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LEGISLATION

Proclamations



New South Wales

Commencement Proclamation

under the

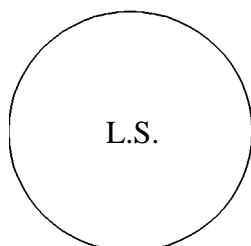
Consumer Claims Amendment Act 2007 No 67

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Consumer Claims Amendment Act 2007*, do, by this my Proclamation, appoint 1 March 2008 as the day on which that Act commences.

Signed and sealed at Sydney, this 20th day of February 2008.

By Her Excellency's Command,



L.S.

LINDA BURNEY, M.P.,
Minister for Fair Trading

GOD SAVE THE QUEEN!



New South Wales

Commencement Proclamation

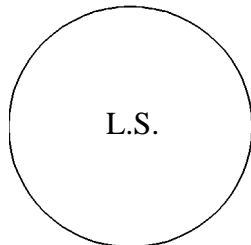
under the

Pharmacy Practice Act 2006 No 59

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (1) of the *Pharmacy Practice Act 2006*, do, by this my Proclamation, appoint 25 February 2008 as the day on which the uncommenced provisions of that Act commence.
Signed and sealed at Sydney, this 20th day of February 2008.

By Her Excellency's Command,



REBA MEAGHER, M.P.,
Minister for Health

GOD SAVE THE QUEEN!

Explanatory note

Schedule 7.12 and section 156 of the *Pharmacy Practice Act 2006* commenced on the date of assent to that Act.

The object of this Proclamation is to commence the uncommenced provisions of that Act.



New South Wales

Commencement Proclamation

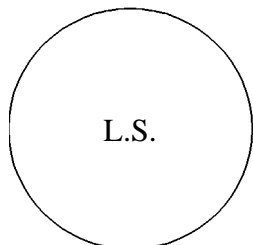
under the

Sydney Water Catchment Management Amendment Act 2007
No 83

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Sydney Water Catchment Management Amendment Act 2007*, do, by this my Proclamation, appoint 22 February 2008 as the day on which that Act commences.
Signed and sealed at Sydney, this 20th day of February 2008.

By Her Excellency's Command,



PHILIP KOPERBERG, M.P.,
Minister for Climate Change, Environment and Water
GOD SAVE THE QUEEN!

Regulations



New South Wales

Consumer Claims Amendment Regulation 2008

under the

Consumer Claims Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer Claims Act 1998*.

LINDA BURNEY, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to prescribe the limitation on the jurisdiction of the Consumer, Trader and Tenancy Tribunal to make orders in respect of a consumer claim (within the meaning of the *Consumer Claims Act 1998*) in which there is more than one respondent.

This Regulation is made under the *Consumer Claims Act 1998*, including section 14 (2A) and section 17 (the general regulation-making power).

Clause 1 Consumer Claims Amendment Regulation 2008

Consumer Claims Amendment Regulation 2008

under the

Consumer Claims Act 1998

1 Name of Regulation

This Regulation is the *Consumer Claims Amendment Regulation 2008*.

2 Commencement

This Regulation commences on 1 March 2008.

3 Amendment of Consumer Claims Regulation 2007

The *Consumer Claims Regulation 2007* is amended by omitting “14 (1) and (2)” from clause 5 and by inserting instead “14 (1), (2) and (2A)”.



New South Wales

Pharmacy Practice Regulation 2008

under the

Pharmacy Practice Act 2006

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Pharmacy Practice Act 2006*.

REBA MEAGHER, M.P.,
Minister for Health

Explanatory note

This Regulation provides for certain matters under the *Pharmacy Practice Act 2006* (*the Act*), including:

- (a) standards for the conduct of a pharmacy practice, and
- (b) whether certain interests constitute a pecuniary interest in a pharmacy business for the purposes of the Act, and
- (c) the circumstances in which certain pecuniary interests in a pharmacy business can be held by a person other than a pharmacist, and
- (d) matters required to be included in a notice of acquisition or disposal of a pecuniary interest in a pharmacy business, and
- (e) infection control procedures to be observed by pharmacists, and
- (f) creating an offence dealing with advertising of pharmacy services, and
- (g) the conduct of elections for elected members of the Pharmacy Board (*the Board*), and
- (h) providing for forms under the Act to be approved by the Board, and
- (i) setting out procedures for notification of the mental incapacity of a pharmacist, and
- (j) prescribing certain offences relating to traffic and parking as offences that are not required to be notified to the Board, and
- (k) setting out procedures for appeals on a point of law where the Board deals with a complaint against a pharmacist, and
- (l) prescribing fees and procedures regarding registers kept under the Act and replacement certificates of registration, and

Pharmacy Practice Regulation 2008

Explanatory note

- (m) equipment and publications required in pharmacy premises, and
- (n) transitional matters, and
- (o) certain other matters that the Act provides may be prescribed.

This Regulation is made under the *Pharmacy Practice Act 2006*, including the definition of ***pecuniary interest*** in section 4, sections 24, 25, 31, 32, 33, 34, 90, 100 and 155 (the general regulation-making power) and Schedules 1, 2 and 8.

Pharmacy Practice Regulation 2008

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Pharmacy Practice Regulation 2008

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Pharmacy Practice Regulation 2008

Clause 1

Preliminary

Part 1

Pharmacy Practice Regulation 2008

under the

Pharmacy Practice Act 2006

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Pharmacy Practice Regulation 2008*.

2 Commencement

- (1) This Regulation commences on 25 February 2008, except as provided by subclause (2).
- (2) Clause 42 commences on the later of:
 - (a) the day on which Schedule 15 to the *Parliamentary Electorates and Elections Amendment Act 2006* commences, or
 - (b) 25 February 2008,and is repealed on the day following the day on which that clause commences.

3 Interpretation

- (1) In this Regulation:

in the premises includes on the premises.

Price Information Code of Practice means the *Price Information Code of Practice* published by the Therapeutic Goods Administration of the Commonwealth, as in force on 25 February 2008.

the Act means the *Pharmacy Practice Act 2006*.

Note. Section 11 of the *Interpretation Act 1987* provides that expressions defined in the Act have the same meanings in this Regulation.
- (2) Notes included in this Regulation do not form part of this Regulation.

Clause 4 Pharmacy Practice Regulation 2008

Part 2 Practice of pharmacy

Part 2 Practice of pharmacy

Division 1 Conduct of practice

4 Standards for approval of pharmacy premises

(1) The following standards are prescribed for the purposes of clause 1 (8) (a) of Schedule 2 to the Act for premises other than professional services rooms:

- (a) at least one doorway allowing direct public access to the premises is to be provided,
- (b) the premises (including any doors, windows, floors or ceilings) are to be secure,
- (c) the premises are to be equipped with a dispensing area of at least 8 square metres or such lesser area as the Board may approve in a particular case,
- (d) there is a part of the premises in which a consultation conducted by a pharmacist is not reasonably likely to be overheard by a person not party to the consultation,

Note. Other legislation may impose obligations in respect of customer privacy that apply in addition to obligations imposed under the Act and this Regulation.

- (e) the premises are to be equipped with:
 - (i) the equipment listed in Schedule 1, and
 - (ii) any other equipment necessary to ensure the safe and competent delivery of the pharmacy services delivered in those premises,
installed and maintained in accordance with the manufacturer's instructions or if no such instructions exist, to the standard necessary for the safe and competent delivery of pharmacy services,
- (f) the publications listed in Schedule 1 are to be kept in the premises or are to be accessible by electronic means from the premises in accordance with clause 6.

(2) The following standards are prescribed for the purposes of clause 1 (8) (a) of Schedule 2 to the Act for a dispensing area referred to in subclause (1) (c):

- (a) it is to be adequately lit and ventilated,
- (b) it is to have adequate heating facilities for dispensing and compounding drugs,

Pharmacy Practice Regulation 2008

Clause 5

Practice of pharmacy

Part 2

-
- (c) it is to be equipped with a stainless steel or similarly impervious sink that has an impervious surround and is supplied with hot and cold running water,
 - (d) it is to have a bench that is at least 40 centimetres wide, and of sufficient length to provide not less than 1 square metre of free working space, and that has an impervious covering,
 - (e) it is to have at least one dispensary barcode scanner connected to each dispensing station in the dispensing area.
- (3) Subclause (1) (d) does not apply to a pharmacy before 25 February 2009.
- (4) Subclause (1) (d) does not apply to a pharmacy before 25 February 2010 if:
- (a) the Board has served on the owner of the pharmacy a notice exempting the pharmacy for the purposes of this subclause and specifying the date the exemption ceases (not being a date later than 25 February 2010), and
 - (b) a copy of the notice is displayed adjacent to the area where patient consultations are carried on in the pharmacy, and
 - (c) the exemption has not ceased.
- (5) The Board is to maintain a list of all pharmacies subject to an exemption under subclause (4) and to make that list publicly available, by publication on the Board's website or otherwise.

5 Standards for approval of professional services room premises

- (1) The following standards are prescribed for the purposes of clause 1 (8) (a) of Schedule 2 to the Act for professional services rooms:
- (a) all reasonable steps to prevent public access to the premises are to have been taken,
 - (b) the premises (including any doors, windows, floors or ceilings) are to be secure,
 - (c) the premises are to be equipped with a dispensing area of at least 8 square metres or such lesser area as the Board may approve in a particular case,
 - (d) the premises are to be laid out and equipped so that:
 - (i) any drug stored in the premises can be stored in accordance with the relevant drug's storage conditions, and
 - (ii) all the drugs being prepared, packaged or stored in the premises, for supply to a particular patient or to a health care facility for supply to a particular patient or resident of that facility, can be stored together, and

Clause 6 Pharmacy Practice Regulation 2008

Part 2 Practice of pharmacy

-
- (iii) any documentation physically stored in the premises relating to that patient or resident can be stored with those drugs,
 - (e) the publications listed in Schedule 2 are to be kept in the premises or are to be accessible by electronic means from the premises in accordance with clause 6.
- (2) The following standards are prescribed for the purposes of clause 1 (8) (a) of Schedule 2 to the Act for a dispensing area referred to in subclause (1) (c):
- (a) it is to be adequately lit and ventilated,
 - (b) it is to be equipped with a stainless steel or similarly impervious sink that has an impervious surround and is supplied with hot and cold running water,
 - (c) it is to have a bench that is at least 40 centimetres wide, and of sufficient length to provide not less than 1 square metre of free working space, and that has an impervious covering,
 - (d) it is to have at least one dispensary barcode scanner connected to each dispensing station in the dispensing area.

6 Access to electronic versions of publications

The following provisions apply to access by electronic means to publications referred to in clauses 4 (1) (f) and 5 (1) (e) that are not kept in the premises:

- (a) any relevant software or data licence in respect of the publication is to provide for access for each pharmacist in the premises (including a locum),
- (b) a document is to be kept, in the premises and available to each pharmacist in the premises (including a locum), setting out how each pharmacist can readily access the current version of the publication,
- (c) if the publication is accessed via the internet—access to the internet is to be maintained while any pharmacist is dispensing or compounding drugs in the premises and the current version of the publication is to be readily accessible (by way of web browser bookmarks or otherwise).

7 Displaying name of owner and pharmacist in charge

- (1) The owner of a pharmacy business must ensure that the name of the owner is displayed at or near the main entrance of each premises in which the business is carried on.
- Maximum penalty: 2 penalty units.

Pharmacy Practice Regulation 2008

Clause 8

Practice of pharmacy

Part 2

-
- (2) The pharmacist in charge of a pharmacy must ensure that the name of the pharmacist in charge followed by the words “PHARMACIST IN CHARGE” is displayed adjacent to the area where dispensing is carried on in the pharmacy.

Maximum penalty: 2 penalty units.

8 Displaying prices

The owner of a pharmacy business must ensure that drug price information displayed in any premises in which the business is carried on does not contravene the Price Information Code of Practice.

Maximum penalty: 2 penalty units.

9 Owner to appoint pharmacist to be responsible for compliance with clauses 7 (1) and 8

- (1) This clause applies to a pharmacy business that is carried on by a body corporate.
- (2) The owner of a pharmacy business to which this clause applies must, by notice in writing to the Board, appoint a pharmacist to be responsible for compliance with clauses 7 (1) and 8. There must be such an appointment in force at all times, otherwise the owner of the pharmacy business is guilty of an offence.
- Maximum penalty: 2 penalty units.
- (3) To be effective the notice of appointment must be accompanied by a notice of acceptance of the appointment signed by the appointed person.
- (4) An appointment may be revoked by notice in writing to the Board given either by the owner of the pharmacy business or by or on behalf of the appointed person. The appointment is automatically revoked if the person appointed ceases to be a pharmacist.
- (5) If the owner of a pharmacy business contravenes clause 7 (1) or 8, the person appointed under this clause in respect of the pharmacy business at the time of the contravention is taken to have contravened the provision that the owner contravened.
- (6) A person may be proceeded against and convicted under a provision pursuant to this clause whether or not the owner has been proceeded against or convicted.
- (7) This clause does not affect any liability imposed on an owner of a pharmacy business for an offence committed by the owner.
- (8) In this clause, a reference to the owner of a pharmacy business that has more than one owner is a reference to each owner.

Clause 10 Pharmacy Practice Regulation 2008

Part 2 Practice of pharmacy

Division 2 Control of pharmacies

10 Interests prescribed as constituting pecuniary interests

(1) For the purposes of paragraph (b) of the definition of *pecuniary interest* in section 4 (1) of the Act, the following interests are, without limiting the generality of the definition as expressed in the Act, prescribed as constituting pecuniary interests:

- (a) any interest (whether proprietary or otherwise) in a pharmacy business that a person has by virtue of being a member or shareholder of:
 - (i) an exempted body corporate, or
 - (ii) a holding company (whether a listed corporation or not) of an exempted body corporate that is not a listed corporation,
- (b) any interest (whether proprietary or otherwise) in a pharmacy business that a person has by virtue of being a trustee or beneficiary of a trust, the trust property of which includes shares in:
 - (i) an exempted body corporate, or
 - (ii) a holding company (whether a listed corporation or not) of an exempted body corporate that is not a listed corporation,
- (c) any interest (whether proprietary or otherwise) in a pharmacy business that a person has by virtue of being a trustee or beneficiary of a trust, being a trust the trustees of which, in their capacity as the trustees of that trust, carry on or have a pecuniary interest in such a business.

Note. The interests prescribed in this clause are subject to paragraphs (c) and (d) of the definition of *pecuniary interest* in section 4 (1) of the Act.

(2) In this clause:

exempted body corporate means a body corporate that carries on or has a pecuniary interest in a pharmacy business under section 27 of the Act.

holding company has the meaning it has in the *Corporations Act 2001* of the Commonwealth.

listed corporation has the meaning it has in the *Corporations Act 2001* of the Commonwealth.

11 Interests prescribed as not constituting pecuniary interests

(1) For the purposes of paragraph (e) of the definition of *pecuniary interest* in section 4 (1) of the Act, any interest a person has in the profits of a pharmacy business by virtue of the person being an employee employed in that business does not, subject to subclause (2), constitute a pecuniary interest in a pharmacy business for the purposes of the Act.

Pharmacy Practice Regulation 2008

Clause 12

Practice of pharmacy

Part 2

-
- (2) Any interest constituted by legal or beneficial ownership of shares or other securities of a body corporate (issued as part of an employee share scheme or otherwise) is excluded from the interests prescribed by subclause (1).

12 Notice of acquisition or disposal of interest in pharmacy

For the purposes of section 24 (4) of the Act, the matters set out in Schedule 3 are prescribed as additional matters to be included in a notice under section 24 of the Act in respect of a pharmacy business.

13 Circumstances in which person not prevented from having pecuniary interest

- (1) For the purposes of section 25 (2) of the Act, a person may have a pecuniary interest in a pharmacy business if the person comes into possession of the business or any of the assets of the business as a consequence of a default on an obligation secured by a security interest.
- (2) Subclause (1) applies to a person for the period of 6 months from the date the person comes into possession of the pharmacy business or assets or any longer period that the Board specifies by notice in writing served on the person.

Clause 14 Pharmacy Practice Regulation 2008

Part 3 Infection control standards

Part 3 Infection control standards

14 Infection control standards

- (1) A pharmacist must not, without reasonable excuse, fail to comply with the infection control standards set out in Schedule 4 to the extent that they apply to the pharmacist in the practice of pharmacy.
- (2) In determining whether or not a pharmacist has a reasonable excuse for failing to comply with a standard, particular consideration is to be given to the following:
 - (a) whether the circumstances involved the provision of emergency treatment,
 - (b) whether the pharmacist's employer failed to provide the necessary equipment, including providing access to it and training in its use, that would have enabled the pharmacist to comply with the standard (and whether the failure to provide such equipment was reported by the pharmacist to the Director-General of the Department of Health).

Note. While some types of health professional may not necessarily provide direct patient care as frequently as other types, the various Acts regulating health professionals in NSW apply infection control standards that are substantially consistent.

Pharmacy Practice Regulation 2008

Clause 15

Advertising of pharmacy services

Part 4

Part 4 Advertising of pharmacy services

15 Advertising

For the purposes of section 155 (2) (i) of the Act, a person (including a corporation) may advertise pharmacy services in any manner except in a manner that:

- (a) is false, misleading or deceptive, or
- (b) creates an unjustified expectation of beneficial treatment, or
- (c) promotes the unnecessary or inappropriate use of pharmacy services, or
- (d) contravenes the Price Information Code of Practice.

Maximum penalty: 10 penalty units.

Clause 16 Pharmacy Practice Regulation 2008

Part 5 Election of members of Board

Part 5 Election of members of Board

16 Definitions

In this Part:

close of nominations, in relation to an election, means the final time and date fixed by the returning officer for the close of nominations in the election.

close of the poll, in relation to an election, means the final time and date fixed by the returning officer for the close of the poll in the election.

election means an election conducted for the purposes of section 100 (1) (a) of the Act to elect members of the Board.

returning officer—see clause 18.

17 Manner of conduct of election

For the purposes of section 100 (1) (a) of the Act, the election of elected members of the Board is to be held and conducted in the manner set out in this Part.

18 Returning officer

- (1) The Electoral Commissioner for New South Wales appointed under the *Parliamentary Electorates and Elections Act 1912* is to be the returning officer at an election.
- (2) The Electoral Commissioner may delegate to any member of staff of the Office of the New South Wales Electoral Commission any of the returning officer's functions under this Regulation, other than this power of delegation.

19 Notice of election

- (1) The returning officer must, as soon as practicable after being notified in writing by the Minister that an election is required to be held, cause to be published in the Gazette and in at least one daily newspaper published and circulated in New South Wales a notice that:
 - (a) states that an election is to be held, and
 - (b) invites nominations from pharmacists to fill the vacancies for elected members of the Board, and
 - (c) advises where nomination forms may be obtained, and
 - (d) fixes the time and date of the close of nominations, and
 - (e) fixes the time and date of the close of the roll, and
 - (f) fixes the time and date of the close of the poll.

Pharmacy Practice Regulation 2008

Clause 20

Election of members of Board

Part 5

-
- (2) A notice referred to in subclause (1) must be published at least 60 days before the close of the poll for the election to which it relates.
 - (3) The returning officer may, by a notice published in accordance with subclauses (1) and (2), fix a later time and date for the close of nominations for an election than those fixed by a previous notice published in relation to the election.

20 Nominations

- (1) A nomination must be made in writing and must set out the following particulars:
 - (a) the full name of the candidate nominated,
 - (b) the residential address of that candidate,
 - (c) an endorsement of that candidate's consent to his or her nomination,
 - (d) the full names, residential addresses and signatures of at least 2 nominators, being pharmacists other than that candidate.
- (2) A candidate may withdraw his or her nomination for an election by notification in writing delivered to the returning officer at any time until the close of nominations for the election.

21 Candidate information sheet

- (1) A candidate for election may, at any time before the close of nominations for the election, submit to the returning officer a statutory declaration containing information, not exceeding 100 words, intended for inclusion in a candidate information sheet referred to in subclause (2).
- (2) As soon as practicable after the close of nominations for an election, the returning officer must, if clause 22 (2) requires that a poll be taken, draw up a candidate information sheet consisting of the information in the statutory declarations, if any, submitted to the returning officer by candidates pursuant to subclause (1).
- (3) Despite subclause (2), the returning officer may, when drawing up a candidate information sheet, omit or alter so much of the information contained in a statutory declaration submitted to the returning officer pursuant to subclause (1):
 - (a) as appears necessary or desirable to prevent the sheet containing information that is inappropriate for inclusion in a candidate information sheet, or

Clause 22 Pharmacy Practice Regulation 2008

Part 5 Election of members of Board

- (b) as appears necessary or desirable to prevent the sheet containing information that is misleading in a material particular, or
 - (c) as exceeds 100 words.
- (4) Information concerning candidates must appear on a candidate information sheet referred to in subclause (2) in the same order in which the candidates are listed on the ballot-paper relating to them.

22 Procedure on close of nominations

- (1) If, after the close of nominations, there is not a greater number of pharmacists nominated than are required for election, the returning officer is to declare those pharmacists duly elected.
- (2) If, after the close of nominations, the number of pharmacists nominated is greater than the number required for election, a poll must be taken.

23 Closing of roll

- (1) If, by the close of nominations, the returning officer has received more than the required number of nominations, the returning officer must immediately notify the Registrar that a poll is to be taken and that the returning officer requires the Registrar to deliver to the returning officer within 7 days after the close of the roll:
 - (a) a roll, certified by the Registrar as true and correct, which contains:
 - (i) the name of each person whose name is entered in the Register, and
 - (ii) an address, nominated by the person, to which a ballot-paper in respect of an election may be sent to the person, and
 - (b) a label for each person whose name is entered in the Register as at the close of the roll, of a size suitable for fixing to an envelope, upon which the name and address of that person is written.
- (2) The Registrar is to comply with a requirement of the returning officer under subclause (1).

24 Conduct of ballot

- (1) Where a poll is to be taken, the returning officer must:
 - (a) hold a ballot, in the manner prescribed for the purposes of section 82A of the *Parliamentary Electorates and Elections Act 1912*, to determine the order in which the candidates' names are to be entered on the ballot-paper, and
 - (b) cause ballot-papers to be drawn up in accordance with subclause (2), and

Pharmacy Practice Regulation 2008

Clause 24

Election of members of Board

Part 5

-
- (c) cause the ballot-papers to be printed, and
 - (d) cause any candidate information sheet drawn up under clause 21 relating to the candidates to be printed.
- (2) The ballot-paper must contain:
- (a) the names of the candidates, arranged in the order determined in accordance with subclause (1) (a), with a small square opposite each name, and
 - (b) if the returning officer considers that the names of 2 or more candidates are so similar as to cause confusion, such other matter as the returning officer considers will distinguish between the candidates, and
 - (c) such directions, as to the manner in which a vote is to be recorded and returned to the returning officer, as are required by subclause (3), and
 - (d) such further directions as to the manner in which a vote is to be recorded and returned to the returning officer as the returning officer considers appropriate.
- (3) The directions to voters must include the following:
- (a) that the voter must record a vote for at least 5 candidates by placing the numbers “1”, “2”, “3”, “4” and “5” in the squares opposite the names of the candidates in the order of the voter’s preferences for them,
 - (b) that the voter may, if the voter so wishes, vote for additional candidates by placing consecutive numbers (beginning with the number “6”) in the squares opposite the names of the additional candidates in the order of the voter’s preferences for them,
 - (c) that the ballot-paper is to be rejected by the returning officer if it contains any matter by which the voter may be identified,
 - (d) that, having completed the ballot-paper, the voter is to:
 - (i) fold the ballot-paper so that the vote cannot be seen, and
 - (ii) seal the ballot-paper, and only the ballot-paper, in the reply-paid envelope addressed to the returning officer, and
 - (iii) legibly print the voter’s name and address on the reply-paid envelope’s rear flap and sign the flap, and
 - (iv) send the reply-paid envelope to the returning officer so that the envelope is received by the returning officer before the time and date appointed for the closing of the poll,
 - (e) the time and date appointed for the closing of the poll,

Clause 25 Pharmacy Practice Regulation 2008

Part 5 Election of members of Board

- (f) that it is an offence to:
 - (i) vote, or attempt to vote, more than once in an election, and
 - (ii) vote, or attempt to vote, in an election in which the voter is not entitled to vote.
- (4) The returning officer must, not later than 20 days before the date fixed for a poll, post to the address, nominated in the roll referred to in clause 23 (1), of each pharmacist registered at the date of the close of nominations to which the poll relates:
 - (a) a ballot-paper printed in accordance with subclause (1) and initialled by the returning officer, and
 - (b) an unsealed reply-paid envelope addressed to the returning officer, and
 - (c) the candidate information sheet (if any) drawn up under clause 21.
- (5) A reply-paid envelope referred to in subclause (4) must contain, on the rear flap, spaces for the insertion of a voter's name, address and signature.
- (6) A pharmacist who has been forwarded a ballot-paper and a reply-paid envelope under subclause (4) and who wishes to vote must complete the ballot-paper, fold the ballot-paper so that the vote cannot be seen and send or deliver to the returning officer the ballot-paper enclosed and sealed in the reply-paid envelope addressed to the returning officer.
- (7) The returning officer may, on written application made to the returning officer, and if satisfied that a ballot-paper has been lost or destroyed, supply a duplicate ballot-paper to the person to whom the lost or destroyed ballot-paper was issued.
- (8) An election is not invalid because:
 - (a) a person whose name is on the Register did not receive a ballot-paper, or
 - (b) the returning officer did not receive a ballot-paper sent to the returning officer.

25 Examination of envelopes

- (1) The returning officer must, as soon as practicable after the receipt of a reply-paid envelope purporting to contain a ballot-paper, examine the envelope for the purpose of deciding whether to accept or reject the envelope.

Pharmacy Practice Regulation 2008

Clause 26

Election of members of Board

Part 5

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- (2) The returning officer is to reject a reply-paid envelope purporting to contain a ballot-paper issued in respect of an election if:
- (a) the rear flap of the reply-paid envelope does not bear the legibly printed name and address of a pharmacist to whom the returning officer supplied a ballot-paper or has not been signed, or
 - (b) the reply-paid envelope is not sealed, or
 - (c) the reply-paid envelope is not received by the returning officer at or before the time and date fixed for the close of the poll under clause 19.

26 Dealing with ballot-papers

- (1) On the day fixed for the close of the poll, the returning officer must:
- (a) open all the reply-paid envelopes received (except those envelopes rejected under clause 25 (2)) and extract the ballot-papers and, without unfolding them, place the ballot-papers in the ballot-box, and
 - (b) mix the ballot-papers and draw the ballot-papers at random, and
 - (c) unfold the ballot-papers and count, in accordance with clause 27, the votes recorded on the ballot-papers (except any ballot-papers rejected under subclause (2)).
- (2) The returning officer is to reject a ballot-paper as being informal if:
- (a) the ballot-paper contains any matter by which the voter may be identified, or
 - (b) the ballot-paper was received in a reply-paid envelope that contained more than one ballot-paper, or
 - (c) the ballot-paper is not completed in accordance with the directions printed on the ballot-paper.
- (3) Each candidate may appoint, in writing, a scrutineer to represent that candidate.
- (4) A scrutineer appointed in accordance with subclause (3) may be present during the examination, opening and counting of votes by the returning officer.

27 Method of voting and counting

- (1) At an election a voter is:
- (a) required to record a vote for 5 candidates, and

Clause 28 Pharmacy Practice Regulation 2008

Part 5 Election of members of Board

(b) permitted to record a vote for as many more candidates as the voter pleases,

so as to indicate, in such manner as is required by this Part, the candidates for whom the voter votes and the order of the voter's preference for them.

- (2) Ballot-papers must be counted, and the candidates who are elected determined, by the returning officer according to an optional multi-preferential system in which the first, second, third, fourth and fifth preference votes (represented by the numbers "1", "2", "3", "4" and "5", respectively, marked on the ballot-paper) are regarded as primary votes.

28 Report of election

When the returning officer first ascertains the result of an election, the returning officer must furnish a report, in writing, of the result to the Minister and must cause the result to be published in the Gazette and in at least one daily newspaper published or circulated in New South Wales.

29 Returning officer's decision final

If the returning officer is by this Regulation permitted or required to make a decision on any matter relating to the conduct of an election under this Part, the decision of the returning officer on that matter is final.

30 Candidate dying or ceasing to be pharmacist

- (1) If a candidate dies or ceases to be a pharmacist and, as a result, at any time after the close of nominations but before the close of the poll, there is not a greater number of pharmacists nominated than are required for election, the returning officer is to declare those pharmacists duly elected and is not to proceed with the poll.
- (2) Without limiting the operation of subclause (1), an election under this Part is not invalid merely because a candidate or a Board member-elect died or ceased to be a pharmacist after the close of nominations.
- (3) Without limiting the operation of subclause (1), a vote cast in an election under this Part is not informal merely because the person, for whom the vote was cast, died or ceased to be a pharmacist after the close of nominations.
- (4) If a person elected in an election under this Part has, after the close of nominations but before assuming office, died or ceased to be a pharmacist, the Minister may nominate a pharmacist to assume office in the person's place.

Pharmacy Practice Regulation 2008

Clause 31

Election of members of Board

Part 5

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- (5) The person who assumes office after being so nominated by the Minister is taken to be an elected member.
- (6) In this clause, ***Board member-elect*** means a member elected at an election who is yet to assume office.

31 Offences

A person must not:

- (a) vote, or attempt to vote, more than once in an election, or
- (b) vote, or attempt to vote, in an election in which the person is not entitled to vote.

Maximum penalty: 2 penalty units.

Clause 32 Pharmacy Practice Regulation 2008

Part 6 Miscellaneous

Part 6 Miscellaneous

32 Forms

Any application made, or notice given, to the Board under the Act or this Regulation must be in a form approved by the Board.

33 Additional information to be included in pharmacist annual return

For the purposes of section 31 (1) (n) of the Act, the following information is to be specified in a return furnished by a pharmacist:

- (a) the name of any insurer who has issued a policy of professional indemnity insurance to the pharmacist that is current at the time that the pharmacist furnishes the return,
- (b) whether the pharmacist has practised as a pharmacist during the return period,
- (c) if so, the period of practice, and whether the pharmacist practised full-time or part-time,
- (d) if the pharmacist practised part-time, the estimated number of hours per week that the pharmacist practised.

34 Notice of mental incapacity

- (1) For the purposes of section 34 of the Act, the person required to cause notice of mental incapacity to be given to the Registrar is:
 - (a) in the case of a pharmacist who is a mentally incapacitated person and becomes a patient at an institution because of that incapacity—the medical superintendent of the institution, or
 - (b) in the case of a pharmacist who is a protected person under the *Protected Estates Act 1983*—the Protective Commissioner.
- (2) Notice for the purposes of section 34 of the Act is to be given by telephone by the next business day, and by post within the next 7 business days, after the day on which the pharmacist is admitted to the institution or becomes a protected person, and is to specify the following:
 - (a) the name and residential address of the pharmacist,
 - (b) the date on which the pharmacist:
 - (i) was admitted to the institution at which the pharmacist is a patient, or
 - (ii) became a protected person.
- (3) In this clause, **business day** means any day other than a Saturday, a Sunday or a public holiday throughout New South Wales.

Pharmacy Practice Regulation 2008

Clause 35

Miscellaneous

Part 6

35 Excluded offences

- (1) Sections 31 (1) (a), 32 (1) (a) and 33 of the Act do not apply in respect of an excluded offence.
- (2) In this clause, ***excluded offence*** means any offence relating to the parking of motor vehicles or any offence under the road transport legislation (within the meaning of the *Road Transport (General) Act 2005*) except for the following offences:
 - (a) any offence under section 9 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to presence of prescribed concentration of alcohol in a person's breath or blood),
 - (b) any offence under section 12 (1) of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to the use or attempted use of a vehicle while under the influence of alcohol or any other drug),
 - (c) any offence under section 42 (1) of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to driving a motor vehicle negligently on a road or road related area) if the pharmacist is, by way of penalty, sentenced to imprisonment or fined a sum of \$200 or more,
 - (d) any offence under section 42 (2) of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to driving a motor vehicle furiously, recklessly or at a speed or in a manner dangerous to the public on a road or road related area),
 - (e) any offence under section 43 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to menacing driving),
 - (f) any offence under section 70 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to failing to stop and assist after an impact causing injury),
 - (g) any offence under section 171 (2) of the *Road Transport (General) Act 2005* (which relates to failing to comply with a requirement to produce a driver licence, or to state name and home address, or stating a false name or home address),
 - (h) any offence under section 25A (1), (2) or (3) of the *Road Transport (Driver Licensing) Act 1998* (which relates to driving while unlicensed),
 - (i) any other offence under the road transport legislation if the court orders the disqualification of the pharmacist from holding a driver licence.

Clause 36 Pharmacy Practice Regulation 2008

Part 6 Miscellaneous

36 Appeal on point of law

An appeal referred to in section 90 of the Act is to be made:

- (a) by causing a notice of appeal, specifying the grounds on which the appeal is made, to be given to the Chairperson (or, if a Deputy Chairperson is nominated under section 90 (1) of the Act, to the Deputy Chairperson so nominated), and
- (b) by causing a copy of the notice of appeal to be given to each other party to the proceedings from which the appeal has arisen.

37 Fee for inspection of Register

For the purposes of clause 15 (5) of Schedule 1 to the Act, the prescribed maximum fee for an inspection of the Register is \$30.

38 Fee for additional information to be recorded in Register

For the purposes of clause 16 (3) of Schedule 1 to the Act, the prescribed fee for recording additional particulars in the Register is \$50.

39 Fee for inspection of Register of Pharmacies

For the purposes of clause 2 (4) of Schedule 2 to the Act, the prescribed maximum fee for an inspection of the Register of Pharmacies is \$30.

40 Replacement certificates

- (1) The Registrar may issue a replacement certificate of registration if satisfied that:
 - (a) the original certificate has been lost, stolen, destroyed or mutilated or the information that it certifies is no longer correct, and
 - (b) the person to whom the replacement certificate is to be issued is entitled (under subclause (2) or by other lawful entitlement) to be issued with it.
- (2) A pharmacist who has been issued with a certificate of registration is entitled to be issued with a replacement of the certificate under subclause (1) on:
 - (a) application to the Registrar, and
 - (b) payment of any relevant fee fixed by the Board.
- (3) The Registrar may require an application under this clause for a replacement for a lost, stolen, destroyed or mutilated certificate to be verified by a statutory declaration as to the circumstances in which the certificate was lost, stolen, destroyed or mutilated.

Pharmacy Practice Regulation 2008

Clause 41

Miscellaneous

Part 6

41 Transitional provision regarding certain provisions in certain instruments

Pursuant to clause 2 of Schedule 8 to the Act, section 29 (1) (d) of the Act does not, before 25 February 2009, affect a provision of a lease or a licence, or an arrangement that creates a security interest, in respect of a pharmacy business if the lease, licence or arrangement was entered into before 25 February 2008.

42 Amendment consequential on enactment of Schedule 15 to the Parliamentary Electorates and Elections Amendment Act 2006

This Regulation is amended by omitting clause 18 and inserting instead:

18 Returning officer

The Board may appoint an accredited election service provider (referred to in Part 6A of the *Parliamentary Electorates and Elections Act 1912*) to be the returning officer for the purposes of this Regulation.

Pharmacy Practice Regulation 2008

Schedule 1 Equipment and publications required for pharmacy premises

Schedule 1 Equipment and publications required for pharmacy premises

(Clause 4 (1) (e) and (f))

1 Equipment

The following equipment is listed for the purposes of clause 4 (1) (e) of this Regulation:

- (a) a refrigerator manufactured (either exclusively or principally) for the purpose of storage of vaccines,
- (b) a dispensing balance,
- (c) heavy duty scales, capable of weighing up to 1 kg and a set of metric weights compatible for use with those scales or an electronic scale capable of weighing up to 1 kg in increments of no more than 50 mg,
- (d) a 200 ml dispensing measure,
- (e) a 100 ml dispensing measure,
- (f) a 10 ml dispensing measure,
- (g) a 5 ml dispensing measure,
- (h) a funnel,
- (i) 2 mortars and pestles (at least 1 being made of glass),
- (j) a stirring rod,
- (k) 2 spatulas,
- (l) an ointment slab,
- (m) a tablet counting tray.

2 Publications

The following publications are listed for the purposes of clause 4 (1) (f) of this Regulation:

- (a) the *Poisons and Therapeutic Goods Act 1966* and the Regulations under that Act,
- (b) the Poisons List proclaimed under section 8 of the *Poisons and Therapeutic Goods Act 1966* or the latest edition, and all published amendments or supplements to that edition, of the *Guide to the New South Wales Poisons Schedules* published by the Pharmacy Guild of Australia (New South Wales Branch),
- (c) the Act and this Regulation,
- (d) the Price Information Code of Practice,

Pharmacy Practice Regulation 2008

Equipment and publications required for pharmacy premises

Schedule 1

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- (e) the latest editions, and all published amendments or supplements to those editions, of:
- (i) *MIMS Annual* or *Drugs on Disk* or *AusDI* or a publication approved by the Board for the purposes of this subparagraph, and
 - (ii) *Martindale—The Extra Pharmacopoeia* or *AusDI* or *Micromedex* or a publication approved by the Board for the purposes of this subparagraph, and
 - (iii) *Australian Pharmaceutical Formulary and Handbook* (also known as *APF*) or a publication approved by the Board for the purposes of this subparagraph, and
 - (iv) *Australian Medicines Handbook* (also known as *AMH*) or the *Pharmacy Self Care Cards* published by the Pharmaceutical Society of Australia or a publication approved by the Board for the purposes of this subparagraph.

Note. Section 68 of the *Interpretation Act 1987* provides that, in any Act or instrument, a reference to some other Act or instrument extends to the other Act or instrument as in force for the time being. Section 69 of that Act makes provision for how a reference to a publication that is not an Act or instrument is to be construed.

Pharmacy Practice Regulation 2008

Schedule 2 Publications required for professional services room premises

Schedule 2 Publications required for professional services room premises

(Clause 5 (1) (e))

The following publications are listed for the purposes of clause 5 (1) (e) of this Regulation:

- (a) the *Poisons and Therapeutic Goods Act 1966* and the Regulations under that Act,
- (b) the Poisons List proclaimed under section 8 of the *Poisons and Therapeutic Goods Act 1966* or the latest edition, and all published amendments or supplements to that edition, of the *Guide to the New South Wales Poisons Schedules* published by the Pharmacy Guild of Australia (New South Wales Branch),
- (c) the Act and this Regulation,
- (d) the latest editions, and all published amendments or supplements to those editions, of:
 - (i) *MIMS Annual* or *Drugs on Disk* or *AusDI* or a publication approved by the Board for the purposes of this subparagraph, and
 - (ii) *Martindale—The Extra Pharmacopoeia* or *AusDI* or *Micromedex* or a publication approved by the Board for the purposes of this subparagraph, and
 - (iii) *Australian Pharmaceutical Formulary and Handbook* (also known as *APF*) or a publication approved by the Board for the purposes of this subparagraph, and
 - (iv) *Australian Medicines Handbook* (also known as *AMH*) or the *Pharmacy Self Care Cards* published by the Pharmaceutical Society of Australia or a publication approved by the Board for the purposes of this subparagraph.

Note. Section 68 of the *Interpretation Act 1987* provides that, in any Act or instrument, a reference to some other Act or instrument extends to the other Act or instrument as in force for the time being. Section 69 of that Act makes provision for how a reference to a publication that is not an Act or instrument is to be construed.

Pharmacy Practice Regulation 2008

Additional matters to be included in notification of pecuniary interest

Schedule 3

Schedule 3 Additional matters to be included in notification of pecuniary interest

(Clause 12)

For the purposes of clause 12, the following additional matters are prescribed:

- (a) a copy of any bill of sale referred to in the notice,
- (b) a copy of any sale agreement for the business,
- (c) a copy of any partnership agreement for the business,
- (d) a copy of any lease for the pharmacy,
- (e) a copy of any agreement under which any other person has a pecuniary interest in the business,
- (f) a copy of any agreement, between persons who have pecuniary interests in the business, that makes provision for any rights the persons possess by virtue of having the pecuniary interests,
- (g) a copy of any agreement for the provision of management services to the business or to any pharmacists' body corporate that owns an interest in the business,
- (h) a copy of any agreement (except a contract of employment) between any person who has a pecuniary interest in the business and any entity in respect of the provision of accounting, information technology, human resources or other support services to the business,
- (i) if a pharmacists' body corporate is acting as a trustee (whether of a fixed trust, unit trust, discretionary trust or other kind of trust), a copy of the relevant trust deed (if any exists),
- (j) a copy of any security interest in respect of the business.

Pharmacy Practice Regulation 2008

Schedule 4 Infection control standards

Schedule 4 Infection control standards

(Clause 14)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

body substance includes any human bodily secretion or substance other than blood.

invasive procedure means any one or more of the following:

- (a) any procedure during which a patient's skin is penetrated or cut or otherwise rendered non-intact,
- (b) treatment of a wound.

patient includes a person who is accessing pharmacy services.

sharps means any object capable of inflicting penetrating injury, and includes hollow bore needles, suture needles, scalpel blades, wires, trocars, auto lancets, stitch cutters and broken glassware.

(2) The requirements set out in this Schedule apply to a pharmacist who is assisting in performing a procedure in the same way as they apply to a pharmacist who is actually performing the procedure.

Part 2 Standards applying to pharmacists

2 General precautions and aseptic techniques

- (1) Precautions must be taken to avoid direct exposure to a patient's blood or other body substances. This requirement applies regardless of whether there is any perceived risk of infection.
- (2) Aseptic techniques must be used in the course of complying with the requirements of this Schedule.

3 Hand and skin cleaning

- (1) Hands must be cleaned:
 - (a) immediately before and after performing any invasive procedure, and
 - (b) immediately before and after performing any procedure during which direct contact is anticipated or occurs with a patient's blood or other body substance, mucous membranes or non-intact skin, and
 - (c) immediately after handling blood or other body substances.

Pharmacy Practice Regulation 2008

Infection control standards

Schedule 4

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- (2) Subclause (1) does not apply in circumstances where treatment is required to be performed urgently and cleaning facilities are not readily available.
 - (3) Hands may be cleaned by:
 - (a) using washing facilities involving water and a soap or antiseptic, or
 - (b) using non-water cleansers or antiseptics.
 - (4) Hands or other skin surfaces that are contaminated with a patient's blood or other body substances must be cleaned as soon as it is practicable to clean them.
 - (5) The requirement to clean hands applies regardless of whether gloves are also required to be worn.

4 Protective gowns and aprons

A gown or apron made of impervious material must be worn during any procedure where there is a likelihood of clothing being splashed or contaminated with blood or other body substances.

5 Gloves

- (1) Gloves must be worn while handling blood or other body substances.
- (2) In particular, gloves must be worn:
 - (a) during any procedure where direct contact is anticipated with a patient's blood or other body substances, mucous membranes or non-intact skin, and
 - (b) while handling items or surfaces that have come into contact with blood or other body substances, and
 - (c) while performing an invasive procedure.
- (3) Sterile gloves must be worn if the procedure involves contact with tissue that would be sterile under normal circumstances.
- (4) Gloves must be discarded:
 - (a) as soon as they are torn or punctured, and
 - (b) after contact with each patient.
- (5) Nothing in subclause (4) affects the operation of subclauses (1)–(3).
- (6) Gloves must be changed if separate procedures are being performed on the same patient and there is a risk of infection from one part of the body to another.

Pharmacy Practice Regulation 2008

Schedule 4 Infection control standards

6 Masks and protective eye wear

- (1) A fluid repellent mask and protective eye wear must be worn while performing any procedure where there is a likelihood of splashing or splattering of blood or other body substances.
- (2) A mask must be worn when in close contact with patients known by the pharmacist to have an infectious disease (or suspected by the pharmacist of having such a disease) if the disease is capable of being transmitted by the airborne or droplet route. If the disease is tuberculosis, the mask must be a particulate mask that is capable of filtering to 0.3µm.
- (3) In cases where a mask is required to be worn, it must be worn and fitted in accordance with the manufacturer's instructions.
- (4) A mask must be discarded once it has been worn and it must not be used again.
- (5) In cases where protective eye wear is required to be worn, it must be worn and fitted in accordance with the manufacturer's instructions.
- (6) Protective eye wear must be discarded once it has been worn and not used again unless it is reusable (in which case it is to be cleaned in accordance with the manufacturer's instructions).

7 Sharps

- (1) Sharps must not be passed by hand between a pharmacist and any other person unless the sharps are contained in a puncture resistant container.
- (2) A puncture resistant tray must be used to transfer sharps that are not contained in a puncture resistant container.
- (3) A needle must not be removed from a disposable syringe for disposal, or be purposely broken or otherwise manipulated by hand, unless it is necessary to remove the needle for technical reasons.
- (4) A needle must not be bent after it is contaminated with blood or other body substances.
- (5) In any case where resheathing of a needle is required:
 - (a) the needle must be properly recapped, and
 - (b) the sheath must not be held in the fingers, and
 - (c) either a single handed technique or forceps, or a suitable protective guard designed for the purpose, must be used.
- (6) Reusable sharps must, immediately after being used, be placed in a puncture resistant container specially kept for that purpose and labelled as such.

Pharmacy Practice Regulation 2008

Infection control standards

Schedule 4

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- (7) Non-reusable sharps must, immediately after being used, be disposed of in a puncture resistant container.

8 Management of waste

- (1) Clinical waste must be properly packaged to protect against potential exposure to infectious agents and to facilitate the proper handling, storage and treatment or disposal of the waste.
- (2) Splashing or contamination of skin while disposing of blood or other body substances must be avoided as far as practicable.
- (3) Nothing in this clause limits any other requirement under this Part.

9 Sterile medications and solutions

- (1) A sterile needle and syringe must be used to withdraw any medication or solution from a vial or ampoule (or other similar container).
- (2) The needle and syringe must be discarded once the needle and syringe have been used.
- (3) A medication or solution may be taken from a multi-dose vial or ampoule (or other similar container) only if the medication or solution is not reasonably available in another form.
- (4) Precautions must be taken to ensure that contaminated material or fluid is not injected into a multi-dose vial or ampoule (or other similar container).

Part 3 Processing of instruments and equipment

10 Interpretation

In this Part:

AS/NZS 4187 means AS/NZS 4187:2003, *Cleaning, disinfecting and sterilizing reusable medical and surgical instruments and equipment, and maintenance of associated environments in health care facilities.*

AS/NZS 4815 means AS/NZS 4815:2006, *Office-based health care facilities—Reprocessing of reusable medical and surgical instruments and equipment, and maintenance of the associated environment.*

11 Cleaning of instruments and equipment

- (1) Any instrument or equipment that comes into contact with intact skin must be cleaned before it is used.
- (2) Any instrument or equipment that is required under this Part to be sterilised or disinfected must be cleaned before it is sterilised or disinfected.

Pharmacy Practice Regulation 2008

Schedule 4 Infection control standards

- (3) The process of cleaning:
- (a) must involve water and mechanical or physical action (such as washing machines) and a cleaning agent (with the cleaning agent being removed from instruments and equipment by rinsing), and
 - (b) must be consistent with AS/NZS 4187 or (in the case of a pharmacy) AS/NZS 4815.
- (4) In this clause, *cleaning agent* means a detergent and includes proteolytic enzyme substances.

12 Disinfection of instruments and equipment

- (1) Any instrument or equipment that comes into contact with non-sterile tissue (other than intact skin) must, before it is used, be disinfected with a disinfectant specified in the Australian Register of Therapeutic Goods that is maintained under the *Therapeutic Goods Act 1989* of the Commonwealth, and the relevant manufacturer's instructions must be followed.
- (2) The process of disinfection:
- (a) must involve either thermal methods or (if thermal methods are unsuitable) chemical methods, and
 - (b) must be consistent with AS/NZS 4187 or (in the case of a pharmacy) AS/NZS 4815.

13 Sterilisation of instruments and equipment

- (1) Any instrument or equipment used to enter, or that is capable of entering, tissue that would be sterile under normal circumstances, or the vascular system of a patient, must be sterilised before it is used.
- (2) The method of sterilisation must be:
- (a) compatible with the particular type of instrument or equipment concerned, and
 - (b) consistent with AS/NZS 4187 or (in the case of a pharmacy) AS/NZS 4815.
- (3) If a steriliser is used (whether it is a benchtop or portable steriliser or a permanently plumbed or wired steriliser), the following criteria must be met:
- (a) the relevant manufacturer's instructions must be followed,
 - (b) an ongoing monitoring program must be followed which reflects the requirements of Table 7.1 Calibration, Monitoring and Maintenance of Sterilizers of AS/NZS 4187 or (in the case of a pharmacy) Table 7.1 Performance Testing, Monitoring, Calibration and Maintenance of Sterilizers of AS/NZS 4815.



New South Wales

Protection of the Environment Operations (Noise Control) Regulation 2008

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

PHILIP KOPERBERG, M.P.,
Minister for Climate Change, Environment and Water

Explanatory note

The object of this Regulation is to repeal and remake, with minor amendments, the provisions of the *Protection of the Environment Operations (Noise Control) Regulation 2000*.

This Regulation creates offences (maximum penalty \$11,000 for corporations and \$5,500 for individuals) for selling or driving a vehicle with a temporary noise reduction device or with temporary noise reduction packing or for modifying or repairing a vehicle so as to include any such device or packing. A person is not guilty of any such offence if the conduct alleged to give rise to the offence occurs within 6 months after the commencement of this Regulation.

This Regulation also makes provision with respect to the following:

- (a) the selling or using of certain classes of motor vehicles and motor vehicle accessories that are capable of emitting noise levels above a prescribed level,
- (b) the use of motor vehicle horns and motor vehicle intruder alarms,
- (c) the times during which it is not permissible to use certain motor vehicles if they emit noise that can be heard in other residential premises,
- (d) the sounding of sirens and similar devices and the use of sound systems on vessels,
- (e) the emission of noise from the engines or exhausts of motor vehicles and vessels,
- (f) the maintenance of noise control equipment on motor vehicles and vessels,
- (g) the issue of defective vehicle notices and defective vessel notices,
- (h) the prohibition on selling certain articles that are capable of emitting noise levels above a prescribed level,
- (i) the obligation to label certain articles,

Protection of the Environment Operations (Noise Control) Regulation 2008

Explanatory note

- (j) the times during which it is not permissible to use certain articles (including musical instruments) if they emit noise that can be heard in any residential premises,
- (k) the inspection and testing procedures for the purpose of determining noise emission levels of certain motor vehicles, motor vehicle accessories, vessels, articles or equipment.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 136 and 323 (the general regulation-making power) and clauses 3 and 4 (6) of Schedule 2.

 Protection of the Environment Operations (Noise Control) Regulation 2008

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Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 1

Preliminary Part 1

Protection of the Environment Operations (Noise Control) Regulation 2008

under the

Protection of the Environment Operations Act 1997

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Noise Control) Regulation 2008*.

2 Commencement

This Regulation commences on 1 March 2008.

3 Definitions

(1) In this Regulation:

ADR 83/00 means the national standard made under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth entitled *Australian Design Rule 83/00—External Noise*.

approved (except in Part 3) means approved by the EPA.

building intruder alarm means a device used or intended to be used as an intruder alarm for a building that:

- (a) incorporates or connects to a sounding device, and
- (b) on being triggered, causes the sounding device to emit sound.

certified to ADR 83/00 means, in relation to a motor vehicle, that approval has been given, under section 10A of the *Motor Vehicle Standards Act 1989* of the Commonwealth, to place identification plates on vehicles of that type showing compliance with ADR 83/00.

compliance plate date, in relation to a motor vehicle, means the date that appears on an identification plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth.

defective noise control equipment in relation to a motor vehicle means noise control equipment that:

- (a) allows gas to escape from a place other than the intended exhaust outlet, or

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| Clause 3 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 1 | Preliminary |

- (b) allows the emission of more noise than the original noise control equipment fitted by the manufacturer of the vehicle and (if the noise control equipment relates to, or is part of, the vehicle's exhaust system) the system of which is capable of emitting exhaust noise at a level that an authorised officer reasonably believes is above the level prescribed by clause 4 (b) or (c) in respect of the vehicle, or
- (c) has been modified in a way that an authorised officer reasonably believes makes it less effective than it would have been if the modification had not been made and (if the modified noise control equipment relates to, or is part of, the vehicle's exhaust system) the system of which is capable of emitting exhaust noise at a level that an authorised officer reasonably believes is above the level prescribed by clause 4 (b) or (c) in respect of the vehicle.

defective vehicle notice means a notice issued under clause 26.

defective vessel notice means a notice issued under clause 34.

domestic air conditioner means a split or packaged mechanical system:

- (a) that is capable of controlling air temperature and distribution and that may also control the humidity and cleanliness of the air, and
- (b) the nominal cooling capacity of which does not exceed 12 kilowatts,

but does not include a device of the kind that is commonly known as an evaporative system, and does not include a device that is designed exclusively for heating.

emergency vehicle means a vehicle that is used by, or on behalf of, one of the following organisations, for the purposes of that organisation:

- (a) the NSW Police Force, Fire Brigades, Rural Fire Brigades, Ambulance Service, State Emergency Service, Volunteer Rescue Association or any other agency which manages or controls an accredited rescue unit (within the meaning of the *State Emergency and Rescue Management Act 1989*), or
- (b) an organisation of the Commonwealth or a State or Territory that exercises similar functions to an organisation specified in paragraph (a), or
- (c) the Australian Protective Service, or
- (d) the Australian Customs Service, or
- (e) Airservices Australia.

engine, in relation to a vessel, includes the whole of the machinery involved in the propulsion and operation of the vessel.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 3

Preliminary

Part 1

grass-cutting machine means a machine that:

- (a) is designed principally for the purpose of cutting grass or other soft undergrowth, and
- (b) is powered by a motor,

but does not include electrically powered shears with a cutting width of less than 120 millimetres.

GVM (gross vehicle mass) has the same meaning as in the *Road Transport (Vehicle Registration) Act 1997*.

habitable room means any room other than a garage, storage area, bathroom, laundry, toilet or pantry.

master of a vessel means the person having the command or charge of the vessel, but does not include a pilot.

mobile air compressor means an air compressor that is mounted on a trailer, or other vehicle, capable of being registered under the *Road Transport (Vehicle Registration) Act 1997*.

mobile garbage compactor means a motor lorry that is comprised of a garbage compactor mounted on a truck cab-chassis.

motor bus means a motor vehicle constructed primarily for the carriage of persons and equipped to seat more than 8 adult persons (including the driver).

motor car means:

- (a) a motor vehicle constructed primarily for the carriage of persons, or
- (b) a motor car derivative, being a motor vehicle:
 - (i) that is of the type known as a utility, station wagon or panel van, and
 - (ii) that is of the same make as a factory produced motor car, and
 - (iii) in which that part of the body form that is forward of the windscreen, and the greater part of the mechanical equipment, are the same or substantially the same as in a factory produced motor car,

but does not include a motor bus, a motor cycle, a motor lorry or a special purpose motor vehicle.

motor cycle means any 2 or 3 wheeled motor vehicle constructed primarily for the carriage of persons.

motor lorry means a motor vehicle constructed primarily for the conveyance of goods or for use otherwise than for the carriage of persons, and includes the separate components (the prime mover and semi-trailer) of an articulated vehicle, but does not include a special purpose motor vehicle.

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| Clause 3 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 1 | Preliminary |

motor vehicle accessory includes:

- (a) a motor vehicle horn, and
- (b) a motor vehicle intruder alarm, and
- (c) a motor vehicle sound system, and
- (d) any other device that is attached to or forms part of, or is intended to be attached to or form part of, a motor vehicle.

motor vehicle horn means a sounding device designed to be attached to or form part of a motor vehicle, but does not include a sounding device designed solely for use in connection with a motor vehicle intruder alarm.

motor vehicle intruder alarm means a device that:

- (a) incorporates or connects to a sounding device, and
 - (b) on being triggered, causes the sounding device to emit sound,
- being a device that is attached to or forms part of a motor vehicle for use as an intruder alarm, whether or not the device is also designed to be used for any other purpose.

noise control equipment means any apparatus or device used or designed:

- (a) to prevent, limit or regulate the emission of noise, or
- (b) to monitor or to give warning of the emission of noise, or
- (c) to give warning of the excessive emission of noise,

and includes any apparatus or device that, though not so used, is or would, if properly maintained and operated, be capable (without modification) of being so used, but does not include any apparatus or device prescribed as excluded from the definition of **control equipment** in the Act. An apparatus or device can be noise control equipment whether or not it is used for additional purposes or designed for other or additional purposes.

pavement breaker means a pneumatic device:

- (a) capable of being manually lifted and manoeuvred by a single operator, and
- (b) designed for the purpose of breaking up rock, concrete and similar materials.

road means a road within the meaning of the *Road Transport (General) Act 2005* (other than a road that is the subject of a declaration made under section 15 (1) (b) of that Act relating to all of the provisions of that Act).

Note. The definition in the *Road Transport (General) Act 2005* is as follows:

road means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 3

Preliminary

Part 1

road related area means a road related area within the meaning of the *Road Transport (General) Act 2005* (other than a road related area that is the subject of a declaration made under section 15 (1) (b) of that Act relating to all of the provisions of that Act).

Note. The definition in the *Road Transport (General) Act 2005* is as follows:

road related area means:

- (a) an area that divides a road, or
- (b) a footpath or nature strip adjacent to a road, or
- (c) an area that is open to the public and is designated for use by cyclists or animals, or
- (d) an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles, or
- (e) a shoulder of a road, or
- (f) any other area that is open to or used by the public and that has been declared under section 15 to be an area to which specified provisions of this Act or the regulations apply.

special purpose motor vehicle means a fork lift truck or motor vehicle constructed principally for off-road agricultural use or for use in road or building site construction work, and includes a tractor, harvester, header, thresher, swather, baler, cuber, loader, digger, bulldozer, excavator, grader, scraper, roller, or a mobile crane the engine of which is used for the purpose of both lifting loads and propelling the vehicle, but not does not include any vehicle constructed on a chassis of a type normally used in the construction of a motor lorry.

temporary noise reduction device includes the following exhaust system components that reduces noise:

- (a) a valve or other device that is adjustable,
- (b) a plate, baffle or other device:
 - (i) that is part of a muffler, resonator or the like, and
 - (ii) that is not substantially welded or riveted in place.

temporary noise reduction packing means packing or other matter in an exhaust system that reduces noise but which is not permanently sealed in the system by way of welding or rivets.

the Act means the *Protection of the Environment Operations Act 1997*.

- (2) In Part 2, a reference to the noise level or noise emission characteristics of a motor vehicle or other article is a reference to the noise level or noise emission characteristics of the motor vehicle or article when tested in accordance with the provisions of Part 5 and the relevant Parts of Schedule 2.

Clause 3 Protection of the Environment Operations (Noise Control) Regulation 2008
Part 1 Preliminary

- (3) In Part 4, a reference to the noise level of an article is a reference to the noise level of the article when tested in accordance with the provisions of Part 4 and the relevant Parts of Schedule 2.
- (4) Notes in this Regulation do not form part of this Regulation.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 4

Motor vehicle and motor vehicle accessories Part 2

Part 2 Motor vehicle and motor vehicle accessories

Division 1 Sale of motor vehicles and motor vehicle accessories

Note. Section 136 of the Act creates an offence of selling any article of a class prescribed by the regulations if, when in use or operation, the article emits noise in excess of a prescribed level.

A person who is guilty of an offence under section 136 of the Act is liable, on conviction:

- (a) in the case of a corporation—to a penalty not exceeding \$1,000,000 and, in the case of a continuing offence, to a further penalty not exceeding \$120,000 for each day the offence continues, or
- (b) in the case of an individual—to a penalty not exceeding \$250,000 and, in the case of a continuing offence, to a further penalty not exceeding \$60,000 for each day the offence continues (Section 141 of the Act).

Subdivision 1 Motor vehicles and related articles

4 Sale of motor vehicles generally

For the purposes of section 136 of the Act:

- (a) motor vehicles, other than special purpose motor vehicles, are a prescribed class of articles, and
- (b) the prescribed level for a motor vehicle of a particular type that is certified to ADR 83/00 is:
 - (i) if the compliance plate date of the vehicle is on or before the date that is 2 years after the commencement of this Regulation—the noise level established by ADR 83/00 for a motor vehicle of that type when stationary plus 5 dB(A) or the noise level specified in Schedule 1 for a motor vehicle of that type, whichever is the greater, and
 - (ii) in any other case—the noise level established by ADR 83/00 for a motor vehicle of that type when stationary plus 5 dB(A), and
- (c) the prescribed level for a motor vehicle of a particular type that is not certified to ADR 83/00 is the noise level specified in Schedule 1 for a motor vehicle of that type.

5 Sale of used motor vehicles with defective noise control equipment

- (1) A person must not sell a used motor vehicle if:
 - (a) the motor vehicle has defective noise control equipment, or
 - (b) the motor vehicle's noise control equipment is not securely in place or has been removed and not replaced, or

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| Clause 6 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 2 | Motor vehicle and motor vehicle accessories |

- (c) the motor vehicle has temporary noise reduction packing, or
 - (d) the motor vehicle has a temporary noise reduction device fitted.
- Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) A person is not guilty of an offence under subclause (1) (c) or (d) if the conduct alleged to give rise to the offence occurs within 6 months after the commencement of this Regulation.
 - (3) A person is not guilty of an offence under subclause (1) (d) if the temporary noise reduction device:
 - (a) was fitted by the vehicle manufacturer, or is an equivalent replacement for any such device fitted by the vehicle manufacturer, or
 - (b) is a plate, baffle or other device that is part of a muffler, resonator or the like and is fitted to a motor cycle.

Subdivision 2 Motor vehicle horns

6 Subdivision applies only to retail sale of new motor vehicle horns

This Subdivision applies to the sale of new motor vehicle horns by retail, but does not apply to the sale of motor vehicle horns otherwise than by retail or to the sale of second-hand motor vehicle horns.

7 Sale of motor vehicle horns generally

- (1) For the purposes of section 136 of the Act:
 - (a) motor vehicle horns that emit noise at a single non-varying loudness and pitch are a prescribed class of articles, and
 - (b) 120 dB(A) is the prescribed level for such motor vehicle horns.
- (2) For the purposes of section 136 of the Act:
 - (a) motor vehicle horns that emit noise otherwise than at a single non-varying loudness and pitch are a prescribed class of articles, and
 - (b) 85 dB(A) is the prescribed level for such motor vehicle horns.
- (3) Motor vehicle horns that are sold for the express purpose of being attached to or forming part of any of the following motor vehicles are excluded from the classes of articles prescribed by subclauses (1) and (2):
 - (a) an emergency vehicle,

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 8

Motor vehicle and motor vehicle accessories Part 2

-
- (b) a vehicle that is at least 25 years old that is fitted as an emergency vehicle if the vehicle:
 - (i) is used for exhibition purposes, or
 - (ii) is part of a collection of former emergency vehicles.
 - (4) In this clause, a reference to a motor vehicle horn that is designed to emit noise at a single non-varying loudness and pitch is a reference to a device designed to emit noise that:
 - (a) remains at a constant noise level, and
 - (b) consists of one or more sounds that each remain at a constant frequency,
 while the device is being operated.

Subdivision 3 Motor vehicle intruder alarms

8 Subdivision applies only to retail sale of new motor vehicle intruder alarms

This Subdivision applies to the sale of new motor vehicle intruder alarms by retail, but does not apply to the sale of motor vehicle intruder alarms otherwise than by retail or to the sale of second-hand motor vehicle intruder alarms.

9 Sale of motor vehicle intruder alarms generally

For the purposes of section 136 of the Act:

- (a) motor vehicle intruder alarms are a prescribed class of articles, and
- (b) 115 dB(A) is the prescribed level for motor vehicle intruder alarms.

10 Sale of motor vehicle intruder alarms with a panic or override switch

A person must not sell a motor vehicle intruder alarm that has a sounding device that is operable (while the engine of the motor vehicle is running or the ignition of the motor vehicle is turned on) by means of a panic or override switch.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

11 Sale of motor vehicle intruder alarms having certain sound characteristics

- (1) A person must not sell a motor vehicle intruder alarm (including any component of a motor vehicle intruder alarm) that consists of:
 - (a) a dual tone horn:

Clause 12 Protection of the Environment Operations (Noise Control) Regulation 2008

Part 2 Motor vehicle and motor vehicle accessories

-
- (i) that has a lower frequency tone of 1,000 Hertz or less, and
 - (ii) that has a higher frequency tone of 2,000 Hertz or less, and
 - (iii) that emits between 40 and 100 cycles of sound per minute (each cycle consisting of a lower pitched sound followed by a higher pitched sound), or
- (b) a variable tone horn:
- (i) that has a lower frequency tone of 1,000 Hertz or less, and
 - (ii) that has a higher frequency tone of 2,000 Hertz or less, and
 - (iii) that emits between 5 and 20 cycles of sound per minute (each cycle consisting of a sound that moves from the lower frequency to the higher frequency and then returns to the lower frequency), or
- (c) a rising tone horn:
- (i) that has a lower frequency tone of 100 Hertz or less, and
 - (ii) that has a higher frequency tone of 2,600 Hertz or less, and
 - (iii) that emits between 100 and 200 cycles of sound per minute (each cycle consisting of an ascending tone followed by a brief interval of either descending tone or lower frequency tone before the cycle is repeated).

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

(2) In this clause:

dual tone horn means a horn that emits a continuous sound composed of the alternating emission of two predominant tones of approximately equal duration.

rising tone horn means a horn that emits a continuous sound composed of the emission of a variable frequency tone that is predominantly characterised by an ascending tone.

variable tone horn means a horn that emits a continuous sound composed of the emission of a variable frequency tone that ascends and then descends between a lower and higher frequency in a repetitive and approximately uniform manner.

Division 2 Use of motor vehicles and motor vehicle accessories

Subdivision 1 Motor vehicles

12 Use of motor vehicles on road or road related area

- (1) A person must not cause or permit a motor vehicle to be used on a road or road related area if the motor vehicle is capable of emitting noise at

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 13

Motor vehicle and motor vehicle accessories Part 2

a level in excess of the level prescribed by clause 4 (b) or (c) for that type of motor vehicle (the *prescribed noise level*).

Maximum penalty:

- (a) if the vehicle is capable of emitting noise at a level that exceeds the prescribed noise level for that type of motor vehicle but does not exceed that prescribed noise level by 5 dB(A)—100 penalty units in the case of a corporation, 50 penalty units in the case of an individual, or
 - (b) if the vehicle is capable of emitting noise at a level that exceeds the prescribed noise level for that type of motor vehicle by 5 dB(A) but does not exceed that prescribed noise level by 15 dB(A)—150 penalty units in the case of a corporation, 75 penalty units in the case of an individual, or
 - (c) if the vehicle is capable of emitting noise at a level that exceeds the prescribed noise level for that type of motor vehicle by 15 dB(A) or more—300 penalty units in the case of a corporation, 150 penalty units in the case of an individual.
- (2) A person is not guilty of an offence under this clause arising because the motor vehicle is being taken directly to a place:
- (a) where repairs or other work required to reduce the noise level of the vehicle are to be carried out, or
 - (b) to be tested or inspected in accordance with a notice issued in respect of the motor vehicle under clause 26 or under section 207 of the Act,
- or is being taken directly from any such place to the place where the vehicle is usually kept.
- (3) A person is not guilty of an offence under this clause in relation to the use of:
- (a) a special purpose motor vehicle, or
 - (b) a motor vehicle being used on a road or road related area that is closed to traffic as part of a race, speed record attempt or speed trial approved by the Commissioner of Police under section 40 of the *Road Transport (Safety and Traffic Management) Act 1999*.

13 Use of motor vehicles in places other than on road or road related area

A person must not cause a motor vehicle to be used in a place (other than on a road or road related area) in such a manner that it emits offensive noise.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

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| Clause 14 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 2 | Motor vehicle and motor vehicle accessories |

14 Use of motor vehicles on residential premises

- (1) A person must not cause or permit a motor vehicle to be used on residential premises in such a manner that it emits noise that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):
 - (a) before 8 am or after 8 pm on any Saturday, Sunday or public holiday, or
 - (b) before 7 am or after 8 pm on any other day.Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) A person is not guilty of an offence under this clause unless:
 - (a) the person has, within 7 days after causing or permitting a motor vehicle to be used in such a manner, been warned by an authorised officer or enforcement officer not to cause or permit the motor vehicle to be used in that manner, and
 - (b) the person causes or permits the motor vehicle to be used in that manner within 28 days after the warning has been given.
- (3) A person is not guilty of an offence under this clause merely because noise is emitted from the motor vehicle while the motor vehicle is entering or leaving residential premises.

15 Use of refrigeration units fitted to motor vehicles

- (1) A person must not cause or permit a refrigeration unit fitted to a motor vehicle to be used in such a manner that it emits noise that can be heard within a habitable room in any residential premises (regardless of whether any door or window to that room is open):
 - (a) before 8 am or after 8 pm on any Saturday, Sunday or public holiday, or
 - (b) before 7 am or after 8 pm on any other day.Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) A person is not guilty of an offence under this clause unless:
 - (a) the person has, within 7 days after causing or permitting a refrigeration unit to be used in such a manner, been warned by an authorised officer or enforcement officer not to cause or permit the refrigeration unit to be used in that manner, and
 - (b) the person causes or permits the refrigeration unit to be used in that manner within 28 days after the warning has been given.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 16

Motor vehicle and motor vehicle accessories Part 2

16 Use of motor vehicle sound systems

A person must not cause the sound system of a motor vehicle to be used in such a manner that it emits offensive noise.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

17 Drive or use motor vehicle on road or road related area if vehicle's sound system emits offensive noise

(1) A person must not drive or use a motor vehicle on a road or road related area if the sound system of the motor vehicle emits offensive noise.

Maximum penalty: 50 penalty units.

(2) If an act or omission constitutes an offence under this clause and clause 16, the offender is not liable to be punished twice in respect of the offence.

(3) In this clause, *drive* and *use* have the same meanings as in the *Road Transport (General) Act 2005*.

18 Drive or use motor vehicle on road or road related area if noise control equipment defective or modified

(1) A person must not cause or permit a motor vehicle to be driven or used on a road or road related area if:

- (a) the motor vehicle has defective noise control equipment, or
- (b) the motor vehicle's noise control equipment is not securely in place or has been removed and not replaced, or
- (c) the motor vehicle has temporary noise reduction packing, or
- (d) the motor vehicle has a temporary noise reduction device fitted.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

(2) A person is not guilty of an offence under subclause (1) (c) or (d) if the conduct alleged to give rise to the offence occurs within 6 months after the commencement of this Regulation.

(3) A person is not guilty of an offence under subclause (1) (d) if the temporary noise reduction device:

- (a) was fitted by the vehicle manufacturer, or is an equivalent replacement for any such device fitted by the vehicle manufacturer, or
- (b) is a plate, baffle or other device that is part of a muffler, resonator or the like and is fitted to a motor cycle.

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| Clause 19 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 2 | Motor vehicle and motor vehicle accessories |

19 Repairs and modifications

- (1) A person must not cause or permit a motor vehicle to be modified or repaired so that:
 - (a) the motor vehicle has defective noise control equipment, or
 - (b) the motor vehicle's noise control equipment is not securely in place or has been removed and not replaced, or
 - (c) the motor vehicle has temporary noise reduction packing, or
 - (d) the motor vehicle has a temporary noise reduction device fitted.Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) A person is not guilty of an offence under subclause (1) (c) or (d) if the conduct alleged to give rise to the offence occurs within 6 months after the commencement of this Regulation.
- (3) A person is not guilty of an offence under subclause (1) (d) if the temporary noise reduction device:
 - (a) was fitted by the vehicle manufacturer, or is an equivalent replacement for any such device fitted by the vehicle manufacturer, or
 - (b) is a plate, baffle or other device that is part of a muffler, resonator or the like and is fitted to a motor cycle.

20 Owners and drivers of motor vehicles involved in excess noise offences

- (1) If a motor vehicle or the sound system of a motor vehicle is used contrary to clause 13 or 16, the driver and owner of the motor vehicle are each taken to be guilty of an offence under that provision.
- (2) Subclause (1) does not affect the liability of the actual offender but, if a penalty (including a penalty under a penalty notice) has been imposed or recovered from any person in relation to the offence (whether the actual offender, the driver or the owner), no further penalty may be imposed on or recovered from any other person.
- (3) Subclause (1) does not apply to the owner of a motor vehicle if:
 - (a) the motor vehicle was at the time of the commission of the offence a stolen motor vehicle or a motor vehicle illegally taken or used, or
 - (b) the owner was not in the motor vehicle at the relevant time and:
 - (i) gives notice in accordance with subclause (4) of the name and address of the person who was in charge of the motor vehicle at the relevant time, or

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 21

Motor vehicle and motor vehicle accessories Part 2

- (ii) satisfies the officer who gave the penalty notice for the offence or the court dealing with the offence (as the case requires) that the owner did not know, and could not with reasonable diligence have ascertained, that name and address.

- (4) The notice must be verified by statutory declaration and:
 - (a) if a penalty notice has been given for the offence—the notice must be given to an officer specified in the penalty notice for the purpose within 28 days after service of the penalty notice, and
 - (b) if a court is dealing with the offence—the notice must be given to the informant within 28 days after service of the summons for the offence.

Note. Sections 307B and 307C of the *Crimes Act 1900* provide a maximum penalty of imprisonment for 2 years, or a fine of \$22,000, or both for giving false or misleading information, or providing false or misleading documents, in compliance, or purported compliance, with a law of the State.

Subdivision 2 Motor vehicle horns

21 Motor vehicle horns generally

- (1) A person must not attach a motor vehicle horn to a motor vehicle if that horn:
 - (a) is capable of emitting noise at a single non-varying loudness and pitch at a noise level of more than 120 dB(A), or
 - (b) is capable of emitting noise otherwise than at a single non-varying loudness and pitch at a noise level of more than 85 dB(A).

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

- (2) A person must not, on a road or road related area, cause or permit a motor vehicle to be used if the motor vehicle is fitted with a horn that:
 - (a) is capable of emitting noise at a single non-varying loudness and pitch at a noise level of more than 120 dB(A), or
 - (b) is capable of emitting noise otherwise than at a single non-varying loudness and pitch at a noise level of more than 85 dB(A).

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

- (3) This clause does not apply to a motor vehicle horn fitted to:
 - (a) an emergency vehicle, or

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| Clause 22 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 2 | Motor vehicle and motor vehicle accessories |

- (b) a vehicle that is at least 25 years old that is fitted as an emergency vehicle if the vehicle:
 - (i) is used for exhibition purposes, or
 - (ii) is part of a collection of former emergency vehicles.
- (4) In this clause, a reference to a motor vehicle horn that is designed to emit noise at a single non-varying loudness and pitch is a reference to a device designed to emit noise that:
 - (a) remains at a constant noise level, and
 - (b) consists of one or more sounds that each remain at a constant frequency,
 while the device is being operated.

Subdivision 3 Motor vehicle intruder alarms

22 Interpretation

- (1) For the purposes of this Subdivision, a person is taken to cause a motor vehicle intruder alarm to be sounded if the person leaves the motor vehicle unattended while the motor vehicle intruder alarm is turned on and the alarm subsequently sounds.
- (2) A motor vehicle intruder alarm that sounds intermittently is taken to sound continuously for the purpose of measuring the period of time for which it sounds.

23 Use of motor vehicle intruder alarms triggered by panic switches

A person must not, in connection with the use of a motor vehicle, cause or permit a motor vehicle intruder alarm to be used that is capable of being triggered (while the engine of the motor vehicle is running or the ignition of the motor vehicle is turned on) by means of a panic or override switch.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

24 Use of motor vehicle intruder alarms generally

- (1) A person must not, in connection with the use of a motor vehicle, cause or permit a motor vehicle intruder alarm to be sounded, whether continuously or intermittently:
 - (a) in the case of a motor vehicle manufactured before 1 September 1997—for more than 90 seconds after the alarm first sounds, or
 - (b) in the case of a motor vehicle manufactured on or after 1 September 1997—for more than 45 seconds after the alarm first sounds.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 25

Motor vehicle and motor vehicle accessories Part 2

Maximum penalty:

- (a) if the alarm is sounded, whether continuously or intermittently, for a period that does not exceed 4 hours—100 penalty units in the case of a corporation, 50 penalty units in the case of an individual, or
 - (b) if the alarm is sounded, whether continuously or intermittently, for a period that exceeds 4 hours but does not exceed 8 hours—200 penalty units in the case of a corporation, 100 penalty units in the case of an individual, or
 - (c) if the alarm is sounded, whether continuously or intermittently, for a period that exceeds 8 hours—300 penalty units in the case of a corporation, 150 penalty units in the case of an individual.
- (2) A person is not guilty of an offence under this clause in the case of a motor vehicle manufactured before a date that is 12 months after the commencement of this Regulation, if the motor vehicle intruder alarm sounds for longer than 90 or 45 seconds, as the case may be, because:
- (a) a window or windscreen in the motor vehicle is broken or removed, or
 - (b) the motor vehicle is involved in an accident, or
 - (c) the motor vehicle is illegally broken into or there is an illegal attempt to break into the motor vehicle.

25 Design and construction of motor vehicle intruder alarms

- (1) A person must not, in connection with the use of a motor vehicle, cause or permit a motor vehicle intruder alarm to be sounded unless the alarm is so constructed and regulated that:
- (a) it has a maximum noise level of not more than 115 dB(A), and
 - (b) it cannot be reactivated until it has been manually reset.
- Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) This clause applies only to motor vehicles manufactured on or after 1 September 1997.

Division 3 Defective vehicle notices

26 Defective vehicle notices

- (1) An authorised officer who is satisfied that a motor vehicle:
- (a) emits noise at a level in excess of the level prescribed by clause 4 (b) or (c) for that type of motor vehicle, or
 - (b) has defective noise control equipment, or

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| Clause 26 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 2 | Motor vehicle and motor vehicle accessories |

- (c) the motor vehicle's noise control equipment is not securely in place or has been removed and not replaced, or
 - (d) the motor vehicle has temporary noise reduction packing, or
 - (e) the motor vehicle has a temporary noise reduction device fitted, or
 - (f) has installed in it a motor vehicle accessory that does not comply with the Act or this Regulation,
- may issue a defective vehicle notice to the owner of the vehicle.
- (2) A defective vehicle notice is to be in the approved form and must include the following particulars:
- (a) the defect on the basis of which it is issued,
 - (b) where the motor vehicle should be taken for inspection or testing for the purpose of having the notice withdrawn.
- (3) A defective vehicle notice may indicate:
- (a) what needs to be done to remedy the defect, and
 - (b) a date after which the motor vehicle must not be used on a road or road related area if the defect has not been remedied, and
 - (c) a date after which the motor vehicle's registration under the *Road Transport (Vehicle Registration) Act 1997* may be suspended if the defect has not been remedied.
- (4) An authorised officer may withdraw a defective vehicle notice if satisfied that the motor vehicle in respect of which the notice has been issued no longer has the defect on the basis of which the notice was issued.
- (5) If a defective vehicle notice indicates a date after which the motor vehicle must not be used on a road or road related area, a person must not cause or permit the motor vehicle to be used on a road or road related area after that date unless the notice has been withdrawn.
- Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (6) A person is not guilty of an offence under subclause (5) arising because the motor vehicle is being taken directly to a place:
- (a) where repairs or other work required to reduce the noise level of the vehicle are to be carried out, or
 - (b) in accordance with a notice issued in respect of the motor vehicle under this clause or under section 207 of the Act,
- or is being taken directly from any such place to the place where the vehicle is usually kept.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 27

Motor vehicle and motor vehicle accessories Part 2

27 Defective vehicle labels

- (1) An authorised officer who issues a defective vehicle notice for a motor vehicle may also affix a defective vehicle label to the inside or outside of the front windscreen of the motor vehicle or in a conspicuous position on some other part of the vehicle.
- (2) A defective vehicle label is to be in the approved form and must include the following particulars:
 - (a) the defect on the basis of which the defective vehicle notice was issued,
 - (b) the date (if any) after which the motor vehicle must not be used on a road or road related area if the defect has not been remedied,
 - (c) such other particulars as the EPA may require.
- (3) An authorised officer who withdraws a defective vehicle notice for a motor vehicle must also remove, or direct the removal of, the defective vehicle label from the motor vehicle.
- (4) A person must not remove, obscure or deface a defective vehicle label affixed to a motor vehicle under this clause unless the person is an authorised officer or is acting under the direction of an authorised officer.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (5) A person must not cause or permit a motor vehicle to be used if the person knows, or ought reasonably to know, that a defective vehicle label affixed to the motor vehicle under this clause has been removed, obscured or defaced in contravention of subclause (4).

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (6) A person is not guilty of an offence under subclause (5) arising because the motor vehicle is being taken directly to a place:
 - (a) where repairs or other work required to reduce the noise level of the vehicle are to be carried out, or
 - (b) in accordance with a notice issued in respect of the motor vehicle under clause 26 or under section 207 of the Act,or is being taken directly from any such place to the place where the vehicle is usually kept.

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| Clause 28 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 3 | Marine vessels |

Part 3 Marine vessels

Division 1 Use of marine vessels

28 Interpretation

In this Part:

approved form, in relation to a defective vessel notice or defective vessel label, means a form approved by:

- (a) the EPA, or
- (b) the authority or body whose officers or employees are authorised by this Part to issue or affix such a notice or label.

authorised officer means:

- (a) a person who is appointed as an authorised officer for the purposes of the Act, and
- (b) a police officer, and
- (c) an officer or employee of the marine authority who is authorised by the authority for the purposes of this Part.

29 Sounding of sirens from vessels

A person must not cause or permit a vessel's siren, whistle, hooter, fog horn or bell to be sounded on navigable waters except for the purposes of navigation.

Maximum penalty: 20 penalty units in the case of a corporation, 10 penalty units in the case of an individual.

30 Vessels not to emit offensive noise

A person must not cause a vessel to be used on navigable waters in such a way as to emit offensive noise.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

31 Liability of owner of vessel

- (1) If a vessel is used contrary to clause 30, the person in charge and owner of the vessel are each taken to be guilty of an offence under that clause.
- (2) Subclause (1) does not affect the liability of the actual offender but, if a penalty (including a penalty under a penalty notice) has been imposed or recovered from any person in relation to the offence (whether the actual offender, the person in charge or the owner), no further penalty may be imposed on or recovered from any other person.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 32

Marine vessels

Part 3

- (3) Subclause (1) does not apply to the owner of a vessel if:
- (a) the vessel was at the time a stolen vessel or a vessel illegally taken or used, or
 - (b) the owner was not in the vessel at the relevant time and:
 - (i) gives notice in accordance with subclause (4) of the name and address of the person who was in charge of the vessel at the relevant time, or
 - (ii) satisfies the officer who gave the penalty notice for the offence or the court dealing with the offence (as the case requires) that the owner did not know, and could not with reasonable diligence have ascertained, that name and address.
- (4) The notice must be verified by statutory declaration and:
- (a) if a penalty notice has been given for the offence—the notice must be given to an officer specified in the penalty notice for the purpose within 28 days after service of the penalty notice, and
 - (b) if a court is dealing with the offence—the notice must be given to the informant within 28 days after service of the summons for the offence.

Note. Sections 307B and 307C of the *Crimes Act 1900* provide a maximum penalty of imprisonment for 2 years, or a fine of \$22,000, or both for giving false or misleading information, or providing false or misleading documents, in compliance, or purported compliance, with a law of the State.

32 Noise control equipment to be properly maintained

- (1) A person must not cause or permit an engine powered vessel to be used on navigable waters if the vessel's noise control equipment is defective or is not securely in place.
Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) A person must not remove, or render less effective, a vessel's noise control equipment, otherwise than for the purpose of repairing or replacing it.
Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (3) For the purposes of subclause (1), defective noise control equipment includes:
- (a) equipment that an authorised officer reasonably believes has been modified in a way that makes it less effective than it would have been if the modification had not been made, or

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| Clause 33 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 3 | Marine vessels |

- (b) equipment that allows gas to escape from a place other than the intended exhaust outlet.

33 Use of sound systems on vessels

A person must not cause or permit any musical instrument or sound system to be used on a vessel in such a manner that it emits offensive noise.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

Division 2 Defective vessel notices

34 Defective vessel notices

- (1) An authorised officer who is satisfied that a vessel has no noise control equipment, does not have appropriate noise control equipment or has defective noise control equipment may issue a defective vessel notice to the vessel's owner or master.
- (2) A defective vessel notice is to be in the approved form and must include the following particulars:
 - (a) the defect on the basis of which it is issued,
 - (b) where the vessel should be taken for inspection or testing for the purpose of having the notice withdrawn.
- (3) A defective vessel notice:
 - (a) may indicate what needs to be done to remedy the defect, and
 - (b) may indicate a date after which the vessel must not be used if the defect has not been remedied.
- (4) An authorised officer may withdraw a defective vessel notice if satisfied that the vessel in respect of which the notice has been issued no longer has the defect on the basis of which the notice was issued.
- (5) If a defective vessel notice indicates a date after which the vessel must not be used, a person must not cause or permit the vessel to be used in navigable waters after that date unless the notice has been withdrawn.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (6) A person is not guilty of an offence under this clause arising because the vessel is being taken directly to a place where:
 - (a) repairs or other work required to remedy the defect are to be carried out, or

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 35

Marine vessels

Part 3

(b) an authorised officer may inspect or test the vessel, or is being taken directly from any such place to the place where the vessel is usually kept.

35 Defective vessel labels

- (1) An authorised officer who issues a defective vessel notice for a vessel may also affix a defective vessel label in a conspicuous position on some part of the vessel.
- (2) A defective vessel label is to be in the approved form and must include the following particulars:
 - (a) the defect on the basis of which the defective vessel notice was issued,
 - (b) the date (if any) after which the vessel must not be used if the defect has not been remedied,
 - (c) such other particulars as the EPA may require.
- (3) An authorised officer who withdraws a defective vessel notice for a vessel must also remove, or direct the removal of, the defective vessel label from the vessel.
- (4) A person must not remove, obscure or deface a defective vessel label that is affixed to a vessel under this clause unless the person is an authorised officer or is acting under the direction of an authorised officer.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (5) A person must not cause or permit a vessel to be used if the person knows, or ought reasonably to know, that a defective vessel label affixed to the vessel under this clause has been removed, obscured or defaced in contravention of subclause (4).

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (6) A person does not commit an offence under subclause (5) if the vessel is being taken directly to a place where:
 - (a) repairs or other work required to remedy the defect are to be carried out, or
 - (b) an authorised officer may inspect or test the vessel, or is being taken directly from any such place to the place where the vessel is usually kept.

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| Clause 36 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 4 | Miscellaneous articles |

Part 4 Miscellaneous articles

Division 1 Sale of articles

Subdivision 1 Preliminary

36 Division applies only to retail sale of new articles

This Division applies to the sale of new articles by retail, but does not apply to the sale of articles otherwise than by retail or to the sale of second-hand articles.

37 Size, design, format and construction of noise labels

A noise label required by this Division must be a label of a size, design, format and construction approved by the EPA.

Subdivision 2 Grass-cutting machines

38 Noise labels on grass-cutting machines

A person must not sell a machine of a class prescribed under this Subdivision unless it has a noise label, securely attached to it in a conspicuous position, displaying the machine's maximum noise level as determined in accordance with Part 5.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

39 Mowers

- (1) For the purposes of section 136 of the Act:
 - (a) lawn mowers with a cutting width of more than 620 millimetres but less than 950 millimetres are a prescribed class of articles, and
 - (b) 80 dB(A) is the prescribed level for such lawn mowers.
- (2) For the purposes of section 136 of the Act:
 - (a) ride-on mowers are a prescribed class of articles, and
 - (b) 80 dB(A) is the prescribed level for ride-on mowers.

40 Edge-cutters

For the purposes of section 136 of the Act:

- (a) edge-cutters are a prescribed class of articles, and
- (b) 75 dB(A) is the prescribed level for edge-cutters.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 41

Miscellaneous articles Part 4

41 String-trimmers

For the purposes of section 136 of the Act:

- (a) string-trimmers are a prescribed class of articles, and
- (b) 80 dB(A) is the prescribed level for string-trimmers.

42 Brush cutters

For the purposes of section 136 of the Act:

- (a) brush cutters are a prescribed class of articles, and
- (b) 85 dB(A) is the prescribed level for brush cutters.

43 Other grass-cutting machines

For the purposes of section 136 of the Act:

- (a) grass-cutting machines with cutting edges of 950 millimetres or less (other than grass-cutting machines referred to elsewhere in this Subdivision) are a prescribed class of articles, and
- (b) 75 dB(A) is the prescribed level for such grass-cutting machines.

Subdivision 3 Other articles

44 Labelling of chainsaws

A person must not sell a chainsaw unless it has a noise label, securely attached to it in a conspicuous position, displaying the chainsaw's maximum noise level as determined in accordance with Part 5.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

45 Labelling of domestic air conditioners

A person must not sell a domestic air conditioner unless it has a noise label, securely attached to it in a conspicuous position, displaying the air conditioner's sound power level as determined in accordance with Part 5.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

46 Labelling of mobile air compressors

A person must not sell a mobile air compressor unless it has a noise label, securely attached to it in a conspicuous position, displaying the

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| Clause 47 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 4 | Miscellaneous articles |

mobile air compressor's mean noise level as determined in accordance with Part 5.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

47 Labelling of pavement breakers

A person must not sell a pavement breaker unless it has a noise label, securely attached to it in a conspicuous position, displaying the pavement breaker's mean noise level as determined in accordance with Part 5.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

48 Labelling of mobile garbage compactors

A person must not sell a mobile garbage compactor unless it has a noise label, securely attached to it in a conspicuous position, displaying the mobile garbage compactor's maximum noise level as determined in accordance with Part 5.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

49 Sale of building intruder alarms

(1) A person must not sell a building intruder alarm unless the alarm is constructed and regulated so that:

- (a) it automatically ceases to sound, whether continuously or intermittently, within 5 minutes after being activated by a detection device, and
- (b) it cannot be reactivated (except by a different detection device) until it has been manually reset.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

(2) A building intruder alarm that sounds intermittently is taken to sound continuously for the purpose of measuring the period of time for which it sounds.

Division 2 Use of articles

Subdivision 1 Time limits on the use of certain articles

50 Power tools and equipment

(1) A person must not cause or permit a power tool or swimming pool pump to be used on residential premises in such a manner that it emits noise

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 51

Miscellaneous articles Part 4

that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):

- (a) before 8 am or after 8 pm on any Sunday or public holiday, or
- (b) before 7 am or after 8 pm on any other day.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

- (2) A person is not guilty of an offence under this clause unless:
 - (a) the person has, within 7 days after causing or permitting a power tool or swimming pool pump to be used in such a manner, been warned by an authorised officer or enforcement officer not to cause or permit the tool or pump to be used in that manner, and
 - (b) the person causes or permits the tool or pump to be used in that manner within 28 days after the warning has been given.

- (3) In this clause:

power tool means any of the following:

- (a) a powered garden tool (that is, a tool powered by a petrol engine or an electric motor), including a lawn mower, a lawn trimmer, a blower or sweeper, a garden mulcher, an edge-cutter or a chipper or shredder,
- (b) an electric power tool (including battery-operated power tools),
- (c) a pneumatic power tool,
- (d) a chainsaw,
- (e) a circular saw,
- (f) a gas or air compressor.

swimming pool pump includes a spa pump.

51 Musical instruments and sound equipment

- (1) A person must not cause or permit any musical instrument or electrically amplified sound equipment to be used on residential premises in such a manner that it emits noise that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):

- (a) before 8 am and after midnight on any Friday, Saturday or day immediately before a public holiday, or
- (b) before 8 am and after 10 pm on any other day.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

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| Clause 52 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 4 | Miscellaneous articles |

- (2) A person is not guilty of an offence under this clause unless:
- (a) the person has, within 7 days after causing or permitting a musical instrument or electrically amplified sound equipment to be used in such a manner, been warned by an authorised officer or enforcement officer not to cause or permit the instrument or equipment to be used in that manner, and
 - (b) the person causes or permits the instrument or equipment to be used in that manner within 28 days after the warning has been given.
- (3) In this clause:
electrically amplified sound equipment means any electrical or battery powered device that can be used to make or amplify sound including television sets and home entertainment systems.

52 Air conditioners and heat pump water heaters

- (1) A person must not cause or permit an air conditioner or heat pump water heater to be used on residential premises in such a manner that it emits noise that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):
- (a) before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or
 - (b) before 7 am or after 10 pm on any other day.
- Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) A person is not guilty of an offence under subclause (1) in relation to a heat pump water heater if the conduct alleged to give rise to the offence occurs within 6 months after the commencement of this Regulation.
- (3) A person is not guilty of an offence under subclause (1) unless:
- (a) the person has, within 7 days after causing or permitting an air conditioner or heat pump water heater to be used in such a manner, been warned by an authorised officer or enforcement officer not to cause or permit the air conditioner or heat pump water heater to be used in that manner, and
 - (b) the person causes or permits an air conditioner or heat pump water heater to be used in that manner within 28 days after the warning has been given.
- (4) In this clause:
heat pump water heater means a device that heats water using the energy generated from the compression of a gas.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 53

Miscellaneous articles Part 4

Subdivision 2 Building intruder alarms

53 Use of building intruder alarms

- (1) The occupier of any premises must not cause or permit a building intruder alarm installed on those premises to be used so as to emit noise that can be heard within a habitable room in any residential premises, (regardless of whether any door or window to that room is open), unless the alarm is so constructed and regulated that:
 - (a) in the case of an alarm installed before 1 December 1997:
 - (i) it automatically ceases to sound, whether continuously or intermittently, within 10 minutes after being activated by a detection device, and
 - (ii) it cannot be reactivated (except by a different detection device) until it has been manually or automatically reset, or
 - (b) in the case of an alarm installed on or after 1 December 1997:
 - (i) it automatically ceases to sound, whether continuously or intermittently, within 5 minutes after being activated by a detection device, and
 - (ii) it cannot be reactivated (except by a different detection device) until it has been manually reset.

Maximum penalty:

- (a) if the alarm is sounded, whether continuously or intermittently, for a period that does not exceed 4 hours—100 penalty units in the case of a corporation, 50 penalty units in the case of an individual, or
 - (b) if the alarm is sounded, whether continuously or intermittently, for a period that exceeds 4 hours but does not exceed 8 hours—200 penalty units in the case of a corporation, 100 penalty units in the case of an individual, or
 - (c) if the alarm is sounded, whether continuously or intermittently, for a period that exceeds 8 hours—300 penalty units in the case of a corporation, 150 penalty units in the case of an individual.
- (2) A building intruder alarm that sounds intermittently is taken to sound continuously for the purpose of measuring the period of time for which it sounds.

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| Clause 54 | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Part 5 | Inspection and testing of certain articles |

Part 5 Inspection and testing of certain articles

54 Determining the noise level of an article

- (1) The maximum noise level of a motor vehicle horn or a motor vehicle intruder alarm, and the noise emission characteristics of a motor vehicle intruder alarm are to be determined in accordance with Part 1 of Schedule 2.
- (2) The maximum noise level of a grass-cutting machine is to be determined in accordance with Part 2 of Schedule 2.
- (3) The maximum noise level of a chainsaw is to be determined in accordance with Part 3 of Schedule 2.
- (4) The maximum noise level of a mobile garbage compactor is to be determined in accordance with Part 4 of Schedule 2.
- (5) The maximum noise level of a motor bus, motor car, motor cycle or motor lorry is to be determined in accordance with the National Stationary Exhaust Noise Test Procedures, and in determining the maximum noise level, any reference in that document to an omnibus or a goods vehicle is taken to be a reference to a motor bus or a motor lorry respectively.

Note. A copy of the *National Stationary Exhaust Noise Test Procedures* is available for inspection at the offices of the EPA.

- (6) The sound power level of a domestic air conditioner is to be determined in accordance with the document published by the Australian Environment Council entitled *Technical Basis for the Regulation of Noise Labelling of New Air Conditioners in Australia* dated July 1984 as in force on 1 March 2008.

Note. A copy of *Technical Basis for the Regulation of Noise Labelling of New Air Conditioners in Australia* is available for inspection at the offices of the EPA.

- (7) The mean sound level of a mobile air compressor or pavement breaker is to be determined in accordance with the document published by the Australian Environment Council entitled *Technical Basis for the Regulation of Noise Labelling of New Pavement Breakers and Mobile Air Compressors in Australia* dated July 1984 as in force on 1 March 2008.

Note. A copy of *Technical Basis for the Regulation of Noise Labelling of New Pavement Breakers and Mobile Air Compressors in Australia* is available for inspection at the offices of the EPA.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 55

Inspection and testing of certain articles Part 5

(8) In this clause:

National Stationary Exhaust Noise Test Procedures means the document published by the National Road Transport Commission entitled *National Stationary Exhaust Noise Test Procedures for In-service Motor Vehicles* dated April 2000 as amended or replaced from time to time.

55 Measuring instruments—motor vehicle accessory, grass-cutting machine, chainsaw or mobile garbage compactor

- (1) This clause applies to a sound level meter that is being used to measure and determine the noise level of a motor vehicle accessory, grass-cutting machine, chainsaw or mobile garbage compactor.
- (2) A class 1 or 2 sound level meter complying with AS IEC 61672 and associated equipment, including a microphone windshield must be used.
- (3) The sound level meter must be set to measure A-weighted noise levels and must have its meter dynamic characteristic set:
 - (a) to “fast”, when measuring the noise level of a motor vehicle accessory or chainsaw, or
 - (b) to “slow”, when measuring the noise level of a grass-cutting machine or mobile garbage compactor.
- (4) The calibration of a sound level meter must be checked, and any necessary adjustments made, immediately before the sound level meter is used to make the noise level measurements required by this Regulation (*the pre-test check*) and must be checked again immediately after making those measurements (*the post-test check*).
- (5) The calibration is to be checked by performing a field calibration, using a reference sound source, when the article whose noise level is being measured is not operating.
- (6) If the noise level recorded during the post-test check (after any necessary adjustments have been made) differs by more than 1 dB(A) from the noise level recorded during the pre-test check, then all measurements made in the intervening period must be disregarded.
- (7) In this clause:

AS IEC 61672 means AS IEC 61672—2004, *Electroacoustics—Sound level meters*, as in force on 1 March 2008.

Note. A copy of AS IEC 61672 is available for inspection at the offices of the EPA.

Clause 56 Protection of the Environment Operations (Noise Control) Regulation 2008

Part 5 Inspection and testing of certain articles

56 Measurements may be disregarded on account of extraneous noise

- (1) The person making the noise level measurements is to take all reasonable precautions to ensure that extraneous noise does not interfere with the making of measurements required by this Part.
- (2) If the noise levels recorded during the pre-test and post-test checks (when the article whose noise level is being measured is not operating) are not each 10 dB(A) or more below the lowest maximum noise level reading observed when making those noise level measurements, then all measurements made in the intervening period may be disregarded.

Protection of the Environment Operations (Noise Control) Regulation 2008 Clause 57

Miscellaneous Part 6

Part 6 Miscellaneous

57 Savings provision

Any act, matter or thing that, immediately before the repeal of the *Protection of the Environment Operations (Noise Control) Regulation 2000*, had effect under that Regulation is taken to have effect under this Regulation.

58 Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004

The *Protection of the Environment Operations (Penalty Notices) Regulation 2004* is amended as set out in Schedule 3.

59 Repeal

The *Protection of the Environment Operations (Noise Control) Regulation 2000* is repealed.

Protection of the Environment Operations (Noise Control) Regulation 2008

Schedule 1 Prescribed noise levels for types of motor vehicles

Schedule 1 Prescribed noise levels for types of motor vehicles

(Clause 4)

1 Stationary noise levels—motor car and motor cycle

The stationary noise level of a motor car or motor cycle, must not exceed:

- (a) for a motor car built on or after 1 January 1983—90 dB(A), or
- (b) for a motor car built before 1 January 1983—96 dB(A), or
- (c) for a motor cycle designed or manufactured for use on a road that was built on or after 1 March 1984—94 dB(A), or
- (d) for any other motor cycle—100 dB(A).

2 Stationary noise levels—motor lorry or motor bus with engine other than a diesel engine

- (1) This clause applies to a motor lorry or motor bus that has an engine other than a diesel engine.
- (2) For any such vehicle built before 1 July 1983 that has:
 - (a) a GVM of more than 3.5 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 94 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 98 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or
 - (b) a GVM of 3.5 tonnes or less, the stationary noise level of the motor vehicle must not exceed:
 - (i) 88 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 92 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground.
- (3) For any such vehicle built on or after 1 July 1983 that has:
 - (a) a GVM of more than 3.5 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 91 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 95 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or

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Prescribed noise levels for types of motor vehicles

Schedule 1

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- (b) a GVM of 3.5 tonnes or less, the stationary noise level of the motor vehicle must not exceed:
 - (i) 85 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 89 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground.

3 Stationary noise levels—motor lorry or motor bus with diesel engine

- (1) This clause applies to a motor lorry or a motor bus that has a diesel engine.
- (2) For any such vehicle built before 1 July 1980 that has:
 - (a) a GVM of more than 12 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 105 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 109 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or
 - (b) a GVM of more than 3.5 tonnes but no more than 12 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 103 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 107 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or
 - (c) a GVM of 3.5 tonnes or less, the stationary noise level of the motor vehicle must not exceed:
 - (i) 101 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 105 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground.
- (3) For any such vehicle built on or after 1 July 1980 but before 1 July 1983 that has:
 - (a) a GVM of more than 12 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 102 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 106 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or

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Schedule 1 Prescribed noise levels for types of motor vehicles

- (b) a GVM of more than 3.5 tonnes but no more than 12 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 100 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 104 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or
 - (c) a GVM of 3.5 tonnes or less, the stationary noise level of the motor vehicle must not exceed:
 - (i) 98 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 102 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground.
- (4) For any such vehicle built on or after 1 July 1983 that has:
- (a) a GVM of more than 12 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 99 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 103 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or
 - (b) a GVM of more than 3.5 tonnes but no more than 12 tonnes, the stationary noise level of the motor vehicle must not exceed:
 - (i) 97 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 101 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground, or
 - (c) a GVM of 3.5 tonnes or less, the stationary noise level of the motor vehicle must not exceed:
 - (i) 95 dB(A) if the exhaust of the vehicle is 1.5 metres or more above the ground, or
 - (ii) 99 dB(A) if the exhaust of the vehicle is less than 1.5 metres above the ground.

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Schedule 2 Testing procedures

(Clause 54)

Part 1 Motor vehicle horns and intruder alarms

1 Definitions

In this Part:

alarm means a motor vehicle intruder alarm.

horn means a motor vehicle horn.

test site means the site at which the noise level of a horn or an alarm is measured, or the noise emission characteristics of an alarm is recorded.

2 Determination of noise level

- (1) The person making the measurements of the noise level of a horn or an alarm is to make as many noise level measurements as are reasonably appropriate.
- (2) The noise level of a horn or an alarm is the greatest noise level reading obtained from the noise level measurements made on the horn or alarm. If that reading is not a whole number of decibels, it must be rounded down to the next lower whole number of decibels.

3 Instruments for recording noise

- (1) A tape recorder and associated leads may be used in conjunction with the sound level meter to record the noise from an alarm.
- (2) For tape recording purposes, the sound level meter is to be set to "linear" and appropriate recording level adjustments made together with the recording of a field calibration tone.

4 Determination of character of noise emitted

The frequency characteristics and the repeat rate of emitted sound may be determined by:

- (a) laboratory analysis of a tape recording of noise emitted by an alarm under test, or
- (b) readings from a class 1 sound level meter capable of measuring sound level variations over time.

5 Operation of horn or alarm

A horn or an alarm under test:

- (a) must, as far as practicable, be directed towards the microphone, and

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- (b) must be operated by means of a power supply that complies, as far as practicable, with the power supply by means of which the manufacturer of the horn or alarm recommends it to be operated, and
 - (c) must be operated:
 - (i) in the case of a horn, for periods of not less than 5 seconds each in duration, and
 - (ii) in the case of an alarm, for periods of not less than 15 seconds each in duration.

6 Horns and alarms that are not attached to a motor vehicle

- (1) This clause applies to a horn or alarm that is not attached to a motor vehicle.
- (2) The test site:
 - (a) must consist of an area having its perimeter at least 3 metres from any part of the horn or alarm under test, and
 - (b) must be in the open air, and
 - (c) must be covered with grass no more than 80 millimetres high or with concrete, asphalt or any other approved material.
- (3) While the noise level of the horn or alarm is measured, or the noise emission characteristics of the alarm is recorded:
 - (a) the following people only may be within the test site:
 - (i) the person operating the horn or alarm,
 - (ii) the person making the measurements or recordings,
 - (iii) one observer, standing in a position specified by that person, and
 - (b) the following articles only may be within the test site:
 - (i) the horn or alarm,
 - (ii) a stand for the horn or alarm,
 - (iii) any instruments and other objects used in connection with the measurement of the noise level or the recording of the noise,
 - (iv) any other article that, in the opinion of the person making the measurements or recordings, will not substantially affect the measurements or recordings.
- (4) That part of the horn or alarm under test that emits noise:
 - (a) must be mounted firmly on a stand, placed in the centre of the test site, that has a mass of not less than 30 kilograms, or 10 times the mass of the horn or alarm, whichever is the greater, and

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- (b) must, as far as practicable, be attached to the stand by means of the fittings recommended by the manufacturer, and
 - (c) must be placed at a height of not less than 1.2 metres above the ground, and
 - (d) must be placed, as far as practicable, vertically beneath the microphone, and
 - (e) must be directed towards that microphone.
- (5) The microphone must be placed in such position as the person making the measurements or recordings considers appropriate, but must not be placed:
- (a) at a height of less than 3.2 metres above the ground, or
 - (b) at a distance of less than 2 metres from the horn or alarm under test.
- (6) The microphone must face towards and have its nominal axis of maximum sensitivity (as indicated by the manufacturer of the microphone) directed towards the part of the horn or alarm under test that emits noise.

7 Motor vehicle horns and intruder alarms that are attached to a motor vehicle

- (1) This clause applies to a horn or alarm that is attached to a motor vehicle.
- (2) The test site:
- (a) must be in the open air, or
 - (b) must be beneath:
 - (i) an open-sided canopy, or
 - (ii) a canopy supported by one wall (where that wall does not extend for more than 25% of the perimeter of the canopy), if no part of the canopy or its supports is within 3 metres of the horn or alarm under test or of the microphone used in conjunction with the measurement.
- (3) While the noise level of the horn or alarm is measured, or the noise emission characteristics of the alarm is recorded:
- (a) the following people only may be within the test site:
 - (i) the person operating the horn or alarm,
 - (ii) the person making the measurements or recordings,
 - (iii) one observer, standing in a position specified by that person, and

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- (b) the following articles only may be within the test site:
- (i) the motor vehicle to which the horn or alarm under test is attached,
 - (ii) the contents of the motor vehicle,
 - (iii) any instruments and other objects used in connection with the measurement of the noise level or the recording of the noise,
 - (iv) any other article that, in the opinion of the person making the measurements or recordings, will not substantially affect the measurements or recordings.
- (4) The microphone must be placed in such position as the person making the measurements or recordings considers appropriate, but must not be placed:
- (a) at a distance of less than 1.2 metres from the front of the vehicle,
or
 - (b) at a distance of less than 200 millimetres from the ground.
- (5) The microphone must face towards, and have its nominal axis of maximum sensitivity (as indicated by the manufacturer of the microphone) directed towards the part of the horn or alarm under test that emits noise.

Part 2 Grass-cutting machines

8 Definition

In this Part:

test site means the site at which the noise level of a grass-cutting machine is measured.

9 Site requirements

- (1) The test site:
- (a) must have its perimeter at least 30 metres from any part of the grass-cutting machine under test, and
 - (b) must be in the open air, and
 - (c) must be covered with grass not more than 80 millimetres high.
- (2) While the noise level of a grass-cutting machine is being measured:
- (a) the following people only may be within the test site:
 - (i) the person operating the grass-cutting machine,
 - (ii) the person making the measurements,

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- (iii) one observer, standing in a position specified by that person, and
 - (b) the following articles only may be within the test site:
 - (i) the grass-cutting machine,
 - (ii) a test pad (where applicable),
 - (iii) the instrumentation and other objects necessary for the measurement of the noise level of the grass-cutting machine,
 - (iv) any other article that, in the opinion of the person making the measurements, will not substantially affect the measurements.
 - (3) The measurements must be made at each of the positions marked A, B, C and D in Figure 1 at the end of this Schedule.

10 Position of microphone

- (1) The microphone:
 - (a) must be placed at a height of 1.5 metres (± 0.1 metres) above the ground, and
 - (b) must be placed at a distance of 7.5 metres (± 0.2 metres) from the centre of the test site, and
 - (c) must face towards and have its nominal axis of maximum sensitivity (as indicated by the manufacturer of the microphone) directed towards the centre of the test site.
- (2) Figure 2 at the end of this Schedule shows the position of the microphone relative to the noise source.

11 Condition of grass-cutting machine

- (1) A lawn mower or ride-on mower must be fitted with an empty grass-catcher if such a catcher is normally supplied with the mower.
- (2) Where a catcher is not normally supplied, or is supplied as an optional accessory, the mower must be fitted with a safety discharge chute if such a chute is supplied.
- (3) Where blades having varying degrees of grass lift are available, those providing the greatest amount of lift must be fitted.
- (4) A reel lawnmower must have the cutting cylinder and stationary blade correctly sharpened and set. For that purpose, the ability of the lawnmower to cut kraft paper weighing not less than 80 grams per square metre over the full cutting width, and at any position, of the cylinder when the cylinder is turned by hand is an acceptable indication that the cylinder and blade are correctly sharpened and set.

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- (5) The grass-cutting machine under test must not have been previously run for more than 2 hours at the manufacturer's recommended operating speed.
 - (6) Immediately before each series of measurements the correctly adjusted grass-cutting machine must be operated for a period of not less than 5 minutes at its maximum governed or ungoverned speed.
 - (7) The height adjustment position of a rotary mower must be determined by the person making the measurements as being the position approximately midway between the maximum and minimum adjustable height positions (where fitted).
 - (8) For edge-cutters, the lower edge cutting tip of the blade or cord must be more than 30 millimetres but not more than 200 millimetres above the test pad.
 - (9) A lawn mower or ride-on mower, and in particular the underside of the base plate and the cutting disc and blades assembly of a rotary mower, must be generally clean and free of all grass and dirt.
 - (10) Where applicable, the engine oil level must be within the manufacturer's allowable tolerances.
 - (11) Blades of reel mowers must be lubricated before and during operation.
 - (12) For string-trimmers and brush-cutters, the lower edge of the cutting system must be not more than 200 millimetres above the test site.
 - (13) When a harness is fitted, the attachment point, when the machine is balanced for the operator, must be not more than 785 millimetres and not less than 765 millimetres above the test site.
 - (14) When a string-trimmer or brush-cutter is to be tested, only a nylon line head must be used.

12 Engine operating conditions

- (1) The grass-cutting machine must be stationary during testing.
- (2) Where the grass-cutting machine is propelled by the engine, the controls must be set so that the propulsion drive is activated and the driving wheels are raised above the test pad and, in all instances, the cutting mechanism is operating.
- (3) Where the grass-cutting machine is a ride-on mower, rollers may be placed under the driving wheels and the operator seated to operate the controls.
- (4) If a speed control governor (and throttle control) is fitted to the grass-cutting machine (not being a string-trimmer or brush-cutter), the engine must be operated with the speed control set on the maximum

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throttle setting or, if a governor is not fitted, the engine must be operated at the maximum speed attainable.

- (5) Grass-cutting machines powered by electric motors must be operated at the maximum pre-set motor speed set by the manufacturer.
- (6) For string-trimmers and brush-cutters, the engine speed that corresponds to the manufacturer's stated maximum power rating must be the speed (± 100 revolutions per minute) at which the noise level measurements are taken.

13 Test pad

The test pad (where applicable) must conform:

- (a) to the design specified in the document entitled *Technical Basis for the Regulation of Noise Labelling of New Grass-Cutting Machines* published in 1988 by the Australian Environment Council, as in force on 1 March 2008, or

Note. A copy of *Technical Basis for the Regulation of Noise Labelling of New Grass-Cutting Machines* is available for inspection at the offices of the EPA.

- (b) to such other design as may be approved.

14 Test procedure

- (1) For a rotary mower, cylinder mower or edge-cutter, the test pad must be positioned generally at the centre of the test site, and the rotary mower, cylinder mower or edge-cutter must be located on the test pad so that:
 - (a) for a rotary mower, the vertical axis passing through the geometric centre of the cutting blades coincides generally with the vertical axis passing through the geometric centre of the test pad, and
 - (b) for a cylinder mower, the mid-point of the rectangular area formed by projecting the outer planes of the front and rear rollers or wheels coincides generally with the vertical axis passing through the geometric centre of the test pad, and
 - (c) for an edge-cutter, the cutting mechanism must be placed so that it generally coincides with the vertical axis passing through the geometric centre of the test pad.
- (2) For a ride-on mower, string-trimmer or brush-cutter, the ride-on mower, string-trimmer or brush-cutter must be located so that:
 - (a) where a ride-on mower is driven through the front wheels, the vertical axis passing through the geometric centre of the machine coincides generally with the vertical axis passing through the geometric centre of the test site, or

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- (b) where a ride-on mower is driven otherwise than through the front wheels, the vertical axis passing through the geometric centre of the cutting disk coincides generally with the vertical axis passing through the geometric centre of the test site, or
 - (c) for a string-trimmer or brush-cutter, the operator is positioned approximately on the vertical axis passing through the geometric centre of the test site as shown in Figure 2 at the end of this Schedule.

15 Determination of noise level

- (1) The person making the measurements is to make as many noise level measurements of the grass-cutting machine as are reasonably appropriate.
- (2) The maximum noise level (LpA) of a grass-cutting machine is to be the average of the greatest noise level readings obtained at the positions A, B, C and D (shown in Figure 1 at the end of this Schedule), as calculated in accordance with this clause, taken, if the average reading is not a whole number of decibels, to the next lower whole number of decibels.
- (3) An A-weighted sound pressure level must be calculated from the measured values of the A-weighted sound pressure levels ($LpAi$) from the following equation:

$$LpA = \frac{10 \log_{10} \sum_{i=1}^N 10^{0.1LpAi}}{N}$$

Where:

LpA = A-weighted sound pressure level.

$LpAi$ = A-weighted sound pressure level at the i 'th measured position, in decibels.

N = Total number of measured points.

- (4) If the range of values of $LpAi$ does not exceed 5 dB(A), the A-weighted sound pressure level is to be the arithmetical mean of those values.

Part 3 Chainsaws**16 Site requirements**

- (1) The site at which the noise level of a chainsaw is measured:
 - (a) must have its perimeter at least 30 metres from any part of the chainsaw under test, and

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- (b) must be in the open air, and
 - (c) must be covered with grass not more than 80 millimetres high or with concrete, asphalt or any other approved material or with a mixture of those coverings.
- (2) While the noise level of a chainsaw is being measured, the following people only may be within the test site:
- (a) the person operating the chainsaw,
 - (b) the person making the measurements,
 - (c) one observer, standing in the position specified by that person.
- (3) While the noise level of the chainsaw is being measured, the following articles only may be within the test site:
- (a) the chainsaw,
 - (b) the timber to be cut,
 - (c) the timber stands,
 - (d) the instrumentation and other objects necessary for the measurement of the noise level of the chainsaw,
 - (e) any other article that, in the opinion of the person making the measurements, will not substantially affect the measurements.
- (4) The measurements must be made at each of the positions marked A, B, C and D in Figure 3 at the end of this Schedule.

17 Position of microphone

- (1) The microphone used to measure the noise level of a chainsaw:
- (a) must be placed at a height of 1.5 metres (± 0.1 metres) above the ground, and
 - (b) must be placed at a distance of 7.5 metres (± 0.2 metres) from the nearest point of the motor of the chainsaw under test to the microphone, and
 - (c) must face towards the motor of the chainsaw, and
 - (d) must have its nominal axis of maximum sensitivity (as indicated by the manufacturer of the microphone) directed towards the motor of the chainsaw.
- (2) Figure 4 at the end of this Schedule shows the position of the microphone relative to the noise source.

18 Operation of chainsaw during measurement

- (1) Noise measurements must be taken while the chainsaw is cutting a log.

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- (2) The noise level measurement must be taken at the engine speed that corresponds to the manufacturer's stated maximum power rating.
 - (3) Immediately before the noise level of a chainsaw is measured, the motor of the chainsaw must be operated for not less than 5 minutes.
 - (4) The position of the log and chainsaw during cutting must be as shown in Figure 4 at the end of this Schedule.
 - (5) When the noise level of a chainsaw is being measured:
 - (a) the chainsaw must be held in a horizontal position by the operator and operated in a manner appropriate to normal cross-cutting, and
 - (b) the guide bar must be fed into the log and the load applied so that the engine speed is the same as, or within 300 revolutions per minute of, the speed at which maximum power is developed according to the manufacturer's specification, and
 - (c) the slices of timber cut must not be more than 25 millimetres thick, and
 - (d) full throttle must be maintained during the cutting operation.

19 Determination of noise level

- (1) The person making the measurements is to make as many noise level measurements of the chainsaw as are reasonably appropriate.
- (2) The maximum noise level (L_{pA}) of a chainsaw is to be the average of the greatest noise level readings obtained from the positions A, B, C and D (shown in Figure 3 at the end of this Schedule), as calculated in accordance with this clause. If the average reading is not a whole number of decibels, it must be rounded down to the next lower whole number of decibels.
- (3) An A-weighted sound pressure level must be calculated from the measured values of the A-weighted sound pressure levels (L_{pAi}) from the following equation:

$$L_{pA} = \frac{10 \log_{10} \sum_{i=1}^N 10^{0.1 L_{pAi}}}{N}$$

Where:

L_{pA} = A-weighted sound pressure level.

L_{pAi} = A-weighted sound pressure level at the i 'th measured position, in decibels.

N = Total number of measured points.

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- (4) If the range of values of L_{pAi} does not exceed 5 dB(A), the A-weighted sound pressure level is to be the arithmetical mean of those values.

Part 4 Mobile garbage compactors

20 Site requirements

- (1) The test site at which the noise level of a mobile garbage compactor is measured must:
- (a) be in the open air, and
 - (b) be free from obstructions, and
 - (c) have a perimeter at least 20 metres from the mobile garbage compactor under test, and
 - (d) be covered with concrete, asphalt or other approved material, or a mixture of those coverings.
- (2) While the noise level of a mobile garbage compactor is being measured, the following people only may be within the test site:
- (a) the driver or operator of the compactor,
 - (b) the person making the measurements,
 - (c) one observer, standing in a position specified by that person.
- (3) While the noise level measurements are being made, only the following articles may be within the test site:
- (a) the mobile garbage compactor,
 - (b) the instruments necessary for the measurement of noise emitted by the compactor,
 - (c) any other article that, in the opinion of the person making the measurements, will not substantially affect the measurements.
- (4) Noise measurements must not be made when wind speed exceeds 5 metres per second.

21 Position of mobile garbage compactor

The mobile garbage compactor must be positioned in the approximate centre of the test site.

22 Position of microphone

The microphone:

- (a) must be placed at a height of 1.5 metres (± 0.1 metres) above the ground, and

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- (b) must (in any sequence) be placed at a distance of 15 metres (± 0.2 metres) from the approximate geometric centre of the vehicle at each of the 4 points on the principal axes of the vehicle, and
 - (c) must have its nominal axis of maximum sensitivity (as indicated by the manufacturer of the microphone) directed towards the mobile garbage compactor under test.

23 Operation of mobile garbage compactor

- (1) The controls of the mobile garbage compactor being tested must be operated in such manner as to cause the compactor to operate over full compaction cycles.
- (2) The bin lifters must not be operated during the tests unless this is necessary for operation of the compactor.
- (3) The tests must be conducted without any garbage present in the compactor body or loading chute.
- (4) The compactor must be operated over as many cycles as the person making the measurements considers necessary to obtain representative results.
- (5) The compactor must be operated over full compaction cycles for a minimum period of 15 minutes prior to conducting the noise tests.
- (6) Relief valves must be set to operate at the pressures or flows, or pressures and flows, specified by the manufacturer of the compactor.

24 Engine rotation speed

- (1) The object of this clause is to provide the rotation speed at which the engine driving the hydraulic pump must be operated.
- (2) For a mobile garbage compactor with a hydraulic pump the rotation speed of which cannot be increased by operation of the accelerator pedal while the compactor is engaged, the engine speed during the test must be set to the governed engine speed as specified by the manufacturer of the compactor unit.
- (3) If the speed of the hydraulic pump can be altered by use of the accelerator pedal while the compactor is engaged, the speed of the engine driving the hydraulic pump must be:
 - (a) the greater of the engine speed that is automatically obtained when the compactor is engaged and an engine speed that provides between 80% and 85% of the speed of the pump at which the

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compactor operation is disengaged or its performance is reduced or limited:

- (i) by the use of a dump circuit, a pump unloader system or a clutch on the drive to the pump, or
 - (ii) by other appropriate means built into the compactor unit to limit the flow of hydraulic fluid or to limit the engine rotation speed, or
- (b) a rotation speed between 95% and 100% of the maximum speed of the engine where the compactor has no facility for limiting the flow or pressure, or flow and pressure, applied to the compaction system, or
- (c) where a variable displacement pump is used, the design speed for normal operation of the compaction system as stated by the compactor manufacturer.

25 Instruments to test rotation speed

A suitable engine or pump rotation speed measurement device capable of measuring the maximum rotation speed to within (\pm) 50 revolutions per minute of the actual speed of the engine or hydraulic pump during a compaction cycle must be used to measure the engine or pump rotation speed during the test.

26 Determination of mean noise level

- (1) The person making the measurements is to make as many noise level measurements of the mobile garbage compactor as are reasonably appropriate.
- (2) The compactor must be operated with the engine powering the hydraulic pump operating at a speed determined in accordance with this Schedule and the maximum sound pressure level must be observed and recorded with an accuracy to the first decimal place at each of the 4 microphone positions on the principal axes of the vehicle.
- (3) The mean noise level of a mobile garbage compactor is the logarithmic average of the maximum noise level readings at those 4 positions but, if the range of levels is 5 dB(A) or less, the arithmetic average may be used instead.
- (4) If the average so determined is not a whole number of decibels, it must be rounded down to the next lower whole number of decibels.

Protection of the Environment Operations (Noise Control) Regulation 2008

Schedule 2 Testing procedures

Figure 1 Typical test site layout and microphone positions: grass-cutting machines (plan view)

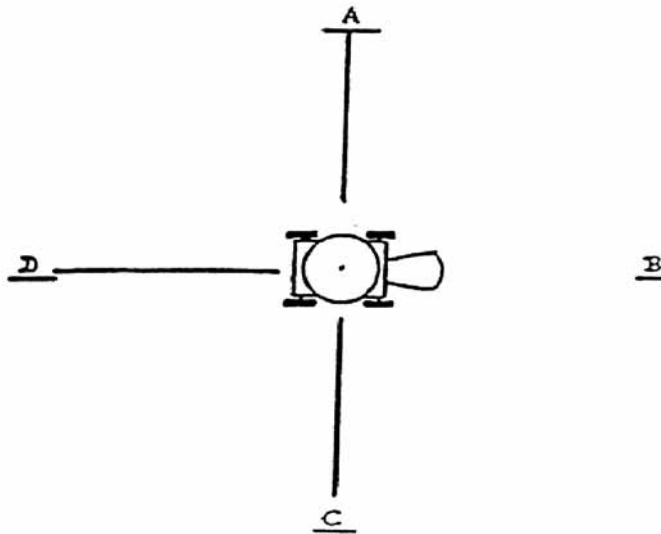
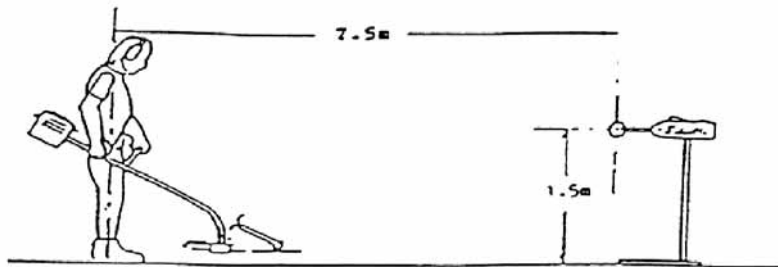


Figure 2 Typical test site layout and microphone positions: grass-cutting machines (side view)



Protection of the Environment Operations (Noise Control) Regulation 2008

Testing procedures

Schedule 2

Figure 3 Typical test site layout and microphone positions: chainsaws (plan view)

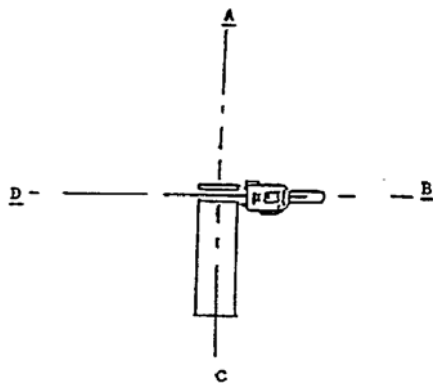
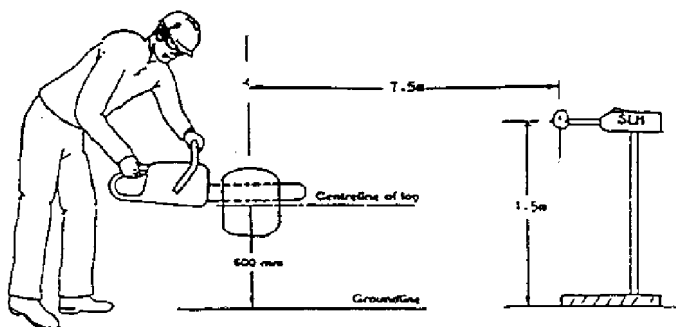


Figure 4 Typical test site layout and microphone positions: chainsaws (side view)



| | |
|------------|---|
| | Protection of the Environment Operations (Noise Control) Regulation 2008 |
| Schedule 3 | Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004 |

Schedule 3 **Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004**

(Clause 58)

Schedule 1 Penalty notice offences

Omit the matter relating to the *Protection of the Environment Operations (Noise Control) Regulation 2000*.

Insert instead:

Protection of the Environment Operations (Noise Control) Regulation 2008

| Column 1 | Column 2 | Column 3 | Column 4 |
|--|-----------------|------------------------------|-------------------------------|
| Provision of Regulation | Officer | Penalty (individuals) | Penalty (corporations) |
| Clause 5 (1) | 2A | \$300 | \$600 |
| Clause 10 | 2A | \$300 | \$600 |
| Clause 11 (1) | 2A | \$300 | \$600 |
| Clause 12 (1): Cause or permit use of vehicle capable of emitting noise exceeding maximum level by up to 5 dB(A). | 2A | \$150 | \$300 |
| Clause 12 (1): Cause or permit use of vehicle capable of emitting noise exceeding maximum level by between 5 and 15 dB(A). | 2A | \$250 | \$500 |
| Clause 12 (1): Cause or permit use of vehicle capable of emitting noise exceeding maximum level by more than 15 dB(A). | 2A | \$500 | \$1,000 |
| Clause 13 | 1, 2, 4 | \$200 | \$400 |
| Clause 14 (1) | 1, 2, 4 | \$200 | \$400 |
| Clause 15 (1) | 1, 2, 4 | \$200 | \$400 |
| Clause 16 | 1, 2, 4 | \$150 | \$300 |
| Clause 17 (1) | 2, 4 | \$150 | |
| Clause 18 (1) | 2, 4 | \$200 | \$400 |
| Clause 19 (1) | 2A | \$200 | \$400 |

Protection of the Environment Operations (Noise Control) Regulation 2008

Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004 Schedule 3

| Column 1 | Column 2 | Column 3 | Column 4 |
|---|-----------------|------------------------------|-------------------------------|
| Provision of Regulation | Officer | Penalty (individuals) | Penalty (corporations) |
| Clause 21 (1) | 2A | \$200 | \$400 |
| Clause 21 (2) | 2A | \$200 | \$400 |
| Clause 23 | 1, 2, 4 | \$200 | \$400 |
| Clause 24 (1): Cause or permit use of noisy alarm (for up to 4 hours). | 1, 2, 4, 7 | \$200 | \$400 |
| Clause 24 (1): Cause or permit use of noisy alarm (for more than 4 hours and up to 8 hours). | 1, 2, 4, 7 | \$400 | \$800 |
| Clause 24 (1): Cause or permit use of noisy alarm (for more than 8 hours). | 1, 2, 4, 7 | \$600 | \$1,200 |
| Clause 25 (1) | 2A | \$200 | \$400 |
| Clause 26 (5) | 2, 4 | \$300 | \$600 |
| Clause 27 (4) | 2, 4 | \$300 | \$600 |
| Clause 27 (5) | 2, 4 | \$300 | \$600 |
| Clause 29 | 1, 3, 4, 13 | \$200 | \$400 |
| Clause 30 | 1, 3, 4, 13 | \$300 | \$600 |
| Clause 32 (1) | 3, 4, 13 | \$200 | \$400 |
| Clause 32 (2) | 3, 4, 13 | \$200 | \$400 |
| Clause 33 | 1, 3, 4, 13 | \$300 | \$600 |
| Clause 34 (5) | 3, 4, 13 | \$300 | \$600 |
| Clause 35 (4) | 3, 4, 13 | \$300 | \$600 |
| Clause 35 (5) | 3, 4, 13 | \$300 | \$600 |
| Clause 50 (1) | 1, 4 | \$200 | \$400 |
| Clause 51 (1) | 1, 4 | \$200 | \$400 |
| Clause 52 (1) | 1, 4 | \$200 | \$400 |
| Clause 53 (1): Cause or permit use of noisy intruder alarm (for up to 4 hours). | 1, 2, 4 | \$200 | \$400 |
| Clause 53 (1): Cause or permit use of noisy intruder alarm (for more than 4 hours and up to 8 hours). | 1, 2, 4 | \$400 | \$800 |

Protection of the Environment Operations (Noise Control) Regulation 2008
 Schedule 3 Amendment of Protection of the Environment Operations (Penalty Notices)
 Regulation 2004

| Column 1 | Column 2 | Column 3 | Column 4 |
|---|-----------------|----------------------------------|-----------------------------------|
| Provision of Regulation | Officer | Penalty (individuals) | Penalty (corporations) |
| Clause 53 (1): Cause or permit use of noisy intruder alarm (for more than 8 hours). | 1, 2, 4 | \$600 | \$1,200 |



New South Wales

Royal Botanic Gardens and Domain Trust Regulation 2008

under the

Royal Botanic Gardens and Domain Trust Act 1980

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Royal Botanic Gardens and Domain Trust Act 1980*.

PHILIP KOPERBERG, M.P.,
Minister for Climate Change, Environment and Water

Explanatory note

The object of this Regulation is to repeal and remake the *Royal Botanic Gardens and Domain Trust Regulation 2002*.

This Regulation deals with the following matters:

- (a) the use of Trust lands generally (Part 2), including a new offence in relation to offensive conduct,
- (b) the use of the Royal Botanic Gardens, the Mount Annan Botanic Garden, the Mount Tomah Botanic Garden and the Mount Tomah Conservation Area (Part 3),
- (c) the use of the Domain (Part 4),
- (d) penalty notice offences (offences that attract “on-the-spot” fines) (clause 23 in Part 5 and Schedule 1),
- (e) ancillary and technical matters (Part 1 and remainder of Part 5).

This Regulation is made under the *Royal Botanic Gardens and Domain Trust Act 1980*, including sections 22 (the general regulation-making power), 22A (2) (a) and 22B.

Royal Botanic Gardens and Domain Trust Regulation 2008

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Royal Botanic Gardens and Domain Trust Regulation 2008

Clause 1

Preliminary

Part 1

Royal Botanic Gardens and Domain Trust Regulation 2008

under the

Royal Botanic Gardens and Domain Trust Act 1980

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Royal Botanic Gardens and Domain Trust Regulation 2008*.

2 Commencement

This Regulation commences on 1 March 2008.

3 Definitions

(1) In this Regulation:

animal means any non-human mammal or any bird, fish, reptile, amphibian, crustacean, arthropod or mollusc.

assistance animal means an animal referred to in section 9 (Disability discrimination—guide dogs, hearing assistance dogs and trained animals) of the *Disability Discrimination Act 1992* of the Commonwealth.

authorised person means:

- (a) a police officer, or
- (b) any other person appointed in writing by the Trust as an authorised person for the purposes of this Regulation.

reserved land means such part of the Trust lands as is for the time being reserved for an organised activity under clause 4.

sea wall means the part of the stone wall bordering Farm Cove (and separating Sydney Harbour from the Royal Botanic Gardens and part of the Domain) that runs from the Queen Elizabeth II Gate entrance to the Royal Botanic Gardens to the rocks on Mrs Macquarie's Point.

sign includes a board, post, banner, notice or painted marking.

the Act means the *Royal Botanic Gardens and Domain Trust Act 1980*.

the Domain means that part of the Trust lands known as the Domain.

| | |
|----------|--|
| Clause 3 | Royal Botanic Gardens and Domain Trust Regulation 2008 |
| Part 1 | Preliminary |

the Gardens means that part of the Trust lands known as the Royal Botanic Gardens, the Mount Annan Botanic Garden, the Mount Tomah Botanic Garden or the Mount Tomah Conservation Area.

the Mount Tomah Conservation Area means that part of the Trust lands being Lot 35 in DP 232476 and being approximately 189 hectares located north of the Bells Line of Road opposite the Mount Tomah Botanic Garden.

vehicle includes the following:

- (a) a motor vehicle,
 - (b) a trailer or caravan, whether or not it is in the course of being towed,
 - (c) an apparatus (other than a wheelchair, pram or stroller) that is propelled by human, animal or mechanical power, or by the wind, and is used wholly or partly for the conveyance of persons or things,
 - (d) a boat, raft, canoe, ski, barge or other vessel.
- (2) Notes in the text of this Regulation do not form part of this Regulation.

Royal Botanic Gardens and Domain Trust Regulation 2008

Clause 4

Regulation of use of Trust lands generally

Part 2

Part 2 Regulation of use of Trust lands generally

4 Reserved land

The Trust may from time to time reserve any part of the Trust lands for any one or more of the following:

- (a) organised sporting activities,
- (b) organised entertainment,
- (c) organised ceremonies,
- (d) any other organised activity.

5 Fees and charges

- (1) The Trust may from time to time determine the fees and charges payable for the use of any reserved land or (subject to the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*) for the parking of vehicles on any part of the Trust lands.
- (2) Fees and charges may differ according to such factors as the Trust may determine.
- (3) The Trust may exempt any person from paying any fee or charge.

6 Entry to Trust lands

- (1) The Trust may give any one or more of the following directions:
 - (a) a direction limiting the number of persons who may enter any part of the Trust lands,
 - (b) a direction closing to the public any part of the Trust lands (including any reserved land and any road, path or building),
 - (c) a direction charging admission to any part of the Trust lands,
 - (d) a direction imposing conditions (such as conditions prohibiting the possession or consumption of alcohol) subject to which the public may enter any part of the Trust lands.
- (2) A direction under this clause may be given:
 - (a) in any case—by means of a sign displayed on or adjacent to the part of the Trust lands concerned, or
 - (b) in the case of a direction referred to in subclause (1) (a) or (b)—by means of an instruction given orally by an authorised person.
- (3) A person must not fail to comply with a direction given under this clause.

Maximum penalty: 10 penalty units.

| | |
|----------|--|
| Clause 7 | Royal Botanic Gardens and Domain Trust Regulation 2008 |
| Part 2 | Regulation of use of Trust lands generally |

7 Camping, erection or occupation of tents and similar activities on Trust lands

- (1) A person must not do any of the following on the Trust lands:
 - (a) camp or reside,
 - (b) erect or use, or cause to be erected or used, a building, tent, screen, awning, enclosure or other structure or thing.Maximum penalty: 10 penalty units.
- (2) A person who has erected or occupied, or caused to be erected or occupied, a building, tent, screen, awning, enclosure or other structure or thing contrary to subclause (1) (b) must, when required to do so by an authorised person, remove the building, tent, screen, awning, enclosure, structure or thing.
- (3) If a person fails to comply with a direction given under subclause (2), an authorised person:
 - (a) may remove, or cause to be removed, the building, tent, screen, awning, enclosure, structure or thing to the care of the person to whom the direction was given, or
 - (b) may impound the building, tent, screen, awning, enclosure, structure or thing.
- (4) Property that is impounded under this clause is taken to be impounded under the *Impounding Act 1993*, and is to be dealt with accordingly.

8 Disposal of waste

- (1) A person must not do any of the following:
 - (a) bring any waste onto the Trust lands,
 - (b) abandon a vehicle on the Trust lands,
 - (c) leave any litter otherwise than in a receptacle provided and designated for the receipt of litter of that kind, on the Trust lands,
 - (d) deposit any oil or similar product, or any hot liquid, or allow such a product or liquid to escape, on the Trust lands,
 - (e) deposit any ice on the Trust lands,
 - (f) empty any coals or embers from any cooking apparatus onto the Trust land.Maximum penalty: 10 penalty units.
- (2) In this clause:

litter includes bottles, broken glass, china, pottery, plastic, foam, paper and cardboard.

waste includes refuse, rubbish and industrial waste.

Royal Botanic Gardens and Domain Trust Regulation 2008

Clause 9

Regulation of use of Trust lands generally

Part 2

9 Protection of Trust lands

- (1) A person must not do any of the following on the Trust lands:
- (a) damage any lawn, playing field or green otherwise than in the course of, and as a normal incident of, an organised recreational or sporting activity on reserved land,
 - (b) remove, uproot or cause damage to, or remove any part from, any tree or other vegetation,
 - (c) remove any dead timber, log or stump, whether standing or fallen,
 - (d) climb any tree,
 - (e) deface any rock or dig up any soil, sand, stone or similar substance,
 - (f) damage, deface or interfere with:
 - (i) any part of the Trust lands (including any road, path, fence, barrier, gate, fence post, railing, step, stair, wall or building), or
 - (ii) any thing situated on any part of the Trust lands (including any seat, furniture, play equipment, fountain, statue, ornament, vase, monument, sign, notice, descriptive plate, label, machinery or equipment),
 - (g) destroy, capture, injure or interfere with any animal,
 - (h) destroy or interfere with the habitat of any animal.
- Maximum penalty: 10 penalty units.
- (2) A person does not commit an offence under subclause (1) (g) or (h) merely because the person fishes in the waters of Sydney Harbour from any part of the Domain where fishing is permitted.

10 Recreational activities

A person must not do any of the following on the Trust lands:

- (a) operate any mechanically-propelled model aircraft, boat or similar thing,
- (b) launch or land any aircraft, hang-glider, hot air balloon or parachute,
- (c) ride on or use any skateboard, roller skates, inline skates or similar apparatus,
- (d) fly any kite,
- (e) operate any radio, cassette player, record player, compact disc player or any instrument at a volume likely to cause a nuisance or annoyance to any person,

Clause 11 Royal Botanic Gardens and Domain Trust Regulation 2008

Part 2 Regulation of use of Trust lands generally

- (f) operate or use a loudspeaker or public address system or apparatus,
- (g) play or practise golf,
- (h) practise or demonstrate (using a fishing rod or line) the casting of a fishing line,
- (i) bathe, wade, wash or swim in any lake, pond, stream or ornamental water,
- (j) use any drinking fountain otherwise than for drinking,
- (k) light any fire otherwise than in fixed cooking apparatus provided by the Trust,
- (l) discharge any fireworks.

Maximum penalty: 10 penalty units.

11 Commercial activities

A person must not do any of the following on the Trust lands:

- (a) collect or attempt to collect money,
- (b) sell or attempt to sell or hire, expose for sale or hire or solicit for sale or hire papers, printed matter, food, or other goods or services,
- (c) sell or attempt to sell (or purchase or attempt to purchase) any tickets to any activity or ceremony or other event,
- (d) conduct, or cause or assist the operation of, an amusement, entertainment, instruction or performance for money or other consideration,
- (e) establish or operate a business,
- (f) use television, video, cinematographic or photographic equipment for commercial purposes,
- (g) display or distribute any advertising matter, sign, bill, poster or other printed matter.

Maximum penalty: 10 penalty units.

12 Vehicles on Trust lands

A person must not drive or ride any vehicle on the Trust lands:

- (a) otherwise than on a road laid out for the purpose, or
- (b) contrary to a sign erected by or on behalf of the Trust.

Maximum penalty: 10 penalty units.

Royal Botanic Gardens and Domain Trust Regulation 2008

Clause 13

Regulation of use of Trust lands generally

Part 2

13 Prohibited non-meter parking

A person must not cause or permit any vehicle to stand or be parked on the Trust lands:

- (a) on any lawn, grass, parkland, garden or path, or
- (b) contrary to a sign erected by or on behalf of the Trust.

Maximum penalty: 10 penalty units.

14 Obstruction

A person must not do any of the following on the Trust lands:

- (a) obstruct another person in the performance of the person's work or duties,
- (b) fail to comply with any reasonable direction given for the purpose of securing good order and management and enjoyment of the Trust lands by an authorised person or a member of staff of the Trust.

Maximum penalty: 10 penalty units.

15 Offensive conduct

A person must not do any of the following on the Trust lands:

- (a) use insulting or offensive language,
- (b) behave in an offensive or indecent manner.

Maximum penalty: 10 penalty units.

16 Persons to leave on request

(1) A person who:

- (a) enters the Trust lands unlawfully, or
- (b) causes any annoyance or inconvenience to other persons on the Trust lands,

must leave the Trust lands if directed to do so by an authorised person.

Maximum penalty: 10 penalty units.

(2) A person who fails to comply with such a direction may be removed from the Trust lands by an authorised person.

17 Requirement to state name and address

(1) An authorised person who suspects on reasonable grounds that a person on the Trust lands has committed an offence against the Act or this Regulation may require the person to state his or her full name and residential address.

Clause 17 Royal Botanic Gardens and Domain Trust Regulation 2008

Part 2 Regulation of use of Trust lands generally

- (2) A person must not:
- (a) fail without reasonable cause to comply with a requirement under this clause, or
 - (b) in purported compliance with such a requirement, furnish information that the person knows to be false or misleading in a material particular.
- Maximum penalty: 10 penalty units.
- (3) A person is not guilty of an offence under this clause unless it is established that the authorised person:
- (a) identified himself or herself as an authorised person, and
 - (b) warned the person that failure to comply with the requirement is an offence.

Royal Botanic Gardens and Domain Trust Regulation 2008

Clause 18

Regulation of use of the Gardens

Part 3

Part 3 Regulation of use of the Gardens

18 Entry to the Gardens

- (1) The Gardens are open to the public daily at times specified by the Trust and indicated on signs displayed adjacent to the entrances to the Gardens.
- (2) A person must not:
 - (a) without the consent of the Trust, enter or remain in the Gardens at any time when they are not open to the public, or
 - (b) enter or leave the Royal Botanic Gardens by means of the sea wall.

Maximum penalty: 10 penalty units.

19 Offences relating to the Gardens

- (1) A person must not do any of the following:
 - (a) bring into the Gardens any animal or permit any animal under the person's control to remain in the Gardens,
 - (b) address a public function, public meeting, public demonstration or public gathering in the Gardens,
 - (c) fish in the ponds of the Gardens,
 - (d) fish in the waters of Sydney Harbour from the Royal Botanic Gardens,
 - (e) moor a boat to the sea wall,
 - (f) ride a bicycle or tricycle in the Royal Botanic Gardens, Mount Tomah Botanic Garden or the Mount Tomah Conservation Area otherwise than in an area designated for that purpose,
 - (g) jog or run in the Gardens otherwise than on a road, path or specially designated circuit,
 - (h) throw, kick or hit any object in the Gardens.

Maximum penalty: 10 penalty units.

- (2) Subclause (1) (a) does not prohibit a person from bringing into the Gardens or from permitting to remain in the Gardens:
 - (a) an assistance animal that is in harness, or
 - (b) a dog or horse that is being used in connection with police duty.

Clause 20 Royal Botanic Gardens and Domain Trust Regulation 2008

Part 4 Regulation of use of the Domain

Part 4 Regulation of use of the Domain

20 Offences relating to the Domain

- (1) A person must not do any of the following:
- (a) bring any animal into the Domain, or permit any animal under the person's control to remain in the Domain,
 - (b) address a public function, public meeting, public demonstration or public gathering in the Domain after sunset or before sunrise on any day,
 - (c) throw, kick or hit any object in the Domain, otherwise than in the course of, and as a normal incident of, an organised activity on reserved land,
 - (d) fish in the waters of Sydney Harbour from any part of the Domain in or adjacent to which there is erected a sign indicating that fishing from that area is prohibited.

Maximum penalty: 10 penalty units.

- (2) Subclause (1) (a) does not prohibit a person from bringing into the Domain or from permitting to remain in the Domain:
- (a) an assistance animal that is in harness, or
 - (b) a dog or horse that is being used in connection with police duty, or
 - (c) a dog that is held on a leash.
- (3) Subclause (1) (c) does not prohibit a person from throwing or kicking a ball or other object in the Domain in the course of an informal game or sporting activity that is not likely to endanger the safety of other persons.

Royal Botanic Gardens and Domain Trust Regulation 2008

Clause 21

General

Part 5

Part 5 General

21 No offence in certain circumstances

- (1) An act or omission does not constitute an offence against this Regulation if it is authorised expressly or impliedly by the terms or conditions of a lease, licence or occupancy granted by the Trust.
- (2) A person is not guilty of an offence against this Regulation if the person establishes that the act giving rise to the offence was done with the written consent of the Trust.
- (3) Nothing in this Regulation prevents members of staff of the Trust, or authorised persons exercising their functions under the Act, from doing any act or thing in the course of their employment.

22 Prescribed officer: section 22A (2)

For the purposes of section 22A (2) (a) of the Act, the Executive Director is a prescribed officer to whom a statutory declaration referred to in that paragraph may be supplied.

23 Penalty notice offences: section 22B

For the purposes of section 22B of the Act:

- (a) the Executive Director and authorised persons are prescribed as officers who may serve notices under that section, and
- (b) the prescribed penalty for an offence created by a provision specified in Column 1 of Schedule 1 is the amount specified in Column 2 of that Schedule.

24 Repeal and savings

- (1) The *Royal Botanic Gardens and Domain Trust Regulation 2002* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Royal Botanic Gardens and Domain Trust Regulation 2002*, had effect under (or was done for the purposes of) that Regulation continues to have effect under (or is taken to have been done for the purposes of) this Regulation.

Royal Botanic Gardens and Domain Trust Regulation 2008

Schedule 1 Penalty notice offences

Schedule 1 Penalty notice offences

(Clause 23)

| Column 1 | Column 2 |
|--|-----------------|
| Clause 6 (3) | \$115 |
| Clause 7 (1) | \$175 |
| Clause 8 (1) | \$220 |
| Clause 9 (1) (a) | \$175 |
| Clause 9 (1) (b), (g) and (h) | \$500 |
| Clause 9 (1) (c), (e) and (f) | \$115 |
| Clause 9 (1) (d) | \$85 |
| Clause 10 (a), (c), (g), (h), (i), (j) and (l) | \$85 |
| Clause 10 (b) and (f) | \$350 |
| Clause 10 (d) | \$55 |
| Clause 10 (e) | \$115 |
| Clause 10 (k) | \$330 |
| Clause 11 (a), (b), (c), (d) and (e) | \$350 |
| Clause 11 (f) | \$175 |
| Clause 11 (g) | \$115 |
| Clause 12 (a) | \$175 |
| Clause 12 (b) | \$115 |
| Clause 13 (a) | \$115 |
| Clause 13 (b) | \$175 |
| Clause 14 | \$175 |
| Clause 15 | \$175 |
| Clause 16 (1) | \$175 |
| Clause 17 (2) | \$175 |
| Clause 18 (2) | \$115 |
| Clause 19 (1) | \$110 |
| Clause 20 (1) | \$110 |

OFFICIAL NOTICES**Appointments****ABORIGINAL LAND RIGHTS ACT 1983****NOTICE**

I, the Honourable PAUL LYNCH, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council (NSWALC), do, by this notice pursuant to section 231 (2) of the Aboriginal Land Rights Act 1983 (the Act) extend the appointment of Mr Andrew HOHOLT as Administrator to the Thungutti Local Aboriginal Land Council for a period of six (6) calendar months, from 2 March 2008. During the period of his appointment, the Administrator will have all of the functions of the Thungutti Local Aboriginal Land Council and any other duties as specified by the instrument of appointment. The Administrator's remuneration and expenses are not to exceed \$60 000 excluding GST without the prior approval of NSWALC. The Administrator's remuneration may include fees payable for the services of other personnel within the Administrator's firm who provide services as agents of the Administrator.

Signed and sealed this 18 day of February 2008.

PAUL LYNCH, M.P.,
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN!

LOCAL GOVERNMENT ACT 1993**Appointment of Chairperson to the
Local Government Boundaries Commission**

HER Excellency the Governor, with the advice of the Executive Council, and in accordance with sections 261 (2) (a) and 261 (4) and Schedule 2, Clause 6 of the Local Government Act 1993, has appointed Ian DICKSON as member and chairperson of the Local Government Boundaries Commission for the term of office from 1 March 2008 to 30 June 2008.

PAUL LYNCH, M.P.,
Minister for Local Government

ERRATUM

THE following notice replaces the notice published on page 715 of this publication on 15 February 2008:

BOXING AND WRESTLING CONTROL ACT 1986

Department of the Arts, Sport and Recreation

Appointment of Member to the Boxing Authority of
New South Wales

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 4 (3) of the Boxing and Wrestling Control Act 1986, that Mr Haris MORES be appointed to the office of Member of the Boxing Authority of NSW for a term of office from 13 February 2008 until 30 June 2008.

GRAHAM WEST, M.P.,
Minister for Gaming and Racing
and Minister for Sport and Recreation

Department of Lands

DUBBO OFFICE

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

Phone: (02) 6883 3300 Fax: (02) 6882 6920

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> |
|--|--|
| Land District: Coonamble. Local Government Area: Coonamble Shire Council. Locality: Tahrone. Reserve No.: 77820. Public Purpose: Generally. Notified: 19 August 1955. Lot 37, DP No. 754249, Parish Tahrone, County Leichhardt; Lot 93, DP No. 754249, Parish Tahrone, County Leichhardt; Lot 86, DP No. 754249, Parish Tahrone, County Leichhardt. File No.: DB98 H 24/1. Note: Purchase of Perpetual Lease 128255 by John Francis RACKHAM. | The part being Lot 37, DP No. 754249, Parish Tahrone, County Leichhardt; Lot 86, DP No. 754249, Parish Tahrone, County Leichhardt, of an area of 894.2 hectares. |

NOTIFICATION OF CLOSING OF ROADS

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

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

Description

*Local Government Area – Warrumbungle;
Land District – Coonabarabran*

Lot 1, DP 1121467, Parish of Gundare, County of Napier
(not being land under the Real Property Act).

File No.: DB05 H 537.

Note: On closing, the title for Lot 1 shall vest in the State
of New South Wales as Crown Land.

Description

Local Government Area and Land District of Dubbo

Lot 1, DP 1121910, Parish of Warrie, County of Lincoln
(not being land under the Real Property Act).

File No.: DB05 H 122.

Note: On closing, the title for Lot 1 shall vest in the State
of New South Wales as Crown Land.

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

APPOINTMENT OF TRUST BOARD MEMBERS**SCHEDULE**

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

Column 1

Michael John
THOMSETT
(new member)

Column 2

Laggan Hall
Trust

Column 3

Dedication No. 530016
Public Purpose:
Public Hall
Notified: 25 September 1925
File Ref.: GB80 R 214/1

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

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

SCHEDULE*Column 1*

James HILL
(new member)

Column 2

Collector
Bushrangers
Reserve Trust

Column 3

Reserve No. 1004628
Public Purpose:
Public Recreation
Tourist Facilities and
Services Environmental
Protection
Notified: 30 May 2003
File Ref.: GB03 R 58/1

For a term commencing
the date of this notice and
expiring 8 April 2009.

SCHEDULE*Column 1*

Lisa LEONARD
(new member)
Vivienne Marie
SHEPHERD
(re-appointment)
Sarah LANNAN
(new member)
Elizabeth
McFADDEN
(new member)

Column 2

Grabben Gullen
Hall and
Recreation
Reserve Trust

Column 3

Reserve No. 65615
Public Purpose:
Public Hall
Notified: 15 November 1935

Reserve No. 71160
Public Purpose:
Public Recreation
Notified: 10 March 1944

Dedication No. 530124
Public Purpose:
Public Recreation
Notified: 9 June 1897
File Ref.: GB80 R 57/2

For a term commencing
the date of this notice and
expiring 30 January 2013.

GRAFTON OFFICE
76 Victoria Street (Locked Bag 10), Grafton NSW 2460
Phone: (02) 6640 3400 Fax: (02) 6642 5375

**REVOCATION OF RESERVATION OF
CROWN LAND**

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> |
|---|---|
| Land District: Casino. Local Government Area: Kyogle Shire Council. Locality: Roseberry. Reserve No.: 89513. Public Purpose: Future public requirements. Notified: 18 July 1975. File No.: GF04 H 21/1. | The whole being Lot 92, DP No. 755733, Parish Roseberry, County Rous, of an area of 3.16 hectares. |

Note: Intended to sell land by Private Treaty Sale.

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, 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

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---|---|--|
| Raymond John RYAN (new member), Gloria Jean GOODWIN (new member), Graham Arthur GORDON (re-appointment), Terrence Neil PRATT (re-appointment). | Findon Public Recreation Reserve Trust. | Reserve No.: 65873. Public Purpose: Public recreation. Notified: 13 March 1936. File No.: GF82 R 53. |

Term of Office

For a term commencing the date of this notice and expiring 21 February 2013.

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, 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

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---|--|--|
| Gordon Raymond SERONE (new member), Gary Michael NICHOLLS (re-appointment), George Stephen BALL (re-appointment), George Thomas McKENNA (re-appointment), John Arthur DOMAN (re-appointment), Robert Dunbar LOWREY (re-appointment). | Bentley Public Hall Reserve Trust. | Reserve No.: 82429. Public Purpose: Public hall. Notified: 18 March 1960. File No.: GF81 R 375. |

Term of Office

For a term commencing the date of this notice and expiring 21 February 2013.

GRIFFITH OFFICE
2nd Floor, Griffith City Plaza,
120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680
Phone: (02) 6960 3600 Fax: (02) 6962 5670

NOTIFICATION OF CLOSING OF ROAD

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

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

SCHEDULE

Parish – Curriba; County – Dowling;
Land District – Lake Cargelligo; L.G.A. – Lachlan

Lot 1 in DP 1120109, Parish of Curriba, County of Dowling. File: GH07 H 57.

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

ADDITION TO RESERVED CROWN LAND

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

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

SCHEDULE*Column 1*

Land District: Yanco
 Local Government Area:
 Leeton Shire Council
 Locality: Leeton
 Lot 1, DP 1119215,
 Parish Yarangery,
 County Cooper
 Area: 11.07ha
 File Reference:
 LN93 H 137/1

Column 2

Reserve No. 75463
 Public Purpose: Public
 Recreation
 Notified: 21 November 1952
 Lot 528, DP 751745,
 Parish Yarangery,
 County Cooper
 Lot 527, DP 751745,
 Parish Yarangery,
 County Cooper
 New Area: 48.473ha

MAITLAND OFFICE

Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323
Phone: (02) 4937 9300 Fax: (02) 4934 2252

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

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------|------------------------------------|---|
| Brian Garry DAVIES. | Swansea Memorial Hall Trust. | Reserve No.: 700037. Public Purpose: Community purposes. Notified: 11 July 1997. File No.: MD97 R 16/1. |

For a term commencing the date of this notice and expiring
 24 July 2008.

**ALTERATION OF CONDITIONS OF SPECIAL
 LEASE**

IT is hereby notified that in pursuance of the provisions of section 139(1), Crown Lands Act 1989, the conditions of the undermentioned Special Lease have been altered as shown below.

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

Land District – Gosford;
Local Government Area – Wyong

Parish Munmorah, County Northumberland, Special Lease 1980-3 (LS 138029) held over Lot 159, DP 45606.

Altered by the revocation of special condition (h) which was included in the lease by notification in the New South Wales Government Gazette of 19 October 1984, folio 5165. File No.: MD84 H 399.

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, 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

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---|---|---|
| David Wheatley LE MARCHANT (re-appointment), Anthony John DEEGAN (re-appointment), John Richard CARR (re-appointment), Catherine Joan CROLL (re-appointment), Linda Louise BABIC (re-appointment), Christopher McBRIARTY (new member), Brian John SUTERS (re-appointment). | Newcastle Historic (R98160) Reserve Trust. | Reserve No.: 98160. Public Purpose: Preservation of historical sites and buildings. Notified: 9 May 1986. File No.: MD92 R 17/4. |

Term of Office

For a term commencing the date of this notice and expiring 21 February 2013.

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

*Parish – Oldcastle; County – Durham;
Land District – Scone;
Local Government Area – Upper Hunter*

The Crown public road, 20.115 metres wide, commencing from the southern boundary of Lot 103, DP 752478 extending northward through Lot 91, DP 752478 to the northern boundary of Lot 115, DP 752478 where it intersects with the existing council road.

Note: Enclosure Permits 50962, 51009 and 51091 are affected by this notice.

SCHEDULE 2

Roads Authority: Upper Hunter Shire Council. File No.: MD06 H 400. Council's Reference: Scone Office.

NOTIFICATION OF CLOSING OF ROAD

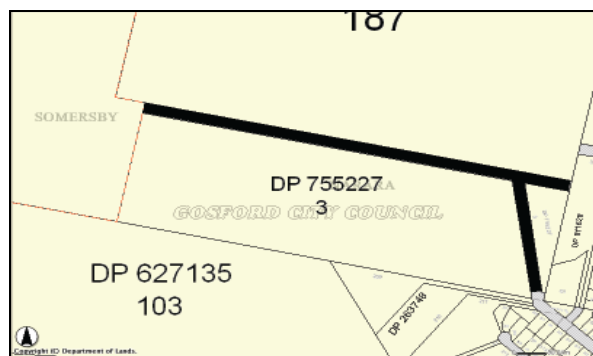
IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closing, title to the land comprising the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

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

SCHEDULE 1

*Parish – Gosford; County – Northumberland
Land District – Gosford; L.G.A. – Gosford*

The Crown road 20.115 metres wide as shown by solid black shading on the diagram hereunder.



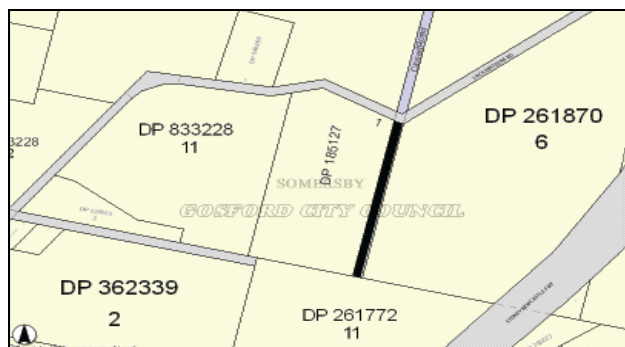
On closing, the land shown by solid black shading on the diagram remains vested in the State of New South Wales as Crown land.

Note: Crown land to be added to Reserve 69754 for Viticulture this day. File No: MD81 H 896

SCHEDULE 1

*Parish – Gosford; County – Northumberland
Land District – Gosford; L.G.A. – Gosford*

The Crown road 20.115 metres wide as shown by solid black shading on the diagram hereunder.



On closing, the land shown by solid black shading on the diagram remains vested in the State of New South Wales as Crown land.

Note: Crown land to be added to Reserve 69754 for Viticulture this day. File No.: MD81 H 896

ADDITION TO RESERVED CROWN LAND

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

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

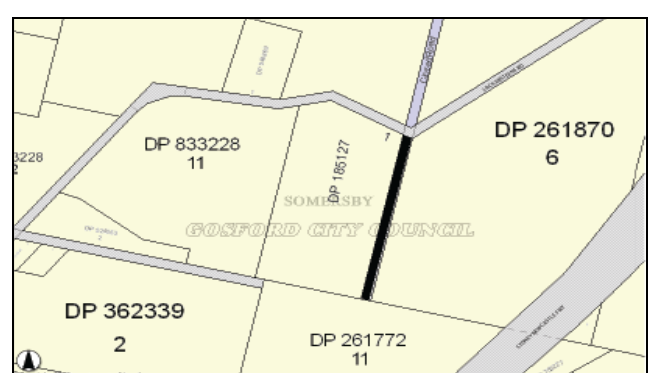
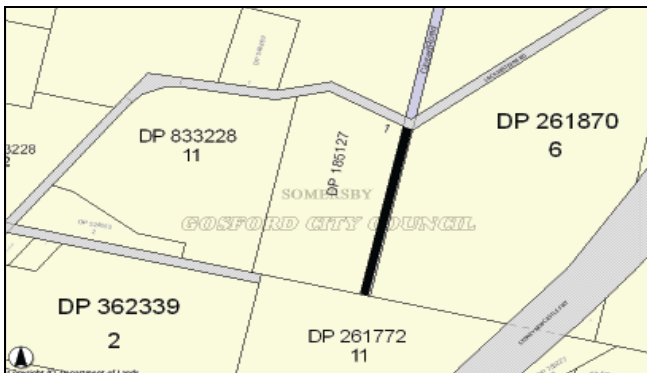
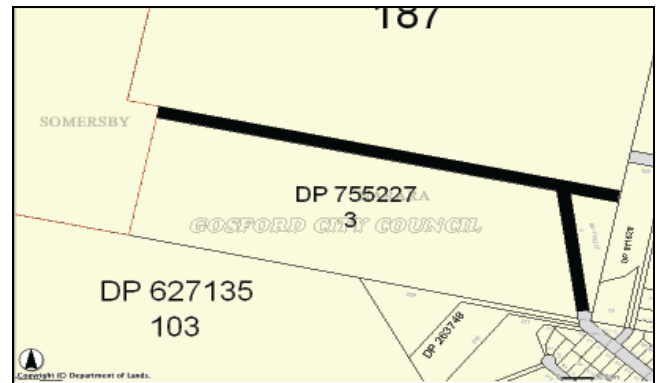
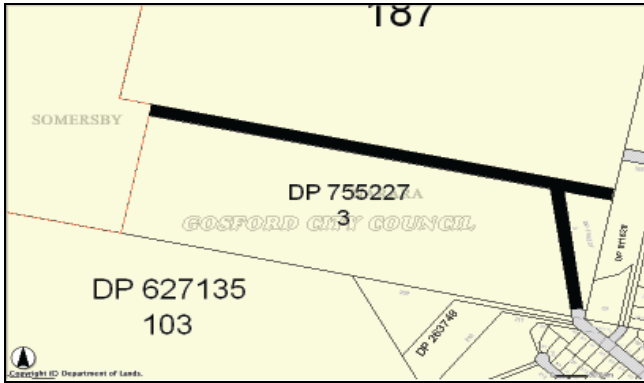
SCHEDULE

Column 1

Land District: Gosford
Local Government Area: Gosford City Council
Locality: Somersby
The closed roads 20.115 metres wide notified this day as shown by solid black shading on the diagrams hereunder

Column 2

Reserve No. 69754
Public Purpose: Viticulture
Notified: 20 December 1940
The closed roads 20.115 metres wide notified this day as shown by solid black shading on the diagrams hereunder.



File Reference: MD81 H 896

NOWRA OFFICE
5 O'Keefe Avenue (PO Box 309), Nowra NSW 2541
Phone: (02) 4428 9100 Fax: (02) 4421 2172

**REVOCATION OF RESERVATION OF
CROWN LAND**

PURSUANCE to section 90 of the Crown Lands Act 1989, the reservation of Crown Land specified in Column 1 of the Schedules hereunder, is revoked to the extent specified opposite thereto in Column 2 of the Schedules.

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

SCHEDULE 1

| <i>Column 1</i> | <i>Column 2</i> |
|--|--|
| Land District: Bega. | That part being Lot 1, |
| Local Government Area: Bega Valley Shire Council. | DP 1123080 (closed road vide <i>New South Wales</i> |
| Locality: Towamba. | <i>Government Gazette</i> of |
| Reserve No.: 750232. | 14 August 1925, Folio |
| Public Purpose: Future public requirements. | 3598), located between |
| Notified: 29 June 2007. | Lots 3 and 4, DP 750232, |
| File No.: NA06 H 245. | Parish Towamba, County Auckland. |
| | Area 7918 square metres. |

Note: It is intended to sell the revoked part being closed road by way of Private Treaty Sale to adjoining landowner.

SCHEDULE 2

| <i>Column 1</i> | <i>Column 2</i> |
|--|--|
| Land District: Nowra. | That part being Lot 1, |
| Local Government Area: Shoalhaven City Council. | DP 1112316 (closed road vide <i>New South Wales</i> |
| Locality: Yatte Yattah. | <i>Government Gazette</i> of |
| Reserve No.: 755923. | 16 January 1942, Folio |
| Public Purpose: Future public requirements. | 146), within Lot 12, |
| Notified: 29 June 2007. | DP 845151, Parish Conjola, |
| File No.: NA05 H 17. | County St Vincent. |
| | Area 2543 square metres. |

Note: It is intended to sell the revoked part being closed road by way of Private Treaty Sale to adjoining landowner.

ORANGE OFFICE
92 Kite Street (PO Box 2146), Orange NSW 2800
Phone: (02) 6391 4300 Fax: (02) 6362 3896

ROADS ACT 1993**ORDER**

Transfer of Crown Road to a Council

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

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

SCHEDULE 1

Crown public roads commencing from the north western corner of Lot 1, Section 34, DP 758396 continuing in a easterly direction to the north eastern corner of Lot 18, DP 11639; from the north eastern corner of Lot 1, DP 778695 in a easterly direction to the north eastern corner of Lot 50, DP 1038268; from the north western corner of Lot 143, DP 804140 in a easterly direction to the north eastern corner of Lot 122, DP 661228 and end of road; from the north western corner of Lot 92, DP 750159 in a easterly direction to the north eastern corner of Lot 88, DP 750159; from the south western corner of Lot 200, DP 750182 in a easterly direction to the south eastern corner of Lot 180, DP 750182; from the north eastern corner of Lot 1, Section 35, DP 758396 in a southerly direction to the south eastern corner of Lot 204, DP 750182; from the north eastern corner of Lot 2, Section 30, DP 758396 in a southerly direction to the south eastern corner of Lot 180, DP 750182 and end of road; from the north eastern corner of Lot 7, Section 31, DP 758396 in a southerly direction to the south eastern corner of Lot 6, Section 37, DP 758396; from the north eastern corner of Lot 15, DP 253230 in a southerly direction to the south eastern corner of Lot 88, DP 750159 and end of road, in the Town of Eugowra, Parishes of Trajere and Goimbla, County of Ashburnham and Land District of Molong.

SCHEDULE 2

Roads Authority: Cabonne Council. Council Reference: 29.0012.33. File No.: 07/4987.

SCHEDULE 1

About the westernmost 596.46 metres of Crown public road extending from the south west corner of Lot 78 DP 752946 easterly to the Council public road (declared by *New South Wales Government Gazette* dated 20 November 1964, folio 3726), in the Parish of Merriganowry, County of Forbes and Land District of Cowra.

SCHEDULE 2

Roads Authority: Cowra Shire Council. Council Reference: CB:TH R.03.08.00. File No.: 07/4553.

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

| <i>Column 1</i> | <i>Column 2</i> |
|----------------------------|---|
| Lindner Oval Reserve Trust | Reserve No. 12362 Public Purpose: Public Recreation Notified: 9 August 1890 File Ref.: OE79 R 48/1 |

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

**REVOCATION OF DEDICATION OF CROWN
 LAND FOR A PUBLIC PURPOSE**

PURSUANT to section 84 of the Crown Lands Act 1989, the dedication 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 1

| <i>Column 1</i> | <i>Column 2</i> |
|---|---|
| Land District: Metropolitan. Local Government Area: Randwick City Council. Locality: Chifley. Dedication No.: 500014. Public Purpose: Athletic sports (women). Notified: 2 December 1955. File No.: 08/1332/1. | The whole being Lot 4686, DP 752015, Parish Botany, County Cumberland, of an area of 6.96 hectares. |

SCHEDULE 2

| <i>Column 1</i> | <i>Column 2</i> |
|--|---|
| Land District: Metropolitan. Local Government Area: Warringah Council. Locality: Terrey Hills. Dedication No.: 500013. Public Purpose: Athletic sports (women). Notified: 28 November 1947. File No.: MN93 R 117/5. | The whole being Lot 270, DP 752017, Parish Broken Bay, County Cumberland, of an area of 12.12 hectares. |

DISSOLUTION OF RESERVE TRUST

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> |
|--|---|
| Chifley Athletic Sports (Women) (R500014) Reserve Trust. | Dedication No.: 500014. Public Purpose: Athletic sports (women). Notified: 2 December 1955. File No.: 08/1332/1. |

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedules hereunder, is reserved as specified opposite thereto in Column 2 of the Schedules.

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

SCHEDULE 1

| <i>Column 1</i> | <i>Column 2</i> |
|--|--|
| Land District: Metropolitan. Local Government Area: Randwick City Council. Locality: Chifley. Lot 4686, DP 752015. Parish: Botany. County: Cumberland. Area: About 6.96 hectares. File No.: 08/1332/1. | Reserve No.: 1014568. Public Purpose: Public recreation and community purposes. |

SCHEDULE 2

| <i>Column 1</i> | <i>Column 2</i> |
|--|--|
| Land District: Metropolitan. Local Government Area: Warringah Council. Locality: Terrey Hills. Lot 270, DP 752017. Parish: Broken Bay. County: Cumberland. Area: About 12.12 hectares. File No.: MN93 R 117/5. | Reserve No.: 1014569. Public Purpose: Public recreation and community purposes. |

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

| <i>Column 1</i> | <i>Column 2</i> |
|---|---|
| Chifley Sports (D500014) Reserve Trust. | Reserve No.: 1014568. Public Purpose: Public recreation and community purposes. Notified: This day. File No.: 08/1332/1. |

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------|---|---|
| Randwick City Council. | Chifley Sports (D500014) Reserve Trust. | Reserve No.: 1014568. Public Purpose: Public recreation and community purposes. Notified: This day. File No.: 08/1332/1. |

For a term commencing the date of this notice.

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

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance to the provisions of the Roads Act 1993, the road hereunder specified 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

*Locality – Ironbark; Land District – Tamworth;
L.G.A. – Tamworth Regional*

Roads Closed: Lot 1 in Deposited Plan 1122112, Parish Ironbark, County Darling. File No.: TH05 H 81.

Note: On closing, title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

Description

*Locality – North Tamworth; Land District – Tamworth;
L.G.A. – Tamworth Regional*

Roads Closed: Lot 2 in Deposited Plan 1119787, Parish Tamworth, County Inglis. File No.: TH06 H 224.

Note: On closing, title to the land comprised in Lot 2 will remain vested in the State of New South Wales as Crown Land.

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance to the provisions of the Roads Act 1993, the road hereunder specified 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

*Locality – Piallaway; Land District – Gunnedah
L.G.A. – Gunnedah*

Road Closed: Lot 1 in Deposited Plan 1122362, Parish Babbinboon, County Buckland.
File Reference: TH05 H 231

Note: On closing title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

TAREE OFFICE
98 Victoria Street (PO Box 440), Taree NSW 2430
Phone: (02) 6591 3500 Fax: (02) 6552 2816

**REVOCATION OF RESERVATION OF
CROWN LAND**

PURSUANT to section 90 of the Crown Lands Act 1989, the reservations 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

| <i>Column 1</i> | <i>Column 2</i> |
|---|--|
| Land District: Kempsey. Local Government Area: Kempsey Shire Council. Locality: Collombatti. Reserve No.: 752437. Public Purpose: Future public requirements. Notified: 29 June 2007. File No.: TE03 H 216. | The part being Lot 1, DP 1085622, Parish Yarrabandini, County Dudley. Area: 4771 square metres. |

WESTERN REGION OFFICE
45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830
Phone: (02) 6883 3000 Fax: (02) 6883 3099

ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

TONY KELLY MLC,
Minister for Lands

*Administrative District – Balranald; Shire – Balranald
Parish – Balranald; County – Caira*

The purpose of Western Lands Lease 9541, being the land contained within Folio Identifier 35/751170 has been altered from "Grazing and Dairying" to "Residence" effective from 13 February 2008.

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 9541 have been revoked and the following conditions have been annexed thereto.

CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 9541.

- (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 Lands 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 Residence.
- (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, within 12 months from the date of commencement of the lease or such further period as the Minister may allow, erect a dwelling on the land in accordance with plans and specifications approved by the Council of the local government area.
- (17) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local Government area.
- (18) 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.
- (19) 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.
- (20) Where the Crown has paid a contribution under section 217-219 of the Roads Act 1993 in respect of the land leased, the lessee shall pay to the Crown the amount of that contribution within 3 months of being called upon to do so.
- (21) The lessee shall pay to the Crown the proportional part of the costs of road construction as notified by the Department of Lands within 3 months of the date of gazettal of the granting.
- (22) 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.
- (23) If the lessee is an Australian registered company then the following conditions shall apply:
 - I The Lessee will advise the Commissioner of the name, address and telephone number of the Lessee's company secretary, that person being a person nominated as a representative of the company in respect of any dealings to be had with the company. The Lessee agrees to advise the Commissioner of any changes in these details.

- II Any change in the shareholding of the Lessee's company which alters its effective control of the lease from that previously known to the Commissioner shall be deemed an assignment by the Lessee.
- III Where any notice or other communication is required to be served or given or which may be convenient to be served or given under or in connection with this lease it shall be sufficiently executed if it is signed by the company secretary.
- IV A copy of the company's annual financial balance sheet or other financial statement which gives a true and fair view of the company's state of affairs as at the end of each financial year is to be submitted to the Commissioner upon request.

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 of the lands specified in the following Schedule have been granted to the undermentioned persons.

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 such leases are those Conditions published in the Government Gazette of 25 May 2007, Folios 2974-2975.

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

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

*Administrative District – Walgett North; Shire – Walgett
Parish – Wallangulla/Mebea; County – Finch*

| WLL No. | Name of Lessee | Lot | Deposited Plan No. | Folio identifier | Area | Term of Lease | |
|----------|---|-----|--------------------|------------------|---------------------|---------------|-------------|
| | | | | | | From | To |
| WLL14775 | Richard David Wayne HOLLOWAY | 344 | 1076808 | 344/1076808 | 2534.m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL14970 | Timothy Maxwell THOMPSON, Leonora THOMPSON and Luke THOMPSON as Joint Tenants | 52 | 1066289 | 52/1066289 | 2462m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL15060 | Charles Jay ANTONIEVICH | 293 | 1076808 | 293/1076808 | 2513m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL15014 | Stephen John HART and Joan Elizabeth HART as Joint Tenants | 150 | 1076808 | 150/1076808 | 2539m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL15033 | Paul John REDDEN and Winsome Dawn REDDEN as Joint Tenants | 133 | 1073508 | 133/1073508 | 2526m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL14953 | Frederick BROADBENT | 95 | 1057617 | 95/1057617 | 2551m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL14990 | Josip FARKAS and Draga FARKAS as Joint Tenants | 329 | 1076808 | 392/1076808 | 2493m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL14651 | Noel BESANT | 25 | 1076808 | 25/1076808 | 2708m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL14834 | Phillip Charles YOUNG Snr | 343 | 1076808 | 343/1076808 | 2598m ² | 12-Feb-2008 | 11-Feb-2028 |
| WLL15038 | Gloria Contance WALLACE | 130 | 1076808 | 130/1076808 | 1906m ² | 12-Feb-2008 | 11-Feb-2028 |

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-------------------------|---|--|
| Balranald Shire Council | Balranald War Memorial Park Reserve Trust | Reserve No. 89042 Public Purpose: War Memorial Notified: 12 October 1973 File Ref.: WL90 R 13/2 |

For a term commencing the date of this notice.

**DECLARATION OF ADDITIONAL USE OF
RESERVATION OF CROWN LAND**

BY Order pursuant to section 121A of the Crown Lands Act 1989, the reserve specified in Column 1 of the Schedule hereunder, is authorised to be used for the additional purpose as specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> |
|--|-------------------|
| Reserve No.: 6 Notified: 8 August 1862 Public Purpose: From Sale Generally Locality: Pooncarie Local Government Area: Wentworth Papers: WL86 R 39/1 | Public Recreation |

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

| <i>Column 1</i> | <i>Column 2</i> |
|----------------------------|---|
| Pooncarie Sporting Reserve | Reserve No. 6 Public Purpose: From Sale Generally Notified: 8 August 1862 File Ref.: WL86 R 39/1 |

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-------------------------|----------------------------|---|
| Wentworth Shire Council | Pooncarie Sporting Reserve | Reserve No. 6 Public Purpose: From Sale Generally Notified: 8 August 1862 File Ref.: WL86 R 39/1 |

For a term commencing the date of this notice.

Department of Planning



New South Wales

Shoalhaven Local Environmental Plan 1985 (Amendment No 232)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (WOL2000650/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Shoalhaven Local Environmental Plan 1985 (Amendment No 232)

Shoalhaven Local Environmental Plan 1985 (Amendment No 232)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Shoalhaven Local Environmental Plan 1985 (Amendment No 232)*.

2 Aims of plan

This plan aims to amend *Shoalhaven Local Environmental Plan 1985*:

- (a) to rezone part of the land to which this plan applies from Zone No 6 (b) (Open Space—Recreation “B” (Private) Zone) to Zone No 2 (c) (Residential “C” (Living Area) Zone) for residential purposes, and
- (b) to rezone the remaining land from Zone No 6 (b) (Open Space—Recreation “B” (Private) Zone) to Zone No 7 (d2) (Environment Protection “D2” (Special Scenic) Zone) to preserve a riparian corridor so as to maintain stream water quality in this sensitive location and provide opportunities for biodiversity connectivity.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven, being part of Lot 11, DP 1104789, Dolphin Point Road, Dolphin Point, as shown distinctively coloured and edged and lettered “2 (c)” or “7 (d2)” on the map marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 232)” deposited in the office of the Council of the City of Shoalhaven.

4 Amendment of Shoalhaven Local Environmental Plan 1985

Shoalhaven Local Environmental Plan 1985 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Shoalhaven Local Environmental Plan 1985 (Amendment No 232)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**ORDER**

I, the Minister for Planning, in pursuance of section 75B (1) of the Environmental Planning and Assessment Act 1979, do, by this my Order declare that the development described in Schedule 1 is a project to which Part 3A of that Act applies.

In my opinion the development described in Schedule 1 is of State or regional environmental planning significance.

Dated this 11th day of February 2008.

FRANK SARTOR, M.P.,
Minister for Planning
Sydney

SCHEDULE 1

Development by EnergyAustralia for the purposes of upgrading the electricity supply network in the Sydney Central Business District (known as the 'Sydney CityGrid Project'), located within the City of Sydney local government area, and involving:

1. construction and operation of up to three new zone substations (including, as necessary, the demolition and/or refurbishment of existing zone substations, and the construction and use of commercial and/or retail developments on, adjacent to, or integrated with, the new zone substations);
2. the refurbishment and augmentation of existing zone substations;
3. replacement of, and upgrades to, EnergyAustralia's existing high voltage cable network;
4. the construction and use of tunnels for the installation and operation of high voltage cables and associated cables and other infrastructure;
5. the construction, operation and use of associated works, including ventilation shafts and access structures, generally in the locations, or following the route, shown on the indicative map prepared by EnergyAustralia dated December 2007 and titled 'Sydney CityGrid Project'.

HERITAGE ACT, 1977

Notice of Order Under Section 57 (2) of the Heritage Act, 1977

I, the Minister for Planning, pursuant to subsection 57 (2) of the Heritage Act 1977, on the recommendation of the Heritage Council of New South Wales, do by this Order:

1. revoke the Schedule of Exemptions to subsection 57 (1) of the Heritage Act made under subsection 57(2) and published in the Government Gazette on 4 April 2006; and
2. grant standard exemptions from subsection 57 (1) of the Heritage Act 1977, described in the Schedule below.

FRANK SARTOR, M.P.,
Minister for Planning

Dated at Sydney, 20th day of December 2007.

SCHEDULE OF EXEMPTIONS TO SUBSECTION 57(1) OF THE

HERITAGE ACT 1977

Made under subsection 57(2)

GENERAL CONDITIONS

1. These general conditions apply to all of the following Exemptions.
2. Anything done pursuant to the following Exemptions must be carried out in accordance with relevant Guidelines issued by the Heritage Office including “The Maintenance of Heritage Assets: A Practical Guide” 1998, “Movable Heritage Principles” 2000 and “The Heritage Council Policy on Managing Change to Heritage Items”.
3. The following Standard Exemptions do not apply to anything affecting objects, places, items or sites of heritage significance to Aboriginal people or which affect traditional access by Aboriginal people.
4. The Executive Director, Director Policy and Heritage Management and Manager Conservation Team employed by the Heritage Office, Department of Planning; the Executive Director, Tenant and Asset Management Services, employed by the Sydney Harbour Foreshore Authority; the Executive Director Cultural Heritage employed by the Department of Environment and Climate Change and the General Manager, Sustainability employed by the Sydney Water Corporation may perform any of the functions of the Director-General of the Department of Planning (Director-General) under these exemptions.

The authorisation to the Executive Director, Tenant and Asset Management Services of the Sydney Harbour Foreshore Authority is restricted to land for which it is the delegated approval body under section 169 of the Heritage Act, and the preparation and submission of information required to demonstrate that compliance with the criteria contained in these exemptions is satisfied, must not be carried out by the Executive Director, Tenant and Asset Management Services.

The authorisation to the Executive Director Cultural Heritage of the Department of Environment and Climate Change is restricted to land for which it is the delegated approval body under section 169 of the Heritage Act, and the preparation and submission of information required to demonstrate that compliance with the criteria contained in these exemptions is satisfied, must not be carried out by the Executive Director Cultural Heritage.

The authorisation to the General Manager, Sustainability employed by the Sydney Water Corporation is restricted to land for which it is the delegated approval body under section 169 of the Heritage Act, and the preparation and submission of information required to demonstrate that compliance with the criteria contained in these exemptions is satisfied, must not be carried out by the General Manager, Sustainability.

5. In these Exemptions, words shall be given the same meaning as in the Heritage Act 1977 (“the Act”) unless the contrary intention appears from the context of the exemption.
6. Anything done pursuant to the following Exemptions must be specified, supervised and carried out by people with knowledge, skills and experience appropriate to the work.

STANDARD EXEMPTION 1: MAINTENANCE AND CLEANING

1. The following maintenance and cleaning does not require approval under subsection 57(1) of the Act:
 - (a) the maintenance of an item to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of new materials;
 - (b) cleaning including the removal of surface deposits, organic growths or graffiti by the use of low pressure water (less than 100 psi at the surface being cleaned) and neutral detergents and mild brushing and scrubbing.

NOTE 1: Traditional finishes such as oils and waxes must continue to be used for timber surfaces rather than modern alternative protective coatings such as polyurethane or acrylic which may seal the surface and can cause damage.

NOTE 2: Surface patina which has developed on the fabric may be an important part of the item's significance and if so needs to be preserved during maintenance and cleaning.

STANDARD EXEMPTION 2: REPAIRS

1. Repair to an item which is of the type described in (a) or (b) below does not require approval under subsection 57(1) of the Act:
 - (a) the replacement of services such as cabling, plumbing, wiring and fire services that uses existing service routes, cavities or voids or replaces existing surface mounted services and does not involve damage to or the removal of significant fabric;
 - (b) the repair (such as refixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing and does not involve damage to or the removal of significant fabric.

NOTE 1: Repairs must be based on the principle of doing as little as possible and only as much as is necessary to retain and protect the element. Therefore replacement must only occur as a last resort where the major part of an element has decayed beyond further maintenance.

NOTE 2: Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.

NOTE 3: Repair must maximise protection and retention of fabric and include the conservation of existing detailing, such as vents, capping, chimneys, carving, decoration or glazing.

STANDARD EXEMPTION 3: PAINTING

1. Painting does not require approval under subsection 57(1) of the Act if the painting:
 - (a) does not involve the disturbance or removal of earlier paint layers other than that which has failed by chalking, flaking, peeling or blistering;
 - (b) involves over-coating with an appropriate surface as an isolating layer to provide a means of protection for significant earlier layers or to provide a stable basis for repainting; and
 - (c) employs the same colour scheme and paint type as an earlier scheme if they are appropriate to the substrate and do not endanger the survival of earlier paint layers.
2. Painting which employs a different colour scheme and paint type from an earlier scheme does not require approval under subsection 57(1) of the Act, provided that:
 - (a) the Director-General is satisfied that the proposed colour scheme, paint type, details of surface preparation and paint removal will not adversely affect the heritage significance of the item; and
 - (b) the person proposing to undertake the painting has received a notice advising that the Director-General is satisfied.
3. A person proposing to undertake repainting of the kind described in paragraph 2 must write to the Director-General and describe the proposed colour scheme, paint type, details of surface preparation and paint removal involved in the repainting. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a) the Director-General shall notify the applicant.

NOTE: Preference should be given to the re-establishment of historically significant paint schemes of the item that are appropriate to the significance of the building.

STANDARD EXEMPTION 4: EXCAVATION

1. Excavation or disturbance of land of the kind specified below does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a), (b) or (c) have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied that:
 - (a) an archaeological assessment, zoning plan or management plan has been prepared in accordance with Guidelines published by the Heritage Council of NSW which indicates that any relics in the land are unlikely to have State or local heritage significance; or
 - (b) the excavation or disturbance of land will have a minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them; or
 - (c) a statement describing the proposed excavation demonstrates that evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.
2. Excavation or disturbance of land of the kind specified below does not require approval under subsection 57(1) of the Act:
 - (a) the excavation or disturbance of land is for the purpose of exposing underground utility services infrastructure which occurs within an existing service trench and will not affect any other relics;
 - (b) the excavation or disturbance of land is to carry out inspections or emergency maintenance or repair on underground utility services and due care is taken to avoid effects on any other relics;

- (c) the excavation or disturbance of land is to maintain, repair, or replace underground utility services to buildings which will not affect any other relics;
 - (d) the excavation or disturbance of land is to maintain or repair the foundations of an existing building which will not affect any associated relics;
 - (e) the excavation or disturbance of land is to expose survey marks for use in conducting a land survey
3. A person proposing to excavate or disturb land in the manner described in paragraph 1 must write to the Director-General and describe the proposed excavation or disturbance of land and set out why it satisfies the criteria set out in paragraph 1. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1 (a), (b) or (c) the Director-General shall notify the applicant.

NOTE 1: Any excavation with the potential to affect Aboriginal objects must be referred to the Director-General of the Department of Environment and Climate Change.

NOTE 2: If any Aboriginal objects are discovered on the site, excavation or disturbance is to cease and the Department of Environment and Climate Change is to be informed in accordance with section 91 of the National Parks and Wildlife Act, 1974.

NOTE 3: This exemption does not allow the removal of State significant relics.

NOTE 4: Where substantial intact archaeological relics of State or local significance, not identified in the archaeological assessment, zoning plan, management plan or statement required by this exemption, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Council must be notified in writing in accordance with section 146 of the Act. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

NOTE 5: Archaeological research potential of a site is the extent to which further study of relics which are likely to be found is expected to contribute to improved knowledge about NSW History which is not demonstrated by other sites or archaeological resources.

STANDARD EXEMPTION 5: RESTORATION

1. Restoration of an item by returning significant fabric to a known earlier location without the introduction of new material does not require approval under subsection 57(1) of the Act.
2. The following restoration does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) have been met and the person proposing to undertake the restoration has received a notice advising that the Director-General is satisfied:
 - (a) the restoration of an item without the introduction of new material (except for fixings) to reveal a known earlier configuration by removing accretions or reassembling existing components which does not adversely affect the heritage significance of the item.
3. A person proposing to undertake restoration of the kind described in paragraph 2 must write to the Director-General and set out why there is a need for restoration to be undertaken and the proposed material and method of restoration. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a), the Director-General shall notify the applicant.

STANDARD EXEMPTION 6: DEVELOPMENT ENDORSED BY THE HERITAGE COUNCIL OR DIRECTOR-GENERAL

1. Minor development specifically identified as exempt development which does not materially impact on heritage significance, by a conservation policy or strategy within a conservation management plan which has been endorsed by the Heritage Council of NSW or by a conservation management strategy endorsed by the Director-General does not require approval under subsection 57(1) of the Act.
2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed development. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

STANDARD EXEMPTION 7: MINOR ACTIVITIES WITH LITTLE OR NO ADVERSE IMPACT ON HERITAGE SIGNIFICANCE

1. Anything which in the opinion of the Director-General is of a minor nature and will have little or no adverse impact on the heritage significance of the item does not require approval under subsection 57(1) of the Act.
2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed activity. If the Director-General is satisfied that the proposed activity meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

STANDARD EXEMPTION 8: NON-SIGNIFICANT FABRIC

1. The following development does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) have been met and the person proposing to undertake the development has received a notice advising that the Director-General is satisfied:
 - (a) the alteration of a building involving the construction or installation of new fabric or services or the removal of building fabric which will not adversely affect the heritage significance of the item.
2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed development. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a), the Director-General shall notify the applicant.

STANDARD EXEMPTION 9: CHANGE OF USE

1. The change of use of an item or its curtilage or the commencement of an additional or temporary use does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) and (b) have been met and the person proposing to undertake the change of use has received a notice advising that the Director-General is satisfied:
 - (a) the use does not involve the alteration of the fabric, layout or setting of the item or the carrying out of development other than that permitted by other standard or site specific exemptions; and
 - (b) the use does not involve the cessation of the primary use for which the building was erected, a later significant use or the loss of significant associations with the item by current users;
2. A person proposing to change the use of an item or its curtilage or to commence an additional or temporary use of an item or its curtilage in the manner described in paragraph 1 must write to the Director-General and describe the changes proposed. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a) and (b), the Director-General shall notify the applicant.

STANDARD EXEMPTION 10: NEW BUILDINGS

1. Subdivision under the Strata Scheme (Freehold Development) Act or Strata Scheme (Leasehold Development) Act of the interior of a building that has been constructed since the listing of the item on the State Heritage Register or the publication of an interim heritage order in the Gazette which applies to the land does not require approval under subsection 57(1) of the Act.
2. Alteration to the interior of a building which has been constructed since the listing of the item on the State Heritage Register or the publication of an interim heritage order in the Gazette which applies to the land does not require approval under subsection 57(1) of the Act.

STANDARD EXEMPTION 11: TEMPORARY STRUCTURES

1. The erection of temporary structures does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) and (b) have been met and the person proposing to erect the structure has received a notice advising that the Director-General is satisfied:
 - (a) the structure will be erected within and used for a maximum period of 4 weeks after which it will be removed within a period of 2 days and not erected again within a period of 6 months; and
 - (b) the structure is not to be located where it could damage or endanger significant fabric including landscape or archaeological features of its curtilage or obstruct significant views of and from heritage items.
2. A person proposing to erect a structure of the kind described in paragraph 1 must write to the Director-General and set out the nature of the structure, the use for the structure and how long it will remain in place and the next occasion on which it is anticipated that the structure will be erected. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraphs 1(a) and 1(b) the Director-General shall notify the applicant.

STANDARD EXEMPTION 12: LANDSCAPE MAINTENANCE

1. Landscape maintenance which is of the type described below does not require approval under subsection 57(1) of the Act:
 - (a) weeding, watering, mowing, top-dressing, pest control and fertilizing necessary for the continued health of plants, without damage or major alterations to layout, contours, plant species or other significant landscape features;
 - (b) pruning (to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material), not exceeding 10% of the canopy of a tree within a period of 2 years;

- (c) pruning (to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material) between 10% and 30% of the canopy of a tree within a period of 2 years;
 - (d) removal of dead or dying trees which are to be replaced by trees of the same species in the same location; or
 - (e) tree surgery by a qualified arborist, horticulturist or tree surgeon necessary for the health of those plants.
2. A person proposing to undertake landscape maintenance in the manner described in paragraph 1(c) or 1(d) must write to the Director-General and describe the maintenance proposed and provide certification by a qualified or experienced arborist, horticulturist or tree surgeon that the maintenance is necessary for the tree's health or for public safety. If the Director-General is satisfied that the proposed maintenance meets these criteria, the Director-General shall notify the applicant.

NOTE 1: In relation to cemeteries, landscape features include monuments, grave markers, grave surrounds, fencing, path edging and the like.

NOTE 2: Other standard exemptions may apply to landscape maintenance such as #4 Excavation and #6 Development endorsed by the Heritage Council.

STANDARD EXEMPTION 13: SIGNAGE

1. The erection of signage which is of the types described in (a) or (b) below does not require approval under subsection 57(1) of the Act:
 - (a) temporary signage which is located behind or on the glass surface of a shop window which is not internally illuminated or flashing and is to be removed within eight weeks; or
 - (b) a real estate sign indicating that the place is for auction, sale or letting and related particulars and which is removed within 10 days of the sale or letting of the place;
2. The erection of signage which is of the types described in (a) or (b) below does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) and (b) respectively have been met and the person proposing to erect it has received a notice advising that the Director-General is satisfied:
 - (a) the erection of non-illuminated signage for the sole purpose of providing information to assist in the interpretation of the heritage significance of the item and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage or obstruct significant views of and from heritage items; or
 - (b) signage which is in the form of a flag or banner associated with a building used for a purpose which requires such form of promotion such as a theatre or gallery, which is displayed for a maximum period of eight weeks and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage;
3. A person proposing to erect signage of the kind described in paragraph 2 must write to the Director-General and describe the nature and purpose of the advertising or signage. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a) or 2(b), the Director-General shall notify the applicant.
4. Signage of the kind described in paragraphs 1 and 2 must:
 - (a) not conceal or involve the removal of signage which has an integral relationship with the significance of the item;
 - (b) be located and be of a suitable size so as not to obscure or damage significant fabric of the item;
 - (c) be able to be later removed without causing damage to the significant fabric of the item; and
 - (d) reuse existing fixing points or insert fixings within existing joints without damage to adjacent masonry.

STANDARD EXEMPTION 14: BURIAL SITES AND CEMETERIES

1. Development on land within a burial site or cemetery which is of the type described in (a), (b) or (c) below does not require approval under subsection 57(1) of the Act:
 - (a) the creation of a new grave;
 - (b) the erection of monuments or grave markers in a place of consistent character, including materials, size and form, which will not be in conflict with the character of the place; or
 - (c) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers;

provided that there will be no disturbance to human remains, to relics in the form of grave goods, associated landscape features or to a place of Aboriginal heritage significance.
2. A person proposing to carry out development in the manner described in paragraph 1(b) or (c) must write to the Director-General and describe the development proposed. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.
3. This exemption does not apply to the erection of above-ground chambers, columbaria or vaults, or the designation of additional areas to be used as a burial place.

NOTE 1: Other standard exemptions apply to the maintenance, cleaning and repair of burial sites and cemeteries.

STANDARD EXEMPTION 15: COMPLIANCE WITH MINIMUM STANDARDS AND ORDERS

1. Development which is required for the purpose of compliance with the minimum standards set out in Part 3 of the Heritage Regulation 1999 or an order issued under either:
 - (a) section 120 of the Heritage Act 1977 regarding minimum standards of maintenance and repair; or
 - (b) section 121S of the Environmental Planning and Assessment Act 1979 regarding an order which is consistent with a submission by the Heritage Council under subsection 121S(6) of that Act;does not require approval under subsection 57(1) of the Act.

STANDARD EXEMPTION 16: SAFETY AND SECURITY

1. The following development does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) or (b) have been met and the person proposing to undertake the development has received a notice advising that the Director-General is satisfied:
 - (a) the erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the item including landscape or archaeological features of its curtilage; or
 - (b) development, including emergency stabilisation, necessary to secure safety where a building or work or part of a building or work has been irreparably damaged or destabilised and poses a safety risk to its users or the public.
2. A person proposing to undertake development of the kind described in paragraph 1 must write to the Director-General and describe the development and, if it is of the kind set out in 1(b), provide certification from a structural engineer having experience with heritage items confirming the necessity for the development with regard to the criteria set out in 1(b) and any adverse impact on significant fabric. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a) or (b), the Director-General shall notify the applicant.

STANDARD EXEMPTION 17: MOVABLE HERITAGE ITEMS

1. The temporary relocation of movable heritage items, including contents, fixtures and objects, to ensure their security, maintenance and preservation, for conservation or exhibition, to ensure health or safety, the need for a controlled environment for those heritage items, or to protect the place, and which are to be returned to their present location within six months, does not require approval under subsection 57(1) of the Act.
2. A person proposing to relocate a movable heritage item as set out in paragraph 1 must advise the Director-General in writing of the proposed location and the reasons for its relocation. If the Director-General is satisfied that the temporary relocation meets the criteria set out in paragraph 1 the Director-General shall notify the applicant.

HERITAGE ACT 1977

Notice of Order under section 139(4) of The Heritage Act, 1977

I, Chair of the Heritage Council of New South Wales, pursuant to subsection 139(4) of the Heritage Act 1977, in accordance with the resolution of the Heritage Council of New South Wales, do by this Order, revoke the schedules of exceptions to subsections 139(1) and (2) of the Heritage Act 1977 published in the Government Gazette on 18 February 2000 and 4 April 2006 and create exceptions to subsections 139(1) and (2) of the Heritage Act 1977, described in the Schedule below.

MICHAEL COLLINS,
Chair, Heritage Council of New South Wales

Dated at Sydney, 10th day of September 2007.

SCHEDULE OF EXCEPTIONS TO SUBSECTIONS 139 (1) AND (2) OF THE**HERITAGE ACT 1977**

Made under Subsection 139(4)

GENERAL CONDITIONS

1. Any excavation with the potential to affect Aboriginal objects must be referred to the Director-General of the Department of Environment and Climate Change.
2. If any Aboriginal objects are discovered on the site, excavation or disturbance is to cease and the Department of Environment and Climate Change is to be informed in accordance with section 91 of the National Parks and Wildlife Act, 1974.
3. These exceptions do not allow the removal of State significant relics.

4. Where substantial intact archaeological relics of State or local significance, not identified in the archaeological assessment, zoning plan, management plan or statement required by this exception, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Council must be notified in writing in accordance with section 146 of the Act. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

SCHEDULE

1. Excavation or disturbance of land of the kind specified below does not require an excavation permit under section 139 of the Heritage Act, provided that the Director-General is satisfied that the criteria in (a), (b) or (c) have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied that:
 - (a) an archaeological assessment, zoning plan or management plan has been prepared in accordance with Guidelines published by the Heritage Council of NSW which indicates that any relics in the land are unlikely to have State or local heritage significance; or
 - (b) the excavation or disturbance of land will have a minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them; or
 - (c) a statement describing the proposed excavation demonstrates that evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.
2. Excavation or disturbance of land of the kind specified below does not require an excavation permit under section 139 of the Heritage Act:
 - (a) the excavation or disturbance of land is for the purpose of exposing underground utility services infrastructure which occurs within an existing service trench and will not affect any other relics;
 - (b) the excavation or disturbance of land is to carry out inspections or emergency maintenance or repair on underground utility services and due care is taken to avoid effects on any other relics;
 - (c) the excavation or disturbance of land is to maintain, repair, or replace underground utility services to buildings which will not affect any other relics;
 - (d) the excavation or disturbance of land is to maintain or repair the foundations of an existing building which will not affect any associated relics; or
 - (e) the excavation or disturbance of land is to expose survey marks for use in conducting a land survey.
3. A person proposing to excavate or disturb land in the manner described in paragraph 1 must write to the Director-General and describe the proposed excavation or disturbance of land and set out why it satisfies the criteria set out in paragraph 1. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1 (a), (b) or (c) the Director-General shall notify the applicant.
4. The Executive Director, Director Policy and Heritage Management, and Manager Conservation Team employed by the Heritage Office, Department of Planning; the Executive Director, Tenant and Asset Management Services, employed by the Sydney Harbour Foreshore Authority; the Executive Director Cultural Heritage employed by the Department of Environment and Climate Change and the General Manager, Sustainability employed by the Sydney Water Corporation may perform any of the functions of the Director-General under this exception.

The authorisation to the Executive Director, Tenant and Asset Management Services of the Sydney Harbour Foreshore Authority is restricted to land for which the Sydney Harbour Foreshore Authority is the delegated approval body under section 169 of the Heritage Act, and the preparation and submission of information required to demonstrate that compliance with the criteria contained in this exception is satisfied, must not be carried out by the Executive Director, Tenant and Asset Management Services.

The authorisation to the Executive Director Cultural Heritage of the Department of Environment and Climate Change is restricted to land for which the Department of Environment and Climate Change is the delegated approval body under section 169 of the Heritage Act, and the preparation and submission of information required to demonstrate that compliance with the criteria contained in this exception is satisfied, must not be carried out by the Executive Director Cultural Heritage.

The authorisation to the General Manager, Sustainability employed by the Sydney Water Corporation is restricted to land for which it is the delegated approval body under section 169 of the Heritage Act, and the preparation and submission of information required to demonstrate that compliance with the criteria contained in this exception is satisfied, must not be carried out by the General Manager, Sustainability.

NOTE 1: Archaeological research potential of a site is the extent to which further study of relics which are likely to be found is expected to contribute to improved knowledge about NSW History which is not demonstrated by other sites or archaeological resources.

Department of Primary Industries

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T08-0044)

No. 3444, ALKANE RESOURCES LTD (ACN 000 689 216), area of 22 units, for Group 1, dated 13 February 2008. (Orange Mining Division).

(T08-0045)

No. 3445, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 2 units, for Group 1, dated 14 February 2008. (Broken Hill Mining Division).

(T08-0046)

No. 3446, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 8 units, for Group 1, dated 14 February 2008. (Broken Hill Mining Division).

(T08-0047)

No. 3447, SOVEREIGN METALS LTD (ACN 120 833 427), area of 201 units, for Group 1, dated 18 February 2008. (Sydney Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(06-129)

No. 2707, now Exploration Licence No. 7052, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), Counties of Bathurst and Wellington, Map Sheet (8731), area of 11 units, for Group 1, dated 1 February 2008, for a term until 1 February 2010.

(07-088)

No. 2986, now Exploration Licence No. 7055, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), Counties of Bathurst and Georgiana, Map Sheets (8630, 8730), area of 100 units, for Group 1, dated 1 February 2008, for a term until 1 February 2010.

(07-286)

No. 3183, now Exploration Licence No. 7058, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), Counties of Cunningham and Kennedy, Map Sheets (8332, 8432), area of 70 units, for Group 1, dated 1 February 2008, for a term until 1 February 2010.

(07-359)

No. 3257, now Exploration Licence No. 7068, CHAMBERS CREEK GOLD COMPANY PTY LTD (ACN 105 614 579), Counties of Bathurst and Roxburgh, Map Sheet (8731), area of 1 units, for Group 1, dated 6 February 2008, for a term until 6 February 2010.

(07-365)

No. 3263, now Exploration Licence No. 7059, NEWMONT EXPLORATION PTY LTD (ACN 006 306 690), Counties of Cunningham and Gipps, Map Sheet (8331), area of 17 units, for Group 1, dated 4 February 2008, for a term until 4 February 2010.

(07-366)

No. 3264, now Exploration Licence No. 7060, NEWMONT EXPLORATION PTY LTD (ACN 006 306 690), County of Wellington, Map Sheets (8632, 8732), area of 19 units, for Group 1, dated 4 February 2008, for a term until 4 February 2010.

(07-367)

No. 3265, now Exploration Licence No. 7061, NEWMONT EXPLORATION PTY LTD (ACN 006 306 690), Counties of Gordon and Wellington, Map Sheet (8632), area of 11 units, for Group 1, dated 4 February 2008, for a term until 4 February 2010.

(07-368)

No. 3266, now Exploration Licence No. 7062, NEWMONT EXPLORATION PTY LTD (ACN 006 306 690), County of Phillip, Map Sheets (8832, 8833), area of 53 units, for Group 1, dated 4 February 2008, for a term until 4 February 2010.

(07-369)

No. 3267, now Exploration Licence No. 7063, NEWMONT EXPLORATION PTY LTD (ACN 006 306 690), Counties of Bligh, Gordon, Lincoln and Wellington, Map Sheets (8632, 8732), area of 33 units, for Group 1, dated 4 February 2008, for a term until 4 February 2010.

(07-371)

No. 3269, now Exploration Licence No. 7064, NEWMONT EXPLORATION PTY LTD (ACN 006 306 690), County of Lincoln, Map Sheet (8633), area of 27 units, for Group 1, dated 4 February 2008, for a term until 4 February 2010.

(07-2511)

No. 3311, now Exploration Licence No. 7073, MOOLARBEN COAL MINES PTY LIMITED (ACN 108 601 672) and SOJITZ MOOLARBEN RESOURCES PTY LTD (ACN 126287027), County of Phillip, Map Sheet (8833), area of 1110 hectares, for Group 9, dated 12 February 2008, for a term until 12 February 2010. As a result of the grant of this title, Authorisation No. 449 has partly ceased to have effect.

(05-2001)

No. 3312, now Exploration Licence No. 7074, MOOLARBEN COAL MINES PTY LIMITED (ACN 108 601 672) and SOJITZ MOOLARBEN RESOURCES PTY LTD (ACN 126287027), County of Phillip, Map Sheet (8833), area of 35 hectares, for Group 9, dated 12 February 2008, for a term until 12 February 2010.

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

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATION

(T07-0524)

No. 3386, AUSTRALIAN ASIAN PACIFIC MINES PTY LTD (ACN 128 772 887), County of Cowper, Map Sheet (8037, 8137, 8237). Withdrawal took effect on 14 February 2008.

MINING LEASE APPLICATION

(T08-0001)

Singleton No. 311, DELLWORTH PTY LIMITED (ACN 002 998 192), Parish of Liddell, County of Durham; and Parish of Vane, County of Durham, (9133-3-S). Withdrawal took effect on 19 February 2008.

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

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

(08-9999)

Authorisation No. 72, NOVACOAL AUSTRALIA PTY LIMITED (ACN 000 013 990), area of 454 hectares. Application for renewal received 19 February 2008.

(01-201)

Exploration Licence No. 5927, PAN GEM RESOURCES (AUST) PTY LTD (ACN 064 972 621), area of 5 units. Application for renewal received 13 February 2008.

(T03-0863)

Exploration Licence No. 6215, PAN GEM RESOURCES (AUST) PTY LTD (ACN 064 972 621), area of 5 units. Application for renewal received 13 February 2008.

(05-271)

Exploration Licence No. 6532, ICON RESOURCES LTD (ACN 115 009 106), area of 22 units. Application for renewal received 14 February 2008.

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

RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(C91-0479)

Authorisation No. 449, DIRECTOR GENERAL NSW DEPT OF PRIMARY INDUSTRIES ON BEHALF OF THE CROWN, County of Phillip, Map Sheet (8833), area of 24.7 square kilometres, for a further term until 28 November 2012. Renewal effective on and from 31 January 2008.

(05-921)

Exploration (Prospecting) Licence No. 2364, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), County of Yancowinna, Map Sheet (7233), area of 1 unit, for a further term until 7 March 2009. Renewal effective on and from 14 February 2008.

(07-832)

Consolidated Coal Lease No. 744 (Act 1973), MT ARTHUR COAL PTY LIMITED (ACN 000 181 902), Parish of Brougham, County of Durham; Parish of Savoy, County of Durham; and Parish of Wynn, County of Durham, Map Sheet (9033-2-N), area of 553.7 hectares, for a further term until 21 January 2028. Renewal effective on and from 23 January 2008.

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

CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(T02-0035)

Exploration Licence No. 5969, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Cunningham, Map Sheet (8332), area of 10 units. Cancellation took effect on 15 October 2007.

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

AGRICULTURAL LIVESTOCK (DISEASE CONTROL FUNDING) ACT 1998

Reappointment of Chair and Members of the OJD Industry Advisory Committee

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to section 8 (3) of the Agricultural Livestock (Disease Control Funding) Act 1998, hereby appoint the persons named in the Schedule to the Ovine Johne's Disease Industry Advisory Committee for a term commencing on the date hereof and expiring on 30 June 2008.

SCHEDULE

| <i>Appointee</i> | <i>Authority</i> | <i>Nominator</i> |
|------------------------------|------------------|---|
| WEST, Garry Bruce (Chair) | 8 (3) (a) | Minister for Primary Industries |
| SUTTOR, Rodney Ranken | 8 (3) (b) | NSW Farmers' Association |
| WATT, Rodney | 8 (3) (b) | NSW Farmers' Association |
| MOLESWORTH, Richard | 8 (3) (d) | Representatives of designated livestock producers concerned |
| WATT, Bruce Richard | 8 (3) (d) | Representatives of designated livestock producers concerned |
| WILSON, Camac | 8 (3) (d) | Representatives of designated livestock producers concerned |
| WRIGHT, Donald Gordon | 8 (3) (d) | Representatives of designated livestock producers concerned |

Dated this 23rd day of January 2008.

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

COAL MINE HEALTH AND SAFETY ACT 2002

Appointment Pursuant to Section 145 (1)

I, BRAD MULLARD, Acting Deputy Director-General, Mineral Resources of the NSW Department of Primary Industries, with the delegated authority of the Minister for Mineral Resources and the Director-General of the NSW Department of Primary Industries pursuant to sections 212 (1) and 214(2) of the Coal Mine Health and Safety Act 2002 (the Act) and pursuant to section 145 (1) (b) of the Act, hereby appoint Paul Warren DE GRUCHY as an inspector under the Act when acting in the position of Inspector of Electrical Engineering.

Dated this 20th day of February 2008

BRAD MULLARD,
Acting Deputy Director-General,
Mineral Resources,
NSW Department of Primary Industries

PLANT DISEASES ACT 1924

Authority to Perform Inspectors' Functions

I, RICHARD FREDERICK SHELDRAKE, Director-General of the NSW Department of Primary Industries, hereby:

- (a) pursuant to section 11 (3) of the Plant Diseases Act 1924 ("the Act"), authorise the persons named in Schedule 1 below to perform the functions of an inspector specified in Column 1 of Schedule 2 below subject to the limitations described opposite in Column 2 of Schedule 2 (if any) and on the conditions specified in Schedule 3 below, for the purpose or eradicating and preventing the spread of fruit fly (Family Tephritidae);
- (b) pursuant to section 11(4) of the Act, limit the authority under paragraph (a) above in its operation to the area known as the New South Wales Fruit Fly Exclusion Zone as defined in Proclamation P178 published in Government Gazette No. 11 of 19 January 2007 at page 186.

SCHEDULE 1

Stephen John LEESE;
Tracey Anne PARRY;
Jason Lachlan TINDALE

SCHEDULE 2

| <i>Column 1 – Section of the Act</i> | <i>Column 2 – Limitations</i> |
|---|--|
| 9 (1) 13 (1) 13 (1A) 13 (1B) (a) and (c) 13 (1BA) (a) and (b) | These functions may only be exercised in respect of vehicles and vessels. They may not be exercised in respect of land and premises. |
| 25A (1) | |

SCHEDULE 3

The functions specified in Schedule 2 above may be performed by the authorised persons:

1. only on a road or in a public place or in respect of a vehicle or vessel on a road or in any public place; and

2. only in relation to plants, fruit, coverings or other things which the authorised person has reasonable grounds for believing:

- (a) are infected or likely to convey infection, or
- (b) have been introduced into the State or any portion of the State; or which are being conveyed or dealt with in contravention of any proclamation, notification or order under the Act or the Plant Diseases Regulation 2003.

Dated this 12th day of February 2008.

R. F. SHELDRAKE,
Director-General,
NSW Department of Primary Industries

PLANT DISEASES ACT 1924

Authority to Perform Inspectors' Functions

I, RICHARD FREDERICK SHELDRAKE, Director-General of the NSW Department of Primary Industries, do this by notification hereby:

- (a) pursuant to section 11 (3) of the Plant Diseases Act 1924 ("the Act"), authorise the persons named in Schedule 1 below to perform the functions of an inspector specified in Column 1 of Schedule 2 below subject to the limitations described opposite in Column 2 of Schedule 2 (if any) and on the conditions specified in Schedule 3 below, for the purpose of eradicating and preventing the spread of fruit fly (Family Tephritidae);
- (b) pursuant to section 11 (4) of the Act, limit the authority under paragraph (a) above in its operation to the area known as the New South Wales Fruit Fly Exclusion Zone as defined in Proclamation P178 published in Government Gazette No. 11 of 19 January 2007 at pages 186-187.

SCHEDULE 1

Anthony Luke HALL;
Siona MUAUA;
Gavin RUNDELL

SCHEDULE 2

| <i>Column 1 – Section of the Act</i> | <i>Column 2 – Limitations</i> |
|---|--|
| 9 (1) 13 (1) 13 (1A) 13 (1B) (a) and (c) 13 (1BA) (a) and (b) | These functions may only be exercised in respect of vehicles and vessels. They may not be exercised in respect of land and premises. |
| 25A (1) | |

SCHEDULE 3

The functions specified in Schedule 2 above may be performed by the authorised persons:

1. only on a road or in a public place or in respect of a vehicle or vessel on a road or in any public place; and
2. only in relation to plants, fruit, coverings or other things which the authorised person has reasonable grounds for believing:

- (a) are infected or likely to convey infection, or
(b) have been introduced into the State or any portion of the State; or
which are being conveyed or dealt with in contravention of any proclamation, notification or order under the Act or the Plant Diseases Regulation 2003.

Dated this 12th day of February 2008.

R. F. SHELDRAKE,
Director-General,
NSW Department of Primary Industries

PLANT DISEASES ACT 1924

Appointment of Inspector

I, RICHARD FREDERICK SHELDRAKE, Director-General of New South Wales Department of Primary Industries, pursuant to section 11 (1) of the Plant Diseases Act 1924 (“the Act”) appoint Kym Gordon HOLBROOK as an inspector for the purposes of the Act.

Dated this 12th day of February 2008.

R. F. SHELDRAKE,
Director-General,
NSW Department of Primary Industries

STOCK DISEASES ACT 1923

Appointment of Inspector

Notification No.: 485

I, RICHARD FREDERICK SHELDRAKE, Director-General of NSW Department of Primary Industries, pursuant to section 6 (1) of the Stock Diseases Act 1923, (“the Act”), hereby appoint David Gordon BASHAM, Bruce Arthur HENRY, Brooke Kate JACOBS and Steven James KEMP as inspectors for the purposes of the Act.

Dated this 12th day of February 2008.

R. F. SHELDRAKE,
Director-General,
NSW Department of Primary Industries

Roads and Traffic Authority

ROADS TRANSPORT (GENERAL) ACT 2005

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

BATHURST REGIONAL COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading and Access) Regulation 2005, 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.

Mr DAVID JOHN SHERLEY,
General Manager,
Bathurst Regional Council
(By delegation from the Minister for Roads)
February 2008

SCHEDULE

1. Citation

This Notice may be cited as the Bathurst Regional Council B-Doubles Notice No. 2/2008.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until 30 September 2010 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 2005 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Bathurst Regional Council

| <i>Type</i> | <i>Road No.</i> | <i>Road Name</i> | <i>Starting point</i> | <i>Finishing point</i> | <i>Conditions</i> |
|-------------|-----------------|--------------------------|-----------------------|--------------------------------|-------------------|
| 25 | MR54 | Gilmour Street, Bathurst | Great Western Highway | Sofala Road | |
| 25 | MR54 | Sofala Road, Bathurst | Gilmour Street | Ardsley Lane | |
| 25 | 000 | Ardsley Lane, Bathurst | Sofala Road | Entry Into No. 62 Ardsley Lane | |

ROADS TRANSPORT (GENERAL) ACT 2005

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

BATHURST REGIONAL COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading and Access) Regulation 2005, 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.

Mr DAVID JOHN SHERLEY,
General Manager,
Bathurst Regional Council
(By delegation from the Minister for Roads)
February 2008

SCHEDULE
1. Citation

This Notice may be cited as the Bathurst Regional Council B-Doubles Notice No. 3/2008.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until 30 September 2010 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 2005 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Bathurst Regional Council

| <i>Type</i> | <i>Road No.</i> | <i>Road Name</i> | <i>Starting point</i> | <i>Finishing point</i> | <i>Conditions</i> |
|-------------|-----------------|--------------------------------|-----------------------|--|-------------------|
| 25 | 000 | Eleven Mile Drive, Bathurst | Gilmour Street | Hamilton Street | |
| 25 | 000 | Wellington Street, Bathurst | Hamilton Street | Duramana Road | |
| 25 | 000 | Freemantle Road, Bathurst | Duramana Road | Willow Tree Lane | |
| 25 | 000 | Willow Tree Lane, Bathurst | Freemantle Road | Entry Into No. 105 Willow Tree Lane | |

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under the Road Transport (Mass, Loading and Access) Regulation 2005

WOLLONGONG CITY COUNCIL, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 25m B-Doubles may be used.

DAVID FARMER,
General Manager,
Wollongong City Council
(by delegation from the Minister for Roads)
14 February 2008

SCHEDULE
1. Citation

This Notice may be cited as the Wollongong City Council 25m B-Doubles Route Repeal Notice No. 2/2008.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

The General B Double Permit Notice 2005 is amended by omitting the following from that Notice:

| <i>Type</i> | <i>Road Name</i> | <i>Starting Point</i> | <i>Finishing Point</i> | <i>Conditions</i> |
|-------------|----------------------------------|-----------------------|------------------------|---|
| 25 | Investigator Drive, Unanderra | Berkeley Road | Nolan Street | 20 Investigator Drive where trailer uncoupling facilities are available for single trailer deliveries in the industrial area. No direction restriction |
| 25 | Resolution Drive, Unanderra | Berkeley Road | Bisalloy Steel | |

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

DAVID FARMER,
General Manager,
Wollongong City Council
(by delegation from the Minister for Roads)
14 February 2008

SCHEDULE
1. Citation

This Notice may be cited as Wollongong City Council 25 Metre B-Double route Notice No. 3/2008

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

| <i>Type</i> | <i>Road Name</i> | <i>Starting Point</i> | <i>Finishing Point</i> | <i>Conditions</i> |
|-------------|----------------------------------|-----------------------|------------------------|---|
| 25 | Investigator Drive, Unanderra | Berkeley Road | Nolan Street | 22 Investigator Drive where trailer uncoupling facilities are available for single trailer deliveries in the industrial area. No direction restriction |
| 25 | Resolution Drive, Unanderra | Berkeley Road | Bisalloy Steel | The only place of access on this route is Bisalloy Steel with short term parking allowed en-route whilst waiting for access to Bisalloy. |

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

ANDREW ROACH,
General Manager,
Blayney Shire Council
(by delegation from the Minister for Roads)
20 February 2008

SCHEDULE
1. Citation

This Notice may be cited as Blayney Shire Council 25 metre B-Double Route Notice No. 01/2008

2. Commencement

This Notice takes effect 'on the date of gazettal'.

3. Effect

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

| <i>Type</i> | <i>Road No</i> | <i>Road Name</i> | <i>Starting Point</i> | <i>Finishing Point</i> | <i>Conditions</i> |
|-------------|----------------|---------------------------------|---|---|-------------------|
| 25 | MR390 | Hobbys Yards Road, Blayney | Intersection of Adelaide Street and Hobby's Yards Road, Blayney | Intersection of Hobbys Yards Road and Three Brothers Road, Hobbys Yards. | |
| 25 | LR415 | Three Brothers Road, Blayney | Intersection of Hobbys Yards Road and Three Brothers Road, Hobbys Yards. | Property "Mindaribba", 137 Three Brothers Road, Newbridge | |

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

Notice of Compulsory Acquisition of Land
at Rouse Hill
in the Baulkham Hills Shire Council area

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

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

SCHEDULE

All that piece or parcel of land situated in the Baulkham Hills Shire Council area, Parish of Nelson and County of Cumberland, shown as Lot 32 Deposited Plan 1113659, being part of the land in Certificate of Title 3/1071664, excluding any existing easements from the compulsory acquisition of the said Lot 32.

The land is said to be in the possession of Anthony Saad and Daisy Constantine.

(RTA Papers: FPP 7M3515; RO 31.12426)

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

Notice of Compulsory Acquisition and Dedication as
Public Road of Land at Oyster Channel
in the Clarence Valley 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 and further dedicates the land as public road under Section 10 of the Roads Act 1993.

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

SCHEDULE

ALL those pieces or parcels of Crown land situated in the Clarence Valley Council area, Parishes of Taloumbi and Yamba and County of Clarence, shown as:

Lot 2 Deposited Plan 1088153, being part of the land in Reserve No 75324 for the Public Purpose of Future Public Requirements notified in Government Gazette No 176 of 5 September 1952 on page 3205; and

Lot 3 Deposited Plan 1088153, being part of the land in Reserve No 751395 for the Public Purpose of Future Public Requirements notified in Government Gazette No 83 of 29 June 2007 on page 4188.

(RTA Papers FPP 7M2963; RO 86.155)

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

Notice of Compulsory Acquisition of Land
at Moorland, Johns River and Herons Creek
in the Greater Taree City and Port Macquarie –
Hastings Council areas

Lot 86 Deposited Plan 1109145, being part of the land
in Reserve No 56862 for the Village Purposes notified
in Government Gazette No 25 of 22 February 1924 on
page 1253.

(RTA Papers: FPP 7M2527; RO 10/426.1956)

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 Crown land situated in
the Greater Taree City Council area, Parishes of
Harrington and Stewart and County of Macquarie,
shown as:

Lot 18 Deposited Plan 1107111, being part of the land
in Reserve No 754415 for the public purpose of Future
public requirements notified in Government Gazette
No 83 of 29 June 2007 on page 4201;

Lot 89 Deposited Plan 1109105, being part of the land
in Reserve No 73974 for Future Public Requirements
notified in Government Gazette No 5 of 12 January
1951 on page 101 and said to be in the possession of
the Crown and Anthony Galati (licensee);

Lot 90 Deposited Plan 1109105, being part of the land
in Reserve No 754448 for the public purpose of Future
public requirements notified in Government Gazette
No 83 of 29 June 2007 on page 4202, said to be in the
possession of the Crown and Anthony Galati
(licensee); and

Lot 53 Deposited Plan 1108941, being part of the land
in Reserve No 71825 for Future Public Requirements
notified in Government Gazette No 10 of 1 February
1946 on page 240.

ALSO all those pieces or parcels of Crown land
situated in the Port Macquarie – Hastings Council area,
Parishes of Johns River and Camden Haven and
County of Macquarie, shown as:

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Beacon Hill, Dee Why, Frenchs Forest, Forestville and Queenscliff
in the Warringah Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

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

SCHEDULE

All those pieces or parcels of land situated in the Warringah Council area, Parish of Manly Cove, County of Cumberland, shown as:

| Description of Land | | | Title | | |
|--|------------------------------------|---------------|-------------------|-----------|--|
| | | | Lot 1 | DP 383140 | C.T. Vol. 2411 Fol. 212 |
| | | | Lot 1 | DP 385073 | C.T. Vol. 4455 Fol. 62 |
| | | | Lot 2 | DP 243633 | C.T. Vol. 6031. Fol 73 |
| | | | Lot 3 | DP 243633 | C.T. Vol. 9189 Fol. 19 |
| | | | Lot 4 | DP 243633 | C.T. Vol. 6221 Fol. 130 |
| | | | Lot 8 | DP 243633 | C.T. Vol. 7773 Fol. 85 |
| | | | Lot 9 | DP 243633 | C.T. Vol. 12117 Fol. 229 |
| | | | Lot 15 | DP 260646 | C.T. Vol. 5434 Fol. 194 |
| | | | Lot 16 | DP 260646 | C.T. Vol. 6796 Fol. 97 |
| | | | Lot 13 | DP 260646 | C.T. Vol. 2506 Fol. 23 |
| | | | Lot 5 | DP 260646 | C.T. Vol. 2931. Fol. 5 |
| | | | Lot 6 | DP 260646 | C.T. Vol. 14744 Fol. 140 |
| | | | Lot 18 | DP 260646 | C.T. Vol. 4965 Fol. 38 |
| | | | Lot 2 | DP 230904 | C.T. Vol. 6993 Fol. 153 |
| | | | Lot 3 | DP 230904 | Folio Identifier 3/230904 |
| 19 ^{4/10} perches | shown on RTA Plan 0328.479.SS.0135 | being part of | Lot 23 | DP 3392 | C.T. Vol. 4720 Fol. 209 |
| 31 sq ft | shown on RTA Plan 0328.479.SS.0221 | being part of | Lot 3 | DP 357944 | C.T. Vol. 6064 Fol. 163 |
| 31 ^{1/2} sq ft | shown on RTA Plan 0328.479.SS.0240 | being part of | Lot 2 | DP 357944 | C.T. Vol. 6033 Fol. 128 |
| 1 ^{1/2} perches | shown on DP 442396 | being part of | Lot 1, Section 4A | DP 1448 | C.T. Vol. 1765 Fol. 250 |
| | | | Lot 2 | DP 109655 | C.T. Vol. 2469 Fol. 235 |
| | | | Lot 1 | DP 109655 | C.T. Vol. 2469 Fol. 234 |
| The land described as: "Area to be acquired from lots 5 to 12 incl DP5222 4 roods 38 perches (Dept of Government Transport Land)" on RTA Plan 0530.479.SS.0118, excluding from that land Lot 1 DP559687 and Lot 1 DP180843. | | | | | C.T. Vol. 2469 Fol. 234; C.T. Vol. 2423 Fol. 10; C.T. Vol. 4345 Fol. 56; C.T. Vol. 2467 Fol. 188; C.T. Vol. 2573 Fol. 82; and C.T. Vol. 3934 Fol. 175 |
| | | | Lot 3 | DP 559687 | C.T. Vol. 7151 Fol. 117 |
| | | | Lot 1 | DP 106552 | C.T. Vol. 4102 Fol. 138 |
| | | | Lot 2 | DP 106552 | C.T. Vol. 4345 Fol. 154 |
| | | | Lot 3 | DP 106552 | C.T. Vol. 3947 Fol. 188 |
| | | | Lot 4 | DP 106552 | C.T. Vol. 3850 Fol. 135 |
| | | | Lot 1 | DP180843 | Folio Identifier 1/180843 |
| ¼ perch | shown on DP 106552 | being part of | Lot 29 | DP 12224 | C.T. Vol. 5413 Fol. 123 |

(RTA Papers: FPP 8M129; RO 479.11056)

ROADS ACT 1993

ORDER - Sections 46 and 47

Reclassification of roads following opening of Albury Bypass and deviation of Burley Griffin Way near Bowning in the Albury City and Yass Valley Local Government Areas respectively.

I, the Minister for Roads, pursuant to Sections 46 and 47 of the Roads Act, by this Order:

1. Vary the route of Highway No 2 – Hume Highway and Main Road No 84 – Burley Griffin Way by revoking the previously published declarations of these roads and declaring as Highway No 2 – Hume Highway and Main Road No 84 – Burley Griffin Way, the roads described in the schedule below,
2. Vary the description of Main Road No 125. by revoking the previously published declaration of this road and declaring as Main Road No 125 the road described in the schedule below, and
3. Declare as Main Road No 688, the road described in the schedule below.

ERIC ROOZENDAAL MLC
MINISTER FOR ROADS

SCHEDULE

| NUMBER AND NAME | DESCRIPTION | <i>Administrative Category</i> |
|---|---|--------------------------------|
| Highway No 2 – HUME HIGHWAY | From Parramatta Road (HW5-Great Western Highway) at Ashfield, via Bankstown, Liverpool, The Cross Roads, South Western Freeway, including Mittagong bypass and Berrima bypass, to Mereworth Road Interchange at Medway Rivulet, then via divided carriageway road including Marulan bypass, Goulburn bypass, Cullerin Range Deviation and Gunning bypass, Yass bypass, Bowning bypass, Bookham bypass and Jugiong bypass, then continuing via Gundagai bypass, Tarcutta, Holbrook, and the Albury – Wodonga Freeway to the Victorian State Border . | <i>State Road</i> |
| Main Road No 84 – BURLEY GRIFFIN WAY | From the Hume Highway (HW2) south of Bowning, via Binalong, Harden, Murrumburrah, Wallendbeen, Stockinbingal, Temora and Aria Park to the Newell Highway near Mirrool, then from the Newell Highway near Ardlethan, via Kamarah, Moombooldool, Barellan, Binya and Yenda to the Leeton - Griffith Road (MR80) at Yoogali, east of Griffith. | <i>State Road</i> |
| Main Road No 125 | From Wagga Road (MR688) at Albury, via Walbundrie and Rand to the Lockhart-Jerilderie Road (MR59) at Urana. | <i>Regional Road</i> |
| Main Road No 688 | From the Hume Highway (HW2) at Thurgoona Drive Interchange north of Albury via Thurgoona Drive, Wagga Road, Mate Street, North Street and Young Street to the Riverina Highway (HW20) at Borella Street, Albury, then from the Riverina Highway (HW20) at Hume Street, Albury via Woodonga Place to the Victorian State Border. | <i>Regional Road</i> |

RNIM 901533 SB

Department of Water and Energy

WATER MANAGEMENT ACT 2000

Order under section 323

Temporary Water Restriction Order

Lower Darling Regulated River Water Source

I, David Harriss, as delegate of the Minister for Climate Change, Environment and Water, do, by this Order, repeal the Order made under section 323 of the Water Management Act 2000 for the Lower Darling Regulated River Water Source as defined in the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 dated 13 November 2007 and published in the *New South Wales Government Gazette* on 23 November 2007, No. 172 at page 8625.

This Order takes effect on the date of first broadcast.

Dated at Albury this 15th day of February 2008.

DAVID HARRISS,
Deputy Director General,
Water Management
Department of Water and Energy

WATER MANAGEMENT ACT 2000

Order under section 323

Temporary Water Restriction Order

New South Wales Murray Regulated River

I, David Harriss, as delegate of the Minister for Climate Change, Environment and Water, do, by this Order, repeal the Order made under section 323 of the Water Management Act 2000 for the New South Wales Murray Regulated River as defined in the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 dated 4 February 2008 and published in the *New South Wales Government Gazette* on 15 February 2008, No. 16 at pages 1012-1013.

This Order takes effect on the date of first broadcast.

Dated at Albury this 15th day of February 2008.

DAVID HARRISS,
Deputy Director General,
Water Management
Department of Water and Energy

WATER ACT 1912

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

Aileen Elizabeth KEITH for a proposed 3.0 megalitre bywash dam and pump on an unnamed watercourse (1st order) on Lot 16, DP 248872, Parish Wayo, County Argyle, for the conservation of water and water supply for domestic purposes (new licence) (dam in excess of the MHRDC) (Reference: 10SL056795) (GA2:537427).

A R COMPANY PTY LTD for a pump on the Hawkesbury River on Part Lot 27, DP 566434, Parish Ham Common, County Cumberland, for irrigation of 28.0 hectares (improved pasture) (part replacement licence and permanent transfer of 50.0 megalitres from 10SL056719 – no increase in annual water entitlement – not subject to the 1995 Hawkesbury/ Nepean Embargo) (Reference: 10SL056796).

Any inquiries regarding the above should be directed to the undersigned on (02) 9895 7194.

Written objections, specifying grounds, must be lodged with the Department of Water and Energy, PO Box 3720, Parramatta NSW 2124, within 28 days of the date of this publication.

WAYNE CONNERS,
Licensing Officer

WATER ACT 1912

APPLICATIONS under Part 2 within a Proclaimed (declared) Local Area under section 5 (4) of the Water Act 1912. Applications for a license under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Murrumbidgee Valley

MAMITA PTY LTD for 1 dam on an unnamed watercourse and 1 dam on Mudhole Creek both within 1/1093565, Parish Batlow, County Wynyard for water supply for irrigation. Replacement license – split from existing – no change in works or allocation.

Any enquiries regarding the above should be directed to the undersigned on (02) 6953 0700. Written objections, specifying grounds, must be lodged with the Department of Water and Energy, PO Box 156, Leeton NSW 2705, within 28 days of the date of publication. GA2:537426.

S. F. WEBB,
Licensing Manager

Other Notices

APRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of the making of a Vocational Training Order for the recognised traineeship vocation of Forestry and Forest Products.

The Order specifies a number of matters in relation to the required training for this vocation, including the term/s of training, competency outcomes and course/s of study to be undertaken.

The Order will take effect from the date of publication in the Gazette.

A copy of the 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>

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apex Club of Kingscliff Inc Y0583618
 Apex Club of Murrurundi Inc Y0560145
 Apex Club of Sutherland Loftus Inc Y0412017
 Apex Club of Taree Inc Y0063504
 Apex Club of Wyong Inc Y0506837
 Associated Artists Inc Y0199714
 Australasian Society of Homeopaths Inc Y0582131
 Boggabilla Vacation Care Centre Inc Y0620107
 Employment Port Stephens Incorporated Y0205218
 Fairfield District Share the Care Inc Y0047843
 H K-H T-H G Street Custom Car Club of NSW Incorporated Y0193634
 Hill End Town Management Association Inc Y0596703
 Jacaranda Art Society Inc Y0076540
 Jamberoo Amateur Fishing Club Inc Y0218205
 Lower Mountains Repertory Theatre Inc Y0443835
 Macquarie Towns Junior Rugby Club Inc Y1587943
 Manning Photographic Club Inc Y0155742
 North Coast Logging Association Inc Y0264736
 Society of Somatic Therapists Inc Y0346537
 St Luke's Youth Accommodation Inc Y0372047
 Temora Musical & Dramatic Society Inc Y0139836
 Tingowun Inc Y0124120
 Urana Shire Community Youth Support Scheme Inc Y0139444

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australasian Society of Nutritionists Inc Y0582327
 Australian Guild of Bricklayers Inc Y1372237
 Australian Information Technology Council Inc Y0633045
 Australian Science and Art Conferences Incorporated Y1985635
 Ellenborough River Landcare Group Incorporated Y1947841
 Financial Counselling Service Penrith Inc Y0473039
 Kempsey Off Road Model Auto Club Inc Y0421016
 Northern Lakes Youth Service Incorporated Y1449909
 Oz Boating Club Inc Y1370635
 Putty Beach Reserve Committee Incorporated Y0780127
 Residents Against Mass Medication Incorporated Y1981647
 Sapphire Coast A.R.A.B.S. Inc Y0881903
 School Psychologists Australia Incorporated Y1250109
 Snake Gully Landcare Group Incorporated Y1965202
 Sou Wester Inc Y0947406
 Southern Highlands Arts Festival Society Inc Y1515046
 Symeron Inc Y1341546
 Tamworth Cultural Centre Association Inc Y1664220
 Tenterfield Junior Rugby League Football Club Inc Y0858943
 The 46th Australian Jazz Convention Inc Y1030911
 Voice of the Coptic Immigrants "Saut El-Mohager Elkapy" Incorporated Y0130422
 Wattle Vale Area Rangelcare Group Inc Y1194429
 Western Sandfly Promotions Incorporated Y1978238

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian Emirates, Qatar and Arabian Gulf Friendship Association Inc Y1871901
 Australian Paddle Federation Incorporated Y1797831
 Bourke Ratepayers and Citizens Association Incorporated Y1680616

Bridge and Balance Ministries Australia Inc
Y1712633
Central Sydney Area GP Association Inc Y1386417
Commanderie Des Cordons Bleus De France
Delegation d'Australie Inc Y1190343
Environmental Issues & Information Exchange Inc
Y1696202
Grafton Aboriginal Housing Association Incorporated
Inc9874244
Habitat for Humanity Australia City of Taree Inc
Y1691413
Hastings Trac Incorporated Y1908707
Isobel Pulsford Memorial Kindergarten Incorporated
Y3061835
Italian Senior's Group Incorporated Inc9879883
Lions Club of Randwick City Incorporated
Y2738013
Lithgow and Blue Mountains District Women Against
Incest Inc Y0434003
Narrabri Trac Inc Y1828606
Narrandera & District Cricket Association
Incorporated Y1812334
Royal Australian Artillery Historical Society
Incorporated Y1398848
Southern Tablelands Canoe Club Incorporated
Y1810732
Support of Positive Youth (S.O.P.Y) Incorporated
Y1816420
The Friends of Sir Joseph Banks Nature Park
Incorporated Y2657209
The Heart of Dubbo Promotion Association Inc
Y1428234
The Lismore Motorcycles Club Inc Y1386221
Tombong Landcare Group Incorporated Y1894541
Toongabbie Christian Fellowship Incorporated
Y1923616
Twin Rivers 4wd Club Inc Y0946948
United Punjab Medical Association Incorporated
Y1730141
Wolumla Cricket Club Incorporated Y1678106

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

"Mladost" Krivogastani Cultural Association Inc
Y1747214
Ardlethan Senior Citizens Incorporated Y1735714
Branxton District Tennis Club Incorporated
Y2009743
Bullatale Creek Licensed Pumpers Incorporated
Y2016846
Burren Junction Golf Club Incorporated Y2041800
Catherine Field Community Tennis Club Incorporated
Y2044448

Central West Economic Development Group
Incorporated Y2050113
Clarence River Young Rowers Support Group - Year
2000 Incorporated Y2161346
Eureka Tennis Club Inc Y0840628
Gil Trac Incorporated Y2059821
Great Lakes Cancer Support Group Incorporated
Y2155240
Hawkesbury River Radio Group Incorporated
Y2138827
Hunter Air Rifle Club Incorporated Y2147434
Karuah Schoolboys Rugby League Club Incorporated
Y1750329
Kinta Building Management Committee Incorporated
Y2139236
Lithgow Community Youth Support Scheme Inc
Y0206019
Macarthur Businesswomens Network Incorporated
Y1733328
Maitland Community Broadcasters Association Inc.
Y1928307
Mid Mountains Buffalo & Citizens Sporting &
Recreation Club Lawson Incorporated Y1792846
Robertson Rodeo Incorporated Y1793941
Ruse Satsukino Cultural Exchange Group
Incorporated Y2011420
Satellite TV Association Australia Incorporated
Inc9880205
The Albury-Wodonga Regional Organisation of
Councils Incorporated Y1793500
The School of Joy Incorporated Inc9880392
Uralla Thunderbolt Picnic Day Incorporated
Y2057729
Wingham and Upper Manning Jockey Club
Incorporated Y1771612

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Antenna Network Incorporated Inc9874909
Auburn Granville Youth Housing Service Inc
Y1467711
Australian Chinese International City Cultural &
Technological Promotion Association Incorporated
Y3027147
Azerbaijani Democratic Association Incorporated
Y2667303
Bratpak Incorporated Inc9874920
Canterbury Bankstown Tenancy Advice and Housing
Referral Service Inc Y0434346
Central Coast Sports Board Incorporated Y2123111
Civic Watch Incorporated Y2752709
College Rugby Referees Association Incorporated
Y2634128
David Griffiths Games Committee Incorporated
Y2693548

Exposure Theatre Company Inc Y2869532
 Friends of the Coffs Harbour Zoo Inc Y2126739
 Good News Society Incorporated Y2999319
 Gordon Chamber of Commerce Incorporated
 Y2698729
 Harrington Community Health Centre Incorporated
 Y2115844
 Hawkesbury Motorsport Incorporated Y2101223
 Head of Peel Landcare Group Incorporated
 Y2718609
 Hobo Publishers Incorporated Y2766644
 Kariong Pony Club Incorporated Y1808320
 Kids In Need - West Incorporated Y2574019
 Lakelands Urban Landcare Group Incorporated
 Y2651423
 Local Government Elected Members Society
 Incorporated Y2102710
 Matthew 24 Ministries Incorporated Inc9880542
 Mudgee Mainstreet Incorporated Y2707420
 Narellan Symphony Under the Southern Cross
 Incorporated Y2498200
 New England Gay & Lesbian Services Incorporated
 Y2592409
 New South Wales 8 Ball Association Inc Y0457427
 North Sydney Community Carols Incorporated
 Inc9880637
 North Tamworth Indoor Carpet Bowlers Incorporated
 Y2800044
 NSW Occupational Health and Safety Convention and
 Exhibition Incorporated Y2123307
 Orara Valley Blue Light Incorporated Y2680512
 Parkes 125th Anniversary Committee Incorporated
 Y2464714
 Perlas Dancesports Society Incorporated Y2428326
 Rainbow Phoenix Incorporated Y2083435
 Riverina Tennants' Advice and Housing Referral
 Service Incorporated Y0348727
 Rolfday Benefit Association Incorporated Y2588836
 Salamander Tavern Community Club Incorporated
 Inc9881645
 Southern Beef Week Incorporated Y2128929
 St Anthony's Creek Landcare Group Incorporated
 Y2288900
 St Francis Xavier Spanish Language School
 Incorporated Y2458412
 Surf Surf & Surf Incorporated Inc9874918
 T.A.R.R.S. Social Club Incorporated Y2876733
 The Bowral Community Association Incorporated
 Y2930321
 The Fields Blue Light Incorporated Inc9876700
 The Hannam Vale Bmx Club Incorporated Y2731818
 The Hawkesbury Medical Association Incorporated
 Y1990646
 Tuloa Association Incorporated Inc9885196
 Ulladulla Motor Cycle Club Incorporated Y2799231
 Ungarie Australian Football Club Inc Y0377816
 Usha Thakor Memorial Fund Inc Y0963116
 Wai-Ora Landcare Group Incorporated Y2676743
 Wild & Free Incorporated Y2618516
 Yarramalong Country Music Festival Inc Y1592219
 Youth Focus (NSW) Incorporated Inc9878913

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian Muslims Incorporated Inc9881397
 Australian Society of Magazine Editors Incorporated
 Y2581416
 Casino Public Housing Association Inc Y0819711
 Cessnock Community Broadcasters Association
 Incorporated Y1153644
 Cumborah Tennis Club Association Incorporated
 Y1816224
 Dead Gum Revival Incorporated Y2689632
 Delungra Basketball Association Incorporated
 Y1960217
 Kindee Landcare Group Incorporated Y2855107
 Leeton Stadium Committee Inc Y0800203
 Macedonian Sports and Recreation Club Inc
 Y1413106
 NSW Working Heavy Horse Association Incorporated
 Y2480424
 Religious Technology Center Inc Y0084738
 St. Thomas Aquinas Parents & Friends Association
 Incorporated Y1852808
 T.R.A.F. (Teachers Reacting Against Failure)
 Incorporated Y2513046
 The Paper Tole Guild of Australia Incorporated
 Y2195812
 The Wilderness Society (Illawarra) Incorporated
 Y1484320
 Tweed Heads Outrigger Club Incorporated Y2654806
 Wentworthville Chamber of Commerce Incorporated
 Y1713532
 Westfields Gymnastic School Incorporated Y1665707
 Woolloomooloo Community Centre Public Housing
 Tenants Group Incorporated Inc9875516

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Al-Zahra Arabic School Incorporated Y2585208
 Australian Mistral Class Organisation Incorporated
 Y2310947
 Austrian Club - Coffs Harbour Incorporated
 Y2638410
 Caffrey's Flat Landcare Group Incorporated
 Y2383616
 Camden Equestrian Committee Incorporated
 Inc3047603
 Clarence Valley Ladies Club Inc Y0173005

Coogee Outrigger Canoe Club Incorporated
Y2407239
Curra Riding Club Incorporated Y2272236
Great Lakes Cycle Club Incorporated Y1853511
Imam Mahdi Scout Association Incorporated
Y2677446
International Environmental Engineering Initiative
Incorporated Y2250544
Knights Boy's Club Incorporated Y2286220
Macleay Catchment Management Committee
Incorporated Y2414930
Merimbula Cottage Crafters Incorporated Y2466708
Newcastle Music Centre Inc Y0209108
Parramatta Folk and Bush Dancers Incorporated
Y2315001
Positive Internet Access Incorporated Y2955543
Springwood Retailers Association Incorporated
Y2402205
Sydney Metro Waratahs Incorporated Y2280140
Tamworth In-Line Hockey Incorporated Y2765745
The Manning Valley Bonsai Club Incorporated
Y1967539
The New South Wales Horse Council Inc Y1483519
Town & Country Mia Gay & Lesbian Support Group
Incorporated Y2433239
Warrimoo Kid's Club - Out of School Hours Care
Incorporated Y2883248
West Papua Relief Association Incorporated
Y2265231
Winner Women's Information National Network &
Emergency Relief Incorporated Y2293813
Wyong and District Tennis Association Inc
Y1371632
Youth Parent Advisory Council (YOPAC)
Incorporated Y2246432

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Agape Australia Incorporated Y3024303
Alliance Francaise Southern Highlands Incorporated
Y1882747
Australia Sri Lanka Business Association Inc
Y1649017
Avalon Out of School Hours Care Incorporated
Y2368903
Bogandillon/Wallamundry Creeks Landcare Group
Inc Y1544527
Brewarrina Regional Arts Group Incorporated
Inc9877873
Campbelltown Concerned Citizens Inc Y1560433
Colleraina Sports Committee Inc Y1483617
Dural Dragons R.L.F.C. Incorporated Y2038538

Four Corners Australian Football Club Inc Y0986344
Health In Modern Life Incorporated Y2908603
House Sales Incorporated Inc9880067
NSW Turkish Employment and Retirement
Association Incorporated Y2071004
Rabit Incorporated Inc9882602
Rockdale Meals On Wheels Association Incorporated
Y0362933
S.K.Y. Sydney Kobayat Youth Charitable Association
Y2022413
Serbian Orthodox St Sava Association Incorporated
Y2514631
Southern Sydney Youth Music Incorporated
Y2601933
Srbija Sydney Association Inc Y1528327
Sydney Junior Chamber of Commerce Inc Y0176927
Sydney Royal Tennis Club Inc Y1491325
The Children's Garden Rudolf Steiner School
Incorporated Y2553422
Who'd A Thought It Incorporated Y1924123

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

A.P.I.A. Leichhardt Social, Sport and Recreation
Centre Incorporated Y2474906
Bellingen Touch Football Association Incorporated
Y2209047
Central Coast Economic Development Board
Incorporated Y2516331
Cowra 2000 Inc Y0978146
F P A Employment Incorporated Y2200711
Freetlast Sustainable Housing Incorporated
Inc9880264
FTM Australia Incorporated Inc9880294
Horton Valley Landcare Group Incorporated
Y2220801
Linc Church Services Network (Brunswick Valley)
Incorporated Inc9875131
Liverpool City Soccer Club Inc. Y0460346
Liverpool City Yugal Soccer Club Inc Y1434536
Martha's Place Incorporated Y1851419
Merah North Landcare Group Incorporated
Y2513732
Munyapla Tennis Club Incorporated Y1615531
Narooma Skateboard Riders Association Incorporated
Inc9874468
Oakhampton Landcare Group Incorporated
Y2923904
Parramatta Chinese Business Association Inc.
Inc9879880
Rockdale Brass Band Incorporated Y2185228

Rotary Club of Kensington Incorporated Y2224642
Upper Mogendoura Landcare Group Incorporated
Y2205206

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Banana Coast Drug Awareness Association Inc
Y0291831
Bellingen Pregnancy Help Incorporated Y1832816
Dubbo Wedding Information Day Incorporated
Y2162245
Front Load Washer Association Inc Y2121117
Ghar Sansar Incorporated Inc9882920
Goldstar Dance Foundation Incorporated Inc9877406
Hawkesbury Australian Football Club Inc Y0287033
Los Chilenos, Chilean Folkloric Dance Group
Incorporated Y2352239
Mercy Ministries International Incorporated
Inc9875348
Oakhurst Community Associations Incorporated
Y1856502
Old Bar Rugby Club Inc Y0759945
Shas Inc Y0419437
St George District Cat Club Incorporated Y2463423
The Egyptian-Arab Islamic Union Incorporated
Y2076920
Tweed Arts Network Incorporated Y2393710
Woolloomooloo Action Group Incorporated
Y2145048
Sydney Western Riding Club Incorporated Y0937508
Fairfield Athletic Soccer Club Incorporated
Y1769102
Gunnedah Alcohol and Other Drugs Community
Service Incorporated Y1939104
Bayside Girls Netball Club Incorporated Y1966836
Horsefest Promotions Incorporated Y1984442
Muswellbrook Combined Computer Club
Incorporated Y1998426
The Hunter and Central Coast Meat Wholesalers
Credit Association Incorporated Y1702637

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Backtracks Inc Y0132808
Bre Images Incorporated Inc9879297
Bula Australia Incorporated Inc9880329
Campbelltown Latin Association Incorporated
Y2184427
Central West Tenants' Advice Service Incorporated
Y0492034
Coffs Harbour and District Dialysis Support Group
Incorporated Y1535920
Coffs Harbour Tennis Club Inc Y0949939
Corowa Amateur Home Brewers Assoc Inc
Y1285229
Fence Industry Association of Australia Incorporated
Y0505105
Macedonian Australian Professionals Association Inc
Y0612644
Macedonian Orthodox Diocese of Australia
Incorporated Y1570723
Railway United Rugby League Football Club
Incorporated Y2332835
Shoalhaven Conservation Society Incorporated
Y2123846
The Australian Centre for Companion Animals In
Society Incorporated Y2314347
The Australian Flying Scale Aircraft Association
Incorporated Inc9875559
The Concord Independents Inc Y1505834
Three Peaks Outdoor Society Inc Y0417835
Tooleybuc/Piangil District Action Group Incorporated
Y2466904
TS Nepean Activities Centre Inc Y0644430
Upper Williams Landcare Group Incorporated
Y1994536
Uralla Players Inc Y0495809
Wagga Kennedy Shield Rugby League Football
Competition Inc Y0342402
Walcha Service and Information Centre Inc
Y0476814
Womens Apex Club of Northern Beaches Inc
Y1658310
Woolgoolga Charity Picnic Race Committee
Incorporated Y1316347
Woolgoolga Hot Rod & Modified Car Club
Incorporated Y2327040

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Aberdeen Meals On Wheels Inc Y0891948
 Australasian Smalltalk User Group Incorporated
 Y2246824
 Blue Mountains Special Education Centre Association
 Incorporated Y0771912
 Bombobeach.Com the Australian Adhesion Support
 Group Incorporated Inc9879314
 Central Coast Regional Chamber of Commerce
 Incorporated Y2753608
 Companions of the Heart of Mary Incorporated
 Inc9882518
 Cotton Country Cutting Club Inc Y1381236
 Defence Community Resource Centre Management
 Committee Inc Y1310904
 Eastcoast School of Arts and Sciences Incorporated
 Y2385904
 Eastern Suburbs Tenancy Advice and Housing
 Referral Service Inc Y0072013
 Empire Soccer Club Inc Y1548711
 Group Three Saturday Rugby League Inc. Y1093241
 Illawarra Red Devils Swimming Club Inc Y1467123
 Kirinari Community Services (NSW) Inc Y0505742
 Macarthur Learning Difficulties Support Group Inc
 Y1267035
 North Coast Natural Horse & Riders Incorporated
 Inc9880982
 Nowra and District Motor Cycle Club Inc Y0848114
 Pakistan People's Party Australia Incorporated
 Y2009106
 South Eastern Tenants Advice & Housing Referral
 Service Inc Y0135848
 Sydney-South Indian Tamil Communittee Cultural
 Media Group Incorporated Y2505632
 Zia Mancha Australia Incorporated Inc9877096

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Al-Irsyad Al-Islamiyyah, Sydney, Australia
 Incorporated Inc9877399
 Apex Club of Armidale Inc Y0222219
 Central West UHF Repeater Association Inc
 Y0557030
 Combined Fishos Association Incorporated
 Y2670124
 Community Housing Advancement Society
 Incorporated Y2366811
 Cooma Gymnastics Club Inc Y0256734
 El Hawshar Charitable Association Incorporated
 Inc9876302
 H.I.R.S. (Housing Information and Referral Service)
 Incorporated Y0010925

Illawarra Ice Cream Vendors Association Inc
 Y0001142
 Illawarra Opal Cutting Training Association Inc
 Y0263004
 Just for Fun Inc Y0887101
 Koomaroo Disabled Persons Support Group
 Incorporated Y1764019
 Lake Munmorah Tennis Club Inc. Y1303213
 Leisure Boating Club (Roseville) Incorporated
 Inc9874387
 Northern Rivers Tenants and Housing Information
 Services Inc Y0056842
 Road Action Group - Eastern Suburbs (R.A.G.E.) Inc
 Y2389647
 South Coffs Harbour Australian Football Club Inc
 Y0223412
 The Lebanese Peoples Association Inc Y1182635
 Tribes and Nations Outreach (Australia) Inc
 Y0702006
 Uralla Junior Soccer Club Inc Y0309936
 Uruguayan Folk Group La Bacana Incorporated
 Inc9882913
 Wagga Wagga & Districts Veterans Athletics
 Incorporated Y2157920
 Westderra Tennis Club Incorporated Y1280538
 Windsurfer Class Association of NSW Incorporated
 Y0898633

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Future Forests Alliance Incorporated Inc9881930
 Gilgandra Cooee Ball Committee Inc Y0618528
 Gunnedah Gateway Institute for Rural Education
 Incorporated Inc9875624
 Gwydir Water Users Council Incorporated Y2624328
 Hills Community Consultative Association Inc
 Y1900045
 Home Warranty Action Group Incorporated
 Inc9879711
 Kempsey Macleay Aboriginal Mens Group
 Incorporated Inc9880349
 Lake Burrendong Sports and Family Club Incorporate
 Y2367906
 Living Lawyers Incorporated Inc9882442
 Maternity Alliance Inc Y1361636
 Murra Landcare Group Incorporated Y1818316
 National Association of Investigators Inc Y0830436
 Newcastle Citycentre Main Streets Committee
 Incorporated Y2433631
 Nimbin Arts Council Inc Y1466224
 Nundle Arts Council Incorporated Inc3436648
 Snowy Mountains Chain Saw Classic Incorporated
 Y2248818
 Society for Human Development Incorporated
 Y2815025

St Marina Coptic Orthodox Association Incorporated
Y2440342
St Pauls Albion Park Rugby League Football Club
Incorporated Y2194521
Statewide Recovery United Ministries Incorporated
Y2326533
Sullivans - Missabotti Land Care Group Incorporated
Y2096226
Surfing Forresters Beach Incorporated Inc9874563
Swan Training Association Incorporated Y2516821
Sydney India League Incorporated Y2384221

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Africa for Christ International Inc Y1535528
Apex Club of Bega Inc Y0350943
Berrigan Blitz Inc Y0852128
Bingara Neighbourhood Centre Incorporated
Y0183344
Blue Mountains Environment Council Inc Y0393134
Boronia Gardens Aged Persons Accommodation Inc
Y0832430
Central Coast Catchments Committee Incorporated
Y2924901
Early Birds Netball Club Inc Y1101817
Earth Works Group Inc Y0957500
Fairy Meadow Friendship Centre Inc Y0103523
Forbes and District Softball Association Inc
Y0685313
Great Lakes Arts Council Incorporated Y2746407
Inner Wheel Club of Corowa Inc Y1176039
Miranda Day and Evening College Inc Y0446728
Nowhere Landcare Incorporated Inc3508138
NSW Lychee Growers Association Incorporated
Y1651331
Outdoor Tour Operators Association Incorporated
Y1658114
Pittwater Garden Club Incorporated Y1924417
Port Hunter Rugby Club Incorporated Y0722733
Rotary Club of Balmoral Inc Y0893844
The Darling Landcare Group Incorporated Y1921524
The Egyptian Federation of Australia Inc Y1683117
Tongan Housing Project Association Inc Y1373332
Tullamore Little Athletics Association Incorporated
Y1860908
Uralla Rugby Club Inc Y0724041
Vi International Rangeland Congress Incorporated
Y2593210

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Aberdeen Abattoir Employees Cafeteria Inc
Y1141409
Aberdeen Abattoir Employees Cooperative Inc
Y1045108
Australian Counsellors Society Inc Y1491815
Australian Croatian Community of Lightning Ridge
Incorporated Y2144100
Camp Creative Tweed Valley Incorporated Y2740229
Carrington Pirates Rugby League Football Club
Incorporated Y2147238
Cazna Social Golf Club Incorporated Y2495111
Chippendale Artworkers Housing Group Inc
Y1268424
Clarence Community Business Inc Y0378519
Coreen Football Club Incorporated Y1904817
Culburra Beach Sportfishing Club Incorporated
Y2571812
Darling Adult & Community Education Incorporated
Y2403545
Eumungerie Cricket Club Inc Y1629319
Federation of Egyptian Businessmen Abroad
(Australia) Incorporated Inc9875209
Kro Ye Association Incorporated Inc9875723
Mabuhay Philippine Cultural Society Incorporated
Y2202705
Mendooran Meal Service Assoc Incorporated
Inc9874584
Meroo River Catchment Landcare Group
Incorporated Y2932021
Multicultural Mutual Society Incorporated Y2439711
National Seniors Association Blacktown Branch
Incorporated Y2125840
Sydney United Youth Sports and Cultural Club
Incorporated Y0244401
Word of Faith Family Church World Outreach
Incorporated Y1408438

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Beachside Christian Community Incorporated
Y2662612
Blue Mountains Cliffcare Incorporated Y2592801
Boggabilla Town and Country Aquatic Club
Incorporated Y1355726
Bohena Creek Sporting Club Incorporated Y1953212

Central Coast Olma Committee Incorporated
Y1878733
Dubbo Polocrosse Club Inc Y1114706
New South Wales Canning Fruitgrowers Association
Inc Y1158139
Sydney Rudolf Steiner Association for the Care of the
Young Child Incorporated Y2571616
Turkish Press Union, Australia (Avustralya Turk
Basin Birligi) Incorporated Inc9884018

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apollo Sports & Cultural Club Incorporated
Y2904027
Australia-Iran Chamber of Commerce Industry &
Mines Incorporated Inc9880141
Irish Hospitality House Committee Incorporated
Inc9874534
National Aboriginal & Islander Rugby League
Association of Australia Incorporated Inc9874670
Outback Regional Development Organisation
Incorporated Y2446814
Spanish Speaking Mentally Ill Engagement Group
Incorporated Inc9879618
The Tay Son Mutual Association of Australia (Hoi Ai-
Huu Tay Son Uc Chau) Incorporated Inc9876064
A Future for Youth Inc Y1682316
The Pittwater Festival Incorporated Y1869538
Pacific Islanders Counselling Services of New South
Wales Incorporated Y1942611
Scorpions Netball and Social Club Incorporated
Y1918703
Ratepayers Rights Association (RRA) Incorporated
Y2923708
Acotanc Inc Y1732723
Cooma Snowball Inc Y1188421
Rockwel Housing Inc Y1271343
Pentecostal Missionary Church of Christ (4th Watch)
Incorporated Inc9874773
Australasian Society of Complimentary Medicine Inc
Y0582719

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Alliance for Airport Location Outside Sydney
Incorporated Y2488400
Australian Internship Industry Association Inc
Inc9883903
Australian Telemarketing and Call Centre Association
Incorporated Y1162006
Blandcare Incorporated Y2561032
Blue Mountains Multicultural Residents Association
Incorporated Y2390229
Chanh-Phap Vietnamese Buddhist Youth Association
of New South Wales Incorporated Y2519714
Dubbo Canoe & Kayak Club Inc Y0127209
Hunter Valley & New England Arabian Racing Club
Incorporated Y2688047
Iranian Christian Church Incorporated Y2211214
Korean Chamber of Commerce in Eastwood, Ryde &
Epping Incorporated Inc9880577
Korean Table Tennis Association of Australia Inc
Y1687105
Lady of Light Association Incorporated Y2795145
National Tutoring Association (NTAI) Incorporated
Inc9883832
Open Door Korean Cultural Society Incorporated
Y2744707
Redemption Mission Incorporated Y3001712
Refugee Support Network Inc Y0282342
Shire Networking Group Incorporated Inc9883994
St. Johns Wort Harvesters Association Incorporated
Y2899324
Te Roopu O Nga Ahikaroa Maori Culture Group
Incorporated Y2694741
The Vietnamese Mutual Society (Hoi Nguoi Viet
Tuong Tro) Incorporated Y2769439
The Wollongong Garba Association Incorporated
Y2205500
Tipperary Golf Club Incorporated Y2571126
Umina Rugby League Football Club Incorporated
Y2936107
Upper Hunter Youth Activity Service Incorporated
Y2678933
Vani Tamil Cultural Association Incorporated
Y2744021

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Alarcon "Los Chilenos" Cultural Folkdance
Incorporated Y2418134

Association Brotherhood Romero Incorporated
Inc9882965
Australia Liaoning Fellows Society Incorporated
Inc9880824
Australian Community Services Employers
Association Incorporated Inc9883995
Australian Primary Immuno Deficiency Association
Incorporated Y2169518
Christians On Track Four Wheel Drive Club
Association Incorporated Y2410011
Coffs Harbour Motor Cycle Club Inc Y0012625
Concept Ministries Incorporated Inc9883772
Cumberland Grove Country Club Incorporated
Inc9878461
Deir Jannine Charitable Association Incorporated
Y0688108
Gereja Bethany Indonesia Incorporated Inc9883951
Kandos Rylstone Little Athletics Association Inc
Y1653717
Liverpool United Social, Sporting & Recreation Club
Incorporated Inc9878462
Macbell Incorporated Inc9882709
NSW Friendship Table Tennis Association
Incorporated Inc9876338
Poihakena Christian Fellowship Incorporated
Inc9875983
Radionics and Vibrational Health Association
Incorporated Inc9882152
Stepfamily Association of New South Wales Inc
Y1345632
The New South Wales Resident Medical Officers
Association Incorporated Y2777735
The Trampoline Sports Academy Incorporated
Inc9875430
Amanah Committee Projects Inc Y1507534

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian Croatian Humanitarian Society "Bosna-Herzegovina" Inc Inc9874803
Australian Indian Christian Fellowship Incorporated
Y2946103
Bathurst Australian Football Club Inc Y0240413
Blue Ribbon (Outback) Club Incorporated
Inc9878299
Bonville Golf Club Inc Y1465717
Chilean Australian Friendship Society Inc Y0056009
Coffs Harbour Bluewater Freedivers Incorporated
Inc9875510
Combined Regional Body Building Association New
South Wales Inc Y0242407
Dairy Elite Region Incorporated Y2870506
Korean Baptist Church of Sydney Incorporated
Y2899912

Korean Journalist Association in Australia
Incorporated Inc9874203
Menindee CTC Incorporated Inc9876168
Pakistan Community Services (PCS) Incorporated
Inc9874662
St George Chamber of Commerce Incorporated
Y2855548
Sweatequitynet Incorporated Inc9882799
Sydney Pylon Racing Assoc Inc Y0833035
The Centre for Practical Parenting Incorporated
Inc9874852
The Sharing Place Incorporated Inc9878147
Unirivers Rugby League Football Club Inc
Y1090544
Warialda Meals On Wheels Inc Y1166827
Young Carriage Drivers Incorporated Y2537810

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Aberdeen Bushman's Campdrafting and Roughriders
Association Inc Y0155007
Acpave Incorporated Y2074828
Advance Young Inc Y0259235
Associacao Grupo Bahia De Capoeira Incorporated
Inc9880231
Australia China Institute of International Business &
Trade Incorporated Inc3445079
Australian Association of Toy Libraries for the
Handicapped Inc Y0593614
Australian Lebanese & Middle East Cultural
Association Incorporated Y2587006
Australian Rally Sport Association Inc Y1518429
Balranald Charity Organisation Inc Y1127742
Britfest Incorporated Y3041402
Broken Hill Promotion and Development Association
Incorporated Y1814230
Canterbury District Residents & Ratepayers
Association Inc Y1118939
Canterbury-Bankstown District Gay & Lesbian Social
Group Incorporated Inc9877727
Canyonleigh Environment Protection Society
Incorporated Y2452430
Christina Polimos Music Trust Incorporated
Y2008011
Colo Colo Sports Social Club Inc Y0004525
Cook Islands Western Sydney Community
Incorporated Y2330106
Coraki Youth and Multicultural Association Inc
Y2933802
The Australian Egyptian Centre (Bait Masr) Inc
Y0001044
The Australian Egyptian Federation of NSW (Egypt
House) Inc Y0000929

The Australian Guitar Guild Incorporated Y1923126
 The Combined Australian Middle East Welfare
 Council Incorporated Y1536721
 The Egyptian Club 'Egypt House' Inc Y0000439

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian Rhododendron Society - New South Wales
 Branch Incorporated Inc9875851
 Friends of the Earth (Sydney) Inc Y1653913
 Lachlan Cricket Umpires Association Inc Y1578405
 Leichhardt Tigers Incorporated Y2229333
 Live Music Now Inc Y0247000
 Mar Youhana - Maroun's Association - Maronite
 Mutuality (Jamym)
 Australian Branch Incorporated Y2851021
 Northern Development Task Force Inc Y2097027
 NSW Anatolian Cultural Centre Incorporated
 Y2564121
 Palais Skateboard Association Newcastle
 Incorporated Inc9874538
 Port Hunter Maori Cultural Society Incorporated
 Y2382031
 Possum Creek Landcare Group Incorporated
 Y2450632
 Punjabi Indian Language & Cultural Society
 Incorporated Y2332002
 Quota International of Maitland Incorporated
 Y1038348
 R.I.M.S. (Rail Inspection & Maintenance Services)
 Inc Y1572325
 Richmond Base Playgroup Inc Inc9882613
 Rotary Club of Guildford Inc Y0930039
 Shoalhaven Road Safety Group Inc Y2647409
 Silver City Jazz Club of Broken Hill Inc Y1480822
 Southern Cross Regional Research Institute
 Incorporated Y2759345
 Sudanese Women's Welfare Incorporated Inc9882852
 Sydney Philharmonia Friends Inc Y1167138
 Sydney Polo Club Institute Incorporated Inc9881481
 Tenterfield Bachelors & Spinsters Club Incorporated
 Y1244003
 The Flying Eleven Association of Australia
 Incorporated Inc3456968
 The Sub-Federation of Egyptian Immigrants Australia
 Incorporated Y0000145

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian Supporters Association Incorporated
 Inc9876958
 Cattai-Maroota Landcare Group Incorporated
 Inc3441067
 Community Advisory Committee (C.A.C.) on
 Noise and Air Quality Management Incorporated
 Y2272432
 Lawson Golf and Sports Club Incorporated
 Inc9881715
 Ocean Beach Womens Soccer Club Inc Y1502206
 Oolyarra Youth Training Centre Incorporated
 Y2471621
 Rockley Bulls R.L.F.C. Incorporated Y2840420
 The Sunday Club Inc Y2990003
 Tyrannus Mission Church Incorporated Inc9880920
 University of Wollongong Sailing and Windsurfing
 Club Incorporated Y3022407
 Urunga Rivers Fishing Club Inc Inc9877056
 VMCI Incorporated Y2445621
 VMRO Democratic Party for Macedonian National
 Unity for New South Wales Australia Incorporated
 Y2125644
 Warraderry Landcare Group Inc Y2928301
 Water Industry Training Association (NSW)
 Incorporated Y2105309
 Wee Waa Inc Y2338915
 Wentworth Aero Club Inc. Y1861317
 Wingecarribee Leisure Committee Incorporated
 Inc9876598
 Women's Employment Action Centre Inc Y0057839
 Young and District Employment and Training Service
 Inc Y0878004
 Young and District Field Archers Incorporated
 Y1668208
 Young Community Youth Support Scheme Inc
 Y0148443
 Young Town and Country Ball Inc Y0942813

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian Montessori Teachers Association Inc
 Y1650726
 Australian Oriental Dance Association Incorporated
 Inc9882781

Australian Women's Studies Association Incorporated
Inc9882794
Australian-Chinese Educational Exchange
Association Incorporated Inc9882942
Coffs Harbour Junior Chamber Inc Y1103125
Doyalson Junior Touch Association Incorporated
Inc9880922
General Aviation Association Inc Y1662324
Griffith Volleyball Association Inc Y1591320
Macquarie Valley Vignerons Association Incorporated
Inc9875574
Mulgoa-Wallacia Tidy Towns Association Inc
Y0686016
One Peaceful World Australian Inc. Y1179814
Open Door Youth Foundation Incorporated
Y1919210
Optimistic Achievers Incorporated Y2465613
Philippine-Australian Friendship Association Inc
Y0002335
Rotary Club of Coffs Harbour Daybreak Inc
Y1531932
Samoan Elim Christian Church Inc Inc9874260
South Arm Rivercare Group Incorporated Y1972403
South East Regional Council of Adult and
Community Education Incorporated Y1729118
The Ecotourism Association of Australia Inc
Y1578209
The Michael School for Rudolf Steiner Education
Incorporated Y1229829
The Peruvian International Club of the Macarthur
Region Inc Y0004427
Tweed Electoral Lobby Inc Y1204901
Vardar Bankstown Macedonian Cultural Association
Incorporated Y1487801
Walter Bailey Animal Refuge Inc Inc9877766
Western New South Wales Amateur Soccer Federation
Incorporated Y1395318
Wolumla Open Gymkhana Inc Y1828018
'Your Place' Inc Y0560635

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

2005 Chinese Democracy Conference Australia
Incorporated Inc9882988
Anusara Yoga Australia Incorporated Inc9882864
Argnet Incorporated Inc9882719
Australian Association of Ayur-Vedic Medicine Inc
Y0750139
Australian Bicycle Patrol Association Incorporated
Inc9884179
Australian Dog Sport Club Incorporated Inc9882731
Australian Freestyle Sports Association - AFSA
Incorporated Inc9884008

Australian Muslim Lobby Inc. Inc9879051
Azzurri Nel Mondo NSW Inc Inc9882815
Blue Blazers Social Sports Club Incorporated
Y2752513
Bravo - Brunswick Residents & Villagers
Organisation Incorporated Inc9883894
Brewarrina Amateur Swimming Club Incorporated
Inc9880900
Brewarrina Polocrosse Association Inc Y0842818
Care World Incorporated Inc9877911
Carolínians in Australia Incorporated Inc9882813
Cattai Catchment Landcare Group Incorporated
Inc9879802
Coffs Harbour & District Clay Target Club
Incorporated Y1909410
Coffs Harbour Model Railway Club Incorporated
Inc9877542
Combined Forces Museum (Post World War 11
Conflict Y1211808
Cook Islands Arts & Cultural Association
Incorporated Y2681705
Courier Association of Australia Incorporated
Inc9877038
Desi Dancers Incorporated Inc9878978
Dural MTB Incorporated Inc9884326
East Maitland Rugby League Parents & Old Boys
Incorporated Inc9883933
Fairfield - Hsinchu Sister City Committee
Incorporated Y2091731
George Cross Falcons United Soccer Club
Incorporated Inc9882846
Global Islamic Youth Centre Incorporated
Inc9884058
Gosford Harness Racing Club Incorporated
Y1363924
Hadchit Youth of Sydney Incorporated Inc9884324
Hastings Community Transition Team Incorporated
Y2396407
Health-E-Simulations Incorporated Inc9882723
Heilala Ko Pouli Kae Eva Oe Sia Ko Kafoa Inc
Inc9882738
Hrvatska Stranka Prava: Croatian Party of Rights Inc
Inc359753
Indigenous Dentists Association of Australia
Incorporated Inc9882848
Korean Antioch Presbyterian Church Incorporated
Inc9882320
Korean Overseas Students Association in Australia
Incorporated Inc9878509
Korean Welder and Metal Worker Association In
Australia Incorporated Y2986822
Korean-Australian Christian Culture Association
Incorporated Inc9879175
Lake Cargelligo Community Gymnasium
Incorporated Inc9874640
Learn To Live Incorporated Y0111819
Life Stream Incorporated Y2487648
Maroota Riding Club Inc Y0127307
Metro Stadiums Global Capitals Incorporated
Inc9884251
Miss Coffs Harbour & Charity Quests, Grand Parade
& Festivals Incorporated Y2029931
Mittagong Horticultural Society Incorporated
Y2520100
North Sydney Islamic Cultural Centre Incorporated
Y2340445
Northern Rivers Tennis Incorporated Inc9883867

Northlakes Rugby Union Club Incorporated
Y2124647
NSW Quad Bike Park & Training Association
Incorporated Inc9883876
NSW Women's Rugby League Incorporated
Inc9883873
Nuba Mountains Association NSW Australia
Incorporated Inc9883918
Oakville Landcare Group Incorporated Inc9882706
Over-Fifties Outdoor Club Inc Y1153546
Port Macquarie Chess Club Incorporated Inc9884134
Pottsville Beach Chamber of Commerce Incorporated
Y0780323
Qantas Catering Soccer Club Incorporated
Inc9880913
Qantas Freight Soccer Club Inc. Inc9879049
Scenic Road Landcare Group Incorporated
Inc9876759
Snap Express Sydney Social Club Incorporated
Inc9874659
Spectacle Art Incorporated Inc9882828
St George Spanish School Incorporated Y2413345
Sydney Hellenic Millennium Convention
Incorporated Inc3434779
Tenterfield Aboriginal Mens Group Incorporated
Inc9883897
Tharpa Choeling Abbey Incorporated Inc9881478
The Australian Lebanese Cultural Movement
Incorporated Y2395312
The Teddy Bear Project Incorporated Inc9882718
Tumut Social Riders Incorporated Inc9882726
Tweed Support Services Incorporated Inc9880980
Urban Spirit Cultural Performing Arts Association Inc
Inc9882824
Wiradjuri Nation Media Association Inc Inc9882806
Working Proudly Incorporated Y2853211
Yes Project Incorporated Inc9880911

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Agape International Church Incorporated Inc9882877
Australia He Bei Tong Xiang Hui Incorporated
Inc9877222
Australian Organisation for the Relief of A.I.D.S Inc
Y0376721
Central West Aeromedical Association Incorporated
Inc3435079
Charlesworth Bay Fishing Club Inc Y0642240
Coalition Against Ocean Outfalls Incorporated
Y1457127
Coffs Harbour and District Meals On Wheels Inc
Y1104416

Coffs Harbour Futsal Incorporated Y3040846
Human Welfare Network Incorporated Inc9880111
Investment Management Remuneration Group
Incorporated Inc3442582
Korean Alliance Church of Australia Incorporated
Inc3488399
Korean Junim Church Incorporated Y2929739
Korean Minilab Association Incorporated
Inc9878691
Little Flame Spiritual Centre Incorporated
Inc3435338
Mitali Cultural Organisation Incorporated Y2573610
New South Wales Mini Cycle Association Inc
Y0004329
Sampaguita Cultural Group (Sydney) Incorporated
Y2094232
Somali T.V Program Incorporated Inc9882866
South Grafton Jockey Club Inc Y0012331
Speranta Incorporated Inc9880901
Yass Sports Club Inc Y1277423

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Assyrians for Christ Ministry Incorporated
Inc9874180
Aussiekor Centre Association Incorporated
Y2858441
Australian Drug Prevention Alliance Incorporated
Y2924803
Brighton Kyeemagh and Monterey Residents and
Friends Committee Incorporated Y2291525
Court Reporters (Private Sector) Association Inc
Y1818218
Creative Relief Incorporated Inc9875328
Griffith Country Line Dancers Incorporated
Y2235439
Gruppo Teatrale Napoletano Inc Y0239635
James Busby Support Association Incorporated
Y1794448
Light in the Forest Incorporated Y1876543
Manning District Vietnam Veterans Association
Incorporated Y2193132
Merimbula Triathlon Club Inc Y1206748
Narooma Family Mardi Gras Inc Y0232313
Oriental Family School Auburn Incorporated
Y1929010
Pacific Palms Progress Association Inc Y0897146
Panel Pro Association Incorporated Y1868247
People V Mormon Church International Association
Incorporated Y3032844
Risky Arts Program Incorporated Y1980013
Skyport Air Adventure Incorporated Y2738209

Southern All Star Litre Sprintcars Incorporated
Y2827211
Transitional Enterprises Inc Y0436928
Word and Witness Ministries Incorporated Y2559502

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian Muslim Women's Movement Inc
Y1024707
New Testament Church of God NSW (Campbelltown)
Inc Y0310812
Bathurst District Picnic Race Club Inc Y0225847
Bellingen's Azalea Affair Inc Y1071304
Crookwell Polocrosse Club Inc Y1024903
Ganmain Basketball Club Inc Y0048105
Glenquarie Family Support Service Inc. Y0459715
Gosford District Local History Study Group Inc
Y0090403
Habitat for Humanity Hunter Region Inc Y1046840
Hill End & District Citizens' Association Incorporated
Y0356827
Laglan Rugby League Football Club Inc Y1102422
Maitland Training and Employment Centre Inc
Y0256342
Quota Club of Inverell Inc. Y0476520
Shoalhaven Aboriginal Advancement Association Inc
Y1060115
St Ives Hebrew Congregation Inc Y0401808
The Northern Beaches Youth Theatre Inc Y1129148
Tumbi Pre-School Kindergarten Inc Y1124114
Union for Homeless Women and Children Inc
Y1098912
Village Community Centre Inc Y0284140

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Al Haddad, Australian-Jordanian Unity Incorporated
Y1806228

British Isles Association Inc Y1018503
Club Crewsaway Inc Y1161303
Community Employment Initiatives Incorporated
Y2180439
Eurobodalla Wormgrowers Association Incorporated
Y2881744
Illawarra Murder Victims Support Group Incorporated
Y2532433
Lions Club of Austral-Bringelly Incorporated
Y1945945
Medowie Golf Club Incorporated Y2584211
Moulamein District War Memorial Swimming Pool
and Lake Building Inc Y0193340
Online Gambling Association of Australia
Incorporated Y2865838
Quota International of Illawarra Incorporated
Y1677746
Swap Australia Incorporated Y0529624
United Cultural Arts Group Incorporated Y1760325

COLIN CROSSLAND,
General Manager,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Alma Charitable Society Inc Y0214315
Apex Club of Forbes Inc Y0181546
Apex Club of Merimbula-Pambula Inc Y0218646
Apex Club of Urana Inc Y0184145
Apex Club of Walgett Inc Y0183442
Byron Bay Children's Holiday Programme Inc
Y0183148
Casino Rugby Union Club Inc Y0193830
Coffs Harbour Community Youth Support Scheme Inc
Y0192441
CYSS Casino Inc Y0200625
Exit Right Training Inc Y0192637
Finley and District Rodeo Committee Inc Y0183001
Great Lakes Sportsman Foundation Inc Y0203910
Neighbourhood Centre Richmond Inc Y0200429
New South Wales Deer Farmers Association Inc
Y0196723
Northern Rivers Dragon Boats Inc Y0188035
Parkes Area Jobskills Inc Y0186923
Riverina Australian Football Umpires Association Inc
Y0219202
Riverina Quarter Horse Association Inc Y0225504
Ryde Community Youth Support Scheme Inc
Y0208307
Scone High School Facilities Committee Incorporated
Y0207800
Shallow Waters Radio Club Inc Y0194827
Taree Jazz Club Inc Y0212321
Treagle Hall Inc Y0218744

Universal Hellenic Society Inc Y0219447
 Wilcannia & District Amateur Pistol Club Inc
 Y0210523

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Association of Korean Visual Artists in Australia
 Y2761708
 Bundarra Rugby League Club Inc Y1659111
 Deua River Association Incorporated Y2006017
 Deua Rivercare Group Incorporated Y2502837
 Gemeinschaft Incorporated Y2088322
 Hainamese Mutual Friends Association Incorporated
 Y2667744
 Hungarian Senior Citizens Association of NSW
 Incorporated Y2263041
 Kalingalunggay Creek Landcare Group Inc
 Y1949247
 Linc Church Services Network (Lower Clarence)
 Incorporated Y2608226
 Medical Role Play Incorporated Y2745508
 Merewether Storm Rugby League Football Club
 Incorporated Y2940219
 North Beach Fishing Club Incorporated Y2107009
 R & R World Mission for Christ Incorporated
 Y2709022
 Riverina Show Cars Incorporated Y2063737
 Ryodoraku and Complementary Medicine Association
 Incorporated Y2515432
 Tarcutta Business Development Forum Incorporated
 Y2932217
 The General Studies Teachers Association
 Incorporated Y1443535
 The Universal Child Gateway Incorporated
 Inc9874904
 Wisdom Fire Inner Work School Incorporated
 Y2894339

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apex Club of Figtree Inc Y0276236
 Apex Club of Ku-ring-gai Inc Y0272738
 Blighty Netball Club Inc Y0246248
 Bundaleer Tenants Association Inc Y0256048
 Colo Adult Education Centre Incorporated Y0278720
 Common Ground Community Youth Support Scheme
 Incorporated Y0228446
 Grafton United Sports Club Inc Y0229247
 Ingleburn Community Training Centre Inc Y0258532
 Lawlink Inc Y0235500
 Narooma Veterans Touch Football Club Incorporated
 Y0232215
 Pennant Hills Junior Australian Football Club Inc
 Y0270646
 Professional Boxing Association of Australia
 International Inc Y0230319
 Progress Inc Y0239537
 Quandialla Polocrosse Club Inc Y0269035
 Quirindi Bowhunters Inc Y0228348
 Riverstone-Windsor Evening College Inc Y0243110
 Rylstone-Kandos Aero Club Inc Y0257045
 S S O Enterprise Incorporated Y0251700
 Spectron Community Services & Training Centre Inc
 Y0227743
 The Entrance CCYM Inc Y0249533
 Tocomwal Hunt Club Inc Y0245104
 Wagga Magpies Rugby League Football Club Inc
 Y0268724

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Australian ACF2 Users Group Inc Y1481035
 Australian Christian Business Association
 Incorporated Inc9878570
 Australian Police and Service Dog Association Inc
 Y0900002
 Bankstown United Soccer Club Incorporated
 Y2825609
 Central Coast Rip Incorporated Inc9878967
 Central Coast Womens Soccer Association Inc
 Y0887934
 Eugowra Amateur Swimming Club Inc Y1456816
 Leichhardt-Petersham Chamber of Commerce
 Incorporated Y1880802
 Narromine Horse and Pony Club Inc Y1339134
 National Seniors Association Chatswood/Lindfield
 Evening Branch Incorporated Y2448024
 Northern Beaches Surfriders Association Incorporated
 Y3027637
 Orana A.D.D. Family Support Group Incorporated
 Y1945014

Springbok Luncheon Club Incorporated Y1365134
 Sydney Woori Church Sunday School Incorporated
 Y2962303

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Dusodie Park Tennis Club Inc Y0644920
 Pacific Asia Travel Association Sydney, Canberra
 Chapter Inc Y1673121
 Mt Helen FM & TV Upper Hunter & Liverpool Plains
 Community Broadcasting Telecasting & Tourism
 Association Incorporated Y2136000
 St Josephs Basketball Club Incorporated Y2863501
 Cultural Club of Thessalonikeans and Friends of
 Sydney (N.S.W.) "the White Tower" Incorporated
 Y2272334
 Lightning Ridge Great Goat Races Incorporated
 Y2160300
 D.O.U.T.S. Inc Y0943908
 Surry Hills Film Festival Incorporated Inc9884080
 Milton Ulladulla Rodeo Association Incorporated
 Y2534231
 Victory Downunder Incorporated Y1792209
 1996 Sydney Golden Oldies Cricket Organising
 Committee Incorporated Y2057533
 Migrant Workers Association Inc Y0393232
 Captains Flat Recreation Grounds Association Inc
 Y0567516
 Narrabri Old Time Dance Club Inc Y0457917
 Newcastle Croatia Soccer Club Inc Y0614001
 Macedonian Business and Professional Association
 Incorporated Y1667015
 Murwillumbah Junior Chamber Inc Y1589937
 Tuross Head Community Aid Inc Y0487121
 The Cloisters Homeowners Association Inc
 Y0558419
 Wingecarribee Travel Club Incorporated Y0549224
 Middleton Park (Dubbo) Inc Y2304008
 Solgleam Tennis Club Inc Y1442244

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

NSW North Coast Fashion Designers Association Inc
 Y0577904
 Mid-Richmond Rugby League Football Club Inc
 Y1214113
 Greater Lithgow Community Arts Society Inc
 Y0756513
 Monaro Utility Dog Club Inc Y0745912
 The Anahata Society Inc Y0695701
 Redfern Chamber of Commerce Incorporated
 Y2596838
 Dubbo Sporting Car Club Inc Y0374237
 Sawtell Beautification Committee Inc Y0329438
 Rehabilitation Co-Ordinators Association of the South
 Coast and Tablelands Incorporated Y1072203
 Saint Raymond (Roumanos) Charitable Association
 Incorporated Y2227241
 Griffith Model Aero Club Inc Y0888245
 TS Nepean Unit Committee Inc Y0913920
 The Hills Action Theatre Inc Y1555324
 Kyogle Twilight Netball Association Inc Y1202319
 Oberon Daffodil Festival Incorporated Y1550829
 Dubbo and Orana Truckers Club Inc Y1505736
 Shero Inc Y0848506
 Blacktown City Community Health Advisory
 Committee Y1253247
 Federazione Delle Associazioni Campane Del NSW
 Inc Y1247337
 North Sydney District Cricket Club Inc Y0827713
 OZFI Inc Y0509044
 Gunnedah and District Childrens Assistance
 Committee Inc. Y0913234

COLIN CROSSLAND,
 General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Commerce
 18 February 2008

BANKS AND BANK HOLIDAYS ACT 1912

I, JOHN DELLA BOSCA, Minister for Industrial Relations, in pursuance of section 19(3) of the Banks and Bank Holidays Act 1912, appoint that part of Friday, 11 April 2008, which is after noon to be observed as a public half-holiday within the Orange City Council area.

Dated at Sydney, this 18th day of February 2008.

JOHN DELLA BOSCA, M.L.C.,
 Minister for Industrial Relations

CORPORATIONS ACT 2001

Notice under Section 601AA of the Corporations Act 2001 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.

A & H Radio Cabs Co-operative Ltd.

Dated this 19th day of February 2008.

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

CORPORATIONS ACT 2001

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

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

Lakes United Rugby League Football Club Inc (In Liquidation)

Dated this twentieth day of February 2008.

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

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:

Port Macquarie 10.00am 10 March 2008 (2 weeks)
In lieu of 10 March 2008
(3 weeks)

Dated this 20th day of February 2008.

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:

Port Macquarie 10.00am 30 June 2008 (4 weeks)
Special Fixture

Dated this 15th day of February 2008.

R. O. BLANCH,
Chief Judge

GAME AND FERAL ANIMAL CONTROL ACT 2002

Notification of suspension of Schedule 1 Conditions of NSW Game Hunting Licences

IN pursuance of the Game and Feral Animal Control Regulation 2004 the Game Council of NSW gives notice of the suspension of operations of provisions in Clause 4 of Schedule 1 of the Game and Feral Animal Control Regulation 2004 on the following specified land for the control of game and feral animals:

For the period 22/02/2008 – 1/09/2009

- Private land identified as Lot 197, DP 755890; Lot 3, DP 708290; Lot 63, DP 755879; Lot 63, DP 1112450; Lot 60, DP 107208; Lot 2, DP 1112719; Lot 201, DP 755890; Lot 202, DP 755890, Tumbarumba

Approved by Game Council of NSW, 22 February 2008.

BRIAN BOYLE,
Chief Executive Officer
for and on behalf of the Game Council of NSW

GEOGRAPHICAL NAMES BOARD

Erratum

IN the notice referring to the review of names in the Penrith 9030IV, 1:100,000 map area, Folio 5628 of Government Gazette published on 24 October 1969, the name "Valley Heights", with the designation of Town was mistakenly omitted from the notice. This notice corrects that omission.

The position and extent for this feature is recorded and shown in the Geographical Names Register of New South Wales.

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

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE

I, the Hon Eric Roozendaal, Minister for Commerce, pursuant to section 60 (2) (b) of the Land Acquisition (Just Terms Compensation) Act 1991, notify the amount of \$22,340 as the maximum amount of compensation in respect of solatium for land acquisitions taking effect on or after 1 March 2008.

The Hon ERIC ROOZENDAAL, M.P.,
Minister for Commerce

LOCAL GOVERNMENT ACT 1993

ORDER

I, the Hon Paul Lynch, M.P., Minister for Local Government, in pursuance of section 516 (1A) of the Local Government Act 1993, do by this Order determine that for the purpose of the definitions of "boarding house" and "lodging house" in that section the maximum tariffs, exclusive of GST, that

a boarding house or lodging house may charge tariff-paying occupants are:

- (a) Where full board and lodging is provided –
\$283 per week for single accommodation, or
\$472 per week for family or shared
accommodation.
- (b) Where less than full board and lodging is
provided –
\$189 per week for single accommodation, or
\$315 per week for family or shared
accommodation.

Dated this 30th day of January 2008.

The Hon PAUL LYNCH, M.P.,
Minister for Local Government

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a National Park

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Yengo National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 30th day of January 2008.

MARIE BASHIR,
Governor

By Her Excellency's Command,

PHIL KOPERBERG,
Minister for Climate Change, Environment and Water

GOD SAVE THE QUEEN

SCHEDULE

Land District – Singleton; LGA – Singleton

County Hunter, Parish Putty, about 41 hectares, being Lots 12, 13 and 21 in DP 753810, inclusive of Crown Public Roads within Lots 12 and 13; exclusive of Main Road No. 503 (Putty Road): DECC/02/01872.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a National Park

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Bournda National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 30th day of January 2008.

MARIE BASHIR,
Governor

By Her Excellency's Command,

PHIL KOPERBERG,
Minister for Climate Change, Environment and Water

GOD SAVE THE QUEEN

SCHEDULE

Land District – Bega; LGA – Bega Valley

County Auckland, Parish Bournda, 6.82 hectares, being Lots 1, 2 and 3 in DP 1074810: DECC/03/06335

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a National Park

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Blue Mountains National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 30th day of January 2008.

MARIE BASHIR,
Governor

By Her Excellency's Command,

PHIL KOPERBERG,
Minister for Climate Change, Environment and Water

GOD SAVE THE QUEEN

SCHEDULE

Land District – Penrith; LGA – Blue Mountains

County Cook, Parish Woodford, 11.86 hectares, being Lot 92 in DP 1084550: DECC/04/08951.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a National Park

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Blue Mountains National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 30th day of January 2008.

MARIE BASHIR,
Governor

By Her Excellency's Command,

PHIL KOPERBERG,
Minister for Climate Change, Environment and Water

GOD SAVE THE QUEEN

SCHEDULE

Land District – Picton; LGA – Wollondilly

County Westmoreland, Parish Oldbuck, about 462 hectares, being Lots 76, 79, 81, 82 and 85 in DP 757069 and that part of the bed of Bindook Creek separating Lot 82 from Lot 85; exclusive of Crown Public Roads within Lots 81 and 82: DECC/04/08214.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a Karst Conservation Reserve

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Wombeyan Karst Conservation Reserve, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 30th day of January 2008.

MARIE BASHIR,
Governor

By Her Excellency's Command,

PHIL KOPERBERG,
Minister for Climate Change, Environment and Water

GOD SAVE THE QUEEN

SCHEDULE

Land District – Goulburn; LGA – Upper Lachlan

County Westmoreland, Parish Bouverie, about 152 hectares, being Lots 103, 109, 127 and 141 in DP 757044; exclusive of strip 20m wide embracing track formation within Lot 103 extending from Crown Public Road to Lot 1 in DP 608443: DECC/04/08215.

RETENTION

HER Excellency the Governor, by deputation of Her Majesty the Queen, has been pleased to approve of the retention of the title "Honourable" by Ms Diane BEAMER following her retirement from the portfolio as Minister for Western Sydney, Minister for Fair Trading and Minister Assisting the Minister for Commerce on 2 April 2007.

RETENTION

HER Excellency the Governor, by deputation of Her Majesty the Queen, has been pleased to approve of the retention of the title "Honourable" by Mr Grant McBRIDE following his retirement from the portfolio as Minister for Gaming and Racing and Minister for the Central Coast on 2 April 2007.

SUBORDINATE LEGISLATION ACT 1989

Food Amendment (Vulnerable Persons Food Safety Scheme) Regulation 2008

NOTICE is given in accordance with section 5 of the Subordinate Legislation Act 1989 and section 103 of the Food Act 2003, of the intention to make a regulation to amend Food Regulation 2004.

The proposed Regulation will prescribe a food safety scheme under Food Act 2003, in relation to the preparation and service of food to vulnerable persons, including persons in certain hospitals and aged care facilities. The Regulation will also apply to certain delivered meals organisations.

The objects of the Regulation will be to apply the provisions of Standard 3.3.1 of the Australia New Zealand Food Standards Code of the Commonwealth relating to food service to vulnerable persons with modification for the purposes of NSW so that the Standard has effect from 1 May 2008 and will not apply to child care centres. It will also require food businesses to which the Standard applies to be licensed under Food Regulation 2004.

Copies of the proposed Regulation and Regulatory Impact Statement may be obtained from the Authority website or by contacting the NSW Food Authority Helpline as follows:

Website: www.foodauthority.nsw.gov.au

Telephone: 1300 552 406

Mail: PO Box 6682, Silverwater NSW 1811

Email: contact@foodauthority.nsw.gov.au

Comments and submissions on the draft Regulation and the Regulatory Impact Statement are invited and should be sent to one of the above contact addresses no later than the close of business on 25 March 2008.

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 or deposits of minerals within such land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of public recreation. Dated at Blacktown, 18 February 2008. RON MOORE, General Manager, Blacktown City Council, PO Box 63, Blacktown NSW 2148.

SCHEDULE

Lot 19, Section 35, Deposited Plan 1480; Lot 20, Section 35, Deposited Plan 1480. [3777]

BLACKTOWN CITY COUNCIL

Roads Act 1993, Sections 10 (1)

Notice of Dedication of Land as Public Road

NOTICE is hereby given by Blacktown City Council that in pursuance of section 10 (1), Division 1 of Part 2 of the Roads Act 1993, the land described in the Schedule below is hereby dedicated as public road. Dated at Blacktown, 12 February 2008. RON MOORE, General Manager, Blacktown City Council, PO Box 63, Blacktown NSW 2148.

SCHEDULE

Lots 92 and 93, DP 865716. [3778]

BLACKTOWN CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as a Public Road

NOTICE is hereby given that in accordance with section 10 of the Roads Act 1993, the land described in the Schedule below is dedicated to the public as road. R. MOORE, General Manager, Blacktown City Council, PO Box 63, Blacktown NSW 2148.

SCHEDULE

Lots 8 to 15 inclusive in DP 1119532.

Subject to

Easement for Electricity purposes 1 wide (Vide DP 646260 and U634049).

Easement for Electricity purposes 1.5 wide (Vide DP 646260 and U73769).

Easement for Transmission Line (Vide H467380). [3779]

BLUE MOUNTAINS CITY COUNCIL

Roads Act 1993, Sections 16 and 17

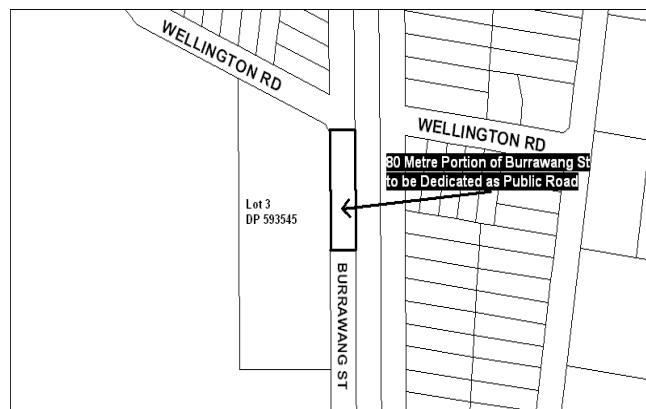
Notice of Dedication of Land as Public Road

NOTICE is hereby given by the Council of the City of Blue Mountains that in accordance with sections 16 and 17 of the Roads Act 1993 the land as described in the schedule below is hereby dedicated as public road. Dated at Katoomba, 20 February 2008. PHILLIP PINYON, General Manager, Blue Mountains City Council, Locked Bag 1005, Katoomba NSW 2780.

SCHEDULE

All of that 80 metre portion of land (South of Wellington Street) in Deposited Plan 1711 that is noted as road and named Burrawang Street, Katoomba (known in DP 1711 as Burrawang Street) and comprised in Certificate of Title, Volume 954, Folio 116.

Road to be dedicated – Portion of Burrawang Street, Katoomba NSW



[3781]

HOLROYD CITY COUNCIL

Roads (General) Regulation 2000

Naming of Roads

PURSUANT to Clause 9 of the Roads (General) Regulation 2000, notice is hereby given of the naming of the following two (2) new roads within Nelson's Ridge, Pemulwuy:

Road Names

- Newport Street
- White Lane

Dated at Merrylands, 13 February 2008. M. ISMAY, General Manager, Holroyd City Council, Memorial Avenue, Merrylands NSW 2160. [3781]

LAKE MACQUARIE CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

IN accordance with section 10 of the Roads Act 1993, Council dedicates the land held by it and described in the Schedule below as Public Road. BRIAN BELL, General Manager, Lake Macquarie City Council, Administration Building, Main Road, Speers Point NSW 2284.

SCHEDULE

Lot 471 in Deposited Plan 1118245. [3782]

LISMORE CITY COUNCIL

Roads Act 1993, Section 10 (1)

Notice of Dedication of Land as Public Road

NOTICE is hereby given by Lismore City Council that in pursuance of section 10 (1), Division 1 of Part 2 of the Roads Act 1993, the land described in the Schedule below is hereby dedicated as Public Road.

Dated at Lismore, 20 February 2008. P. G. O'SULLIVAN, General Manager, Lismore City Council, PO Box 23A, Lismore NSW 2480.

SCHEDULE

Lot 4, DP 565670. [3783]

NARRANDERA SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) 1991

Notice of Compulsory Acquisition of Land

NARRANDERA SHIRE COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of waste disposal services. Dated at Narrandera, 19 December 2007. General Manager, 141 East Street, Narrandera NSW 2700.

SCHEDULE

Lot 340, DP 821540. [3784]

NARROMINE SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Narromine Shire Council declares, with the approval of Her Excellency the Governor, that the land described in Schedule 1 below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of a cemetery. Dated at Narromine, 20 February 2008. General Manager, Narromine Shire Council, PO Box 115, Narromine NSW 2821.

SCHEDULE 1

Lot 184, DP 1112718. [3785]

TWEED SHIRE COUNCIL

Roads Act 1993

Naming Of Public Road

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has named the road reserve which runs from Eviron Road, Eviron to Clothiers Creek Road, Farrants Hill, as:

Farrants Road

Authorised by resolution of the Council on 12 February 2008, General Manager, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah NSW 2484. [3786]

GREAT LAKES COUNCIL

Local Government Act 1993, Section 713

Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that Great Lakes Council has resolved, in pursuance of section 713 of the Local Government Act 1993 to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest, and on which the amount of rates stated in each case, as at 30 June 2007 is due:

| <i>Owner or persons having interest in land</i> | <i>Description of land</i> | <i>Amount of rates overdue for more than five (5) years</i> | <i>Amount of all other rates and charges due and in arrears</i> | <i>Total</i> |
|---|---|---|---|--------------|
| (a) | (b) | (c) | (d) | (e) |
| | | \$ | \$ | \$ |
| Nabil Attalla Amal Attalla | Lot 1554, DP 12277, Allandale Crescent, North Arm Cove | 2,223.08 | 1,842.68 | 4,065.76 |
| Bastex Holdings Pty Ltd | Lot 1069, DP 9940, Inland Way, North Arm Cove | 2,739.40 | 2,045.63 | 4,785.03 |
| Michael Anthony Goodfellow Janine Robyn Brown Australian Property Project Marketing Pty Ltd Insolvency and Trustee Service Australia | Lot 790, DP 9938, Waratah Drive, North Arm Cove | 1,514.54 | 1,851.01 | 3,365.55 |
| Estate of the Late Desmond Peter Galley | Lot 1065, DP 9940, Inland Way, North Arm Cove | 498.91 | 1,416.37 | 1,915.28 |
| Armen Gregorian Westpac Banking Corporation | Lot 645, DP 9938, Dunn Street, North Arm Cove | 3,480.64 | 2,276.12 | 5,756.76 |
| Neil Griffin Carole Griffin | Lot 263, DP 9939, Eastslope Way, North Arm Cove | 1,023.01 | 1,552.17 | 2,575.18 |
| Wally Ivanovski Tom Ivanovski | Lot 1462, DP 12277, The Ridgeway, North Arm Cove | 1,781.41 | 1,754.02 | 3,535.43 |
| Ann Robyn Keft | Lot 612 DP 9938, Oversea Way, North Arm Cove | 2,767.28 | 2,148.43 | 4,915.71 |
| Christopher Damien Kuveju National Australian Bank Ltd | Lot 1732, DP 12277, Allandale Crescent, North Arm Cove | 939.74 | 1,785.60 | 2,725.34 |
| Robert Gervais Lazare, Bridgett Lazare Grosvenor Funds Management Pty Ltd | Lot 669, DP 9938, Oversea Way, North Arm Cove | 1,300.31 | 1,748.57 | 3,048.88 |
| Mark Gregory Lodge ANZ Banking Group Ltd. | Lot 1464, DP 12277, The Ridgeway, North Arm Cove | 2,911.70 | 2,029.52 | 4,941.22 |
| Petro Fedorovych Androos Loyenko | Lots 5-8, Sec 16, DP 758177, Alexandra Street, Bulahdelah | 4,155.11 | 3,993.97 | 8,149.08 |
| Maxwell Keith Martin | Lot 62, DP 222755, Kamarooka Street, Coomba Park | 1,665.94 | 4,025.08 | 5,691.02 |
| Martin Gerald Mulvay, Westpac Banking Corp, Wendy Ann Mulvay | Lot 16, DP 245169, Violet Hill Road, Boolambayte | 3,444.80 | 6,323.44 | 9,768.24 |
| Estate of the late Faith Ellen Newton | Lot 9, DP 1110535, The Bucketts Way, Wards River | 1,561.16 | 5,368.64 | 6,929.80 |
| Estate of the Late Beryl Sheedy | Lot 133, DP 9940, The Ridgeway, North Arm Cove | 319.16 | 1,375.03 | 1,694.19 |
| Vladimir Yalisheff, Peter Sissi Australian Property Project Marketing Pty Ltd | Lot 743, DP 9938, Oversea Way, North Arm Cove | 1,413.05 | 1,825.66 | 3,238.71 |
| Estate of the Late William Squires | Lots 5, 24, DP 753154, Clarks Road, Boolambayte | 2,800.40 | 4,868.16 | 7,668.56 |
| Estate of the Late Frederick Keith White | Lot 1, DP 653335, Meade Street, Bulahdelah | 3,578.91 | 2,428.29 | 6,007.20 |

In default of payment to the Council of the amount stated in Column (e) above and any other rates (including charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for sale, the land will be offered for sale by public auction conducted by Tea Gardens Real Estate of Tea Gardens, at Bulahdelah School of Arts, 76 Crawford Street, Bulahdelah on Saturday, 14 June 2008 at 10:00 am. K O'LEARY, General Manager, Great Lakes Council, PO Box 450, Forster NSW 2428. [3787]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LAWRENCE BERNARD THEODORE MOULES, formerly of Kingsgrove but late of Rockdale, in the State of New South Wales, retired, who died on 11 July 2007, must send particulars of the claim to the executors, Beverley Elaine Crawley, Lawrence Bruce Moules, Kevin Robert Moules and Geoffrey Philip Moules, care of Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 15 February 2008. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney NSW 2000, tel.: (02) 9223 6544. Reference: DLT:29707. [3788]

COMPANY NOTICES

NOTICE of final meeting.—SRJ INVESTMENT SERVICES PTY LIMITED (in voluntary liquidation), ACN 091 756 731.—Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that the final meeting of members of the abovenamed company will be held at the office of Pringle Moriarty & Co., Chartered Accountants, Suite 12C, 44 Oxford Road, Ingleburn NSW 2565, on 31 March 2008 at 11:00 a.m. for the purpose of laying before the meeting the liquidator's final account and report and giving any explanation thereof. STANLEY MORIARTY, Liquidator, Pringle Moriarty & Co., Chartered Accountants, Suite 12C, 44 Oxford Road (PO Box 818), Ingleburn NSW 2565, tel.: (02) 9605 1344. [3789]