit of the natural reseedling and regeneration of vegetation and, for that purpose, the lessee shall erect within the time appointed by the Commissioner such fencing as the Commissioner may consider necessary.
- (34) The lessee shall furnish such returns and statements as the Commissioner may from time to time require on any matter connected with the land leased or any other land (whether within or outside the Western Division) in which the lessee has an interest.
- (35) The lessee shall, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and shall keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (36) The lessee shall not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry license under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.

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.

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

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

WLL No.	Name of Lessee	Lot	Deposited Plan	Folio Identifier	Area (m2)	Term of Lease	
						From	To
14493	Slavko and Yvonne RAZUM	180	1076808	180/1076808	3144	2.5.2005	1.5.2025

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

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

COLUMN 1

Kyogle Homes for the Aged
 (R89196) Reserve Trust.

COLUMN 2

Reserve No.: 89196.
 Public Purpose: Homes for the
 aged.
 Notified: 17 May 1974.
 File No.: GF83 R 26.

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 the 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

Land District – Murwillumbah;
L.G.A. – Tweed Shire Council.

Roads Closed: Lots 1, 2, 3, 4, 5, 6, 7 and 8, DP 1080842
 at Chinderah, Parish Cudgen, County Rous.

File No.: GF00 H 169.

 SCHEDULE

On closing, the land within Lots 1, 2, 3, 4, 5, 6, 7 and 8, DP 1080842 becomes vested in Tweed Shire Council as operational land for the purposes of the Local Government Act 1993.

Councils Reference: R1071.

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

NOTIFICATION OF CLOSING OF A ROAD

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

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

 Description

Land District – Mirrool; Shire – Griffith.

Road Closed: Lot 2, DP 1080649 at Yenda, Parish Yenda,
 County Cooper.

File No.: GH99 H 83.

Note: On closing, the land within Lot 2, DP 1080649 remains
 vested in the State of New South Wales as Crown
 Land.

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

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder, are appointed for the terms of office specified 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
The person for the time being holding the office of Councillor, Parkes Shire Council (ex-officio member), Donal James McKEOWEN (new member), Dennis Eric JAMES (new member), Sarah MacMillan JAMES (new member), Ronald Thomas UMBERS (new member), Dennis James BENNETT (new member), Horace Richard RAWSON (re-appointment).	Bogan Gate Reserve Trust.	Reserve No.: 87931. Public Purpose: Preservation of timber and preservation of native flora and fauna. Notified: 4 September 1970. File No.: OE93 R 22/2.

Term of Office

For a term commencing this day and expiring 28 April 2010.

CROWN LANDS ACT 1989

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 hereby declared to be Crown Land within the meaning of that Act.

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

SCHEDULE

*Land District and Local Government Area – Lithgow;
Town – Wallerawang; Parish – Lidsdale; County – Cook.*

The land situated at 12 Blaxland Street, Wallerawang and being Lot 30, DP 258806 of 670 square metres.

File No.: OE04 H 577.

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

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

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

SCHEDULE

COLUMN 1

North Haven Caravan Park Reserve (R83995) Trust.

COLUMN 2

Reserve No.: 83995.
Public Purpose: Camping and public recreation.
Notified: 21 September 1962.
Parish: Queens Lake.
County: Macquarie.
File No.: TE80 R 2.

ROADS ACT 1993

ORDER

Transfer of Crown Public Road to a Council

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

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

SCHEDULE 1

*Parish – Johns River; County – Macquarie;
Land District – Taree;
Local Government Area – Hastings.*

Crown public roads at Kendall being Raymond Street and parts (2) of Graham Street between the eastern boundary of Lot 2, section A, DP 5678 to Raymond Street and east of Raymond Street to Comboyne Street.

SCHEDULE 2

Roads Authority: Hastings Council.

File No.: TE03 H 108.

REVOCAION 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: Taree.
Local Government Area: Greater Taree City Council.
Locality: Taree.
Reserve No.: 93903.
Public Purpose: Soil Conservation Service depot site.
Notified: 24 October 1980.
File No.: TE05 H 50.

COLUMN 2

The whole being Lot 255, DP 41241, Parish Taree, County Macquarie, Area 4280 square metres.

**DRAFT ASSESSMENT OF LAND UNDER PART 3
OF THE CROWN LANDS ACT 1989 AND CROWN
LANDS REGULATION 2000**

THE Minister for Lands has prepared a draft land assessment for the Crown Land described hereunder.

Inspection of this draft assessment can be made at the Department of Lands, 98 Victoria Street, Taree and at the Offices of Gloucester Shire Council during normal business hours.

Representations are invited from the public on the draft assessment. These may be made in writing for a period commencing from 6 May 2005 to 3 June 2005 and should be sent to the Manager, Mid North Coast, Department of Lands, PO Box 440, Taree NSW 2430. Telephone enquiries should be directed to the Taree office on (02) 6552 2788.

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

Description

Approximately 3.5 hectares of Crown Land located along Cravens Creek near Rookhurst within Parish of Craven, County of Gloucester.

Reason: To determine appropriate future land use and management options of the Crown Land.

Contact Officer: Mr Bob Birse.

File No.: TE80 H 2461.

WAGGA WAGGA OFFICE**Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650****Phone: (02) 6937 2700 Fax: (02) 6921 1851****CORRECTION OF DEFECTIVE INSTRUMENT**

IN the *Government Gazette* dated 22 April 2005, Folio 1482, under the heading "NOTIFICATION OF CLOSING OF A ROAD" the description of the roads closed in the Parish of Wantiool, County Clarendon, should be amended by deleting "Lot 1, DP 1075881 and Lot 1, DP 1075882" and inserting instead "Lot 1, DP 1075881 and Lots 1 and 3, DP 1075882".

File No.: WA01 H 9.

Department of Primary Industries

Agriculture

STOCK DISEASES ACT 1923

Notification No. 1793 – Footrot

Revocation of “The Towers”, “Kurrajong Heights”,
“Part Lynlea Park”, “The Corridor” and “Mount Darling”
Footrot Quarantine Areas – FROGMORE

I, IAN MACDONALD, M.L.C., NSW Minister for Primary Industries, pursuant to sections 3(2)(a) and 10 of the Stock Diseases Act 1923, revoke Notification Nos. 1687, 1688, 1689, 1690 and 1691 – Footrot, published in *Government Gazette* No. 38 of 8 February 2002, at pages 757 and 758 and any Notification revived as a result of that revocation.

Dated this 27th day of April 2005.

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

NSW Fisheries

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Final Determination with Respect to a Designated Fishing Activity under Section 115O(5) of the Environmental Planning and Assessment Act 1979

I, the Minister for Primary Industries, under section 115O(4)(b) of the Environmental Planning and Assessment Act 1979 and in accordance with section 115P of that Act, make a final determination with respect to the designated fishing activity referred to in Schedule 1 by permitting the designated fishing activity to be carried out, subject to the modifications set out in Schedule 2.

I have required the modifications to reduce the detrimental effect of the activity on the environment and to ensure that the determination accords with the conditions placed on the approval by the Minister for Infrastructure and Planning and Minister for Natural Resources.

I have examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the designated fishing activity. I have considered inter alia the Environmental Impact Statement published by NSW Fisheries in November 2003 and the representations duly received with respect to the designated fishing activity to which the statement relates.

Dated: Sydney, 7 April 2005.

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

SCHEDULE 1

Designated fishing activity:

Fish stocking as specified in Schedule 1A of the Fisheries Management Act 1994, conducted in freshwater.

SCHEDULE 2 (Modifications)

The draft fishery management strategy exhibited in November 2003 as part of the Environmental Impact Statement for the designated fishing activity is revised so as to incorporate:

- (1) the amendments expressly stated in the preferred strategy report prepared for the activity dated 6 April 2004, and
- (2) the conditions placed on the approval by the Minister for Infrastructure and Planning and Minister for Natural Resources under section 115P of the Environmental Planning and Assessment Act 1979, dated 18 February 2005.

Roads and Traffic Authority

ROADS ACT 1993

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

NARRABRI 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.

IAN McCALLUM,
General Manager,
Narrabri Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Narrabri Shire Council B-Doubles Notice No. 2/2005.

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

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

5. Routes

B-Double routes within the Narrabri Shire Council.

Type	Road No.	Road Name	Starting point	Finishing point	Conditions
25	SR7	Couradda Road, (Narrabri)	Newell Highway (SH17)	Mellburra Road (SR3)	

ROADS ACT 1993

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

NARRABRI 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.

IAN McCALLUM,
General Manager,
Narrabri Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Narrabri Shire Council B-Doubles Notice No. 3/2005.

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

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

5. Routes

B-Double routes within the Narrabri Shire Council.

Type	Road No.	Road Name	Starting point	Finishing point	Conditions
25	MR133	Killarney Gap Road, (Narrabri)	Newell Highway (SH17)	5km east of Mellburra Road (SR3) intersection	

ROADS ACT 1993

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

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

PAUL O'SULLIVAN,
General Manager,
Lismore City Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Lismore City Council B-Doubles Notice No. 01-2005.

2. Commencement

This Notice takes effect from date of gazettal.

3. Effect

This Notice remains in force until 1 May 2010, unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Lismore City Council.

Type	Road No.	Road Name	Starting point	Finishing point	Conditions
25m	306	Dunoon Road	Alexandra Parade	92 Dunoon Road	

ROADS ACT 1993

Notice Under the Roads Transport (Mass, Loading and Access) Regulation 1996

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

ALAN McCORMACK,
General Manager,
Parkes Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Parkes Shire Council (Road Trains) Repeal Notice No. 2/2005.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

The Parkes Shire Council Road Trains Notice No. 2/2005 is amended by omitting the following from that Notice:

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
RT		Blaxland Street, Parkes	Hartigan Avenue, Parkes	Shire Road 51 (London Road)	Speed Restriction 80km/hr Access prohibited 8.20am to 8.50am and 3.40pm to 4.10pm on school days During periods of wet weather, Parkes Shire Council to be consulted regarding possible road closures
RT	SR 51	London Road	Blaxland Street, Parkes	Westlime Depot	Speed Restriction 80km/hr Access prohibited 8.20am to 8.50am and 3.40pm to 4.10pm on school days During periods of wet weather, Parkes Shire Council to be consulted regarding possible road closures

ROADS ACT 1993

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

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

ALAN McCORMACK,
General Manager,
Parkes Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Parkes Shire Council Road Trains Notice No. 3/2005.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until further notice.

4. Application

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

5. Routes

Road Train routes within the Parkes Shire Council.

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
RT		Blaxland Street, Parkes	Hartigan Avenue, Parkes	Shire Road 47 (London Road)	Speed Restriction 80km/hr Access prohibited 8.20am to 8.50am and 3.40pm to 4.10pm on school days During periods of wet weather, Parkes Shire Council to be consulted regarding possible road closures
RT	SR 47	London Road	Blaxland Street, Parkes	Westlime Depot	Speed Restriction 80km/hr Access prohibited 8.20am to 8.50am and 3.40pm to 4.10pm on school days During periods of wet weather, Parkes Shire Council to be consulted regarding possible road closures

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

Notice of Compulsory Acquisition of Land at Mayfield in
the Newcastle City Council area

THE Roads and Traffic Authority of New South Wales by
its delegate declares, with the approval of Her Excellency
the Governor, that the land described in the Schedule below
is acquired by compulsory process under the provisions of
the Land Acquisition (Just Terms Compensation) Act 1991
for the purposes of the Roads Act 1993.

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

SCHEDULE

ALL those pieces or parcels of land situated in the
Newcastle City Council area, Parish of Newcastle and
County of Northumberland, shown as:

Lot 1 Deposited Plan 228794, being part of the land
remaining in Certificate of Title Volume 8439 Folio 152;

Lot 2 Deposited Plan 228794, being the whole of the land in
Certificate of Title 2/228794;

Lot 3 Deposited Plan 228794, being the whole of the land in
Conveyance No 472 Book 2889;

Lot 4 Deposited Plan 228794, being the whole of the land in
Conveyance No 776 Book 2840;

Lots 5 and 7 Deposited Plan 228794, being parts of the land
remaining in Certificate of Title Volume 6245 Folio 222;

Lot 6 Deposited Plan 228794, being the whole of the land in
Conveyance No 144 Book 2766;

Lot 8 Deposited Plan 228794, being the whole of the land
remaining in Certificate of Title Volume 9250 Folio 216;

Lot 9 Deposited Plan 228794, being the whole of the land
remaining in Certificate of Title Volume 2662 Folio 188;

Lot 10 Deposited Plan 228794, being the whole of the land
remaining in Certificate of Title Volume 7914 Folio 221;

Lot 1 Deposited Plan 230015, being part of the land
remaining in Certificate of Title Volume 8439 Folio 152;

Lot 1 Deposited Plan 523584, being the whole of the land in
Conveyance No 734 Book 2848;

Lot 1 Deposited Plan 546598, being the whole of the land in
Certificate of Title Auto Consol 11945-234; and

Lot 4 Deposited Plan 232423, being the whole of the land in
Certificates of Title 1/210284, 2/210284, 3/210284,
4/210284; the whole of the land remaining in Certificate of
Title Volume 3762 Folio 201 and parts of the land remaining
in Certificates of Title Volume 7285 Folio 45 and Volume
2752 Folio 122;

excluding any existing easements from the compulsory
acquisition of the land listed above.

The land is said to be in the possession of Newcastle City
Council.

(RTA Papers FPP 5M1284; RO 325.11147)

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making a Vocational Training Order

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

Citation

The Order is cited as the Caravan Operations Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of:

Qualification	Nominal Term
Certificate II	12 months
Certificate III (direct entry)	24 months
Certificate III (trainee holds Certificate II in same qualification or has attained the competencies through prior learning or industry experience)	12 months
Certificate IV (direct entry)	36 months
Certificate IV (trainee holds Certificate III in same qualification or has attained the competencies through prior learning or industry experience)	12 months

or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) Part-time

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

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

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

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competence specified in the Caravan Training Package.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Recreational Vehicle Manufacturing

Certificate II in Recreational Vehicle Manufacturing
THC20104

Certificate III in Recreational Vehicle Manufacturing
THC30104

Certificate IV in Recreational Vehicle Manufacturing
THC40104

Recreational Vehicle Servicing

Certificate II in Recreational Vehicle Servicing
THC20204

Certificate III in Recreational Vehicle Servicing
THC30204

Certificate IV in Recreational Vehicle Servicing
THC40204

Recreational Vehicle and Accessories Retailing

Certificate II in Recreational Vehicle and Accessories Retailing
THC20304

Certificate III in Recreational Vehicle and Accessories Retailing
THC30304

Certificate IV in Recreational Vehicle and Accessories
Retailing THC40304

Caravan Parks

Certificate II in Caravan Park Operations
THC20404

Certificate III in Caravan Park Operations
THC30404

Certificate IV in Caravan Park Supervision
THC40404

Availability for Inspection

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

CONTAMINATED LAND MANAGEMENT ACT 1997

Environment Protection Authority

Declaration of Remediation Site

Section 21 of the Contaminated Land Management Act
1997

Declaration No. 21061

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

1. Land to which this declaration applies ("the site")

The site to which this declaration relates is described as:

– Lot A in Deposited Plan 109583, High Street, North Sydney, NSW;

also known as the HMAS Platypus site, in the local government area of North Sydney.

2. Nature of the substances causing the contamination:

- Waste liquid tar, which comprises Polycyclic Aromatic Hydrocarbons (PAHs) and a wide range of Total Petroleum Hydrocarbons (TPHs);
- Benzene, Toluene, Ethylbenzene, Xylene (BTEX);
- Ammonia;
- Cyanide;
- Phenols;
- Arsenic;
- Cadmium;
- Chromium;
- Copper;
- Lead;
- Nickel; and
- Zinc.

3. Nature of harm that the substance may cause:

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

- Waste liquid tar is present in groundwater at the site.
- PAHs, TPHs, BTEX, ammonia, cyanide, phenols, arsenic, cadmium, chromium, copper, lead, nickel and zinc is present in groundwater at the site in concentrations that exceed the ANZECC (2000) 95% trigger values for the protection of aquatic (marine) ecosystems.

There is a significant risk that:

- Harm will be caused to the environment, including the aquatic organisms of Neutral Bay, through the potential off-site migration of contaminants through groundwater.
- Harm will be caused to humans who use adjacent properties, groundwater and potentially waters of Neutral Bay, as a result of contaminated soil and groundwater at the site.

4. Further action under the Act

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

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Department of Environment and Conservation,
PO Box A290,
Sydney South NSW 1232,
or faxed to: (02) 9995 5930,

by not later than 10 June 2005.

Dated: 4 May 2005.

CAROLYN STRANGE,
Director,
Contaminated Sites

NOTE:

Remediation order may follow

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

Variation/Revocation

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

Information recorded by the EPA

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

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently an area covered by a declaration issued under the Act. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is removed.

CONTAMINATED LAND MANAGEMENT ACT 1997

Environment Protection Authority

Declaration of Investigation Area

Section 15 of the Contaminated Land Management Act
1997

Declaration No. 15028

THE Environment Protection Authority (the "EPA") declares the following land to be an investigation area under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The bed of Neutral Bay adjacent to the former North Sydney Gasworks, High Street, North Sydney. The site comprises the north-west part of Neutral Bay adjacent to the land parcel of Lot A in DP109583 (also known as the HMAS Platypus site) being part of a former gasworks.

A map which shows the site as "Investigation Area", encompassed by the thick black line, has been prepared and is available for inspection at the Department of Environment and Conservation's Head Office, Level 15, 59-61 Goulburn Street, Sydney.

**2. Nature of the substances causing the contamination**

- Polycyclic aromatic hydrocarbons (PAHs), including benzo(a)pyrene;
- Mercury; and
- Tributyltin.

3. Reasons for the declaration

The EPA has considered the matters in section 9 of the Act and has reasonable grounds to believe that the site is contaminated in such a way as to present a significant risk of harm for the following reasons:

- PAHs (including benzo(a)pyrene), metals (in particular mercury) and TBT are present in near shore sediments in concentrations significantly exceeding the upper interim sediment quality guideline trigger values (ISQG-high) in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000). The trigger values represent a value above which further investigation is required, as per the decision tree for the assessment of contaminated sediments in Figure 3.5.1 of ANZECC 2000.

- It is highly likely that benthic organisms are in direct contact with the contaminated sediments.
- There is the potential for human exposure through remobilisation of contaminants into the water column and/or aquatic food chain.

Note: Exposure pathways are likely to increase in the future if the adjoining HMAS Platypus site is redeveloped with anticipated increase of human activities at the near shore where the levels of contaminants are most significant. However, this declaration relates to the current land use.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary investigation of the area and any person may submit a voluntary investigation proposal for the area to the EPA. If the proposal satisfies the requirements of section 19 of the Act, the EPA may agree to the proposal and not issue an investigation order.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether it should issue an investigation order in relation to the site; and/or
- Any other matter concerning the area.

Submissions should be sent in writing to:

Acting Director Contaminated Sites,
Environment Protection Authority,
PO Box A290,
Sydney South NSW 1232,

or faxed to: (02) 9995 5930,

by not later than 10 June 2005.

Dated: 4 May 2005.

CAROLYN STRANGE,
Director,
Contaminated Sites

NOTE:**Investigation order may follow**

If investigation of the area or part of the area is required, the EPA may issue an investigation order under section 17 of the Act.

Variation/Revocation

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

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this investigation declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to inform the relevant local council as soon as practicable that this declaration has been made. The council is then required to note on its planning certificate issued pursuant to section 149 (2) of the Environmental Planning and Assessment Act that the land is currently within an investigation area. The

EPA is required to notify council as soon as practicable when the declaration is no longer in force and the council is then required to remove the notation on the section 149 (2) certificate is removed.

Voluntary investigation

The making of this declaration does not prevent the carrying out of a voluntary investigation of the site by any person.

CO-OPERATIVES ACT 1992

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

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

Name of Co-operative:

Clarence River Tea Tree Co-operative Ltd.

Dated this 29th day of April 2005.

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

CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

MARIE BASHIR, Governor

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to section 226(4) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, revoke the proclamations published in the *Government Gazette* of 19 October 2001 and 2 August 2002, which declared Broken Hill Periodic Detention Centre to be a periodic detention centre, to the extent that those Proclamations concerned Broken Hill Periodic Detention Centre.

This Proclamation is to take effect on and from the date of publication in the *Government Gazette*.

Signed and sealed at Sydney, this 27th day of April 2005.

By Her Excellency's Command,
JOHN HATZISTERGOS, M.L.C.,
Minister for Justice

GOD SAVE THE QUEEN!

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:

Wollongong, 10:00 a.m., 24 October 2005 (2 weeks),
Special Fixture.

Dated this 28th day of April 2005.

R. O. BLANCH,
Chief Judge

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

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

Wollongong, 10:00 a.m., 22 August 2005 (3 weeks), in lieu of 22 August 2005 (5 weeks).

Dated this 29th of April 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:

Coffs Harbour, 10:00 a.m., 16 May 2005 (2 weeks), in lieu of 9 May 2005 (3 weeks).

Dated this 30th day of April 2005.

R. O. BLANCH,
Chief Judge

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:	Burrill Lake Lions Park.
Designation:	Reserve.
L.G.A.:	Shoalhaven City Council.
Parish:	Woodburn.
County:	St Vincent.
L.P.I. Map:	Tabourie.
1:100,000 Map:	Ulladulla 8927.
Reference:	GNB 5046.

Proposed Name:	Smithys Point.
Designation:	Point.
L.G.A.:	Shoalhaven City Council.
Parish:	Woodburn.
County:	St Vincent.
L.P.I. Map:	Tabourie.
1:100,000 Map:	Ulladulla 8927.
Reference:	GNB 5046.

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.

WARWICK WATKINS,
Chairperson

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

HOUSING ACT 2001

Notification of Compulsory Acquisition of Land

THE New South Wales Land and Housing Corporation declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition Act (Just Terms Compensation) Act 1991, for the purposes of the Housing Act 2001.

Dated at Ashfield this 31st day of March 2005.

MIKE ALLEN,
A/Director General

SCHEDULE

The land shown as Lot 1 on the plan of land at Dharruk, in the Local Government Area of Blacktown, Parish of Rooty Hill, County of Cumberland, registered at Land and Property Information NSW as Deposited Plan No. 1033709.

HOUSING ACT 2001

Notification of Compulsory Acquisition of Land

THE New South Wales Land and Housing Corporation declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition Act (Just Terms Compensation) Act 1991, for the purposes of the Housing Act 2001.

Dated at Ashfield this 31st day of March 2005.

MIKE ALLEN,
A/Director General

SCHEDULE

The land shown as Lot 41 on the plan of land at Bidwill, in the Local Government Area of Blacktown, Parish of Rooty Hill, County of Cumberland, registered at Land and Property Information NSW as Deposited Plan No. 1074084.

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

New England Team Incorporating:
Armidale Dumaresq Council;
Guyra Shire Council;
Walcha Council;
Uralla Shire Council.

The Local Bush Fire Danger period has been extended for the period 1 May until 31 May 2005.

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

MARK CROSWELLER, AFSM,
Assistant Commissioner,
Executive Director,
Operations and Regional Management
(delegate)

SUBORDINATE LEGISLATION ACT 1989

Department of Gaming and Racing

Proposed Racing Administration Regulation 2005

IN accordance with the Subordinate Legislation Act 1989, notice is given of an intention to make the abovementioned Regulation.

The existing Racing Administration Regulation 1999, is due for staged repeal on 1 September 2005, pursuant to the provisions of the Subordinate Legislation Act 1989 and it is intended to remake that Regulation, with minor amendments.

The proposed Regulation deals with the following matters:

- (a) responsible gambling practices,
- (b) exemption from prohibition on the publication of betting information, and
- (c) exemption from offence provisions relating to on-line service providers.

A Regulatory Impact Statement (RIS) has been prepared which includes a copy of the Public consultation draft Regulation. Comments and submissions on the proposed Regulation are invited from interested persons. A copy of the RIS may be obtained from the NSW Office of Racing, Department of Gaming and Racing, Level 7, 323 Castlereagh Street, Sydney, or by telephoning (02) 9995 0400 during business hours.

Written comments and submissions should be marked for the attention of Mr Greg Semmler and forwarded to:

Racing Administration Regulation Review,
Office of Racing,
Department of Gaming and Racing,
GPO Box 7060,
Sydney NSW 2001.

Facsimile: (02) 9995 0466.

E-mail: gsemmler@dgr.nsw.gov.au.

Closing date for submissions is 31 May 2005.

SUBORDINATE LEGISLATION ACT 1989

Department of Gaming and Racing

Proposed Totalizator Regulation 2005

IN accordance with the Subordinate Legislation Act 1989, notice is given of an intention to make the abovementioned Regulation.

The existing Totalizator Regulation 1998, is due for staged repeal on 1 September 2005, pursuant to the provisions of the Subordinate Legislation Act 1989 and it is intended to remake that Regulation, with minor amendments.

The proposed Regulation deals with the following matters:

- (a) relevant interests in the total number of voting shares in a licensee,
- (b) responsible gambling practices, and
- (c) the prescription of key employees in relation to the conduct of a totalizator.

A Regulatory Impact Statement (RIS) has been prepared which includes a copy of the Public consultation draft Regulation. Comments and submissions on the proposed

Regulation are invited from interested persons. A copy of the RIS may be obtained from the NSW Office of Racing, Department of Gaming and Racing, Level 7, 323 Castlereagh Street, Sydney, or by telephoning (02) 9995 0400 during business hours.

Written comments and submissions should be marked for the attention of Mr Greg Semmler and forwarded to:

Totalizator Regulation Review,
Office of Racing,
Department of Gaming and Racing,
GPO Box 7060, Sydney NSW 2001.
Facsimile: (02) 9995 0466.
E-mail: gsemmler@dgr.nsw.gov.au.
Closing date for submissions is 31 May 2005.

THREATENED SPECIES CONSERVATION ACT 1995

Notice of Preliminary Determinations

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support proposals to list the following in the relevant Schedules of the Act.

Endangered Species (Part 1 of Schedule 1)

Phebalium bifidum P.H. Weston & M Turton, a shrub
Senecio linearifolius var. *dangarensis* Belcher ex I.Thomps., a shrub

Any person may make a written submission regarding these Preliminary Determinations, which should be forwarded to:

Scientific Committee,
PO Box 1967,
Hurstville NSW 2220.

Attention: Suzanne Chate, Executive Officer.

Submissions must be received by 1st July 2005.

Copies of these Determinations, which contain the reasons for the determinations, may be obtained free of charge:

On the Internet www.nationalparks.nsw.gov.au,
By contacting the Scientific Committee Support Unit,
C/- Department of Environment and Conservation,
PO Box 1967, Hurstville 2220.

Tel: (02) 9585 6940 or Fax (02) 9585 6606.

In person at The National Parks Centre, 102 George Street, The Rocks, Sydney and The Department of Environment and Conservation Information Centre, Level 14, 59-61 Goulburn Street, Sydney.

Copies of the determinations may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

Dr LESLEY HUGHES,
Chairperson,
Scientific Committee

TRANSPORT ADMINISTRATION ACT 1988 NO. 109

THE Minister for Transport has approved of the closure of the following public level crossings under section 99 B of the Transport Administration Act 1998 No. 109:

Public Level Crossings at Lochinvar, Winders Lane on the Main Northern rail line at rail kilometres 200.766

All rights, easements and privileges in relation to this level crossing are now extinguished.

JOHN ARTHUR WATKINS, M.P.,
Minister for Transport

WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION ACT 1998

Workplace Injury Management and Workers Compensation (Injury Management Consultants) Order 2005

I, JON BLACKWELL, the Chief Executive Officer of the WorkCover Authority of New South Wales, under s.339 of the Workplace Injury Management and Workers Compensation Act 1998, make the following Order.

Dated this 26th day of April 2005.

JON BLACKWELL,
Chief Executive Officer,
WorkCover Authority

Workplace Injury Management and Workers Compensation (Injury Management Consultants) Order 2005

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Part 1 – Preliminary

- 1 Name of order
- 2 Commencement
- 3 Definitions
- 4 Application of order

Part 2 – Fees for medical assessments

- 5 Fees for Injury Management Consultants
 - 6 GST
- Schedule 1 Rates for Injury Management Consultants

Workplace Injury Management and Workers Compensation (Injury Management Consultants) Order 2005

under the

Workplace Injury Management and Workers Compensation Act 1998

Part 1 – Preliminary

1 Name of Order

This Order is the Workplace Injury Management and Workers Compensation (Injury Management Consultants) Order 2005.

2 Commencement

This Order commences on gazettal.

3 Definitions

In this order:

the Act means the Workplace Injury Management and Workers Compensation Act 1998; and

GST means the goods and services tax payable under the GST Law; and

GST Law has the same meaning as in the A New Tax System (Goods and Services Tax) Act 1999 (Cth); and

4 Application of order

This order only applies to medical practitioners registered under the Medical Practice Act 1992 (NSW).

Part 2 – Fees for Injury Management Consultants**5 Fees for Injury Management Consultants**

- (a) For the purposes of section 339 of the Act, the maximum hourly fee for the provision of services by an injury management consultant in respect of the provision of any report for use in connection with a claim for compensation or work injury damages and an appearance as a witness in proceedings before the Commission or a court in connection with a claim for compensation or work injury damages is as set out Schedule 1; and
- (b) an injury management consultant may not charge for more than 3 hours of work in the absence of express written agreement from the relevant insurer or the Workers Compensation Commission.

6 GST

The maximum fees provided for in clause 5 are exclusive of GST.

SCHEDULE 1
Rates for Injury Management Consultants

Service description	Fee
Assessments, examinations, discussions and report	\$220 per hour

CONTAMINATED LAND MANAGEMENT ACT 1997

Environment Protection Authority

Declaration of remediation site
(Section 21 of the Contaminated Land Management Act 1997)

Declaration Number 21040/Area UB 3368

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

1. Land to which this declaration applies ("the site")

The area indicated by the letter "K" on Additional Sheet 26 of DP 270249 registered on 16 December 2004 and described on that document as "easement for access and maintenance 20m wide and variable (DP270249) (DOC.1)". (A copy of Additional Sheet 26 of DP 270249 is attached).

Area "K" constitutes part of Lot 49 of DP 270249 and lies within the Steel River Project site, Industrial Drive, Mayfield NSW 2304.

The site is located within the Newcastle City Council area.

2. Nature of contamination affecting the site:

The EPA has found that the groundwater is contaminated with the following substances ("the contaminants"):

- total petroleum hydrocarbons (including benzene and toluene),
- polycyclic aromatic hydrocarbons,
- metals,
- phenols,
- cyanide, and
- ammonia.

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in s.9 of the Act and for the following reasons has determined that the groundwater is contaminated in such a way as to present a significant risk of harm to the environment.

The EPA has found that groundwater at the site, particularly in the northern area of the site adjacent to the Hunter River, is contaminated with the contaminants at concentrations exceeding the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000) trigger levels for the protection of 95% of marine species. In addition the concentration of total petroleum hydrocarbons indicates separate phase contamination.

There is a risk that contaminated groundwater may discharge from the site and ultimately impact on aquatic and benthic ecosystems of the Hunter River and its sediments and there is a potential for human and biota exposure pathways to the contamination.

This declaration relates solely to contamination in the groundwater at the site.

(The remediation of site soils is being undertaken in accordance with a remedial action plan titled Steel River Project – Remedial Action Plan Environmental Impact Statement and dated May 1997.)

4. Further action under the Act

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

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites,
Department of Environment and Conservation,
PO Box A290, Sydney South NSW 1232,

or faxed to (02) 9995 5930,

by not later than 3 June 2005.

Dated: 4 May 2005.

CAROLYN STRANGE,
Director, Contaminated Sites,
Department of Environment and Conservation

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Addendum to Tables A3 and A4 of the Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (EPA 1999)

THE Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (EPA 1999) under subpart (f) of '3.4.3 Rules for assessing and classifying non-liquid waste' (page 24) states that: "If the waste contains potentially toxic and/or ecotoxic contaminants not listed in Tables A3 and A4, the person doing the assessment must ask the EPA to provide assessment criteria for these contaminants and then must assess the waste against these criteria as well."

As a result of receiving requests, in accordance with the above requirement, the EPA has determined the following values of total concentration, for insertion into Table A3, and of leachable concentration and total concentration, for insertion into Table A4 of the Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (EPA 1999). Additional pesticide chemicals have been added to the list of 'moderately harmful pesticides'. These values are to be used for the assessment of waste containing these chemical contaminants. The following tables show details of all new contaminants added since publication in May 1999, including those previously gazetted.

ADDENDUM TO TABLE A3 OF THE ENVIRONMENTAL GUIDELINES: ASSESSMENT, CLASSIFICATION AND MANAGEMENT OF LIQUID AND NON-LIQUID WASTES (EPA 1999)				
Contaminant threshold values for waste classification of non-liquid wastes without doing the leaching test				
Contaminant	Maximum values of total concentration for classification without TCLP			CAS registry number
	Inert waste	Solid waste	Industrial waste	
	CT1 (mg/kg)	CT2 (mg/kg)	CT3 (mg/kg)	
Chlorpyrifos	0.4	4	16	2921-88-2
Fluroxypyr	4	40	160	69377-81-7
Picloram	6	60	240	1918-02-1
Plasticiser compounds*	2	20	80	See below *
Tebuconazole	12.8	128	512	107534-96-3
Triclopyr	4	40	160	55335-06-3
1,2,3,4 Tetra-chlorobenzene	1	10	40	634-66-2
Endosulfan**	6	60	240	See below**
Moderately harmful pesticides*** (total)	Not applicable#	Not applicable#	Not applicable#	See below***

Notes:

*Plasticiser compounds means the total of di-2-ethyl hexyl phthalate (CAS Registry Number: 117-81-7) and di-2-ethyl hexyl adipate (CAS Registry Number: 103-23-1) contained within a waste.

** Endosulfan (CAS Registry Number 115-29-7) means the total of Endosulfan I (CAS Registry Number 959-98-8), Endosulfan II (CAS Registry Number 891-86-1), and Endosulfan Sulfate (CAS Registry Number 1031-07-8).

*** The following moderately harmful pesticides (CAS Number) are to be included in the total values specified: Atrazine (1912-24-9), Azoxystrobin (131860-33-8), Bifenthrin (82657-04-3), Brodifacoum (56073-10-0), Carboxin (5234-68-4), Copper Naphthenate (1338-02-9), Cyfluthrin (68359-37-5), Cyhalothrin (68085-85-8), Cypermethrin (52315-07-08), Deltamethrin (52918-63-5), Dichlofluanid (1085-98-9), Dichlorvos (62-73-7), Difenconazole (119446-68-3), Dimethoate (60-51-5), Diquat dibromide (85-00-7), Emamectin benzoate (137515-75-4 & 155569-91-8), Ethion (563-12-2), Fenthion (55-38-9), Fenitrothion (122-14-5), Fipronil (120068-37-3), Fluazifop-P-butyl (79241-46-6), Fludioxonil (131341-86-1), Glyphosate (1071-83-6), Imidacloprid (138261-41-3), Indoxacarb (173584-44-6), Malathion (Maldison) (121-75-5), Metalaxyl (57837-19-1), Metalaxyl-M (70630-17-0), Methidathion (950-37-8), 3-Methyl-4-chlorophenol (59-50-7), Methyl Chlorpyrifos (5598-13-0), N-Methyl pyrrolidone (872-50-4), 2-Octyl-sH-isothiazol-3-one (26530 20 1), Oxyfluorfen (42874-03-3), Paraquat dichloride (1910-42-5), Parathion Methyl (298-00-0), Permethrin (52645-53-1), Profenofos (41198-08-7), Prometryn (7287-19-6), Propargite (2312-35-8), Quintozene (Pentachlorobenzene) (82-68-8), Simazine (122-34-9), Thiabendazole (148-79-8), Thiamethoxam (153719-23-4), Thiodicarb (59669-26-0) and Thiram (137-26-8).

These pesticides are only classified according to their total concentration (SCC) – TCLP analysis is not required.

ADDENDUM TO TABLE A4 OF THE ENVIRONMENTAL GUIDELINES: ASSESSMENT, CLASSIFICATION AND MANAGEMENT OF LIQUID AND NON-LIQUID WASTES (EPA 1999)

Leachable concentration (TCLP) and total concentration (SCC) values for non-liquid waste classification

Contaminant	Maximum values for leachable concentration and total concentration when used together.						CAS registry number
	Inert waste		Solid waste		Industrial waste		
	Leachable concentration	Total concentration	Leachable concentration	Total concentration	Leachable concentration	Total concentration	
	TCLP1 (mg/L)	SCC1 (mg/kg)	TCLP2 (mg/L)	SCC2 (mg/kg)	TCLP3 (mg/L)	SCC3 (mg/kg)	
Chlorpyrifos	0.02	7.5	0.2	7.5	0.8	30	2921-88-2
Fluroxypyr	0.2	75	2	75	8	300	69377-81-7
Picloram	0.3	110	3	110	12	440	1918-02-1
Plasticiser compounds*	0.1	600	1	600	4	2,400	See below *
Tebuconazole	0.64	230	6.4	230	25.6	920	107534-96-3
Triclopyr	0.2	75	2	75	8	300	55335-06-3
1,2,3,4 Tetra-chlorobenzene	0.05	18	0.5	18	2	72	634-66-2
Endosulfan**	0.3	108	3	108	12	432	See below**
Moderately harmful pesticides*** (total)	Not applicable#	Non detect###	Not applicable#	250	Not applicable#	1,000	See below***

Notes:

* Plasticiser compounds means the total of di-2-ethyl hexyl phthalate (CAS Registry Number: 117-81-7) and di-2-ethyl hexyl adipate (CAS Registry Number: 103-23-1) contained within a waste.

** Endosulfan (CAS Registry Number 115-29-7) means the total of Endosulfan I (CAS Registry Number 959-98-8), Endosulfan II (CAS Registry Number 891-86-1), and Endosulfan Sulfate (CAS Registry Number 1031-07-8).

*** The following moderately harmful pesticides (CAS Number) are to be included in the total values specified: Atrazine (1912-24-9), Azoxystrobin (131860-33-8), Bifenthrin (82657-04-3), Brodifacoum (56073-10-0), Carboxin (5234-68-4), Copper Naphthenate (1338-02-9), Cyfluthrin (68359-37-5), Cyhalothrin (68085-85-8), Cypermethrin (52315-07-08), Deltamethrin (52918-63-5), Dichlofluanid (1085-98-9), Dichlorvos (62-73-7), Difenconazole (119446-68-3), Dimethoate (60-51-5), Diquat dibromide (85-00-7), Emamectin benzoate (137515-75-4 & 155569-91-8), Ethion (563-12-2), Fenthion (55-38-9), Fenitrothion (122-14-5), Fipronil (120068-37-3), Fluazifop-P-butyl (79241-46-6), Fludioxonil (131341-86-1), Glyphosate (1071-83-6), Imidacloprid (138261-41-3), Indoxacarb (173584-44-6), Malathion (Maldison) (121-75-5), Metalaxyl (57837-19-1), Metalaxyl-M (70630-17-0), Methidathion (950-37-8), 3-Methyl-4-chlorophenol (59-50-7), Methyl Chlorpyrifos (5598-13-0), N-Methyl pyrrolidone (872-50-4), 2-Octyl-sH-isothiazol-3-one (26530 20 1), Oxyfluorfen (42874-03-3), Paraquat dichloride (1910-42-5), Parathion Methyl (298-00-0), Permethrin (52645-53-1), Profenofos (41198-08-7), Prometryn (7287-19-6), Propargite (2312-35-8), Quintozene (Pentachlorobenzene) (82-68-8), Simazine (122-34-9), Thiabendazole (148-79-8), Thiamethoxam (153719-23-4), Thiodicarb (59669-26-0) and Thiram (137-26-8).

These pesticides are only classified according to their total concentration (SCC) – TCLP analysis is not required.

A waste can only be classified as inert waste if such pesticides are not detected in the waste.

Dated: 4 May 2005.

BILL GARA,
Manager,
Technical and Data Unit,
Environment Protection Authority
(by delegation)

LOCAL GOVERNMENT ACT 1993

Report and Determinations of the Local Government Remuneration Tribunal under Sections 239 and 241 of the Local Government Act 1993

REPORT:

Pursuant to section 241 of the Local Government Act 1993 (the Act), the Local Government Remuneration Tribunal hereby determines the categories for councils, county councils and mayoral officers and the maximum and minimum amount of fees to be paid during the period 1 July 2005 to 30 June 2006 to mayors and councillors of councils as well as chairpersons and members of county councils.

In undertaking the 2005 review the Tribunal sought submissions from councils and the Local Government and Shires Associations on both the categories of councils and the minimum and maximum level of fees payable to councillors and mayors. This year in particular, the Tribunal indicated its intention to undertake a review of the categories of councils which were initially determined in 1995.

The Minister for Local Government, the Hon. Tony Kelly, M.L.C., has advised the Tribunal that the Department of Local Government will undertake a review of the expenses policies adopted by councils with a view to guidelines being developed. Councils are currently required, pursuant to section 252 of the Act, to adopt a policy for the payment of expenses to mayors, deputy mayors and other councillors.

As the issues surrounding the payment of fees and expenses are related, the Minister has requested that the Tribunal defer its review of categories until such time as the Department has completed its review. One option being considered is the central regulation of expenses and whether different categories of councils should have variable expense structures.

Underpinning the category structure developed by the Tribunal is the principle that like sized councils receive comparable fee levels to perform the roles and responsibilities for which they were elected.

Expenses policies are, under the legislation, a matter for each council. There is no suggestion that this should change. What is at issue, however, is that under the current arrangements expenses policies adopted by councils within the same category may differ significantly in quantum and scope.

The proposed review provides the opportunity for the Tribunal to have regard to the impact, if any, of councils' expense policies on the current category and fee structures.

On this basis, and after consultation with the Assessors, the Tribunal has agreed to defer making any changes to the categories of councils for 2005/2006. In addition, the Tribunal has deferred its decision to visit and meet with councils until the review is complete, which is expected to be later this year. The Tribunal would like to thank those councils and the Associations who provided information in regard to the review of categories. The Tribunal will continue its investigations with a view to finalising this matter as part of the 2006/2007 annual review process. Submissions already received will be considered again at that time.

In the light of the review of the expenses policy the Tribunal has considered the quantum of fees for 2005/2006. It has been determined to defer any changes to the fee structure until the results of the Government's inquiry are available.

The Honourable CHARLES L. CULLEN, Q.C.,
Local Government Remuneration Tribunal
dated 13 April 2005

DETERMINATION OF CATEGORIES OF COUNCILS AND COUNTY COUNCILS FOR 2005/2006

Category S1 (1 Council)

Sydney

Category S2 (3 Councils)

Newcastle

Parramatta

Wollongong

Category S3

County Councils

Category S4

County Councils (engaged in significant commercial activities)

Category 1A (2 Councils)

Blacktown

Penrith

Category 1. (16 Councils)

Bankstown

Hurstville

Sutherland

Baulkham Hills

Lake Macquarie

Warringah

Campbelltown

Liverpool

Willoughby

Fairfield

North Sydney

Wyong

Gosford

Randwick

Hornsby

Ryde

Category 2. (21 Councils)

Ashfield	Holroyd	Marrickville
Auburn	Hunters Hill	Mosman
Botany	Kogarah	Pittwater
Burwood	Ku ring Gai	Rockdale
Camden	Lane Cove	Strathfield
Canada Bay	Leichhardt	Waverley
Canterbury	Manly	Woollahra

Category 3. (32 Councils)

Albury City	Dubbo	Maitland
Armidale Dumaresq	Eurobodalla	Orange
Ballina	Gt Lakes	Pt Stephens
Bathurst Regional	Goulburn Mulwaree	Shellharbour
Bega Valley	Queanbeyan	Shoalhaven
Blue Mountains	Greater Taree	Tamworth Regional
Broken Hill	Griffith	Tweed Heads
Byron	Hastings	Wagga Wagga
Cessnock	Hawkesbury	Wingecarribee
Clarence Valley	Kempsey	Wollondilly
Coffs Harbour	Lismore	

Category 4. (33 Councils)

Bellingen	Glen Innes Severn	Narrandera
Cabonne	Gunnedah	Parkes
City of Lithgow	Inverell	Richmond Valley
Cobar	Kiama	Singleton
Cooma-Monaro	Leeton	Snowy River
Cootamundra	Mid-Western Regional	Tumut
Cowra	Moree Plains	Walgett
Deniliquin	Murray	Wellington
Forbes	Muswellbrook	Wentworth
Palerang	Nambucca	Yass Valley
Gilgandra	Narrabri	Young

Category 5. (44 Councils)

Balranald	Dungog	Narromine
Berrigen	Gloucester	Oberon
Bland	Greater Hume	Temora
Blayney	Gundagai	Tenterfield
Bogan	Guyra	Tumbarumba
Bombala	Gwydir	Upper Hunter
Boorowa	Harden	Upper Lachlan
Bourke	Hay	Uralla
Brewarrina	Jerilderie	Urana
Carrathool	Junee	Wakool
Central Darling	Kyogle	Walcha
Conargo	Lachlan	Warren
Coolamon	Liverpool Plains	Warrumbungle
Coonamble	Lockhart	Weddin
Corowa	Murrumbidgee	

TOTAL GENERAL PURPOSE COUNCILS – 152

Category S3 (10 Councils)

Castlereagh – Macquarie	Mid Western	Upper Hunter
Central Murray	New England Weeds	Upper Macquarie
Far North Coast	Richmond River	
Hawkesbury River	Southern Slopes	

Category S4 (6 Councils)

Central Tablelands	Goldenfields Water	Riverina Water
Cudgegong	MidCoast	Rous

TOTAL COUNTY COUNCILS – 16

DETERMINATION OF ANNUAL REMUNERATION FEES FOR COUNCILLORS AND MAYORS

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories determined under s.234 to Councillors, Mayors, members and chairpersons of County Councils during the period 1 July 2005 to 30 June 2006, are determined as follows:

	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Category 5	5,875	6,460	6,240	10,615
Category 4	5,875	7,750	6,240	16,920
Category 3	5,875	12,925	12,490	28,215
Category 2	5,875	12,925	12,490	28,215
Category 1	8,810	16,450	18,730	43,705
Category 1A	11,745	19,385	24,970	56,505
S4	1,175	6,460	2,500	10,615
S3	1,175	3,875	2,500	7,055
S2	11,745	19,385	24,970	56,505
S1	17,625	25,850	107,840	141,900

* This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Honourable CHARLES L. CULLEN, Q.C.,
Local Government Remuneration Tribunal
dated 13 April 2005

CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

MARIE BASHIR, Governor

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to section 224(3) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, vary the proclamation published in the *Government Gazette* of 19 October 2001, which declared Broken Hill Correctional Complex to be a correctional complex and in variation thereof I declare Broken Hill Correctional Complex to be the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon), viz:

All that piece or parcel of land situate in the Local Government Area of Broken Hill, Parish of Picton and County of Yancowinna, being shown by dark shading on Plan Catalogue Number 54927 in the Department of Commerce Plan Room and having an area of 1.694 hectares or thereabouts.

This Proclamation is to take effect on and from the date of publication in the *Government Gazette*.

Signed and sealed at Sydney, this 27th day of April 2005.

By Her Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,
Minister for Justice

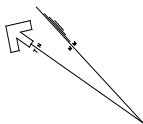
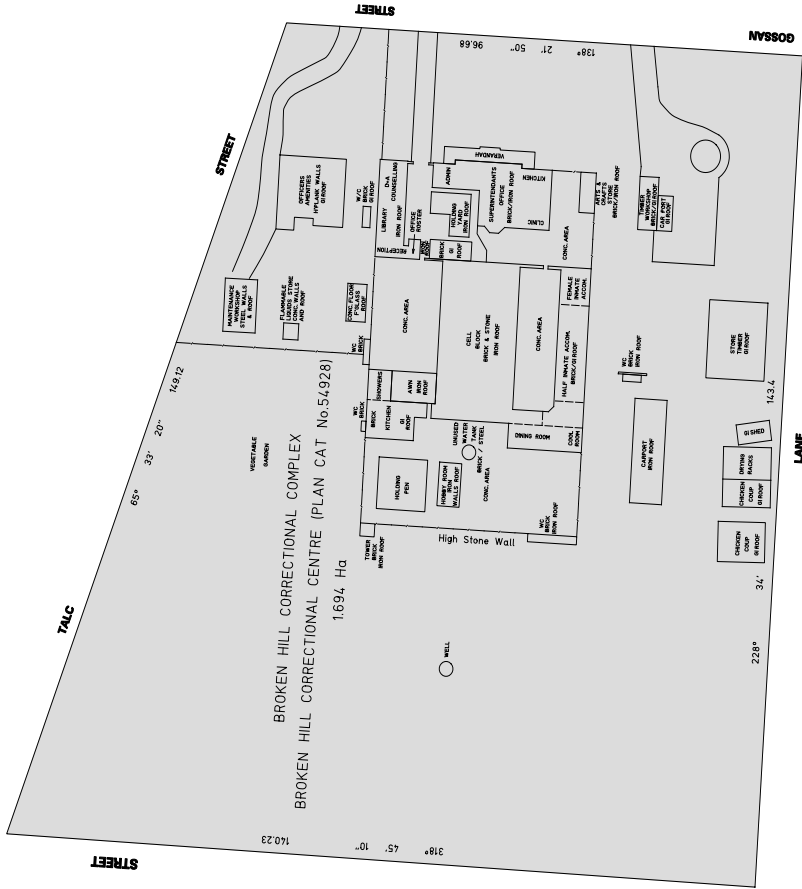
GOD SAVE THE QUEEN!

BROKEN HILL CORRECTIONAL COMPLEX

OWNER : CROWN (MINISTER FOR
CORRECTIVE SERVICES)
TITLE : GAOL SITE DEDICATED
G.O.21-9-1910
PLAN : W33-1505 & W33-1506
Allotment 2 Section 4
Town of Wiliyama
AREA : 1694.14 ha
COMPILED FROM SURVEY CERTIFICATE
NO. C45-10A (SURVEYOR G.HOWE)
AND FROM NSW DEPT. OF COMMERCE
PLAN CAT. NO. 9834 IN THE PLAN ROOM.

**L.C.A. BROKEN HILL
LOCALITY BROKEN HILL
PARISH FICTON
COUNTY YANGOWINNA**

BROKEN HILL
CORRECTIONAL COMPLEX BOUNDARY



**BROKEN HILL
CORRECTIONAL COMPLEX**



CO-ORDINATES	---
CONTOUR INTERVAL	---
SURVEYOR	---
DATE OF SURVEY	30/10/97
JOB OPERATOR	---
JOB CONTROLLER	---
FILE REFERENCE	10.004.214
JOB INSTRUCTION	---

PLAN CAT No 54927

DATUM:

ISSUE DATE : 21/03/2005

CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

MARIE BASHIR, Governor

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 225(4) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, vary the Proclamations published in the *Government Gazette* of 19 October 2001 and 19 December 1997, which declared Broken Hill Correctional Centre to be a correctional centre, and in variation thereof I declare Broken Hill Correctional Centre to be the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon), viz:

All that piece or parcel of land situate in the Local Government Area of Broken Hill, Parish of Picton and County of Yancowinna, being shown by dark shading on Plan Catalogue Number 54928 in the Department of Commerce Plan Room and having an area of 1.694 hectares or thereabouts.

This Proclamation is to take effect on and from the date of publication in the *Government Gazette*.

Signed and sealed at Sydney, this 27th day of April 2005.

By Her Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,
Minister for Justice

GOD SAVE THE QUEEN!

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

BLACKTOWN CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Blacktown City 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 purpose of open space. Dated at Blacktown this 29th day of April 2005. IAN REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown NSW 2148.

SCHEDULE

Lot Y, DP 412362. [1238]

HASTINGS COUNCIL

Roads Act 1993

Closing of Temporary Public Road

HASTINGS COUNCIL hereby gives notice that pursuant to section 39(1) of the Roads Act 1993, the land described in the Schedule below hereby ceases to be temporary public road. Authorised by Council resolution of 26th April 2005. B. SMITH, General Manager, Hastings Council, PO Box 84, Port Macquarie NSW 2444.

SCHEDULE

Lots 16, DP 263663, being part of Reading Street at the intersection of Kennedy Drive, Port Macquarie. [1241]

HASTINGS COUNCIL

Road Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Hastings Council, dedicates the land described herunder as public road pursuant to section 10 of the Roads Act 1993. B. SMITH, General Manager, Hastings Council, PO Box 84, Port Macquarie NSW 2444.

SCHEDULE

Lot 3, DP 1052725 at Kew, subject to the easement for transmission line 45 Wide Vide DP 602268. [1247]

HASTINGS COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

HASTINGS 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, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of sewerage treatment. Dated at Port Macquarie this 22nd day of April 2005. B. SMITH, General Manager, Hastings Council, PO Box 84, Port Macquarie NSW 2444.

SCHEDULE

Lots 1 and 2, DP 1052725. [1248]

LISMORE CITY COUNCIL

Roads Act 1993

Naming of Roads

NOTICE is hereby given that the Lismore City Council has pursuant to section 162 of the Roads Act 1993, renamed part of Gordon Road, Koonorigan as follows:

Location	New Name
Public Road which is northerly from Hayden Road, Goolmangar and parallel to and easterly of Nimbin Road specifically between Lot 101 in DP 867159 and Lot 2 in DP 631699 in the Parish of Tunstall for approximately 1.3km.	Gordon Road South.

Authorised by resolution of the Council on 12th April 2005. Paul G. O'Sullivan, General Manager, Lismore City Council, PO Box 23A, Lismore NSW 2480. [1251]

PARKES SHIRE COUNCIL

Roads Act 1993, Section 162.1

Naming of Public Roads

Dauids Lane, Hideaway Lane, Goldrush Road, Cedar Crescent, Rosewood Avenue, Jacaranda Road and Willow Place

NOTICE is hereby given that in accordance with section 162.1 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

Location	Name
Off Pine Road, Parkes.	Dauids Lane.
Shire Road 8B.	Hideaway Lane.
Off Back Trundle Road, Parkes.	Goldrush Road.
Off Best Street, Parkes.	Cedar Crescent.
Off Blaxland Street, Parkes.	Rosewood Avenue.
Off Rosewood Avenue, Parkes.	Jacaranda Road.
Off Rosewood Avenue, Parkes.	Willow Place.

No objections to the proposed names were received within the prescribed period of time. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes NSW 2870. [1254]

WARRUMBUNGLE SHIRE COUNCIL

Roads Act 1993

Naming of Public Roads

NOTICE is hereby given that Warrumbungle Shire Council in pursuant of section 162 of the abovementioned Act has named the roads shown hereunder. R. J. GERAGHTY, Acting General Manager, Warrumbungle Shire Council, PO Box 191, Coonabarabran NSW 2357.

Location	Name
The road formerly known as TV Road, Coonabarabran.	Cenn Cruaich Road.
The unnamed road off the Oxley Highway, 4km east of Rocky Glen, commencing at the Oxley Highway east of TSR1548 and terminating at Lot 21, DP 757085.	Albert Wright Road.
The unnamed cul-de-sac off MR 55 (Coolah-Mullaley Road), commencing south of Lot 25, DP 1038050.	Werribee Road.
The unnamed road off MR 396 (Binnaway Road), commencing south of Lot 11, DP 878571 and traversing Lots 11 and 12, DP 878571 and Lot 9, DP 754962 and terminating at the southern boundary of Lot 45, DP 754962.	Bungabah Road.

[1244]

WOLLONGONG CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land and Easement

THE Wollongong City Council declares, with the approval of Her Excellency the Governor, that the land and easement 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 provision of recreational facilities at the Port Kembla pool site. Dated at Wollongong this 27th day of April 2005. R. J. OXLEY, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre NSW 2521

SCHEDULE

Lot 51 in Deposited Plan 1047304, Easement in Deposited Plan 1047304. [1240]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CHEUNG YAT SUN, late of 12th Floor, Cheung Hong Building, 25 Johnston Road, Wan Chai, Hong Kong, retired, who died on 27th November 1998, must send particulars of his claim to the administrator, Alfred Lee Ming Sung, c.o. Messrs David Kam & Co., Solicitors, Suite 103, Level 1, The Chambers, 370 Pitt Street, Sydney NSW 2000, within two (2) calendar months from publication of this notice. After that time the administrator

may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Letters of Administration was granted in New South Wales on 24th September 2003. MESSRS DAVID KAM & CO., Solicitors, Suite 103, Level 1, The Chambers, 370 Pitt Street, Sydney NSW 2000 (DX 11538, Sydney Downtown), tel.: (02) 9267 9833. [1243]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SIDNEY ROBERT LYALL, late of 1/39 Mutual Road, Mortdale, in the State of New South Wales, who died on 26th December 2004, must send particulars of their claim to the executor, Julie Anne Campbell, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 25th February 2005. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX 11307, Hurstville), tel.: (02) 9570 2022. [1245]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of GRAEME ANTHONY IKIN, late of 24 Gladestone Street, Canley Heights, in the State of New South Wales, officer, who died on 27th August 2003, must send particulars of his/her claim to the administrator, David Anthony Curtin, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown NSW 2148, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the Administrator has notice. Letters of Administration were granted in New South Wales on 26th April 2005. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street (PO Box 147), Blacktown NSW 2148, tel.: (02) 9622 4644. [1246]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MICHAEL ANTONIO SCUTELLA, late of 166 Prairievale Road, Bossley Park, in the State of New South Wales, shoemaker/truck driver, who died on 10th January 2005, must send particulars of his/her claim to the executor, Dominic Adam Scutella, c.o. Doherty Partners, Solicitors, Level 1, 171 Bigge Street, Liverpool NSW 2170, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executor has notice. Probate was granted in New South Wales on 21st April 2005. DOHERTY PARTNERS, Solicitors, Level 1, 171 Bigge Street, Liverpool NSW 2170 (PO Box 1163, Liverpool BC NSW 1871), (DX 5034, Liverpool), tel.: (02) 9601 7300. Reference: JULIE SHEDDEN:51257. [1252]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LESLIE JOHN AHKIN, late of 12 Mindar Street, Como, in the State of New South Wales, who died on 5th February 2005, must send particulars of their claim to the executor, Bianka Helen Ahkin, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and

distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 31st March 2005. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX 11307, Hurstville), tel.: (02) 9570 2022. [1253]

COMPANY NOTICES

NOTICE of appointment of receiver and manager.—PB SPORTS NUTRITION PTY LTD, ACN 092 653 711 (company).—Notice is hereby given pursuant to subsection 427(1) of the Corporations Act 2001, by Ian Barton Clyne, Gregory Robert Knoke and Cliff Robertson (together “Appointor”), that on 11th April 2005, the Appointor appointed Philip Patrick Carter of PricewaterhouseCoopers, 201 Sussex Street, Sydney NSW 1171, as receiver and manager of substantially all of the assets of the company pursuant to a charge dated 12th July 2001, registered number 846241. Dated this 11th day of April 2005. Kalde & Associates, Solicitors, 133 Alexander Street, Crows Nest NSW 2065, tel.: (02) 9965 7233. [1242]

NOTICE of meeting of members.—ZALAR PTY LIMITED, ACN 084 493 827 (in liquidation).—Notice is hereby given that pursuant to section 509(2) of the Corporations Act 2001, the final meeting of the abovenamed company will be held at 1st Floor, 25 Bolton Street, Newcastle NSW 2300, on 10th June 2005, for the purpose of laying before the meeting the liquidator's final account and report and giving explanation thereof. Dated this 3rd day of May 2005. IAN NEALE, Liquidator, c.o. Cutcher & Neale, Chartered Accountants, The Bolton Building, 25 Bolton Street (PO Box 694), Newcastle NSW 2300, tel.: (02) 4928 8500 [1249]

NOTICE of meeting of members.—NEWCASTLE AMUSEMENTS DISTRIBUTING PTY LIMITED, ACN 000 284 702 (in liquidation).—Notice is hereby given that pursuant to section 509(2) of the Corporations Act 2001, the final meeting of the abovenamed company will be held at 1st Floor, 25 Bolton Street, Newcastle NSW 2300, on 10th June 2005, for the purpose of laying before the meeting the liquidator's final account and report and giving explanation thereof. Dated this 3rd day of May 2005. GARY JOHN PATON, Liquidator, c.o. Cutcher & Neale, Chartered Accountants, The Bolton Building, 25 Bolton Street (PO Box 694), Newcastle NSW 2300, tel.: (02) 4928 8500 [1250]

OTHER NOTICES

ORDER UNDER SECTION 12 CY-PRES SCHEME RELATING TO THE CRAVEN ASSEMBLY CHURCH OF OPEN BRETHREN

IN 1926, William James Yates, Walter Sidney Blanch and William Dean Wood purchased land being Block 39 of the Gloucester Estate Limited Avon Valley Subdivision. By Declaration of Trust, the purchasers gave the land to the “Craven Union Church” and declared that the land be held on trust “to permit the said Church to use and enjoy the said hereditaments and premises and to receive the rents and profits thereof for and during the continuation or existence of the said Church”. The Craven Union Church is the local assembly in Craven of a religious organisation called the Open Brethren or the Christian Brethren (“the Brethren”).

In addition, an account with the Westpac Banking Corporation in the name of Assembly Hall Craven contains approximately \$2,795.02, comprising money donated by members of the Brethren during collections taken in services conducted in the Church.

The Church has not been used as a place of worship by either the members of the Craven Brethren or by any other religious denomination since 1982, and there is only one remaining member of the Church living in Craven. The proposed cy près scheme will allow the land held on trust for the Craven Union Church to be sold and the proceeds of the sale of land and the money held in the Westpac Bank account to be applied for the purpose of supporting evangelists and missionaries of the Church in Australia and overseas in their evangelical and missionary work.

I have formed the view that the trusts disclose a general charitable intent and are trusts for charitable purposes. I have approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12(1)(a) of the Charitable Trusts Act 1993 to enable the sale of the land and the application of the funds, along with those held in the Westpac Bank, to be applied for the purpose of supporting evangelists and missionaries of the Church in Australia and overseas in their evangelical and missionary work.

Therefore, pursuant to section 12 of the Charitable Trusts Act, I hereby order a cy près scheme in terms of the above, such order to take effect 21 days after its publication in the Government Gazette, in accordance with section 16(2) of the Charitable Trusts Act.

Date of Order: 28th April 2005.

Signed M. G. SEXTON, SC,
Solicitor General
under delegation from the Attorney General

[1239]

Authorised to be printed

ROBERT J. GALLAGHER, Government Printer.

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