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Regulations



New South Wales

Banana Industry Regulation 2008

under the

Banana Industry Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Banana Industry Act 1987*.

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

Explanatory note

The object of this Regulation is to remake, with some changes, the *Banana Industry Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the conduct of polls among banana growers,
- (b) the conduct of elections for regional members of the Banana Industry Committee,
- (c) the returning officer for polls and elections,
- (d) evidentiary matters,
- (e) savings and formal matters.

This Regulation is made under the *Banana Industry Act 1987*, including sections 3A (2) (a), 12 (1) and (2), 14 (d), 16A, 16G, 26 (d) (i) and 31 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*—namely, matters of a machinery nature.

Banana Industry Regulation 2008

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Banana Industry Regulation 2008

Clause 1

Preliminary

Part 1

Banana Industry Regulation 2008

under the

Banana Industry Act 1987

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Banana Industry Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

Note. This Regulation replaces the *Banana Industry Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

approved form means in a form approved by the Director-General from time to time.

Director-General means the Director-General of the Department of Primary Industries.

Executive Officer means the Executive Officer of the Committee.

returning officer for a poll or election means the person appointed by the Committee as the returning officer for the poll or election.

the Act means the *Banana Industry Act 1987*.

(2) Notes in this Regulation do not form part of this Regulation.

4 Returning officer

(1) The Committee may appoint the Electoral Commissioner for New South Wales as the returning officer for the purposes of any election, poll or class of polls.

(2) The Electoral Commissioner for New South Wales may delegate to any member of staff of the State Electoral Office any of the returning officer's functions under this Regulation, other than this power of delegation.

Clause 5 Banana Industry Regulation 2008

Part 2 Conduct of polls

Part 2 Conduct of polls

Division 1 Preliminary

5 Definitions

In this Part:

calling of the poll means the date on which a notice for a poll is first published under clause 7.

close of enrolments means the final time and date fixed by the returning officer for the close of enrolments for a poll.

close of the exhibition of the list means the final time and date fixed by the returning officer for the close of the exhibition of the list for a poll.

close of the poll means the final time and date fixed by the returning officer for the close of a poll.

final list means the list prepared for a poll under Division 3.

preliminary list means the list for a poll provided to the returning officer under clause 6.

Division 2 Calling of poll

6 Committee to notify returning officer of proposed poll

- (1) As soon as practicable after it is determined by the Committee that a poll should be held on any question, the Committee must cause notice of that fact to be given to the returning officer.
- (2) The Committee must also provide the returning officer with:
 - (a) a preliminary list of the persons who, in the opinion of the Executive Officer, are entitled to vote in the poll, and
 - (b) an appropriately addressed label, or an appropriately addressed envelope, for each person whose name is included in that list.
- (3) The preliminary list:
 - (a) must contain:
 - (i) the full names (consecutively numbered and listed in alphabetical order) and addresses of the persons whose names are included in the list, and
 - (ii) the voting entitlement of each of those persons, and
 - (iii) sufficient details to identify the plantations in respect of which those persons are entitled to vote in the poll, and
 - (b) must be certified by the Executive Officer in an approved form.

Banana Industry Regulation 2008

Clause 7

Conduct of polls

Part 2

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- (4) This clause does not apply to a poll to be held as a consequence of an earlier poll that has failed if a preliminary list for the earlier poll has already been provided to the returning officer.

7 Notice of poll

- (1) As soon as practicable after having been notified by the Committee that a poll is required to be held, the returning officer must cause notice that a poll is to be held:
- (a) to be published in at least one newspaper circulating generally throughout New South Wales or in an official publication of the Committee, or
 - (b) to be sent by post to each person whose name is included in the preliminary list for the poll.
- (2) The following particulars must be included in the notice:
- (a) the question on which the poll is being conducted,
 - (b) the time and date for the close of the exhibition of the preliminary list,
 - (c) the places where, the dates on which, and the times at which, copies of the preliminary list will be exhibited,
 - (d) the time and date for the close of enrolments,
 - (e) the qualifications which entitle a person to vote,
 - (f) the places where applications for enrolment and objections against enrolment may be lodged,
 - (g) the time and date for the close of the poll.
- (3) The close of the exhibition of the list must not be earlier than 14 days after the calling of the poll.
- (4) The close of enrolments must not be earlier than 7 days after the close of the exhibition of the list or later than 14 days before the close of the poll.
- (5) The close of the poll must not be earlier than 35 days after the calling of the poll.

8 Postponement of poll

- (1) The returning officer may, by notice published in the same way as the notice stating that a poll is to be held, postpone (for a period not exceeding 14 days) the close of the exhibition of the list, the close of enrolments or the close of the poll.
- (2) The power conferred on a returning officer by this clause may be exercised more than once in respect of a poll.

Clause 9 Banana Industry Regulation 2008

Part 2 Conduct of polls

Division 3 Preparation of final list

9 Exhibition of preliminary list

The returning officer must cause copies of the preliminary list to be exhibited for public inspection:

- (a) at the places where applications for enrolment and objections against enrolment may be lodged, and
- (b) for a period of not less than 14 days ending at the close of the exhibition of the list.

10 Applications for enrolment by persons not already enrolled

- (1) A person whose name does not appear on the preliminary list for a poll may apply for enrolment in the final list for the poll.
- (2) The application must be in an approved form and must be lodged with the returning officer before the close of enrolments.
- (3) On receipt of the application, the returning officer:
 - (a) if satisfied that the applicant is entitled to enrolment, must accept the application and enter the name, address and voting entitlement of the applicant in the final list for the poll, or
 - (b) if not so satisfied, must reject the application and inform the applicant in writing that the application has been rejected, or
 - (c) if the application is not in the proper form or is incomplete:
 - (i) must return the application to the applicant for correction or completion, and
 - (ii) must consider the duly corrected or completed application in accordance with this clause.
- (4) An application to a Local Court for an order referred to in section 12 (2) of the Act is to be in an approved form if the application relates to the inclusion of:
 - (a) the name of any person in the final list for the poll, or
 - (b) a particular voting entitlement for any person in the final list for the poll.

11 Objections to enrolment

- (1) Before the close of enrolments, the returning officer or any person who is entitled to vote in a poll may object to the inclusion in the final list of:
 - (a) the name of any person, or
 - (b) the particular voting entitlement for any person.

Banana Industry Regulation 2008

Clause 11

Conduct of polls

Part 2

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- (2) An objection:
 - (a) must be in an approved form if the objection relates to the inclusion of:
 - (i) the name of any person in the final list for the poll, or
 - (ii) a particular voting entitlement for any person in the final list for the poll, and
 - (b) must state the grounds on which the objection is made, and
 - (c) must be signed by the objector, and
 - (d) must be lodged with the returning officer (unless it is signed by the returning officer).
 - (3) The returning officer must send particulars of an objection to the person to whom the objection relates.
 - (4) The person to whom an objection relates may lodge a written reply with the returning officer within 7 days after the date on which particulars of the objection were sent to the person.
 - (5) The returning officer must consider each objection, and any reply received within that 7 day period, and may make such inquiries as the returning officer thinks fit.
 - (6) The returning officer may accept or reject an objection.
 - (7) If the returning officer accepts an objection relating to the inclusion of a person's name in the final list for the poll, the returning officer:
 - (a) must exclude the person's name from the final list, and
 - (b) must inform the person and the objector, in writing, that the person's name is so excluded.
 - (8) If the returning officer accepts an objection relating to the inclusion of a particular voting entitlement for a person in the final list for the poll, the returning officer:
 - (a) must amend the final list so as to ensure that it reflects the person's true voting entitlement, and
 - (b) must inform the person and the objector, in writing, that the person's voting entitlement is so amended.
 - (9) If the returning officer rejects an objection, the returning officer must inform the person to whom the objection relates and the objector, in writing, that the returning officer has rejected the objection.
 - (10) The returning officer may require a person who lodges an objection, or who replies to an objection, to verify the objection or reply by statutory declaration.

Clause 12 Banana Industry Regulation 2008

Part 2 Conduct of polls

12 Postponement of poll not to affect final list

The validity of the final list for a poll is not affected by the postponement of the close of the poll by a notice published after the close of the exhibition of the list, and the list remains the final list for the poll.

Division 4 The ballot

13 Printing of ballot-papers

- (1) As soon as practicable after the close of enrolments in a poll, the returning officer must cause sufficient ballot-papers to be printed to enable ballot-papers to be sent to each person whose name is included in the final list for the poll.
- (2) A ballot-paper for a poll must contain:
 - (a) the question to be voted on in the poll with the words “YES” and “NO”, together with appropriate spaces for the voter to indicate the voter’s intention with respect to the question, and
 - (b) such 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.

14 Distribution of ballot-papers

As soon as practicable after the printing of the ballot-papers for a poll, the returning officer must send to each person included in the final list for the poll:

- (a) for each vote to which the person is entitled, a ballot-paper that is initialled by the returning officer (or by a person authorised by the returning officer) or that bears a mark prescribed for the purposes of section 122A (3) of the *Parliamentary Electorates and Elections Act 1912* together with a blank unsealed envelope (the *inner envelope*), and
- (b) a large unsealed envelope addressed to the returning officer and bearing on the back the words “FULL NAME AND ADDRESS OF VOTER” and “SIGNATURE OF VOTER”, together with appropriate spaces for the insertion of a name, address and signature (the *outer envelope*).

15 Duplicate ballot-papers

- (1) At any time before the close of the poll, the returning officer may issue to a voter duplicate ballot-papers and duplicate envelopes if the voter satisfies the returning officer by statutory declaration:

Banana Industry Regulation 2008

Clause 16

Conduct of polls

Part 2

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- (a) that the original ballot-paper or ballot-papers has or have been spoiled, lost or destroyed, and
 - (b) that the voter has not already voted in the poll concerned.
- (2) The returning officer is to maintain a record of all duplicate ballot-papers issued under this clause.

16 Recording of votes

- (1) In order to vote in a poll, a person:
- (a) for each vote to which the person is entitled:
 - (i) must record a vote on a ballot-paper in accordance with the directions shown on it, and
 - (ii) must place the completed ballot-paper in an inner envelope, and
 - (iii) must seal the inner envelope, and
 - (b) must place each inner envelope in the outer envelope, and
 - (c) must seal the outer envelope, and
 - (d) must complete the person's full name and address on, and must sign, the back of the outer envelope, and
 - (e) must return the outer envelope to the returning officer so as to be received before the close of the poll.
- (2) An inner envelope must not contain more than one ballot-paper.

Division 5 The scrutiny

17 Ascertaining result of poll

The result of a poll is to be ascertained by the returning officer as soon as practicable after the close of the poll.

18 Scrutiny of outer envelopes

- (1) The returning officer must reject (without opening it) any outer envelope purporting to contain a ballot-paper if the outer envelope is not received before the close of the poll or is received unsealed.
- (2) The returning officer must examine the name on the back of each remaining outer envelope and, without opening the outer envelope:
- (a) must provisionally accept any ballot-paper in the outer envelope and draw a line through the name on the final list for the poll that corresponds to the name on the back of the outer envelope, if satisfied that a person of that name is included in the list, or

Clause 19 Banana Industry Regulation 2008

Part 2 Conduct of polls

- (b) must reject any ballot-paper in the outer envelope, if not so satisfied or if a name, address or signature does not appear on the back of the outer envelope.
- (3) The returning officer may reject a ballot-paper without opening the outer envelope if, after making such inquiries as the returning officer thinks fit:
 - (a) the returning officer is unable to identify the signature on the back of the outer envelope, or
 - (b) it appears to the returning officer that the signature on the back of the outer envelope is not the signature of the person whose name and address appear on the back of the outer envelope.

19 Scrutiny of inner envelopes

- (1) The scrutiny of inner envelopes in a poll is to be conducted as follows:
 - (a) the returning officer is to open the outer envelopes containing the ballot-papers that have not been rejected,
 - (b) the returning officer is then to extract any inner envelope contained in any such outer envelope,
 - (c) the returning officer is then to note on the final list for the poll, against the name of the person appearing on the back of the outer envelope, the number of inner envelopes contained in the outer envelope,
 - (d) the returning officer is then to place each such inner envelope in a locked ballot-box.
- (2) However, if there are more inner envelopes in the outer envelope than the number of votes to which the person is entitled, the returning officer must reject all of the inner envelopes contained in the outer envelope.

20 Scrutiny of votes

- (1) The scrutiny of votes in a poll is to be conducted as follows:
 - (a) the returning officer is to unlock the ballot-box, remove the inner envelopes and then remove the ballot-papers from the inner envelopes,
 - (b) the returning officer is then to reject all ballot-papers in an inner envelope if the inner envelope contains more than one ballot-paper,
 - (c) the returning officer is then to examine each remaining ballot-paper and reject those that are informal,
 - (d) the returning officer is then to proceed to count the votes and ascertain the result of the poll.

Banana Industry Regulation 2008

Clause 21

Conduct of polls

Part 2

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- (2) At the scrutiny of votes in a poll, a ballot-paper must be rejected as informal:
- (a) if it is neither initialled by the returning officer (or by a person authorised by the returning officer to do so) nor bears a mark prescribed as an official mark for the purposes of section 122A (3) of the *Parliamentary Electorates and Elections Act 1912*, or
 - (b) if it has on it any mark or writing which the returning officer considers could enable any person to identify the voter who completed it, or
 - (c) if it has not been completed in accordance with the directions on it.
- (3) However, a ballot-paper is not to be rejected as informal merely because of any mark or writing on it which is not authorised or required by this Regulation (unless it is a mark or writing referred to in subclause (2) (b)) if the returning officer considers that the voter's intention is clearly indicated on the ballot-paper.
- (4) The result of the poll is to be ascertained by determining the following:
- (a) the number of votes accepted in the poll,
 - (b) the number of votes in favour of the question on which the poll is being taken,
 - (c) the number of votes against that question,
 - (d) the number of votes rejected as informal.

21 Notification of result of poll

As soon as practicable after the result of a poll has been ascertained, the returning officer is to notify the Minister and the Executive Officer in writing of the result of the poll.

Clause 22 Banana Industry Regulation 2008

Part 3 Conduct of elections

Part 3 Conduct of elections

Division 1 Preliminary

22 Definitions

In this Part:

calling of the ballot means the date on which a notice for an election is first published under clause 23.

close of enrolments means the final time and date fixed by the returning officer for the close of enrolments for an election.

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

close of the ballot means the final time and date fixed by the returning officer for the close of the ballot for an election.

close of the exhibition of the list means the final time and date fixed by the returning officer for the close of the exhibition of the list for an election.

final list means the list prepared for an election under Division 5.

preliminary list means the list for an election provided to the returning officer under clause 30.

Division 2 Calling of elections

23 Notice of election

- (1) As soon as practicable after having been notified in writing by or on behalf of the Minister that an election is required to be held for a region, the returning officer:
 - (a) must cause to be published, in at least one newspaper circulating generally throughout the region or in an official publication of the Committee, a notice calling for the nomination of candidates for the election, and
 - (b) must notify the Executive Officer in writing that an election is to be held for the region and of the time and date for the close of nominations, as stated in the notice published under paragraph (a).
- (2) The notice:
 - (a) must state that an election is to be held for the region concerned, and
 - (b) must call for the nomination of candidates, and
 - (c) must fix the time and date for the close of nominations, and

Banana Industry Regulation 2008

Clause 24

Conduct of elections

Part 3

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- (d) must state the places where nomination forms may be obtained and where nominations may be lodged, and
 - (e) must state the qualifications that entitle a person to nominate, or be nominated as, a candidate.
- (3) The close of nominations is not to be earlier than 21 days after the date on which the notice is first published.

24 Postponement of close of nominations

- (1) The returning officer may, by a notice in a form similar to, and published in the same manner as, the notice calling for the nomination of candidates, postpone (for a period not exceeding 14 days) the close of nominations for an election.
- (2) The power conferred by this clause on a returning officer may be exercised more than once in respect of an election.

Division 3 Nominations

25 Qualifications for candidates and for nominating candidates

- (1) A person is qualified to nominate, or to be nominated as, a candidate for an election if, and only if:
 - (a) the person has paid all charges, fees and other amounts due and payable to the Committee under the Act in respect of the financial year last preceding the election, and
 - (b) the person is entitled to vote in the election or the person would be so entitled but for the operation of section 16B (2) or 16E (1) (a) of the Act.
- (2) However, a person is not qualified to be nominated as a candidate for election for a region if the person is already a regional member, or candidate for election, for some other region.

26 Nomination of candidates

- (1) A nomination of a candidate:
 - (a) must be in an approved form, and
 - (b) must be made by at least 2 persons (other than the candidate) who are qualified to nominate a candidate, and
 - (c) must contain a statement, signed by the candidate, stating that the candidate:
 - (i) is entitled to vote in the election or would be so entitled but for the operation of section 16B (2) or 16E (1) (a) of the Act, and

Clause 27 Banana Industry Regulation 2008

Part 3 Conduct of elections

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- (ii) consents to the nomination and will act as a member of the Committee if elected, and
 - (iii) has not consented to being nominated as a candidate for any other region, and
 - (d) must be lodged with the returning officer before the close of nominations.
- (2) If the returning officer considers that an insufficient number of the persons by whom a candidate has been nominated are qualified to nominate the candidate, the returning officer must, as soon as practicable after receiving the nomination, cause notice of that fact to be given to the candidate.
 - (3) The returning officer may, in order to decide whether a person who nominates a candidate in an election is qualified to do so, require the Executive Officer to provide the returning officer with such information regarding the person as the returning officer specifies.
 - (4) The Executive Officer is to comply with such a requirement as soon as practicable.

27 Withdrawal of nomination

A candidate who has been nominated in an election may withdraw the nomination at any time before the close of nominations by notice in writing given to the returning officer.

28 Uncontested elections

If, by the close of nominations, only one person has been duly nominated as a candidate for the region concerned, that person is taken to have been elected.

29 Contested elections

If, by the close of nominations, 2 or more persons have been duly nominated as candidates for the region concerned, a ballot must be held.

Division 4 Preparation of preliminary list and calling of ballot

30 Preparation of preliminary list

- (1) As soon as practicable after it becomes apparent that a ballot must be held for an election, the returning officer must notify the Executive Officer:
 - (a) that a ballot is to be held for the election, and
 - (b) that a preliminary list for the election is required.

Banana Industry Regulation 2008

Clause 31

Conduct of elections

Part 3

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- (2) The Executive Officer must provide the returning officer with:
- (a) a preliminary list of the persons who, in the opinion of the Executive Officer, are entitled to vote in the election, and
 - (b) an appropriately addressed label, or an appropriately addressed envelope, for each person whose name is included in that list.
- (3) A preliminary list:
- (a) must contain:
 - (i) the full names (consecutively numbered and listed in alphabetical order) and addresses of the persons whose names are included in the list, and
 - (ii) the voting entitlement of each of those persons, and
 - (iii) sufficient details to identify the plantations in respect of which those persons are entitled to vote in the election, and
 - (b) must be certified by the Executive Officer in an approved form.
- (4) This clause does not apply to an election to be held as a consequence of an earlier election that has failed if a preliminary list for the earlier election has already been provided to the returning officer.

31 Notice of ballot

- (1) As soon as practicable after receiving the preliminary list for an election, the returning officer must cause notice that a ballot is to be held:
- (a) to be published in at least one newspaper circulating generally throughout the region concerned or in an official publication of the Committee, or
 - (b) to be sent by post to each person whose name is included in the preliminary list for the election.
- (2) The notice must state:
- (a) that a ballot is to be held, and
 - (b) the time and date fixed for the close of the exhibition of the preliminary list, and
 - (c) the places where, the dates on which, and times at which, copies of the preliminary list will be exhibited, and
 - (d) the time and date fixed for the close of enrolments, and
 - (e) the qualifications that entitle a person to vote, and
 - (f) the places where applications for enrolment and objections against enrolment may be lodged, and
 - (g) the time and date fixed for the close of the ballot.

Clause 32 Banana Industry Regulation 2008

Part 3 Conduct of elections

- (3) The notice must also state:
- (a) that it is compulsory for a banana grower to be enrolled, or to apply for enrolment, in the final list for the election unless the banana grower is prevented from enrolling in that final list because of the operation of section 16B (2) or 16E (1) (a) of the Act, and
 - (b) that it is compulsory for a banana grower who is enrolled in the final list for the election to vote in the election.
- (4) The close of the exhibition of the list must not be earlier than 14 days after the calling of the ballot.
- (5) The close of enrolments must not be earlier than 7 days after the close of the exhibition of the list or later than 14 days before the close of the ballot.
- (6) The close of the ballot must not be earlier than 35 days after the calling of the ballot.

32 Postponement of ballot

- (1) The returning officer may, by notice published in the same way as the notice stating that a ballot is to be held, postpone (for a period not exceeding 14 days) the close of the exhibition of the list, the close of enrolments or the close of the ballot.
- (2) The power conferred on a returning officer by this clause may be exercised more than once in respect of an election.

Division 5 Preparation of final list

33 Exhibition of preliminary list

The returning officer must cause copies of the preliminary list to be exhibited for public inspection:

- (a) at the places where applications for enrolment and objections against enrolment may be lodged, and
- (b) for a period of at least 14 days ending at the close of the exhibition of the list.

34 Enrolment compulsory

It is compulsory for every banana grower to be enrolled, or to apply for enrolment, in the final list for the election unless the banana grower is prevented from enrolling in the final list because of the operation of section 16B (2) or 16E (1) (a) of the Act.

Maximum penalty: 0.1 penalty units.

Banana Industry Regulation 2008

Clause 35

Conduct of elections

Part 3

35 Applications for enrolment by persons not already enrolled

- (1) A person whose name does not appear on the preliminary list for an election may apply for enrolment in the final list for the election.
- (2) The application must be in an approved form and must be lodged with the returning officer before the close of enrolments.
- (3) On receipt of the application, the returning officer:
 - (a) if satisfied that the applicant is entitled to enrolment, must accept the application and enter the name, address and voting entitlement of the applicant in the final list for the election, or
 - (b) if not so satisfied, must reject the application and inform the applicant in writing that the application has been rejected, or
 - (c) if the application is not in the proper form or is incomplete:
 - (i) must return the application for correction or completion, and
 - (ii) must consider the duly corrected or completed application in accordance with this clause.
- (4) An application to a Local Court for an order referred to in section 16G (3) of the Act is to be in an approved form if the application relates to the inclusion of:
 - (a) the name of any person in the final list for the election, or
 - (b) a particular voting entitlement for any person in the final list for the election.

36 Objections to enrolment

- (1) Before the close of enrolments, the returning officer or any person who is entitled to vote in an election may object to the inclusion in the final list of:
 - (a) the name of any person, or
 - (b) the particular voting entitlement for any person.
- (2) An objection:
 - (a) must be in an approved form if the objection relates to the inclusion of:
 - (i) the name of any person in the final list for the election, or
 - (ii) a particular voting entitlement for any person in the final list for the election, and
 - (b) must state the grounds on which the objection is made, and

Clause 37 Banana Industry Regulation 2008

Part 3 Conduct of elections

- (c) must be signed by the objector, and
 - (d) must be lodged with the returning officer (unless it is signed by the returning officer).
- (3) The returning officer must send particulars of an objection to the person to whom the objection relates.
 - (4) The person to whom an objection relates may lodge a written reply with the returning officer within 14 days after the date on which particulars of the objection were sent to the person.
 - (5) The returning officer must consider each objection, and any reply received within that 14 day period, and may make such inquiries as the returning officer thinks fit.
 - (6) The returning officer may accept or reject an objection.
 - (7) If the returning officer accepts an objection relating to the inclusion of a person's name in the final list for the election, the returning officer:
 - (a) must exclude the person's name from the final list, and
 - (b) must inform the person and the objector, in writing, that the person's name is so excluded.
 - (8) If the returning officer accepts an objection relating to the inclusion of a particular voting entitlement for a person in the final list for the election, the returning officer:
 - (a) must amend the final list so as to ensure that it reflects the person's true voting entitlement, and
 - (b) must inform the person and the objector, in writing, that the person's voting entitlement is so amended.
 - (9) If the returning officer rejects an objection, the returning officer must notify the person to whom the objection relates and the objector, in writing, that the returning officer has rejected the objection.
 - (10) The returning officer may require a person who lodges an objection, or who replies to an objection, to verify the objection or reply by statutory declaration.

37 Postponement of ballot not to affect final list

The validity of the final list for an election is not affected by the postponement of the close of the ballot by a notice published after the close of the exhibition of the list, and the list remains the final list for the election.

Banana Industry Regulation 2008

Clause 38

Conduct of elections

Part 3

Division 6 The ballot

38 Voting compulsory

It is compulsory for every banana grower who is enrolled in the final list for an election to vote in the election.

Maximum penalty: 0.1 penalty units.

39 Printing of ballot-papers

- (1) As soon as practicable after the close of enrolments in an election, the returning officer:
 - (a) must determine the order in which the candidates' names are to be listed on the ballot-paper by means of a ballot held in accordance with the procedure prescribed for the purposes of section 82A of the *Parliamentary Electorates and Elections Act 1912*, and
 - (b) must cause sufficient ballot-papers to be printed to enable ballot-papers to be sent to each person whose name is included in the final list for the election.
- (2) A ballot-paper for an election must contain:
 - (a) the names of the candidates, arranged in the order determined in accordance with subclause (1) (a), with a small square set 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 a direction that:
 - (a) the voter must record a vote for at least one candidate by placing the number "1" in the square opposite the name of the candidate for whom the voter desires to give his or her first preference vote, and
 - (b) the voter may, but is not required to, vote for additional candidates by placing consecutive numbers (beginning with the number "2") in the squares opposite the names of those additional candidates in the order of the voter's preferences for them.

Clause 40 Banana Industry Regulation 2008

Part 3 Conduct of elections

40 Distribution of ballot-papers

As soon as practicable after the printing of the ballot-papers for an election, the returning officer must send to each person included in the final list for the election:

- (a) for each vote to which the person is entitled, a ballot-paper that is initialled by the returning officer (or by a person authorised by the returning officer) or that bears a mark prescribed for the purposes of section 122A (3) of the *Parliamentary Electorates and Elections Act 1912* together with a blank unsealed envelope (the *inner envelope*), and
- (b) a large unsealed envelope addressed to the returning officer and bearing on the back the words “FULL NAME AND ADDRESS OF VOTER” and “SIGNATURE OF VOTER”, together with appropriate spaces for the insertion of a name, address and signature (the *outer envelope*).

41 Duplicate ballot-papers

- (1) At any time before the close of the ballot, the returning officer may issue to a voter duplicate ballot-papers and duplicate envelopes if the voter satisfies the returning officer by statutory declaration:
 - (a) that the original ballot-paper or ballot-papers has or have been spoilt, lost or destroyed, and
 - (b) that the voter has not already voted in the election concerned.
- (2) The returning officer is to maintain a record of all duplicate ballot-papers issued under this clause.

42 Recording of votes

- (1) In order to vote in an election, a person:
 - (a) for each vote to which the person is entitled:
 - (i) must record a vote on a ballot-paper in accordance with the directions shown on it, and
 - (ii) must place the completed ballot-paper in an inner envelope, and
 - (iii) must seal the inner envelope, and
 - (b) must place each inner envelope in the outer envelope, and
 - (c) must seal the outer envelope, and
 - (d) must complete the person’s full name and address on, and must sign, the back of the outer envelope, and
 - (e) must return the outer envelope to the returning officer so as to be received before the close of the ballot.

Banana Industry Regulation 2008

Clause 43

Conduct of elections

Part 3

-
- (2) An inner envelope must not contain more than one ballot-paper.

Division 7 The scrutiny

43 Ascertaining result of ballot

The result of a ballot is to be ascertained by the returning officer as soon as practicable after the close of the ballot.

44 Scrutineers

- (1) Each candidate is entitled to appoint, by notice in writing, a scrutineer to represent the candidate at all stages of the scrutiny.
- (2) A candidate who appoints a scrutineer must cause written notice of the appointment to be given to the returning officer.

45 Scrutiny of outer envelopes

- (1) The returning officer must reject (without opening it) any outer envelope purporting to contain a ballot-paper if the outer envelope is not received before the close of the ballot or is received unsealed.
- (2) The returning officer must examine the name on the back of each remaining outer envelope and, without opening the outer envelope:
 - (a) must provisionally accept any ballot-paper in the outer envelope and draw a line through the name on the final list for the election that corresponds to the name on the back of the outer envelope, if satisfied that a person of that name is included in that final list, or
 - (b) must reject any ballot-paper in the outer envelope, if not so satisfied or if a name, address or signature does not appear on the back of the outer envelope.
- (3) The returning officer may reject a ballot-paper without opening the outer envelope if, after making such inquiries as the returning officer thinks fit:
 - (a) the returning officer is unable to identify the signature on the back of the outer envelope, or
 - (b) it appears to the returning officer that the signature on the back of the outer envelope is not the signature of the person whose name and address appear on the back of the outer envelope.

46 Scrutiny of inner envelopes

- (1) The scrutiny of inner envelopes in a ballot is to be conducted as follows:
 - (a) the returning officer is to open the outer envelopes containing the ballot-papers that have not been rejected,

Clause 47 Banana Industry Regulation 2008

Part 3 Conduct of elections

- (b) the returning officer is then to extract any inner envelope contained in any such outer envelope,
 - (c) the returning officer is then to note on the final list for the election, against the name of the person appearing on the back of the outer envelope, the number of inner envelopes contained in the outer envelope,
 - (d) the returning officer is then to place each such inner envelope in a locked ballot-box.
- (2) However, if there are more inner envelopes in the outer envelope than the number of votes to which the person is entitled, the returning officer must reject all of the inner envelopes contained in the outer envelope.

47 Scrutiny of votes

- (1) The scrutiny of votes in a ballot is to be conducted as follows:
- (a) the returning officer is to unlock the ballot-box, remove the inner envelopes and then remove the ballot-papers from the inner envelopes,
 - (b) the returning officer is then to reject all ballot-papers in an inner envelope if the inner envelope contains more than one ballot-paper,
 - (c) the returning officer is then to examine each remaining ballot-paper and reject those that are informal,
 - (d) the returning officer is then to proceed to count the votes and ascertain the result of the election.
- (2) At the scrutiny of votes in a ballot, a ballot-paper must be rejected as informal:
- (a) if it is neither initialled by the returning officer (or by a person authorised by the returning officer to do so) nor bears a mark prescribed as an official mark for the purposes of section 122A (3) of the *Parliamentary Electorates and Elections Act 1912*, or
 - (b) if it has on it any mark or writing that the returning officer considers could enable any person to identify the voter who completed it, or
 - (c) if it has not been completed in accordance with the directions on it.

Banana Industry Regulation 2008

Clause 48

Conduct of elections

Part 3

-
- (3) However, a ballot-paper is not to be rejected as informal:
- (a) merely because of any mark or writing on it that is not authorised or required by this Regulation (unless it is a mark or writing referred to in subclause (2) (b)) if the returning officer considers that the voter's intention is clearly indicated on the ballot-paper, or
 - (b) if the voter has recorded a vote by placing in a square the number "1":
 - (i) merely because the same preference (other than a first preference) has been recorded on the ballot-paper for more than one candidate, or
 - (ii) merely because there is a break in the order of preferences recorded on the ballot-paper.

48 Counting of votes

- (1) The method of counting the votes to ascertain the result of an election is as provided in Part 2 of the Seventh Schedule to the *Constitution Act 1902*.
- (2) For the purpose of applying the provisions of that Part to an election, a reference in those provisions to the returning officer is to be read as a reference to the returning officer under this Regulation.

49 Notification of result of election

As soon as practicable after a candidate in an election has been elected, the returning officer is to notify the Minister and the Executive Officer in writing of the name of the candidate elected.

50 Election proceedings have no effect in certain circumstances

- (1) If, after the close of nominations and before the close of the ballot, a candidate becomes disqualified:
 - (a) the returning officer is to cause notice of the disqualification to be published in a newspaper circulating generally throughout the region concerned or in an official publication of the Committee, and
 - (b) all proceedings taken after the Minister notified the returning officer that the election was required to be held are of no effect and those proceedings must be taken again.

Clause 50 Banana Industry Regulation 2008

Part 3 Conduct of elections

- (2) For the purposes of this clause, a candidate becomes disqualified if the candidate:
- (a) dies, or
 - (b) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
 - (c) becomes a mentally incapacitated person, or
 - (d) is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable.

Banana Industry Regulation 2008

Clause 51

General

Part 4

Part 4 General

51 Decisions of returning officer final

If the returning officer is permitted or required by the Act or this Regulation to make a decision on any matter relating to the conduct of a ballot in a poll or election, the returning officer's decision on the matter is final.

52 Offences

A person must not:

- (a) apply for enrolment in the final list for any poll or election if the person is already included in the list, or
- (b) cast more votes, or attempt to cast more votes, than the person is entitled to cast in any poll or election, or
- (c) vote, or attempt to vote, in any poll or election in which the person is not entitled to vote.

Maximum penalty: 5 penalty units.

53 Costs and expenses of polls and elections

The Committee must ensure that provision is made in the following manner for payment of the costs and expenses of the returning officer in conducting a poll or an election:

- (a) before the poll or election is conducted, the Committee must pay to the returning officer an amount equal to the returning officer's estimate of the costs and expenses of the poll or election likely to be incurred by the returning officer in conducting the poll or election,
- (b) the Committee must give an undertaking to the returning officer to pay to the returning officer, after the poll or election is conducted, any amount by which the actual costs and expenses incurred by the returning officer in conducting the poll or election exceed the amount of the estimate.

54 Evidence of authority of employee or agent of Committee

For the purposes of section 6 (d) of the Act, the written evidence as to the authority of an employee or agent of the Committee is to be in the form of a certificate:

- (a) that states that it is issued under the *Banana Industry Act 1987*, and
- (b) that gives the name of the person to whom it is issued, and

Clause 55 Banana Industry Regulation 2008

Part 4 General

- (c) that describes the nature of the powers conferred on the person, and
- (d) that states its date of expiry, and
- (e) that describes the kind of premises that the person is authorised to enter, and
- (f) that bears the seal of the Committee.

55 Evidentiary certificates

For the purposes of section 26 (d) (i) of the Act, the Executive Officer is the prescribed officer.

56 Saving

Any act, matter or thing that, immediately before the repeal of the *Banana Industry Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.



New South Wales

Exotic Diseases of Animals Regulation 2008

under the

Exotic Diseases of Animals Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Exotic Diseases of Animals Act 1991*.

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

Explanatory note

The object of this Regulation is to remake, with minor changes, the provisions of the *Exotic Diseases of Animals Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the purposes for which a person must be acting in order to have the benefit of an authority from the Chief Veterinary Officer to possess an exotic disease agent,
- (b) the particulars that must be specified in a claim for compensation under section 61 of the *Exotic Diseases of Animals Act 1991* (*the Act*) and the method of lodgement of such claims,
- (c) the persons to whom the Minister may delegate the Minister's powers under the Act,
- (d) savings and formal matters.

This Regulation is made under the *Exotic Diseases of Animals Act 1991*, including sections 9 (2), 61, 67 and 78 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*—namely, matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

Exotic Diseases of Animals Regulation 2008

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Exotic Diseases of Animals Regulation 2008

Clause 1

Exotic Diseases of Animals Regulation 2008

under the

Exotic Diseases of Animals Act 1991

1 Name of Regulation

This Regulation is the *Exotic Diseases of Animals Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

Note. This Regulation replaces the *Exotic Diseases of Animals Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

- (1) In this Regulation:
the Act means the *Exotic Diseases of Animals Act 1991*.
- (2) Notes in this Regulation do not form part of this Regulation.

4 Possession of exotic disease agent

A person who has the authority of the Chief Veterinary Officer to be in possession of an exotic disease agent is exempt from section 9 of the Act if and only if the person has possession of the agent for the purpose of undertaking or assisting in:

- (a) the diagnosis of disease in humans or animals, or
- (b) the manufacture of vaccines, or
- (c) veterinary, medical or scientific research, or
- (d) activities of a kind specified in the authority.

5 Claims for compensation

- (1) For the purposes of section 61 (a) of the Act, a claim for compensation must contain (but need not be limited to) the particulars specified in Schedule 1.
- (2) The claim must be signed by the following people:
 - (a) the person making the claim,

Clause 6 Exotic Diseases of Animals Regulation 2008

- (b) an adult witness to the signature of the person making the claim,
 - (c) the inspector approved by the Chief Veterinary Officer to agree with the owner on the market value of the animal or property or the person jointly nominated by the Minister and the owner to determine the market value of the animal or property.
- (3) For the purposes of section 61 (b) of the Act, the manner of making the claim is by causing it to be delivered to an office of the Department of Primary Industries.

6 Delegation

For the purposes of section 67 of the Act, the persons holding the following positions in the Department of Primary Industries are prescribed:

- (a) Executive Director, Fisheries, Compliance and Regional Relations,
- (b) Director, Animal and Plant Biosecurity,
- (c) Director, Emergencies, Weeds and Pest Animals,
- (d) Director, Compliance Operations, Agriculture and Fisheries,
- (e) Deputy Director-General, Agriculture, Biosecurity and Mine Safety,
- (f) Director, Extensive Industries Development,
- (g) Director, Intensive Industries Development and Primex,
- (h) Director, Wild Harvest Fisheries,
- (i) Director, Fisheries Conservation and Aquaculture,
- (j) Director, Compliance Standards and RLPB Alliance.

7 Saving

Any act, matter or thing that, immediately before the repeal of the *Exotic Diseases of Animals Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.

Exotic Diseases of Animals Regulation 2008

Claims for compensation

Schedule 1

Schedule 1 Claims for compensation

(Clause 5 (1))

Date of claim

Details of ownership

- (a) Name of each owner
- (b) Residential and postal address of each owner

Nature of each owner's interest in the animals or property

Details of animals in respect of which the claim is made

- (a) Itemised description of the animals destroyed pursuant to the Act or certified by an inspector as having died of an exotic disease
- (b) Place where the animals were ordinarily kept before their destruction or death
- (c) Date of destruction or death of the animals
- (d) Date of notification given to the Director-General or an inspector that the animal had been affected by, or had died of, an exotic disease (*in the case of an animal that has died of an exotic disease*)

Details of property in respect of which the claim is made

- (a) Itemised description of the property destroyed
- (b) Date of destruction of the property

Note. Property means premises, animal products, fodder, fittings and vehicles.

Value of animals or property

- (a) Itemised market value of the animals or property in respect of which the claim is made, being a value determined:
 - (i) by agreement between the owner and an inspector, or
 - (ii) by a valuer nominated by the Minister and the owner
- (b) Total amount of compensation claimed

Details of inspector who certified the death of an animal

- (a) Name of the inspector, authorised by the Chief Veterinary Officer, who certified under section 55 (1) (b) of the Act that the animal died of an exotic disease (*in the case of an animal that has died of an exotic disease*)
- (b) Date of the certification

Details of valuation

- (a) Name of the inspector with whom the owner agreed, under section 59 (1) of the Act, on the value of the animal or property, or
- (b) Name of the valuer nominated, under section 59 (2) of the Act, to determine the market value

Exotic Diseases of Animals Regulation 2008

Schedule 1 Claims for compensation

Declaration by each owner

Declaration by each owner:

- (a) that the particulars and descriptions in the claim are correct, and
- (b) that the value is correct (*if the value was reached by agreement with the owner*)

Additional details and declaration (required if the claim is made by a person other than the owner or by a person who is not the sole owner)

- (a) Name, residential and postal address of the person making the claim
- (b) Description of the claimant's interest in the claim and how that interest was obtained
- (c) Declaration by the claimant:
 - (i) that the claimant has the authority of each owner to make the claim, and
 - (ii) that all the particulars and descriptions in the claim are correct.



New South Wales

Noxious Weeds Regulation 2008

under the

Noxious Weeds Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Noxious Weeds Act 1993*.

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

Explanatory note

The object of this Regulation is to remake, with minor changes, the *Noxious Weeds Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the manner in which certain agricultural machines that are brought into New South Wales from Queensland must be cleaned,
- (b) the kind of traffic sign directing drivers of approaching vehicles to stop that inspectors may display on or near the boundary of a quarantine area,
- (c) the offences under the *Noxious Weeds Act 1993* in respect of which a penalty notice (on the spot fine) may be issued and the amounts of penalty for those offences when dealt with in that way,
- (d) savings and formal matters.

This Regulation is made under the *Noxious Weeds Act 1993*, including sections 31, 34B (1), 63 and 73 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*—namely, matters of a machinery nature.

Noxious Weeds Regulation 2008

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Noxious Weeds Regulation 2008

Clause 1

Noxious Weeds Regulation 2008

under the

Noxious Weeds Act 1993

1 Name of Regulation

This Regulation is the *Noxious Weeds Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

Note. This Regulation replaces the *Noxious Weeds Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

the Act means the *Noxious Weeds Act 1993*.

(2) Notes in this Regulation do not form part of this Regulation.

4 Cleaning of agricultural machines

For the purposes of section 31 of the Act, an agricultural machine to which that section applies is cleaned as required by the regulations if it is cleaned in accordance with Schedule 1.

5 Prescribed type of traffic sign

(1) For the purposes of section 34B (1) of the Act, the prescribed kind of traffic sign is a stop sign in or to the effect of the sign illustrated in Schedule 2.

(2) The sign must, if not illuminated, be fitted with reflectors or other retro-reflecting material.

6 Penalty notice offences

For the purposes of section 63 of the Act:

(a) each offence created by a provision of the Act that is specified in Column 1 of Schedule 3 is prescribed, and

Clause 7 Noxious Weeds Regulation 2008

-
- (b) the prescribed amount of penalty for such an offence if dealt with under that section is the amount specified in Column 2 of Schedule 3.

7 Saving

Any act, matter or thing that, immediately before the repeal of the *Noxious Weeds Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.

Noxious Weeds Regulation 2008

Cleaning of agricultural machines

Schedule 1

Schedule 1 Cleaning of agricultural machines

(Clause 4)

1 Meaning of “clean”

In this Schedule, an obligation to clean an agricultural machine can be satisfied either:

- (a) by removing all plant material, dust and soil, and any accumulation of grease, from the machine, or
- (b) by using a treatment to sterilise seed in or on that machine, but only if that treatment cannot contaminate any material harvested by the machine in the future.

2 Cleaning grain harvesters and comb trailers

- (1) The exterior of a grain harvester or comb trailer (including any hollow sections of axles or structural components) must be cleaned.
- (2) The cabin and any storage containers attached to a grain harvester or comb trailer must be emptied and cleaned.
- (3) All parts of the interior of a grain harvester (including the areas above the stone guards/skid plates and within augers) must be cleaned. This must be done even if it requires the removal of inspection plates or other components of the machine to provide access to the relevant parts.
- (4) Any part of a grain harvester or comb trailer that has been sealed (either at manufacture or afterwards) is not required to be cleaned if it has been sealed in such a way that no plant material, dust or soil could enter the part.
- (5) Without limiting subclauses (1)–(4), the following areas of every grain harvester (as indicated in Diagrams 1 and 2) must be cleaned:
 - (a) Area 1: the area under the skid plate,
 - (b) Area 2: each header knife and finger,
 - (c) Area 3: the auger located horizontally across the header,
 - (d) Area 4: the area behind any cover on the header,
 - (e) Area 5: the area within any belts on any draper front (if fitted),
 - (f) Area 6: the feeder house,
 - (g) Area 7: the driver’s cab compartment floor area,
 - (h) Area 8: the cleaning fan and the area between the bottom of the fan housing and any shield under the fan housing,
 - (i) Area 9: the chassis, including the inside of any chassis rail ledges, back axle-beam and undercarriage areas,

Noxious Weeds Regulation 2008

Schedule 1 Cleaning of agricultural machines

-
- (j) Area 10: any tailing auger,
 - (k) Area 11: any sieve area, including the full length and width of the grain pan,
 - (l) Area 12: any grain bin area, including any auger,
 - (m) Area 13: the engine compartment, including the radiator core,
 - (n) Area 14: any grain or “repeat” elevator including any cups and rubber flights,
 - (o) Area 15: any straw spreader or chopper,
 - (p) Area 16: any tyres and rims.
- (6) Without limiting subclauses (1)–(5), the following parts of any conventional harvester (as indicated in Diagram 1) must also be cleaned:
- (a) Area 17: the threshing or separating area, including the drum and concaves behind the rasp bars and lead-in plates and around concave wires,
 - (b) Area 18: the beater drum, including the area between the drum and walkers,
 - (c) Area 19: the straw walkers, including the beater and the chaff pan, underneath any straw walker and any concealed areas under rubber air flaps.
- (7) Without limiting subclauses (1)–(5), the following parts of any rotary harvester (as indicated in Diagram 2) must also be cleaned:
- (a) Area 17: the external top and sides of the conical section of the rotor cage,
 - (b) Area 18: the areas inside the top of the conical section,
 - (c) Area 19: the threshing or separating area, including along the rotor cage.

3 Bins for holding grain during harvest

A bin for holding grain during harvest must be emptied and cleaned internally and externally.

4 Augers or similar equipment used for moving grain

An auger, or any other similar equipment used for moving grain, must be cleaned internally and externally.

Noxious Weeds Regulation 2008

Cleaning of agricultural machines

Schedule 1

5 Vehicles used for transporting grain harvesters

Any vehicle used for transporting a grain harvester across the border of New South Wales and Queensland must be cleaned by:

- (a) cleaning the cabin of the vehicle, and
- (b) cleaning all external areas of the vehicle, and
- (c) cleaning any storage container or box in or on the vehicle.

6 Vehicles used as support vehicles with grain harvesters and that have been driven in paddocks during harvest operations

Any vehicle that has either a utility or truck body, that is accompanying a grain harvester as a support vehicle and that has been driven in a paddock during harvest operations must be cleaned by:

- (a) completely emptying any contents in the tray or top of the truck, and
- (b) cleaning all external areas of the vehicle, and
- (c) cleaning any storage container or box in or on the vehicle, and
- (d) cleaning the radiator of the vehicle.

Noxious Weeds Regulation 2008

Schedule 1 Cleaning of agricultural machines

Diagram 1:

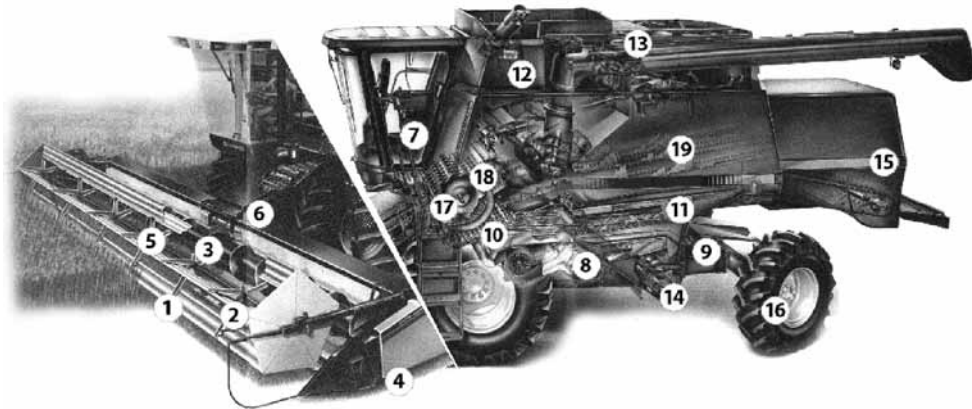
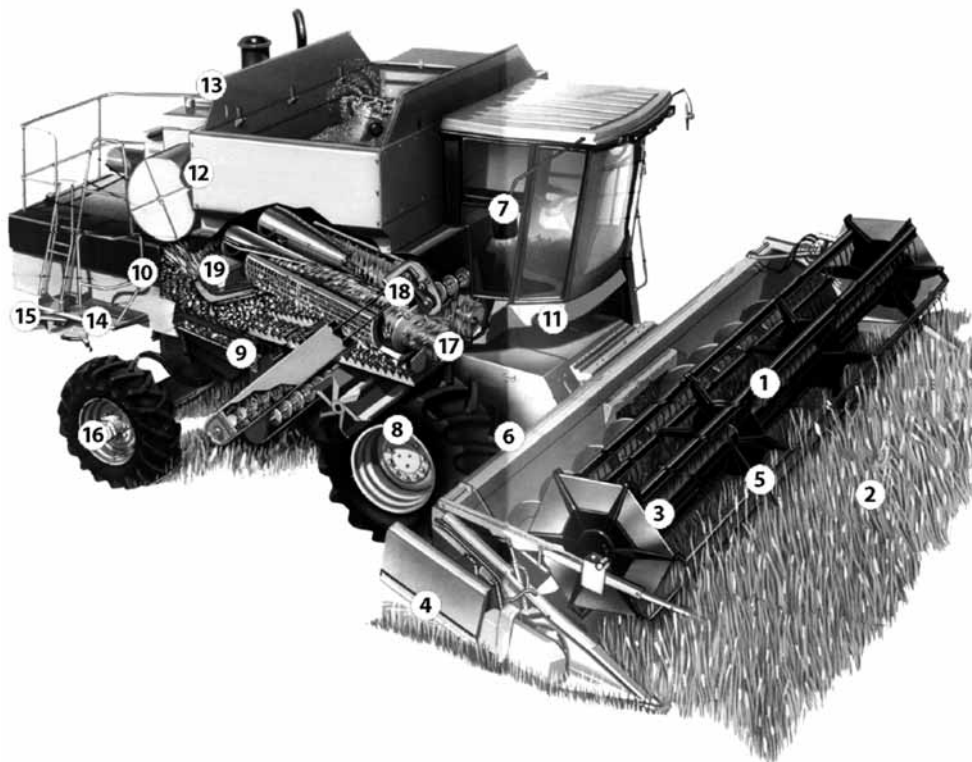


Diagram 2:



Noxious Weeds Regulation 2008

Prescribed type of traffic sign

Schedule 2

Schedule 2 Prescribed type of traffic sign

(Clause 5)



Noxious Weeds Regulation 2008

Schedule 3 Penalty notice offences

Schedule 3 Penalty notice offences

(Clause 6)

Column 1	Column 2
Provision	Penalty
Section 12	\$200
Section 15	\$200
Section 19	\$200
Section 27 (4) (a)	\$200
Section 27 (4) (b)	\$200
Section 27 (4) (c)	\$200
Section 28 (1) (a)	\$200
Section 28 (1) (b)	\$200
Section 28 (2)	\$200
Section 29	\$200
Section 30 (1)	\$200
Section 31 (4)	\$200
Section 31 (5)	\$200
Section 31 (7)	\$200
Section 32	\$200
Section 34A (7)	\$200
Section 34B (2)	\$200
Section 54 (1) (a)	\$200
Section 54 (1) (b)	\$200
Section 54 (1) (c)	\$200
Section 54 (1) (d)	\$200
Section 54 (2) (a)	\$200
Section 54 (2) (b)	\$200
Section 55	\$200



New South Wales

Plant Diseases Regulation 2008

under the

Plant Diseases Act 1924

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Plant Diseases Act 1924*.

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

Explanatory note

The object of this Regulation is to remake, with some changes, the provisions of the *Plant Diseases Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the offences under the Act in respect of which a penalty notice (on the spot fine) may be issued and the amounts of penalty for those offences when dealt with in that way,
- (b) savings and formal matters.

This Regulation is made under the *Plant Diseases Act 1924*, including sections 19 and 28 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*—namely, matters of a machinery nature.

Clause 1 Plant Diseases Regulation 2008

Plant Diseases Regulation 2008

under the

Plant Diseases Act 1924

1 Name of Regulation

This Regulation is the *Plant Diseases Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

Note. This Regulation replaces the *Plant Diseases Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

- (1) In this Regulation:
the Act means the *Plant Diseases Act 1924*.
- (2) Notes in this Regulation do not form part of this Regulation.

4 Penalty notice offences

For the purposes of section 19 of the Act:

- (a) each offence created by a provision of the Act specified in Column 1 of Schedule 1 is declared to be a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 2 of Schedule 1.

5 Saving

Any act, matter or thing that, immediately before the repeal of the *Plant Diseases Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.

Plant Diseases Regulation 2008

Penalty notice offences

Schedule 1

Schedule 1 Penalty notice offences

(Clause 4)

Column 1	Column 2
Provision of the Act	Penalty
Section 26 (1) (a)	\$200
Section 26 (1) (b)	\$200
Section 26 (1) (c)	\$200
Section 26 (1) (d)	\$200
Section 26 (1) (e)	\$200
Section 26 (1) (f)	\$200



New South Wales

Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

under the

Weapons Prohibition Act 1998

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

DAVID CAMPBELL, M.P.,
Minister for Police

Explanatory note

The objects of this Regulation are:

- (a) to add laser pointers, and similar laser emitting devices, with a power output of more than 1 milliwatt to the list of prohibited weapons in Schedule 1 to the *Weapons Prohibition Act 1998*, and
- (b) to provide an exemption from the requirement to obtain a permit for any such device for a person who obtained the device before 18 July 2008 (the day on which this Regulation commences), until 1 December 2008 or until such time as the person obtains a permit, whichever occurs first, and
- (c) to provide an exemption from the requirement to obtain a permit for any such device for members of astronomical organisations that are approved by the Commissioner of Police, but only for the purpose of enabling the person to take part in activities associated with astronomy.

This Regulation is made under the *Weapons Prohibition Act 1998*, including sections 5 and 50 (the general regulation-making power).

Clause 1 Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

under the

Weapons Prohibition Act 1998

1 Name of Regulation

This Regulation is the *Weapons Prohibition Amendment (Laser Pointers) Regulation 2008*.

2 Commencement

This Regulation commences on 18 July 2008.

3 Amendment of Weapons Prohibition Act 1998 No 127

Schedule 1 to the *Weapons Prohibition Act 1998* is amended by inserting after clause 4 (7):

- (8) A **laser pointer**, or any other similar article, that consists of a hand-held battery-operated device with a power output of more than 1 milliwatt, designed or adapted to emit a laser beam and that may be used for the purposes of aiming, targeting or pointing.

4 Amendment of Weapons Prohibition Regulation 1999

The *Weapons Prohibition Regulation 1999* is amended as set out in Schedule 1.

Weapons Prohibition Amendment (Laser Pointers) Regulation 2008

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 1 Persons exempt from requirement for permit

Insert after clause 7:

8 Possession and use of laser pointers

- (1) A person who acquired a laser pointer before 18 July 2008 is exempt from the requirement under the Act for a permit to possess or use the laser pointer until 1 December 2008 or such time as the person acquires such a permit, whichever occurs first.
- (2) Despite subclause (1), a person who is (or has been within an approved period) a member of an approved astronomical organisation is exempt from the requirement under the Act for a permit to possess or use a laser pointer, but only for the purpose of enabling the person to take part in activities associated with astronomy.
- (3) In this clause:
laser pointer means a prohibited weapon referred to in clause 4 (8) of Schedule 1 to the Act.

OFFICIAL NOTICES

Appointments

SPORTING INJURIES INSURANCE ACT, 1978

Appointment of Members of the Sporting Injuries Committee

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of the provisions of Schedule 2 to the Sporting Injuries Insurance Act 1978, has been pleased to appoint Mr Darryl Clout on the nomination of the Minister for Sport and Recreation as a member of the Sporting Injuries Committee constituted by the Act, from 7 May 2008 until 7 May 2011.

ERIC ROOZENDAAL, M.L.C.,
Minister for Roads
Minister for Commerce
Acting Minister for Industrial Relations
Acting Minister Assisting the Minister for Finance

STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

Revocation of Appointment of Deputy State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of Schedule 1 (5) (2) of the State Emergency and Rescue Management Act 1989, has approved the revocation of the appointment of Assistant Commissioner, Catherine Burn, NSW Police Force, as the Deputy State Emergency Operations Controller, effective at midnight on 11 July 2008.

NATHAN REES, M.P.,
Minister for Emergency Services

STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

Appointment of Deputy State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of section 18 (1) of the State Emergency and Rescue Management Act 1989, has appointed Acting Assistant Commissioner Mark Murdoch, NSW Police Force, as Deputy State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989 effective from 12 July 2008.

NATHAN REES, M.P.,
Minister for Emergency Services

STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

Revocation of Appointment of Deputy State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of Schedule 1 (5) (2) of the State Emergency and Rescue Management Act 1989, has approved the revocation of the appointment of Acting Assistant Commissioner, Mark Murdoch, NSW Police Force, as the Deputy State Emergency Operations Controller, effective at midnight on 27 July 2008.

NATHAN REES, M.P.,
Minister for Emergency Services

STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

Appointment of Deputy State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of section 18 (1) of the State Emergency and Rescue Management Act 1989, has appointed Assistant Commissioner Catherine Burn, NSW Police Force, as Deputy State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989 effective from 28 July 2008.

NATHAN REES, M.P.,
Minister for Emergency Services

Department of Lands

ROADS ACT 1993

ORDER

Transfer of a Crown road to a Council

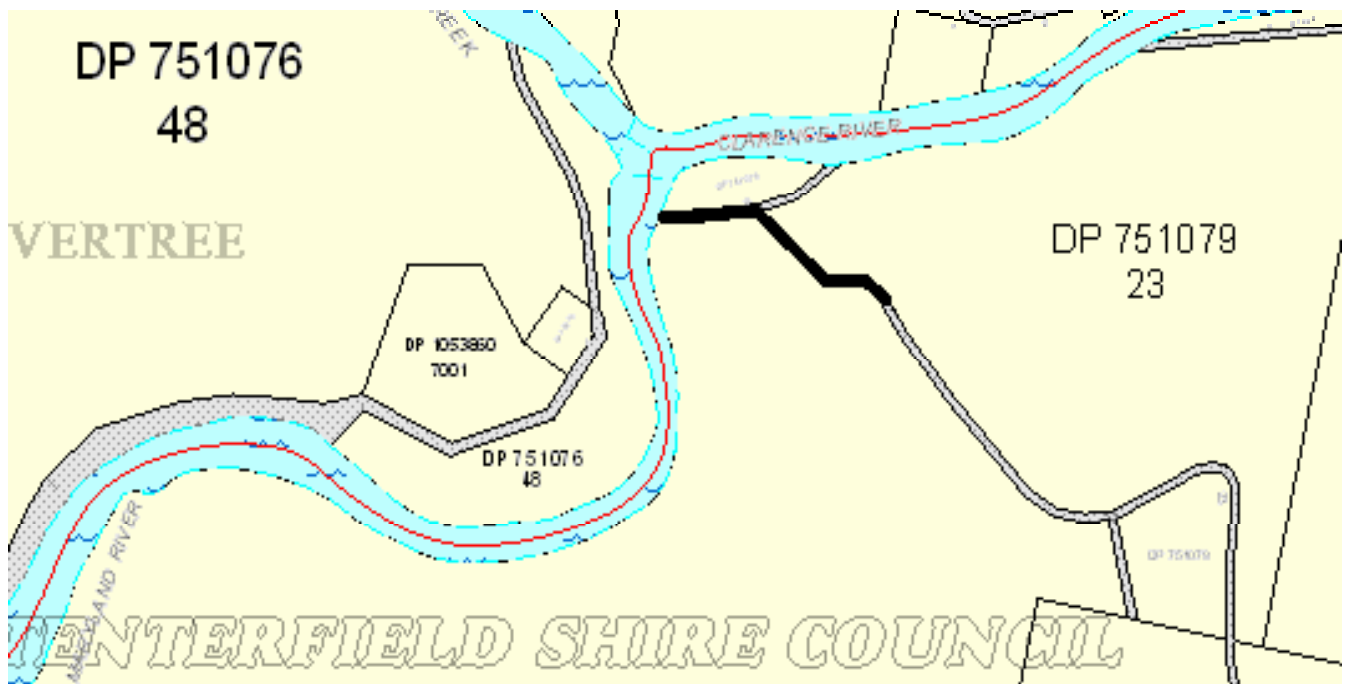
IN pursuance of the provisions of Section 151, Roads Act 1993, the Crown public roads specified in each schedule 1 are transferred to the Roads Authority specified in the corresponding schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in each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

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

SCHEDULE 1

*Parish – Strathspey ;
County – Buller;
Land District – Tenterfield;
L.G.A – Tenterfield*

The Crown road 20.115 metres wide at Boorook known as Rivertree Road, as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Tenterfield Shire Council

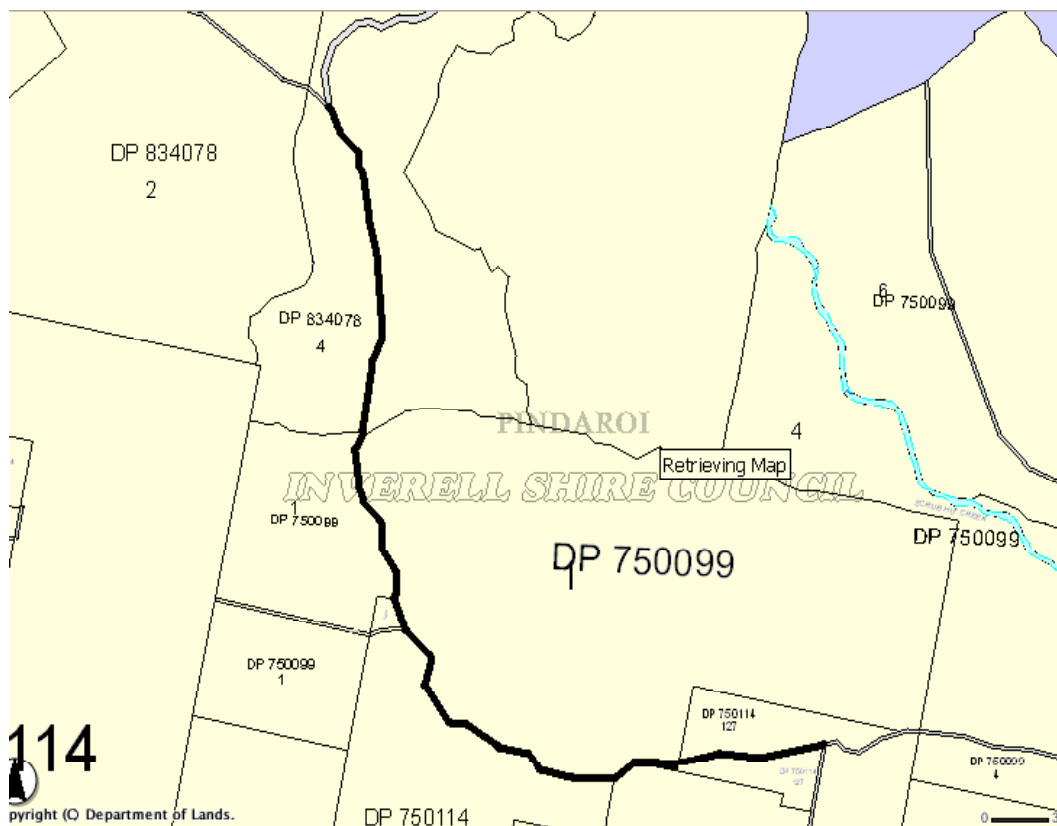
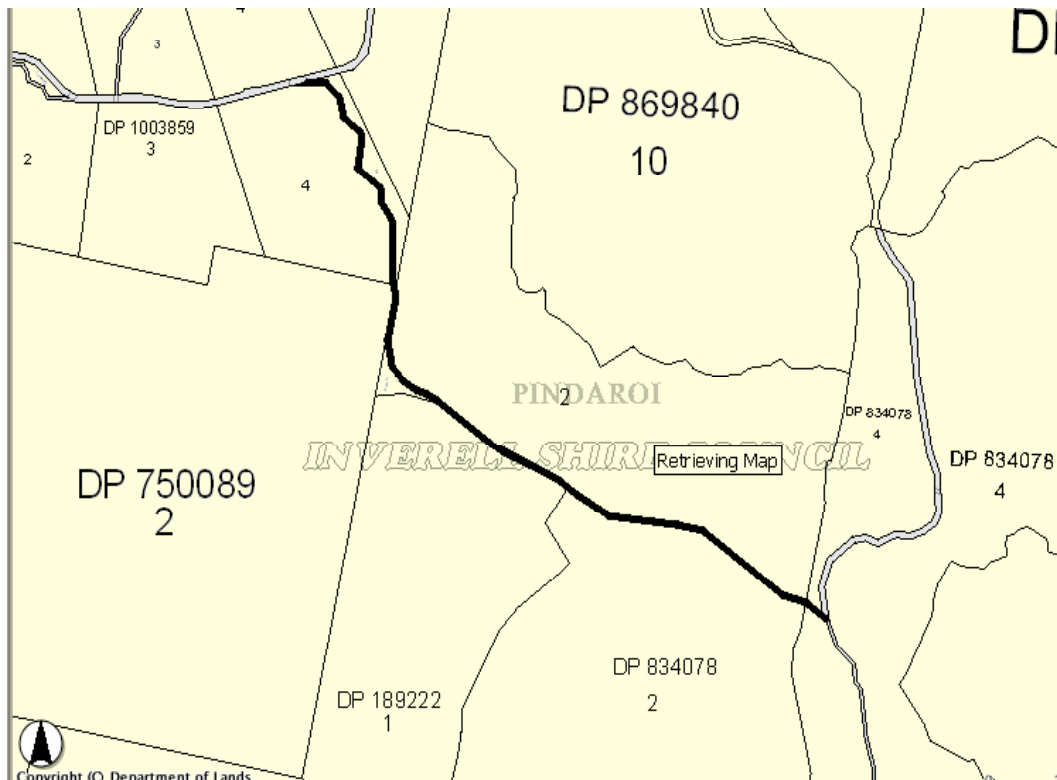
File No.: AE 07 H 18 : W408770.

Councils Reference: John Martin : Rivertree Rd

SCHEDULE 1

*Parishes – Hogarth and Egerton;
County – Arrawatta;
Land District – Inverell;
L.G.A – Inverell*

The Crown road 20.115 metres wide at Ashford known as the Pocket Road, as shown by solid black shading on the diagrams hereunder.



Roads Authority: Inverell Shire Council

File No.: AE 07 H 18 : W.408870

Councils Reference: Brendan Moran : The Pocket Road

SCHEDULE 1

Parish – Ruby;

County – Buller;

Land District – Tenterfield;

L.G.A – Tenterfield

The Crown road 20.115 metres wide at Liston being that part of Herding Yard Creek Road west of Lot 20 DP 751078.

SCHEDULE 2

Roads Authority: Tenterfield Shire Council

File No.: AE 07 H 18 : W408771.

Councils Reference: John Martin : Herding Yard Creek Road.

SCHEDULE 1

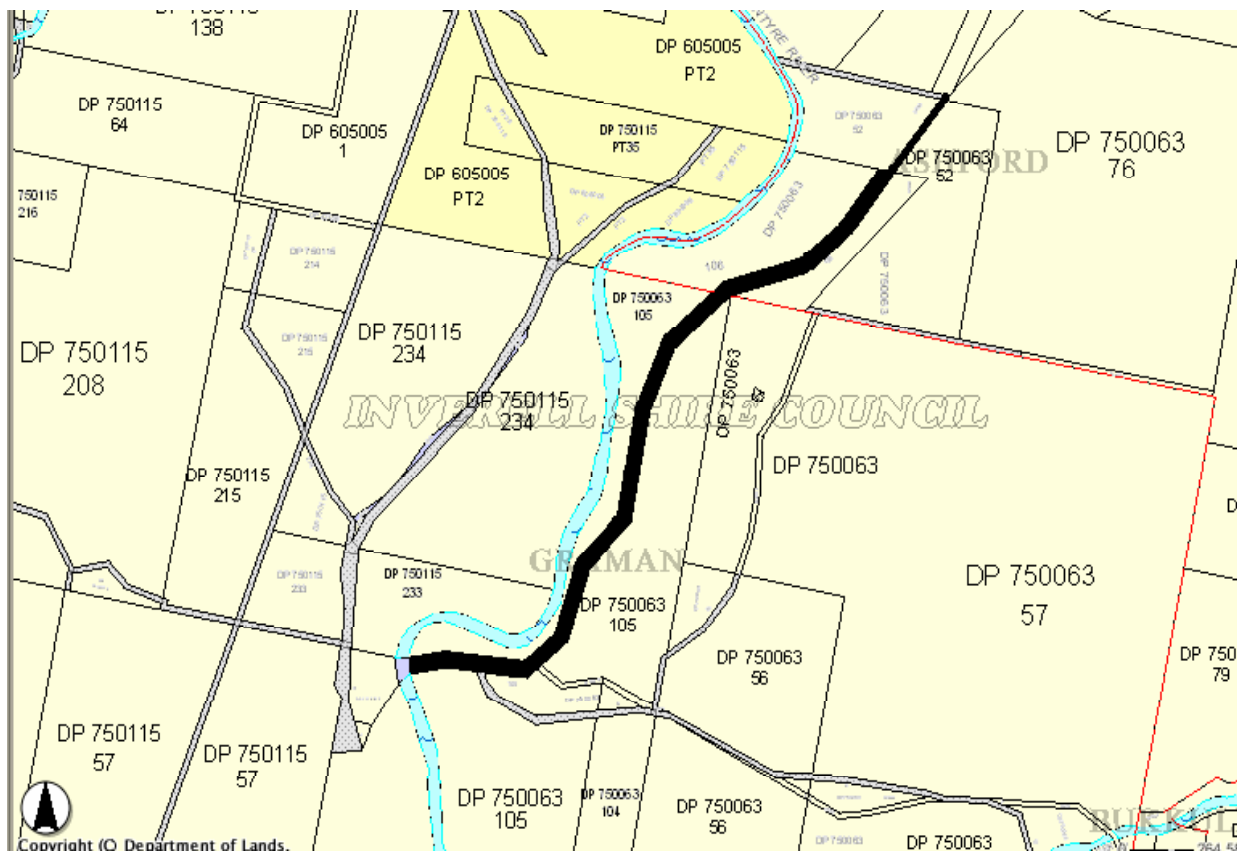
Parish – Arthurs Seat;

County – Arrawatta;

Land District – Inverell;

L.G.A – Inverell

The Crown road 60.35, 30.175 & var. metres wide at Graman known as the Ashford Graman Road as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Inverell Shire Council

File No.: AE 07 H 18 : W408860.

Councils Reference: Brendan Moran : Ashford Graman Road

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

NOTIFICATION OF CLOSING OF A ROAD

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

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

DESCRIPTION

SCHEDULE 1

Parish – Pomeroy;
County – Argyle;
Land District – Crookwell;
LGA – Upper Lachlan

Lot 1, DP 1126734 (not being land under the Real Property Act).

File Reference: GB05H116:JK.

NOTE: On closing, the title for the land in Lot 1, DP 1126734 remains vested in the State of New South Wales as Crown land.

SCHEDULE 2

Parish – Burra;
County – Murray;
Land District – Queanbeyan;
LGA – Palerang

Lots 1, 2 & 3, DP 1127267 (not being land under the Real Property Act).

File Reference: GB05H152:JK.

NOTE: On closing, the title for the land in Lots 1, 2 & 3, DP 1127267 remains vested in the State of New South Wales as Crown land.

SCHEDULE 3

Parish – Jerralong;
County – Argyle;
Land District – Goulburn;
LGA – Goulburn Mulwaree

Lot 1, DP 1126500 (not being land under the Real Property Act)

File Reference: GB05H198:JK.

NOTE: On closing, the title for the land in Lot 1, DP 1126500 remains vested in the State of New South Wales as Crown land.

GRAFTON OFFICE**76 Victoria Street (Locked Bag 10), Grafton NSW 2460****Phone: (02) 6640 3400 Fax: (02) 6642 5375****ROADS ACT 1993**

Order

Transfer of A Crown Road to a Council

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

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

Schedule 1

Parish – Fairfield;
County – Drake;
Land District – Casino;
LGA – Tenterfield Shire

Public road generally north and northwest of Lot 101 DP 793549, Lots 7,8,9,10 & 11 DP 731868, Lots 112 & 113 DP 871449, Lots 13 & 14 DP 735029, east of Lots 14,15,16,17,18 & 19 DP 735029, north of Lots 22 & 23 DP 735029, west of Lots 24,25, 26 & within Lot 26 DP 735029.

Whole width.

Schedule 2

Roads Authority: Tenterfield Shire.

Department of Lands Ref GF04H508.

ROADS ACT 1993

Order

Transfer of a Crown Road to a Council

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

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

Schedule 1

Parish – Byron;
County – Rous;
Land District – Murwillumbah;
LGA – Byron Shire Council

Crown public road south of Lot 1 DP 123302 and Lots 1 and 2 DP 700806 and eastern most 66 metres south of Lot 2 DP 606347.

Whole width

Schedule 2

Roads Authority: Byron Shire Council.

Department of Lands Ref 07/5399.

**PLAN OF MANAGEMENT FOR A CROWN
RESERVE UNDER DIVISION 6 OF PART 5 OF THE
CROWN LANDS ACT 1989 AND CROWN LANDS
REGULATION 1990**

A draft Plan of Management has been prepared for the Crown reserve described hereunder, which is under various trusteeships.

Inspection of the draft plan can be made at the Department of Lands Grafton Office, Level 1, 76 Victoria Street Grafton or at Tweed Shire Council's various community access points during normal business hours. The draft plan may also be viewed on the Departments website at: www.lands.nsw.gov.au/

Representations are invited from the public on the draft plan. These may be made in writing for a period of 28 days commencing from 18 July 2008 and should either be sent to:

Program Manager (Land Management), PO Box 272,
Grafton NSW 2460; or

Emailed to: CLWR.NorthCoast@lands.nsw.gov.au

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

DESCRIPTION OF RESERVE

Land District: Murwillumbah;
Shire: Tweed;
Parishes: Mooball, Cudgen and Terraonora;
County: Rous

Reserve No. 1012191 for the public purpose of access and public requirements, rural services, tourism purposes and environmental and heritage conservation notified in the gazette of 25 August 2006 (Folio 6681).

Location: The reserve covers coastal Crown lands from Point Danger to Wooyung, the Tweed River, coastal creeks and the bed of the South Pacific to the State Territorial limit.

Reference: 07/3700.

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Taree;
LGA – Greater Taree

Road Closed: Lot 1, DP1127886 at Oxley Island, Parish Oxley, County Macquarie.

File Reference: TE05H60.

Schedule	Description
<p>On closing, the land within Lot 1, DP1127886 remains vested in the State of New South Wales as Crown Land.</p>	<p><i>Land District – Grafton; LGA – Clarence Valley</i></p>
<p>_____</p> <p>Description</p> <p><i>Land District – Walcha; LGA – Walcha</i></p>	<p>Road Closed: Lot 1, DP 1126968 at Jackadgery, Parish Kaloe, County Gresham.</p> <p>File Reference: GF05H248.</p>
<p>Road Closed: Lot 3, DP 1127004 at Yarrowitch, Parish Yarrowitch, County Vernon.</p> <p>File Reference: AE06H68.</p>	<p>Schedule</p>
<p>Schedule</p> <p>On closing, the land within Lot 3, DP1127004 remains vested in the State of New South Wales as Crown Land.</p>	<p>On closing, the land within Lot 1, DP1126968 remains vested in the State of New South Wales as Crown Land.</p>
<p>_____</p> <p>Description</p> <p><i>Land District – Walcha; LGA – Walcha</i></p>	<p>_____</p> <p>Description</p> <p><i>Land District – Grafton; LGA – Clarence Valley</i></p>
<p>Road Closed: Lot 1, DP 1126977 at Bungawalbin, Parish Donaldson, County Richmond.</p> <p>File Reference: GF06H22.</p>	<p>Road Closed: Lot 1, DP 1126979 at Pulganbar, Parish Pulganbar, County Drake.</p> <p>File Reference: GF05H147.</p>
<p>Schedule</p> <p>On closing, the land within Lot 1, DP1126977 remains vested in the State of New South Wales as Crown Land.</p>	<p>Schedule</p> <p>On closing, the land within Lot 1, DP1126979 remains vested in the State of New South Wales as Crown Land.</p>

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
The person for the time being holding the office of Ex-Officio, Trust	Griffith Showground	Dedication No. 559029 Public Purpose: Showground Notified: 22 November 1935
Patricia Mary Spry (ex-officio member) Ian Geddes (new member)		Dedication No. 1000159 Public Purpose: Showground Notified: 5 July 1963
		Dedication No. 1000158 Public Purpose: Showground Addition Notified: 16 December 1955 File Reference: GH89R18/4

For a term commencing the date of this notice and expiring 30 September 2009.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

Parish – Wyalong South & Clermiston;
County –Bland;
Land of District – Wyalong;
L.G.A. – Bland

Road Closed: Lot 1 in D.P. 1121036.

File Ref: GH07H29 (MR).

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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Road Closed: Lot 1 in D.P. 1123779.

File Ref: 07/5255 (MR).

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

HEAD OFFICE
1 Prince Albert Road Queens Square Sydney NSW 2000
Phone: (02) 9228 6666 Fax (02) 9233 4357

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

<i>Column 1</i>	<i>Column 2</i>
All Crown land held under Licence or Permissive Occupancy under the Crown Lands Acts that is not already within a reserve. FILE: LANDS08/419	The reserve for the public purpose of future public requirements, notified 29 June 2007, for the Parish, in the Eastern and Central Division (Folios 4182 to 4213), or the County in the Western Division of the State (Folio 4226), in which the land is situated.

MAITLAND OFFICE

Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323

Phone: (02) 4937 9300 Fax: (02) 4934 2252

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 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 roads.

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

SCHEDULE 1

Town – Mulbring;
Parish – Mulbring;
County – Northumberland;
Land District – Cessnock;
Local Government Area – Cessnock City

Crown Public Roads, being North, Water, Wood, Stone, Child, Palmer and Vincent Streets and the laneways within the Town of Mulbring (shown grey on the diagram hereunder).



SCHEDULE 2

Roads Authority: Cessnock City Council.

Council's Reference: Mulbring Roads Transfer.

Lands File Reference: 08/5983.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Helena Joyce Davis (new member) Errol Keith Bates (re-appointment) Beryl June Bates (re-appointment) Pauline Joan Pike (new member) Gaudern Raymond Pike (re-appointment) Margaret Susan Strong (new member) Judith Eveleigh (re-appointment)	Bunnan Memorial Hall Trust	Reserve No. 97784 Public Purpose: Public Hall Notified: 10 May 1985 File Reference: MD86R19/1

For a term commencing the date of this notice and expiring 24 July 2013.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Warren R Barsley (new member) Philip Neil Steen (new member) John Kerwin Guider (new member) Roger Thomas Gaydon (re-appointment) Raymond Richard Toomey (re-appointment) Charles Gordon Bennett (re-appointment) Douglas Ian Ford (new member)	The Entrance War Memorial Reserve Trust	Reserve No. 64695 Public Purpose: War Memorial Notified: 3 August 1934 File Reference: MD80R15/1

For a term commencing the date of this notice and expiring 24 July 2013.

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

**ALTERATION OF CORPORATE NAME OF
RESERVE TRUST**

PURSUANT to section 92(3) of the Crown Lands Act 1989, the corporate name of the reserve trust specified in Schedule 1 hereunder, which is trustee of the reserve referred to in Schedule 2, is altered to the corporate name specified in Schedule 3.

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

SCHEDULE 1

Wee Waa School For Sub-Normal Children (R160031)
Reserve Trust.

SCHEDULE 2

Reserve No. 160031.
Public Purpose: Community Purposes.
Notified: 30 December 1988.
File Reference: ME83R8.

SCHEDULE 3

Reserve 160031 For Community Purposes.

ERRATUM

IN the notification appearing in the New South Wales Government Gazette of 4 July 2008, Folio 6597, under the heading 'Notification of Closing of a Road' delete Lot 1 DP 1081782 and insert Lot 25 DP 1081782

TONY KELLY, MLC.,
Minister for Lands

NEWCASTLE OFFICE
437 Hunter Street Newcastle NSW 2323
(PO Box 2185 Dangar NSW 2309)
Phone: (02) 4920 5000 Fax: (02) 4925 3489

**NOTICE OF PUBLIC PURPOSE PURSUANT TO
SECTION 34A (2) (B) OF THE CROWN LANDS ACT
1989**

PURSUANT to section 34A(2)(b) of the Crown Lands Act 1989, the Crown reserve specified in Column 1 of the Schedule is to be occupied for the additional purpose specified in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 1</i>	<i>Column 2</i>
Reserve No. 82646	Communication Facilities	Reserve No. 19055	Communication Facilities
Public Purpose: Future Public Requirements		Public Purpose: Trigonometrical Purposes	
Notified: 01/07/1960		Notified: 7/12/1895	
Locality: Waterfall		Locality: Tangy Dangy	
Reserve No. 19001	Communication Facilities	Reserve No. 95574	Communication Facilities
Public Purpose: Trigonometrical Purposes		Public Purpose: Public Recreation	
Notified: 4/11/1893		Notified: 4/09/1981	
Locality: Mount Mundoonen		Locality: Saddleback Mountain	
Reserve No. 56053	Communication Facilities	Reserve No. 28242	Communication Facilities
Public Purpose: Public Recreation		Public Purpose: Trigonometrical Purposes	
Notified: 23/03/1923		Notified: 1/10/1898	
Locality: Mount Mundoonen		Locality: Bowning	
Reserve No. 19976	Communication Facilities	Reserve No. 28486	Communication Facilities
Public Purpose: Trigonometrical Purposes		Public Purpose: Trigonometrical Purposes	
Notified: 21/04/1894		Notified: 19/11/1898	
Locality: Meangora		Locality: Braidwood	
Reserve No. 47990	Communication Facilities	Reserve No. 64890	Communication Facilities
Public Purpose: Trigonometrical Purposes		Public Purpose: Public Recreation	
Notified: 31/07/1912		Notified: 2/11/1934	
Locality: Coolah		Locality: Baulkham Hills	
Reserve No. 50373	Communication Facilities	Reserve No. 25101	Communication Facilities
Public Purpose: Trigonometrical Purposes		Public Purpose: Trigonometrical Purposes	
Notified: 2/12/1914		Notified: 14/11/1896	
Locality: Red Hill		Locality: Gundagai	
Reserve No. 38931	Communication Facilities	Reserve No. 19006	Communication Facilities
Public Purpose: Trigonometrical Purposes		Public Purpose: Trigonometrical Purposes	
Notified: 4/03/1905		Notified: 11/11/1893	
Locality: Watson		Locality: Mandalong	
Reserve No. 3118	Communication Facilities	Reserve No. 21681	Communication Facilities
Public Purpose: Trigonometrical Purposes, Quarry		Public Purpose: Trigonometrical Purposes	
Notified: 24/09/1883		Notified: 27/10/1894	
Locality: One Tree Hill		Locality: Mount Talawahl	
		Reserve No. 90024	Communication Facilities
		Public Purpose: Trigonometrical Purposes	
		Notified: 29/10/1971	
		Locality: Buckenbowra	
		Reserve No. 17773	Communication Facilities
		Public Purpose: Trigonometrical Purposes	
		Notified: 27/05/1893	
		Locality: Mangrove	

<i>Column 1</i>	<i>Column 2</i>	<i>Column 1</i>	<i>Column 2</i>
Reserve No. 4030 Public Purpose: Trigonometrical Purposes Notified: 3/09/1887 Locality: West Wallsend	Communication Facilities	Reserve No. 2746 Public Purpose: Travelling Stock Notified: 21/05/1883 Locality: Weedallion	Communication Facilities
Reserve No. 89127 Public Purpose: Public Recreation, Preservation of Native Flora and Fauna. Notified: 11/01/1974 Locality: Mount Sugarloaf	Communication Facilities	Reserve No. 36344 Public Purpose: Trigonometrical Purposes Notified: 12/09/1903 Locality: Sappa Bulga	Communication Facilities
Reserve No. 43214 Public Purpose: Trigonometrical Purposes Notified: 28/10/1908 Locality: Bingie Grumbel Mtn	Communication Facilities	Reserve No. 74354 Public Purpose: Generally Notified: 27/07/1951 Locality: Burrigurra	Communication Facilities
Reserve No. 21673 Public Purpose: Trigonometrical Purposes Notified: 27/10/1894 Locality: Mount Mackenzie	Communication Facilities	Reserve No. 190027 Public Purpose: Public Recreation Notified: 30/01/1987 Locality: Greater Lithgow	Communication Facilities
Reserve No. 84902 Public Purpose: Trigonometrical Purposes Notified: 29/05/1964 Locality: Barford	Communication Facilities	Reserve No. 49653 Public Purpose: Trigonometrical Purposes Notified: 28/01/1914 Locality: Coolcumba	Communication Facilities
Reserve No. 17460 Public Purpose: Trigonometrical Purposes Notified: 8/04/1893 Locality: Dungog	Communication Facilities	Reserve No. 56746 Public Purpose: Trigonometrical Purposes Notified: 25/01/1924 Locality: Port Macquarie	Communication Facilities
Reserve No. 90024 Public Purpose: Trigonometrical Purposes Notified: 29/10/1971 Locality: Buckenbowra	Communication Facilities	Reserve No. 29195 Public Purpose: Trigonometrical Purposes Notified: 8/04/1899 Locality: Mount Burrgoogee	Communication Facilities
Reserve No. 24002 Public Purpose: Trigonometrical Purposes Notified: 25/04/1896 Locality: Round Hill	Communication Facilities	Reserve No. 26232 Public Purpose: Trigonometrical Purposes Notified: 24/07/1897 Locality: Bimmil Hill	Communication Facilities
Reserve No. 23905 Public Purpose: Trigonometrical Purposes Notified: 1/04/1896 Locality: Wagonga Hill	Communication Facilities	Reserve No. 87330 Public Purpose: Public Recreation Notified: 15/08/1969 Locality: Bimmil Hill	Communication Facilities
Reserve No. 21634 Public Purpose: Trigonometrical Purposes Notified: 27/10/1894 Locality: Timbillica Hill	Communication Facilities	Reserve No. 96760 Public Purpose: Non-Profit Making Organisation Notified: 13/05/1983 Locality: Lemon Tree Passage	Communication Facilities
Reserve No. 26231 Public Purpose: Trigonometrical Purposes Notified: 24/07/1897 Locality: Wolumla Peak	Communication Facilities	Reserve No. 49741 Public Purpose: Trigonometrical Purposes Notified: 11/03/1914 Locality: Mount Cairn Cross	Communication Facilities
		Reserve No. 66754 Public Purpose: Reservoir Notified: 28/05/1937 Locality: Bellingen	Communication Facilities

<i>Column 1</i>	<i>Column 2</i>	<i>Column 1</i>	<i>Column 2</i>
Reserve No. 28206 Public Purpose: Trigonometrical Purposes Notified: 24/09/1898 Locality: Bowning	Communication Facilities	Reserve No. 34177 Public Purpose: Trigonometrical Purposes Notified: 5/04/1902 Locality: Griffith	Communication Facilities
Reserve No. 89169 Public Purpose: Public Recreation, Preservation of Flora & Fauna Notified: 29/03/1974 Locality: Albury	Communication Facilities	Reserve No. 91298 Public Purpose: Bush Fire Brigade Purposes Notified: 3/11/1978 Locality: Blaxland	Communication Facilities
Reserve No. 19705 Public Purpose: Trigonometrical Purposes Notified: 3/03/1894 Locality: Forestville	Communication Facilities	Reserve No. 530035 Public Purpose: Public Recreation Notified: 25/10/1892 Locality: Mount Gladstone	Communication Facilities
Reserve No. 86282 Public Purpose: Public Recreation Notified: 26/05/1967 Locality: Killarney Heights	Communication Facilities	Reserve No. 88611 Public Purpose: Public Recreation Notified: 2/06/1972 Locality: Maclean	Communication Facilities
Reserve No. 62378 Public Purpose: Public Recreation Notified: 12/12/1930 Locality: Kincumber	Communication Facilities	File Reference: 08/6163.	

NOWRA OFFICE
5 O’Keefe Avenue (PO Box 309), Nowra NSW 2541
Phone: (02) 4428 6900 Fax: (02) 4428 6988

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish: Puen Buen;
County: Auckland;
Land District: Bega;
Local Government Area: Bega Valley

Road Closed: Lot 1 DP 1126748 at Brogo. File Reference: NA06H80.

Schedule

On closing, the land within Lot 1 DP 1126748 remains vested in the State of New South Wales as Crown land.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Parish – Congo;
County – Dampier;
Land District – Moruya;
LGA – Eurobodalla

Lots 1 in DP 1124732 at Tuross Head. File No. NA06H152.

Note: On closing, the land will remain vested in Eurobodalla Shire Council as “Operational Land” (Council Ref 05.9615.E).

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish: Broughton;
County: Camden;
Land District: Kiama;
Local Government Area: Kiama

Roads Closed: Lots 1 & 2 in DP 1126116 at Broughton Village subject to easement for Right of Carriageway created by DP 1126116. File Reference: NA05H171.

Schedule

On closing, the land within Lots 1 & 2 in DP 1126116 remains vested in the State of New South Wales as Crown land.

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

**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: Bathurst	The part being
Local Government Area: Bathurst Regional Council	<i>Lot Sec. D.P. No. Parish County</i>
Locality: Jesse	165 755780 Jesse Roxburgh
Reserve No. 79484	of an area of 368.7ha
Public Purpose: Generally	
Notified: 29 March 1957	
<i>Lot Sec. D.P. No. Parish County</i>	
165 755780 Jesse Roxburgh	
170 755780 Jesse Roxburgh	
62 755780 Jesse Roxburgh	
File Reference: OE97H105	

Notes: Conversion of leasehold land to freehold.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Parish – Lindsay;
County – Bathurst;
Land District - Blayney;
L.G.A – Blayney

Road Closed: Lot 1 in Deposited Plan 1103517.

File No.: OE06H415.

Note: On closing, the land within Lot 1 DP 1103517 remains vested in Blayney Shire Council as operational land for the purposes of the Local Government Act 1993.

Council Ref: DA191/2006.

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

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

<i>Column 1</i>	<i>Column 2</i>
Land District: Penrith	Reserve No.: 1006488
Local Government Area: Blue Mountains City Council	Public Purpose: Cemetery
Locality: Wentworth Falls	Dedicated: 11 January 1889
Lot 1 DP 1122515 and	Lot 7039 DP 751646#
Lot 1 Sec. 32 DP 759075	Parish: Jamison
Parish: Jamison	County: Cook
County: Cook	New Area: 6.665ha
Area: 2.066ha	
File Ref.: MN05H317	

Disclaimer: Please note that the above Lot number marked# is for Departmental use only.

NOTIFICATION OF CLOSING OF ROAD

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

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

Descriptions

Land District – Metropolitan;
L.G.A. – Warringah

Lot 1 DP1124245 at Belrose; Parish Manly Cove; County Cumberland.

File: MN06H311.

Note: On closing, title for the land in lot 1 remains vested in the Crown.

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

ROADS ACT 1993**ORDER**

Transfer of Crown Road to a Council

IN pursuant of the provisions of section 151, Roads Act 1993, the Crown roads specified in Schedules 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 Schedules 1 cease to be Crown roads.

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

SCHEDULE 1

Parish – Kyle and Curreeki;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester and Taree

Crown public roads being:

Norries Road between north east corner lot 203 DP816461 and south east corner lot 141 DP753183.

Prices Creek Road between north west boundary lot 156 DP753183 (parish Kyle) and Manning Hill Road on eastern boundary lot 3 DP806064 (parish Curreeki).

SCHEDULE 1

Parish – Kyle and Euther;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public road being:

Nobbys Road between western boundary lot 2 DP865265 and western boundary lot 59 DP753163 (excluding Myall River).

SCHEDULE 1

Parish – Nerong and Mount George;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public road being:

Nugra Lane between south east corner lot 4 DP630939 and northern boundary lot 3 DP95788.

SCHEDULE 1

Parish – Nerong and Willabah;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public road being:

Old Inn Road between northern boundary lot 20 DP753190 (parish Nerong) and Markwell Road being northern corner lot 151 DP853869 (parish Willabah).

SCHEDULE 1

Parish – Nerong;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public road being:

Booral Road between Old School House Road at southern corner lot 44 DP753190 and northern boundary lot 20 DP753190.

SCHEDULE 1

Parish – Topi Topi;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public roads being:

Parsons Road between The Lakes Way at south east corner lot 64 DP753205 and Shinglers Creek Road at northern corner lot 2 DP703553.

Reynolds Road east lots 12, 14 DP814243 and 96, 97 DP753205.

Topi Road between Wattley Hill Road and south west corner lot 3 DP260016.

SCHEDULE 1

Parish – Coolongolook;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Taree

Crown public road being:

Pit Wharf Road between Pacific Highway and western boundary lot 7 DP753156.

SCHEDULE 1

Parish – Teleraree;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Taree

Crown public roads being:

Possum Pie Road between northern boundary lot 120 DP43048 and eastern boundary lot 121 DP43048.

Possum Pie Road on western boundary lot 45 DP753197 and within lot 20 DP700128.

Squires Road between Possum Pie Road within lot 21 DP700128 and south west corner lot 10 DP716562.

SCHEDULE 1

Parish – Curreeki;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Taree

Crown public road being:

Sawyers Creek Road between Willina Road at north east corner lot 14 DP788601 and eastern boundary lot 11 DP1039572.

SCHEDULE 1

Parish – Myall;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public road being:

Rosenthal Lane between north east corner lot 85 DP753189 and 190m within lot 4 DP712042 from eastern boundary lot 86 DP753189.

SCHEDULE 1

Parish – Boolambayte;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public road being:

Stoney Creek Road on southern boundary lot 1 DP122425.

SCHEDULE 1

Parishes – Alfred, Faulkland, Trevor;
County – Gloucester;
Local Government Area – Great Lakes Council;
Land District – Gloucester

Crown public road being:

Upper Monkerai Road between north west corner lot 33 DP1002113 (parish Alfred) and north west corner lot 31 DP753206 (parish Trevor).

SCHEDULE 1

Parish – Faulkland;
County – Gloucester;
Local Government Area – Great Lakes Council,
Land District – Gloucester

Crown public road being:

Upper Monkerai Road between western boundary lot 2 DP753187 (parish Monkerai) and within lot 18 DP753165 (parish Faulkland).

SCHEDULE 2

Roads Authority: Great Lakes Council.

File No: TE03H191.

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

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

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

Description

*Parish – Bongongalong;
County – Harden;
Land District – Gundagai;
Shire – Gundagai*

Road Closed: Lot 1 in DP 1127099 at Coolac

File No: WA05H69

Note: On closing, the land within Lot 1 in DP 1127099 remains vested in the State of New South Wales as Crown land.

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

*Parish – Gobbagombalin;
County – Clarendon;
Land District – Wagga Wagga;
City – Wagga Wagga*

Road Closed: Lot 2 in DP 1108162 at Gobbagombalin.

File No: WA05H78.

Note: On closing, the land within Lot 2 in DP 1108162 remains vested in the State of New South Wales as Crown land.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Narda Reid (re-appointment)	Albury West Public Hall Trust	Reserve No. 68462 Public Purpose: Public Hall Notified: 7 July 1939 File Reference: WA82R82/2
Scott Andrews (re-appointment)		
Joseph Thomsen (re-appointment)		
Wayne Alexander Nevinson (re-appointment)		
Marie Bridgid Cecelia Carroll (re-appointment)		
Francis Densley (re-appointment)		
Michael Serge Bonnell (re-appointment)		

For a term commencing the date of this notice and expiring 31 March 2013.

Department of Planning



New South Wales

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S08/00552-1/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008*.

2 Aims of Policy

The aim of this Policy is to amend the *Hawkesbury Local Environmental Plan 1989*:

- (a) to establish appropriate zoning and other development controls on land to which this Policy applies, and
- (b) to provide for appropriate development on land to which this Policy applies that satisfies the principles of ecologically sustainable development and to promote the social and economic welfare of the community, and
- (c) to encourage the revitalisation of land to which this Policy applies.

3 Land to which Policy applies

This Policy applies to land in Pitt Town shown on the map marked "State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Land Application Map" deposited in the office of the Council of the City of Hawkesbury.

4 Amendment of Hawkesbury Local Environmental Plan 1989

Hawkesbury Local Environmental Plan 1989 is amended as set out in Schedule 1.

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008

Amendment of Hawkesbury Local Environmental Plan 1989

Schedule 1

Schedule 1 Amendment of Hawkesbury Local Environmental Plan 1989

(Clause 4)

[1] Clause 5 Definitions

Insert at the end of the definition of *the map* in clause 5 (1):

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Density Control Map

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Heritage Map

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Land Application Map

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Land Zoning Map

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Lot Size Map

[2] Clause 10 Subdivision—general

Omit clause 10 (5). Insert instead:

- (5) All subdivision is prohibited on the Pitt Town Site unless the area of each lot created for a dwelling house is equal to or greater than the minimum lot sizes for the land shown on the Lot Size Map and the number of lots created does not exceed the density control for the land shown on the Density Control Map.

[3] Clause 10 (7)

Insert after clause 10 (6):

- (7) In this clause:

Density Control Map means the map marked “State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Density Control Map”.

Lot Size Map means the map marked “State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Lot Size Map”.

Pitt Town Site means the land shown on the map marked “State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Land Application Map”.

State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008

Schedule 1 Amendment of Hawkesbury Local Environmental Plan 1989

[4] Clause 13 Subdivision by adjustment or relocation of boundaries

Omit “Hawkesbury Local Environmental Plan 1989 (Amendment No 145)” from clause 13 (1) (f).

Insert instead “State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Land Application Map”.

[5] Clause 54 Pitt Town—heritage

Omit “Hawkesbury Local Environmental Plan 1989 (Amendment No 145)” from clause 54 (1).

Insert instead “State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Heritage Map”.

[6] Clause 55 Pitt Town—subdivision and regional transport infrastructure

Omit “Hawkesbury Local Environmental Plan 1989 (Amendment No 145)” from clause 55 (1).

Insert instead “State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008 Pitt Town Site Land Zoning Map”.

[7] Clause 55 (3) (a)

Omit “the commencement of *Hawkesbury Local Environmental Plan 1989 (Amendment No 145)*”.

Insert instead “18 August 2006”.

[8] Clause 55 (3) (b)

Omit “the commencement of that plan”. Insert instead “18 August 2006”.

[9] Clause 56

Insert after clause 55:

56 Savings in relation to development applications made before the commencement of State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008

If a development application is made before the commencement of *State Environmental Planning Policy (Major Projects) Amendment (Pitt Town) 2008* and is not finally determined before that commencement, the application is to be determined as if that policy had not been made.



New South Wales

Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)

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*. (S07/01180/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)

Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)*.

2 Aims of plan

This plan aims to amend *Baulkham Hills Local Environmental Plan 2005* to rezone part of the land to which this plan applies from the Open Space 6 (a) (Existing and Proposed Public Recreation) Zone and the Special Uses 5 (a) (Existing and Proposed) Zone to the Business 3 (a) (Retail) Zone and to reclassify that land from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to part of Lot 70, DP 1125269 known as 92 Wrights Road, Kellyville as shown coloured light blue and edged heavy black on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)” deposited in the office of Baulkham Hills Shire Council.

4 Amendment of Baulkham Hills Local Environmental Plan 2005

Baulkham Hills Local Environmental Plan 2005 is amended as set out in Schedule 1.

Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)

[2] Schedule 5 Classification and reclassification of public land as operational land

Insert in Part 2 of the Schedule in Columns 1, 2 and 3, respectively:

Kellyville

92 Wrights Road	Part of Lot 70, DP 1125269, as shown coloured light blue and edged heavy black on the map marked "Baulkham Hills Local Environmental Plan 2005 (Amendment No 13)".	Nil
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New South Wales

Canterbury Local Environmental Plan No 209

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*. (P07/00847/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Canterbury Local Environmental Plan No 209

Canterbury Local Environmental Plan No 209

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Canterbury Local Environmental Plan No 209*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies, including land that was deferred matter under *Canterbury Local Environmental Plan No 205*, to Zone No 3 (c) Neighbourhood Business under the *Canterbury Planning Scheme Ordinance*.

3 Land to which plan applies

This plan applies to land:

- (a) known as Nos 2–8, 10, 12 and 16 Homer Street, Earlwood (being Lot 1, DP 721370, Lot 3, DP 334484, Lot 2, DP 334484 and Lot X, DP 382640), and
- (b) known as Nos 15, 17, 19, 21–23, 25, 27, 29, 31, 33 and 35 Homer Street, Earlwood (being Lots 2, 1 and 3, DP 209918, Lot 1, DP 119762, Lot 1, DP 124889, Lot 1, DP 784574 and Lots 1–4, DP 124893),

as shown coloured dark blue and edged heavy black on the map marked “Canterbury Local Environmental Plan No 209” deposited in the office of Canterbury City Council.

4 Amendment of Canterbury Planning Scheme Ordinance

The *Canterbury Planning Scheme Ordinance* is amended by inserting in appropriate order in the definition of *Scheme map* in clause 4 (1) the following words:

Canterbury Local Environmental Plan No 209



New South Wales

Copmanhurst Local Environmental Plan 1990 (Amendment No 12)

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*. (GRA6322721/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Copmanhurst Local Environmental Plan 1990 (Amendment No 12)

Copmanhurst Local Environmental Plan 1990 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Copmanhurst Local Environmental Plan 1990 (Amendment No 12)*.

2 Aims of plan

This plan aims to:

- (a) rezone the land to which this plan applies from Zone No 5 (a) (Special Uses (Public Purposes) Zone) to Zone No 4 (a) (Industrial Zone) and Zone No 1 (a) (Rural (General) Zone) under *Copmanhurst Local Environmental Plan 1990*, and
- (b) allow, with development consent, the erection of a dwelling-house on that part of Lot 3, DP 1001558, Summerland Way, Koolkhan, that is within Zone No 1 (a) (Rural (General) Zone).

3 Land to which plan applies

This plan applies to part Lot 2 and Lot 3, DP 1001558, Summerland Way, Koolkhan, as shown edged heavy black on the map marked “Copmanhurst Local Environmental Plan 1990 (Amendment No 12)” deposited in the office of Clarence Valley Council.

4 Amendment of Copmanhurst Local Environmental Plan 1990

Copmanhurst Local Environmental Plan 1990 is amended as set out in Schedule 1.

Copmanhurst Local Environmental Plan 1990 (Amendment No 12)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Copmanhurst Local Environmental Plan 1990 (Amendment No 12)

[2] Clause 25D

Insert after clause 25C:

25D Erection of dwelling-house on land at Koolkhan

Notwithstanding any other provision of this plan, a dwelling-house may be erected, with the consent of the council, on that part of Lot 3, DP1001558, Summerland Way, Koolkhan that is within Zone No 1 (a) (Rural (General) Zone).



New South Wales

Gunnedah Local Environmental Plan 1998 (Amendment No 18)

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*. (TAM6364355/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Gunnedah Local Environmental Plan 1998 (Amendment No 18)

Gunnedah Local Environmental Plan 1998 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Gunnedah Local Environmental Plan 1998 (Amendment No 18)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 1 (a) Rural (Agricultural Protection) to partly Zone No 4 (a) General Industry and partly Zone No 7 (d) Environment Protection—Scenic under *Gunnedah Local Environmental Plan 1998*.

3 Land to which plan applies

This plan applies to Lots 333, 334 and 336–339, DP 755503, Lots 1 and 2, DP 120946 and Lot 1, DP 1111136, Quia and Black Jack Roads, Gunnedah, as shown edged heavy black and lettered “4 (a)” or “7 (d)” on the map marked “Gunnedah Local Environmental Plan 1998 (Amendment No 18)” deposited in the office of Gunnedah Shire Council.

4 Amendment of Gunnedah Local Environmental Plan 1998

Gunnedah Local Environmental Plan 1998 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Gunnedah Local Environmental Plan 1998 (Amendment No 18)



New South Wales

Wyong Local Environmental Plan 1991 (Amendment No 163)

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*. (S06/00793/PC-1)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 163)

Wyong Local Environmental Plan 1991 (Amendment No 163)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 163)*.

2 Aims of plan

The aims of this plan are:

- (a) to rezone certain land from Zone No 10 (a) (Investigation Precinct Zone), Zone No 1 (c) (Non Urban Constrained Lands Zone) and Zone No 2 (e) (Urban Release Area Zone) to Zone No 2 (a) (Residential Zone) and Zone No 2 (b) (Multiple Dwelling Residential Zone) under *Wyong Local Environmental Plan 1991*, and
- (b) to rezone certain land from Zone No 10 (a) (Investigation Precinct Zone) to Zone No 1 (c) (Non Urban Constrained Lands Zone) under that Plan to reflect environmental and physical constraints relevant to that land, and
- (c) to remove Lots A and B, DP 31271, Lots 6–9, DP 201174 and Lots 43 and 47, DP 7091 from the operation of clause 18 of that Plan which requires lot amalgamations for certain residential development.

3 Land to which plan applies

This plan applies to the land situated in the local government area of Wyong shown edged heavy black on the map marked “Wyong Local Environmental Plan 1991 (Amendment No 163)” deposited in the office of Wyong Shire Council.

4 Amendment of Wyong Local Environmental Plan 1991

Wyong Local Environmental Plan 1991 is amended as set out in Schedule 1.

Wyang Local Environmental Plan 1991 (Amendment No 163)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Definitions

Insert in appropriate order in the definition of *the map* in clause 7 (1):

Wyang Local Environmental Plan 1991 (Amendment No 163)

[2] Clause 42G

Insert after clause 42F:

42G Subdivision and regional transport infrastructure—Hamlyn Terrace

- (1) This clause applies to land shown edged heavy black on the map marked “Wyang Local Environmental Plan 1991 (Amendment No 163)” deposited in the office of the Council, but does not apply to such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).
- (2) The object of this clause is to require assistance towards the provision of regional transport infrastructure and services to satisfy needs that arise from development on land to which this clause applies, but only if the land is developed intensively for urban purposes.
- (3) Despite any other provision of this plan, the Council must not grant consent to the subdivision of land to which this clause applies if the subdivision would:
 - (a) create a lot with an area of less than 40 hectares that, immediately before the commencement of *Wyang Local Environmental Plan 1991 (Amendment No 163)*, was within Zone No 1 (c), or
 - (b) create additional lots on land that, immediately before the commencement of *Wyang Local Environmental Plan 1991 (Amendment No 163)*, was within Zone No 10 (a),unless the Director-General has certified in writing to the Council that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services in relation to that lot.
- (4) Subclause (3) does not apply to any lot:
 - (a) identified in the certificate as a residue lot, or
 - (b) created by a subdivision consented to in accordance with this clause, or

Wyong Local Environmental Plan 1991 (Amendment No 163)

Schedule 1 Amendments

-
- (c) that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities or any other public purpose.
 - (5) Subclause (3) does not apply to a subdivision for the purpose only of rectifying an encroachment on any existing allotment.
 - (6) *State Environmental Planning Policy No 1—Development Standards* does not apply to the subdivision of land to which subclause (3) applies.

[3] Schedule 5 Land not subject to lot amalgamation

Omit the matter relating to “Pacific Highway” under the heading “Hamlyn Terrace” from Schedule 5.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**ORDER**

UNDER section 75B(1) of the Environmental Planning and Assessment Act 1979, I declare the development described in the schedule below to be a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies.

FRANK SARTOR, M.P.,
Minister for Planning

Sydney, 10 July 2008.

SCHEDULE

Demolition of the copper smelter and refinery owned by Port Kembla Copper Pty Ltd, located on Military Road, Port Kembla, in the Wollongong Local Government Area (the 'Project'). Comprises Lot 21 on DP 546139, Lot 127 on DP 257531 and Lot 1 on DP 811699.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**Land Acquisition (Just Terms Compensation) Act 1991****Notice of Rescission of a Compulsory Acquisition of Land in the Local Government Area of Lane Cove**

IN pursuance of the provisions of Section 31 of the Land Acquisition (Just Terms Compensation) Act 1991, Her Excellency the Governor with the advice of the Executive Council, does by this notice rescind the Acquisition Notice published in the Government Gazette No. 50 of 9 May 2008, on page 3733, so far as such notice pertains to the land described in the schedule below.

Dated at Sydney this 16 day of July 2008.

By Her Excellency's Command

FRANK SARTOR, M.P.,
Minister for Planning

SCHEDULE

All that piece or parcel of land situated in the Local Government Area of Lane Cove, Parish of Willoughby, County of Cumberland being, proposed Lot 1 in the subdivision of Lot 212, DP866891 (now known as Lot 1 DP1126043), 1 Knott Lane, Longueville being part of the land comprised in Folio Identifier 212/866891 (now 1/1126043).

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**Land Acquisition (Just Terms Compensation) Act 1991****Notice of Compulsory Acquisition of Land in the Local Government Area of Lane Cove**

THE Minister administering the Environmental Planning and Assessment Act 1979, declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Environmental Planning and Assessment Act 1979.

Dated at Sydney this 16 day of July 2008.

By Her Excellency's Command

FRANK SARTOR, M.P.,
Minister for Planning

SCHEDULE

All that piece or parcel of land situated in the Local Government Area of Lane Cove, Parish of Willoughby, County of Cumberland being, Lot 2 DP1126043, 1 Nott Lane, Longueville being part of the land comprised in Folio Identifier 2/1126043 and said to be in the ownership of Diane Kay Halley.

Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Appointment of Explosion Suppression Officers

I, ROBERT REGAN, Chief Inspector under the Coal Mine Health and Safety Act 2002 pursuant to clause 96 of the Coal Mine Health and Safety Regulation 2006 appoint Paul Gregory SCULLY and Geoffrey Daniel POWELL as an explosion suppression officer.

Signed this 4th day of July 2008.

ROBERT REGAN,
Chief Inspector
Coal Mine Health and Safety Act 2002

EXPLOSIVES ACT 2003

Appointment of Inspectors under Section 25

I, RICHARD FREDERICK SHELDRAKE, Director-General, Department of Primary Industries, being the regulatory authority for coal workplaces and mining workplaces pursuant to clause 6 of the Explosives Regulation 2005 and to section 25 of the Explosives Act 2003 ("the Act") hereby;

- (a) revoke the appointment, published in New South Wales Government Gazette No. 48 of 2 May 2008 at page 2997, of Safraz HASSAN as an Inspector under the Act; and
- (b) appoint as an inspector in relation to coal workplaces and mining workplaces each of the persons named in Schedule 1 below.

Schedule 1

HASSAN Sarfraz
BABIC Radomir

Dated this 7th day of July 2008.

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

FISHERIES MANAGEMENT ACT 1994

Appointment of Nominated Industry Representative to the Aquaculture Research Advisory Committee

I, IAN MACDONALD MLC, NSW Minister for Primary Industries, pursuant to Section 157(4) of the Fisheries Management Act 1994 and Clause 1 of Schedule 1 of the Fisheries Management (Aquaculture) Regulation 2007 hereby appoint the following person as an industry representative to the Aquaculture Research Advisory Committee for three years from the date of this appointment.

ARENA, Nick

Dated this 23rd day of June 2008

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

FISHERIES MANAGEMENT ACT 1994

Instrument of Appointment to the Ocean Hauling Management Advisory Committee

I, IAN MACDONALD, MLC, Minister for Primary Industries, pursuant to section 230 of the Fisheries Management Act 1994, and clause 406(2) of the Fisheries Management (General) Regulation 2002 appoint Mr Mark-Dean Oestmann and Mr Joseph Morgan to the Ocean Hauling Management Advisory Committee from the date hereof until 28 February 2011.

Dated this 8th day of July 2008.

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

FISHERIES MANAGEMENT ACT 1994

Instrument of Revocation and Appointment to Share Appeal Panel

I, IAN MACDONALD, MLC, Minister for Primary Industries, pursuant to section 83 of the Fisheries Management Act 1994 and section 43(2) of the Interpretation Act 1987:

1. Revoke the appointment of Dr Veronica Silberschneider as the Nominee of the Director-General of the five Share Appeal Panels for the Estuary General, Estuary Prawn Trawl, Ocean Hauling, Ocean Trap and Line Ocean Trawl Share Management Fisheries effective from 1 July 2008; and
2. Appoint Ms Fiona McKinnon as the Nominee of the Director-General to the five Share Appeal Panels for the Estuary General, Estuary Prawn Trawl, Ocean Hauling, Ocean Trap and Line Ocean Trawl Share Management Fisheries commencing on 1 July 2008 until 31 January 2009.

Dated this 23rd day of June 2008.

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

FISHERIES MANAGEMENT ACT 1994

Section 11 Notification – Amendment of Fishing Closure Manning River and Tributaries

I, Douglas Frazer Hocking, Executive Director, Fisheries, Compliance and Regional Relations with the delegated authority of the Minister for Primary Industries and the Director-General of the NSW Department of Primary Industries pursuant to sections 227 and 228 of the Fisheries Management Act 1994 ("the Act"), do by this notification pursuant to section 11 of the Act, amend the notification titled "Manning River and Tributaries" published in the Government Gazette No 196. on 12 December 2003 at pages 11212 – 11213 by deleting Schedule 1.

This amendment is effective from the date of publication of this notification.

Dated this 11th day of July 2008.

DOUGLAS FRAZER HOCKING,
Executive Director
Fisheries, Compliance and Regional Relations
NSW Department of Primary Industries

**FOREST PRODUCTS MINISTERIAL ADVISORY
COUNCIL**

Appointment of members to the Forests and Forest
Products Ministerial Advisory Council

I, IAN MACDONALD M.L.C., Minister for Primary
Industries, hereby appoint the persons named in the schedule
below as members of the Forests and Forest Products
Ministerial Advisory Council, from date of appointment for
a period of 3 years.

SCHEDULE

Mr Russ AINLEY
Mr Warwick RAGG
Mr John McNAMARA
Mr Gus CARFI
Mr Craig SMITH
Mr Marcus DERHAM
Mr Kerry PIDCOCK
Mr Graeme BEARD

Dated this 23rd day of June 2008.

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

MINING ACT 1992

Order under Section 224

I, John Leeks Manager Mineral Titles and Lightning Ridge by
delegation from the Minister for Mineral Resources, pursuant
to the provisions of section 224 of the Mining Act 1992,
do by this Order constitute lands within Opal Prospecting
Areas No.1 and 2 and depicted on plan catalogued M27134
in the Department of Primary Industries-Minerals Division,
Maitland as Opal Prospecting Block No's 23A, 23B, 23C,
31A, 31B, 31C, 31D, 31E, 192 & 193 inclusive.

Dated this 18th day of July 2008.

JOHN LEEKS,
Manager
Mineral Titles and Lightning Ridge

Roads and Traffic Authority

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Raglan
in the Bathurst Regional 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 that piece or parcel of land situated in the Bathurst Regional Council area, Parish of Melrose and County of Roxburgh, shown as Lot 11 Deposited Plan 1004444.

(RTA Papers: FPP 96M3560; RO 5/146.163)

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Linley Point in the Lane Cove 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 Lane Cove Council area, Parish of Willoughby and County of Cumberland, being the whole of the land in Folio Identifiers 30/11714, 1/129394, 6/811195, 3/1117218 and 4/1117218.

(RTA Papers: FPP 6M360; RO 203.1124)

Department of Water and Energy

WATER ACT 1912

AN APPLICATION for a licence under Part 5 of the Water Act, 1912, as amended, has been received as follows:

Lachlan River Valley

William John and Isabella Catherine ARNOLD for a bore on Lot 97 DP753093, Parish Ilgindrie, County Gipps for a water supply for stock and domestic purposes and the irrigation of 750 hectares (Lucerne & Cereals). New Licence. (Ref.70BL229221)

Any enquiries regarding the above should be directed to the undersigned on (02) 6850 2800. Written objections, specifying grounds, must be lodged with the Department of Water and Energy, PO Box 291, Forbes NSW 2871, within 28 days of the date of this publication.

V. RUSSELL,
Licensing Manager

APPLICATIONS for a licence under Part 5 of the Water Act, 1912, as amended, have been received as follows;

Murrumbidgee Valley

Bruce Anthony McINNES and Karen Lorraine McINNES for a bore licence on Lot 248 DP751698, Parish Edon, County Cooper for a water supply for irrigation purposes (Lucerne). New Licence. (Ref.40BL191890)

Matthew Norman CROSBIE for a bore licence on Lot 4 DP823355, Parish Blanch, County Wynyard for a water supply for irrigation purposes (pasture, lucerne – 60 hectares). New Licence. (Ref.40BL191887)

Matthew Norman CROSBIE for a bore licence on Lot 5 DP876545, Parish Umutbee, County Wynyard for a water supply for irrigation purposes (pasture, lucerne – 60 hectares). New Licence. (Ref.40BL191889)

Bruce Ronald KLIMPSCH for a bore licence on Lot 69 DP754543, Parish Burke, County Mitchell for a water supply for irrigation purposes (pasture, cereals, canola – 60 hectares). Replaces Licence 40BL015465. (Ref.40BL191880)

Sergio PANAZZOLO and Sylvana Emma PANAZZOLO for a bore licence on Lot 82 DP46268, Parish Gibbs, County Cooper for a water supply for irrigation purposes (cereals and pasture). New Licence. (Ref.40BL191872)

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

APPLICATIONS for a licence under Section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Murrumbidgee Valley

Alwyn John & Shirley Yvonne McMILLAN for a pump on the Numeralla River, Lot 1 DP733215, Parish Undoo, County Beresford for irrigation of 0.5 hectares (pine trees). New Licence – allocation via permanent transfer. (Ref.40SL71137)

Henry Graham LARKHAM for dam on an Unnamed Watercourse, Lot 165 DP754128, Parish Manton, County King for stock purposes. Dam exceeds Harvestable Right – allocation via permanent transfer. (Ref.40SL71136)

AN APPLICATION for an authority under Section 20 for works within a proclaimed (declared) local area as generally described hereunder has been received from:

Murrumbidgee Valley

COOMA GOLF CLUB, Ross Alan SHERLOCK, Zela Clyde SHERLOCK and Todd Andrew BEATTIE for a pump on the Murrumbidgee River, on Lot 83 DP750524, for a water supply for recreation purposes, for supply of water for stock purposes to the holder of Lot 45 DP750524 and supply of domestic water to the holder of Lot 1 DP869831 all Parish Binjura, County Beresford. Replacement Authority. (Ref.40SA5639)

Any enquires regarding the above should be directed to the undersigned on (02) 6953 0700. Written submissions, 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 this publication.

S.F. WEBB,
Licensing Manager

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised trade vocations of:

- Electrical (Appliance Servicing)
- Electrical (Electrical Machine Repair)
- Electrical (Switchgear and Control Gear)
- Electrical (Instruments)
- Electrical (Electrician)
- Electronic (Communications)
- Electronic (Computer Systems)
- Refrigeration/Air Conditioning (Mechanic)
- Electronic (Scanning and Detection),

under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the NSW Government Gazette.

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

Notice is also given that the recognised trade vocation of Electrical (Fitter) is now repealed.

ART GALLERY OF NEW SOUTH WALES ACT 1980

Deaccessioning an item from the collection of the Art Gallery of New South Wales

HER Excellency the Governor, with the advice of the Executive Council has approved, pursuant to section 9 of the Art Gallery of New South Wales Act 1980, the deaccessioning of the following item:

144.1999 Judith Wright, Projections for Eliza 111 1999, VHS PAL tape

FRANK SARTOR, M.P.,
Minister for the Arts

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Notification of approval of addition of Fluorine to a Public Water Supply (Mathoura)

PURSUANT to section 6 of the Fluoridation of Public Water Supplies Act 1957, I, Professor Debora Picone AM, Director-General of the Department of Health, do hereby approve an application by the Murray Shire Council to add fluorine to the public water supply under its control to Mathoura (in this notification referred to as the "Mathoura Water Supply").

This approval is subject to the following terms and conditions:

1. The Murray Shire Council may only add fluorine to the Mathoura Water Supply in accordance with this approval and any provisions, directions or approvals made or varied from time to time under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the

Fluoridation of Public Water Supplies made under that Act as in force from time to time, and the Fluoridation of Public Water Supplies Regulation 2007 or any subsequent Regulation made in its place; and

2. The Murray Shire Council shall maintain the content of fluorine to the Mathoura Water Supply at a target concentration level of 1.0 mg/L with an overall accuracy of +/-5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies; and
3. The Murray Shire Council shall have commenced the upward adjustment of fluorine in the Mathoura Water Supply by no later than 31 July 2009, unless otherwise approved by the Chief Dental Officer of NSW Health or that officer's approved representative.

Signed at Sydney this eighth day of July 2008.

Professor DEBORA PICONE, AM,
Director-General

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Notification of approval of addition of Fluorine to a Public Water Supply (Bungendore, Captains Flat and Braidwood)

PURSUANT to section 6 of the Fluoridation of Public Water Supplies Act 1957, I, Professor Debora Picone AM, Director-General of the Department of Health, do hereby approve an application by the Palerang Council to add fluorine to the public water supply under its control to Bungendore, Captains Flat and Braidwood (in this notification referred to as the "Bungendore, Captains Flat and Braidwood Water Supplies").

This approval is subject to the following terms and conditions:

1. The Palerang Council may only add fluorine to the Bungendore, Captains Flat and Braidwood Water Supplies in accordance with this approval and any provisions, directions or approvals made or varied from time to time under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act as in force from time to time, and the Fluoridation of Public Water Supplies Regulation 2007 or any subsequent Regulation made in its place; and
2. The Palerang Council shall maintain the content of fluorine to the Bungendore, Captains Flat and Braidwood Water Supplies at a target concentration level of 1.0 mg/L with an overall accuracy of +/-5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies; and
3. The Palerang Council shall have commenced the upward adjustment of fluorine in the Bungendore, Captains Flat and Braidwood Water Supplies by no later than 31 July 2010, unless otherwise approved by the Chief Dental Officer of NSW Health or that officer's approved representative.

Signed at Sydney this eighth day of July 2008.

Professor DEBORA PICONE, AM,
Director-General

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Direction to add Fluorine to a Public Water Supply

I, Professor Debora Picone AM, Director-General of the Department of Health, with the advice of the Fluoridation of Public Water Supplies Advisory Committee, and pursuant to section 6A of the Fluoridation of Public Water Supplies Act 1957, do hereby direct the Upper Lachlan Shire Council to add fluorine to the Crookwell water supply under its management and control (in this direction referred to as the "Crookwell water supply").

This direction is subject to the following terms and conditions:

1. The Upper Lachlan Shire Council may only add fluorine to the Crookwell water supply in accordance with any provisions, directions or approvals made under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act and as amended from time to time, and the Fluoridation of Public Water Supplies Regulations 2007 or any subsequent Regulation made in its place; and
2. The Upper Lachlan Shire Council shall maintain the content of fluorine in the Crookwell water supply at a target concentration level of 1.0 mg/L with an overall accuracy of +/- 5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies; and
3. The Upper Lachlan Shire Council shall have commenced the upward adjustment of fluorine in the Crookwell water supply by no later than 31 July 2010, unless otherwise approved by the Chief Dental Officer of NSW Health or that officer's approved representative.

Signed this eighth day of July 2008

Professor DEBORA PICONE, AM,
Director-General

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day discontinued the name Bullock Park.

PURSUANT to the provisions of Section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder as geographical names.

Assigned Name: Neville Baker Reserve
Designation: Reserve
L.G.A.: Orange City Council
Parish: Orange
County: Wellington
L.P.I. Map: Orange
1:100,000 Map: Orange 8731
Reference: GNB 5233

Assigned Name: Kiunuri Creek
Designation: Gully
L.G.A.: Lake Macquarie City Council

Parish: Wallarah
County: Northumberland
L.P.I. Map: Swansea
1:100,000 Map: Lake Macquarie 9232
Reference: GNB 5217

Assigned Name: Hammond Reserve
Discontinued Name: Bullock Park
Designation: Reserve
L.G.A.: Ku-ring-gai Council
Parish: Gordon
County: Cumberland
L.P.I. Map: Parramatta River
1:100,000 Map: Sydney 9130
Reference: GNB 5236

Assigned Name: Donald Commons Reserve
Designation: Reserve
L.G.A.: Ku-ring-gai Council
Parish: Gordon
County: Cumberland
L.P.I. Map: Hornsby
1:100,000 Map: Sydney 9130
Reference: GNB 5236

Assigned Name: Dillwynia Creek
Designation: Creek
L.G.A.: Lake Macquarie City Council
Parish: Morisset
County: Northumberland
L.P.I. Map: Morisset
1:100,000 Map: Gosford 9131
Reference: GNB 5217

Assigned Name: Norths Lookout
Designation: Lookout
L.G.A.: Blue Mountains City Council
Parish: Megalong
County: Cook
L.P.I. Map: Katoomba
1:100,000 Map: Katoomba 8930
Reference: GNB 5009

Assigned Name: Bathurst and District Vietnam Veterans Memorial Park
Designation: Reserve
L.G.A.: Bathurst Regional Council
Parish: Bathurst
County: Bathurst
L.P.I. Map: Bathurst
1:100,000 Map: Bathurst 8831
Reference: GNB 5235

Assigned Name: James Leslie Reserve
Designation: Reserve
L.G.A.: Maitland City Council
Parish: Maitland
County: Northumberland
L.P.I. Map: Beresfield
1:100,000 Map: Newcastle 9232
Reference: GNB 5208

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

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143
Bathurst NSW

NATIONAL PARKS AND WILDLIFE ACT 1974

Avondale Nature Reserve

Draft Plan of Management

A draft plan of management for the above reserve has been prepared is available free of charge from the NPWS offices at 145 Miller St Armidale (ph 6738 9100) and 87 Faulkner St Armidale (ph 6776 0000). The plan is also on the website: www.environment.nsw.gov.au.

Written submissions on this plan must be received by the Ranger, Avondale SCA, NPWS, 145 Miller St NSW 2350 by 13 October 2008.

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

NATIONAL PARKS AND WILDLIFE ACT, 1974

Capeen Mountain Aboriginal Place

IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, I, the Minister for Climate Change, Environment and Water, do, by this my order, declare such of the lands described hereunder as an Aboriginal Place.

The values of the Aboriginal Place include a natural mythological site identified as juribihl (increase spirit or ancestor spirit) site. Capeen Mountain is the dominant feature and one of the most significant areas within this cultural landscape. Such sites are highly significant to the Githabul people, each of which is owned, used and protected by a particular Githabul family group.

VERITY FIRTH, M.P.,

Minister for Climate Change and the Environment

DESCRIPTION

*Land District – Casino;
LGA – Kyogle*

County Buller, Parishes Burgess, Capeen & Mearimb, about 40.1 hectares, being Lot 7001 in DP102480 and those parts of Lots 25 & 32 in DP751048, Lot 44 in DP751073 & Lot 113 in DP848995 contained above 500m AHD: DECC/07/18962

NATIONAL PARKS AND WILDLIFE ACT, 1974

Blackfellows Hand Aboriginal Place

IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, the Minister for Climate Change, Environment and Water, do, by this my order, declare such of the lands described hereunder as an Aboriginal Place.

The values of the Aboriginal Place include of an art site, a teaching site, and an occupational site including a men's and women's area. The site complex includes a culturally significant art stencils which are a physical and spiritual link

to ancestors. The place holds special meaning to Wiradjuri people because of their continuing cultural connection to the place. The place is also highly valued by the wider community both Aboriginal and non-Aboriginal people.

VERITY FIRTH, M.P.,

Minister assisting the Minister for Climate Change,
Environment and Water**DESCRIPTION**

*Land District – Lithgow;
LGA – Lithgow*

County Cook, Parish Cox, about 491 hectares, being Crown Reserve R 42350 for Public Recreation Notified 15th January 1908, excluding that part of Ben Bullen State Forest dedicated over the Crown Reserve and the Council Public road within the Crown Reserve.:NPWS/07/12315.

SPORTING INJURIES COMMITTEE

Sydney, 1 July 2008

Sporting Injuries Insurance Act, 1978

Order of Declaration under Section 5

IN pursuance of Section 5 of the Sporting Injuries Insurance Act, 1978, I declare by this order the

New South Wales Kodokan Judo Association

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

MURRAY MCLACHLAN,
Deputy Chairperson

Date: 1 July 2008.

SPORTING INJURIES COMMITTEE

Sydney, 16 July 2008

Sporting Injuries Insurance Act, 1978

Order of Declaration under Section 5

IN pursuance of Section 5 of the Sporting Injuries Insurance Act, 1978, I declare by this order the

Selbridge Pty Ltd

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

MURRAY MCLACHLAN,
Deputy Chairperson

Date: 16 July 2008.

SUBORDINATE LEGISLATION ACT 1989

Real Property Regulation 2008

Invitation to comment

THE Real Property Regulation 2003 will be automatically repealed on 1 September 2008, pursuant to section 10(2) of the Subordinate Legislation Act 1989. It is proposed to make a new Regulation, the Real Property Regulation 2008, to operate from that date.

The proposed Regulation makes only minor changes to the provisions of the current Regulation. The proposed Regulation deals with the lodgement of dealings and caveats (including requirements relating to the form and content of certain documents); the manner in which a requisition for an official search of the Register kept under the Real Property Act 1900 is to be made; the times and manner at which information in the Register is to be made available to the public for searches; prescribing the period during which the Registrar-General may require production in electronic format or hard copy of certain documents lodged in electronic form; the service of certain documents; prescribing the maximum amount that the Registrar-General may pay in settlement of claims against the Torrens Assurance Fund without further authorisation from the Minister; and the payment of fees.

A Regulatory Impact Statement and a draft of the Regulations have been prepared. Copies of the draft Regulations and Regulatory Impact Statement may be obtained from the Department of Lands by telephone on (02) 9228 6726 or it may be downloaded from the website at www.lands.nsw.gov.au.

Comments and submissions should be mailed or e-mailed by Friday, 15 August 2008 to:

Real Property Regulation 2008 Remake
Legislation Branch
Department of Lands
GPO Box 15, Sydney NSW 2001

or

e-mail: LegalServices@lands.nsw.gov.au

SUBORDINATE LEGISLATION ACT 1989

Conveyancing (General) Regulation 2008

Invitation to Comment

THE Conveyancing (General) Regulation 2003 is due to be automatically repealed on 1 September 2008 by section 10 (2) of the Subordinate Legislation Act 1989. Proposed replacement regulations have been drafted and, in accordance with section 5 of the Subordinate Legislation Act 1989, are released for public comment.

The Conveyancing (General) Regulation deals with the requirements for registration of instruments in the General Register of Deeds; the register of plans (including the lodgment of plans for registration and the form in which plans are to be lodged); the times and manner in which information held by the Registrar General is to be made available for search: the requirements for official searches; the authorities prescribed for the purposes of the Conveyancing Act 1919; and the payment of fees.

A Regulatory Impact Statement and the draft Conveyancing (General) Regulation has been prepared and may be obtained from the Department of Lands by telephone on (02) 9228 6726 or it may be downloaded from the website at www.lands.nsw.gov.au.

Comments and submissions should be mailed, e-mailed by Friday, 15 August 2008 to:

Conveyancing (General) Regulation 2008 Remake
Legislation Branch
Department of Lands
GPO Box 15, Sydney NSW 2001

or

e-mail: LegalServices@lands.nsw.gov.au

SUBORDINATE LEGISLATION ACT 1989

Medical Practice Regulation 2008

Poisons and Therapeutic Goods Regulation 2008

THE NSW Department of Health proposes to make the Medical Practice Regulation 2008 and the Poisons and Therapeutic Goods Regulation 2008.

In accordance with the requirements of the Subordinate Legislation Act 1989 a regulatory impact statement has been prepared to discuss the detail of each proposed Regulation and its costs and benefits.

To facilitate public consultation a copy of the regulatory impact statements and the draft Regulations may be obtained from the Department of Health's Internet site www.health.nsw.gov.au or by contacting the Department's Legal and Legislative Services Branch on (02) 9391 9606, or by email legalmail@doh.health.nsw.gov.au

Comments and submissions will be accepted until 5.00 pm on Friday 1 August 2008.

SUBORDINATE LEGISLATION ACT 1989,

Invitation to Comment

Fire Brigades Act 1989

Proposed Fire Brigades Regulation 2008

NOTICE is given, in accordance with Section 5(2) of the Subordinate legislation Act 1989, of the intention to make a principal statutory rule under the Fire Brigades Act 1989 to be known as the Fire Brigades Regulation 2008.

The proposed Regulation is to replace, with only minor changes in substance, the Fire Brigade Regulation 2003, which is repealed on 1 September 2008 by section 10(2) of the Subordinate Legislation Act 1989.

The objective of the proposed regulation is to provide the NSWFB with a mechanism to meet its objectives under the Fire Brigades Act 1989, by making provision with regard to the charges payable for certain services performed by firefighters, including attending at hazardous material incidents and false fire alarms.

New provisions in this Regulation provide for the recovery of additional costs incurred by the New South Wales Fire Brigades in the performance of certain services.

The Regulatory Impact Statement and draft Regulation are on public exhibition from 18 July to 8 August 2008 and can be downloaded from www.fire.nsw.gov.au. Copies may also be obtained by contacting Ms Cora Sarmiento, A/Manager Corporate Administration and Executive Support, telephone (02) 9265 2930.

Written comments or submissions on the proposed statutory rules are invited and should be forwarded to Regulations, NSW Fire Brigades, PO Box A249, Sydney South NSW 1232 or by email to fbregulations@fire.nsw.gov.au no later than Friday 8 August 2008.

THREATENED SPECIES CONSERVATION ACT

Notice of Preliminary Determinations

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

Endangered Species (Part 1 of Schedule 1)

Rytidosperma vickeryae M. Gray & H.P. Linder, a grass

Endangered Ecological Community (Part 3 of Schedule 1)

Hunter Floodplain Red Gum Woodland in the NSW North Coast and Sydney Basin Bioregions

Critically Endangered Species (Part 1 of Schedule 1A)

Genoplesium littorale D.L. Jones (Tuncurry Midge Orchid), a terrestrial orchid

Vulnerable Species (Part 1 of Schedule 2)

Tephrosia filipes Benth., a subshrub

Any person may make a written submission regarding these Preliminary Determinations. Send submissions to: Scientific Committee, PO Box 1967, Hurstville 1481. Attention Suzanne Chate. Submissions must be received by 12th September, 2008.

Copies of the Determinations, which contain the reasons for the determinations, may be obtained free of charge on the Internet www.environment.nsw.gov.au, by contacting the Scientific Committee Unit, PO Box 1967 Hurstville 1481. Tel: (02) 9585 6940 or Fax (02) 9585 6606 or in person at the Department of Environment and Climate Change Information Centre, Level 14, 59-61 Goulburn Street, Sydney. Copies of the determinations may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

Professor LESLEY HUGHES,
Chairperson

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway overbridge under section 99B of the Transport Administration Act 1988 No 109:

Railway Overbridge at Nana Glen on the North Coast Line at rail kilometres 641.217kms

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

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

TRANSPORT ADMINISTRATION ACT 1988

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988:

Road Level Crossing near Mangoola on the Muswellbrook to Denman Section of the Ulan line at rail kilometres 309.627

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Coggans Creek on the Sandy Hollow to Ulan Section of the Ulan line at rail kilometres 387.140

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Rappville on the Grafton to Casino Section of the North Coast line at rail kilometres 791.294

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Private Accommodation Level Crossing near Antiene on the Main North Line Singleton to Muswellbrook Section at rail kilometres 284.934kms

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Denman on the Muswellbrook to Denman Section of the Ulan line at rail kilometres 312.986

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Denman on the Denman to Sandy Hollow Section of the Ulan line at rail kilometres 320.852

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Denman on the Denman to Sandy Hollow Section of the Ulan line at rail kilometres 322.573

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Sandy Hollow on the Sandy Hollow to Ulan Line Section of the Ulan line at rail kilometres 340.940

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Sandy Hollow on the Sandy Hollow to Denman Section of the Ulan Line at rail kilometres 331.646

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

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

TRANSPORT ADMINISTRATION ACT 1988

THE Minister for Transport has approved of the closure of the following railway level crossings under section 99B of the Transport Administration Act 1988:

Road Level Crossings near Wollar on the Sandy Hollow to Ulan Section of the Ulan line at rail kilometres 410.543 and 410.910

All rights, easements and privileges in relation to these railway level crossings are now extinguished.

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Sandy Hollow on the Sandy Hollow to Ulan Section of the Ulan line at rail kilometres 339.343

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

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

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99B of the Transport Administration Act 1988 No 109:

Road Level Crossing near Ulan on the Ulan to Gulgong Section of the Ulan line at rail kilometres 439.100

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

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

CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

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 pursuant to section 224(3) of the Crimes (Administration of Sentences) Act 1999, do, by this proclamation, vary the proclamation published in the Government Gazette of 12 September 1997 and varied on 20 July 2007 which declared Emu Plains Correctional Complex to be a correctional complex, and in variation thereof I declare that Emu Plains Correctional Complex is to be the area described hereunder (together with all buildings or premises which are now or may hereafter be erected thereon):

All that piece or parcel of land situate in the Local Government Area of Penrith City, Parish of Strathdon and County of Cook, being lots 3, 4 and 5 and part of lots 1 and 2 Deposited Plan 194852 and part of Lot 1 Deposited Plan 1051350, all shown by light shading on Plan Catalogue Number 56097 in the Department of Commerce Plan Room reproduced hereunder and having an area of 95.21 hectares or thereabouts.

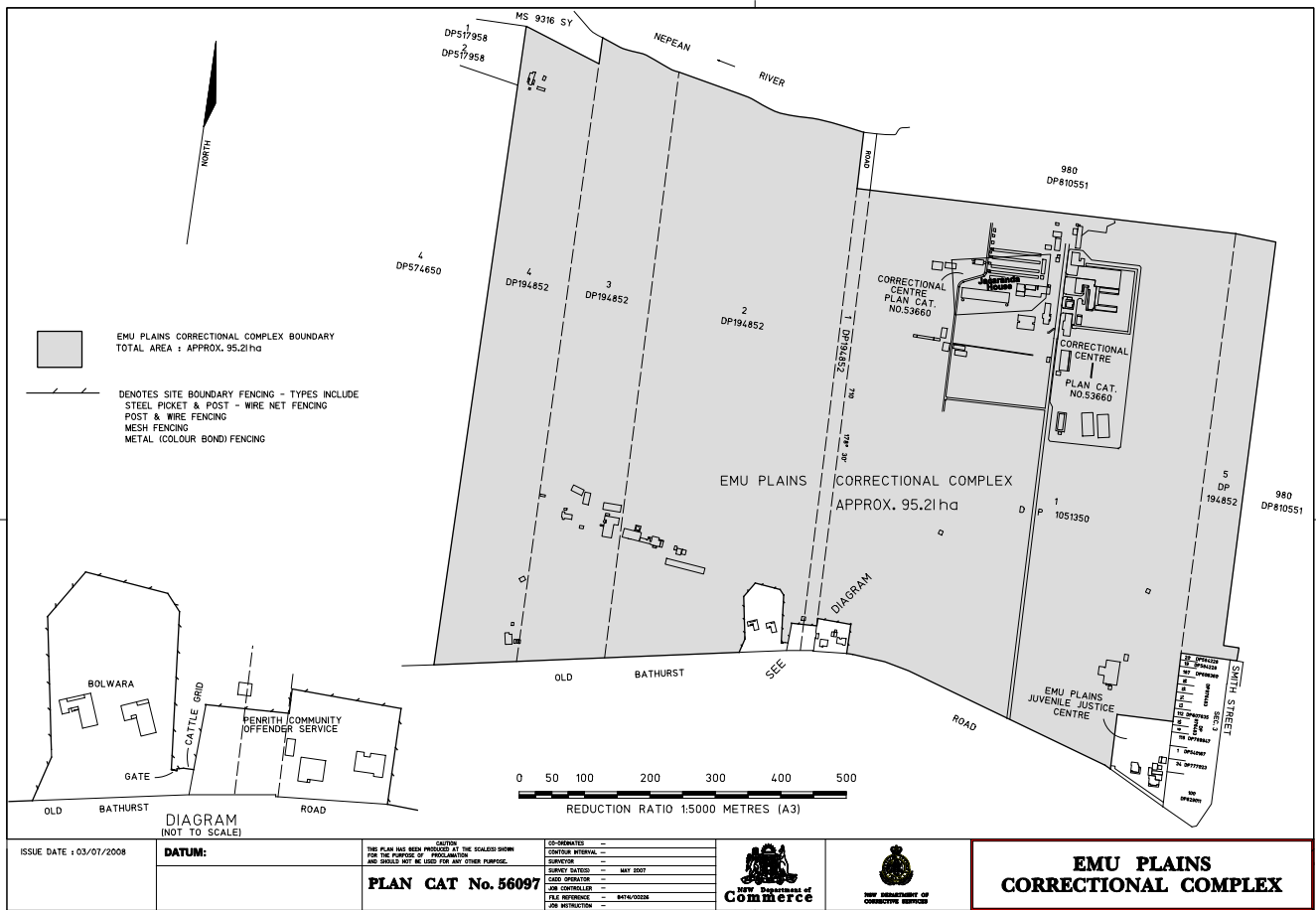
This proclamation is to take effect on and from the date of publication in the Government Gazette.

Signed and sealed at Sydney, this 16th day of July 2008.

By Her Excellency's Command.

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

GOD SAVE THE QUEEN!



CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

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 pursuant to section 225(4) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, vary the Proclamation of Long Bay Hospital published in the Government Gazette on 24 October 1997 and re-declared on 17 October 2001; and in variation thereof I declare Long Bay Hospital to be the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon), viz.:

All that piece or parcel of land situate in the local government area of Randwick City Council, Parish of Botany and County of Cumberland, being lot 134 and part of lot 133 in a plan of subdivision of lot 5291 in Deposited Plan 824057, shown by shading as Long Bay Hospital on Plan Catalogue Number 56076 in the Department of Commerce Plan Room reproduced hereunder and having an area of 3.68 hectares or thereabouts.

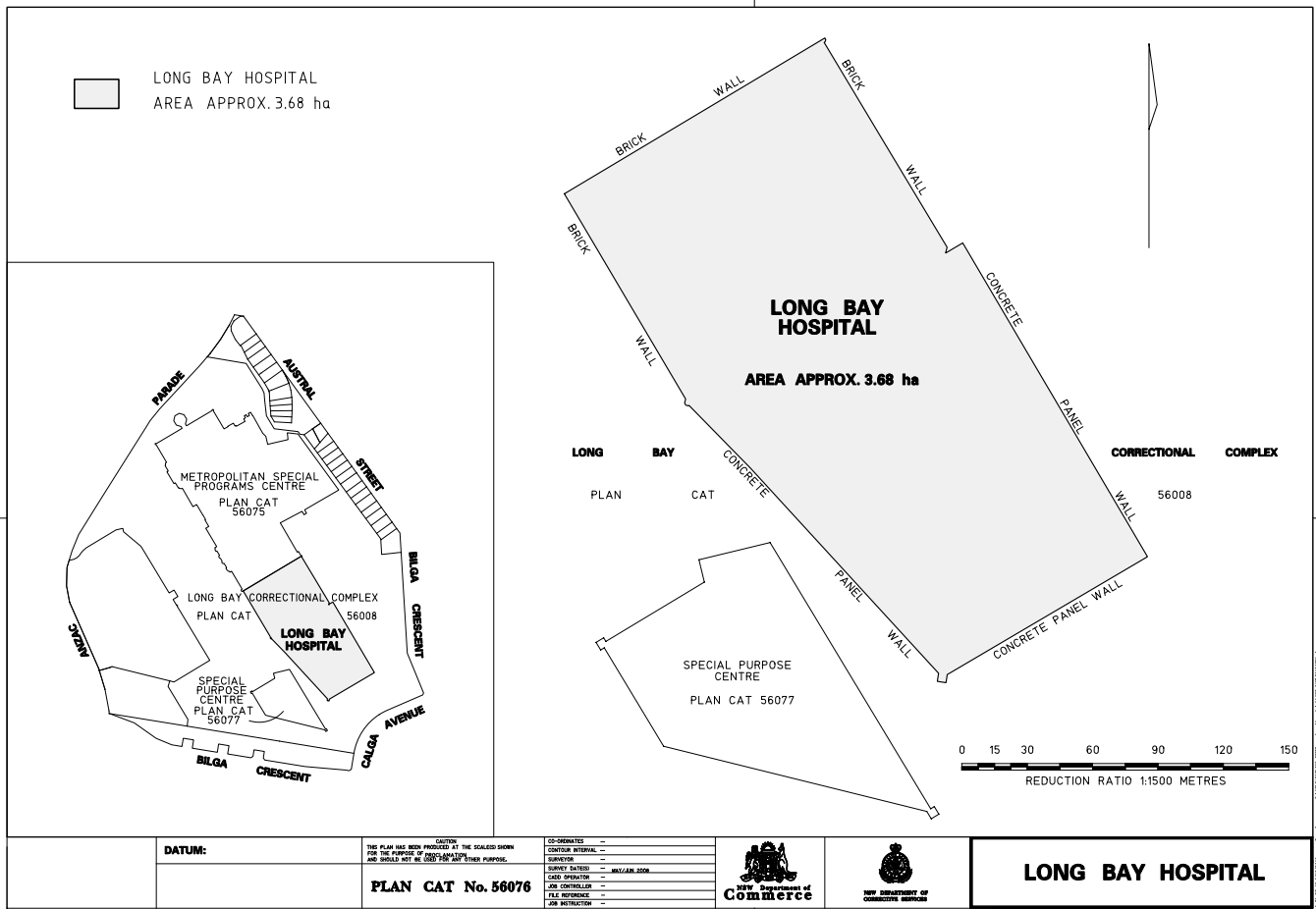
This proclamation is to take effect on and from the date of publication in the Government Gazette.

Signed and sealed at Sydney, this 16th day of July 2008.

By Her Excellency's Command

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

GOD SAVE THE QUEEN!



CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

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 pursuant to section 226(4) of the Crimes (Administration of Sentences) Act 1999, do, by this proclamation, revoke the proclamation of Emu Plains Periodic Detention Centre published in the Government Gazette of 17 February 2006.

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

Signed and sealed at Sydney, this 16th day of July 2008.

By Her Excellency's Command

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

GOD SAVE THE QUEEN!

PRACTICE NOTE SC Gen 7**Supreme Court – Use of technology****Commencement**

1. This Practice Note was issued on 9 July 2008 and commenced on 1 August 2008.

Application

2. This Practice Note applies to new and existing proceedings in the court, except as otherwise stated.

Definitions

3. In this Practice Note:

SCR means the *Supreme Court Rules 1970*

UCPR means the *Uniform Civil Procedure Rules 2005*

Database means a collection of electronic data that is organised so that its contents can easily be accessed, managed and updated

Electronic Data means information that has been translated into an electronic form that is more convenient to move or process

ESI means electronically stored information and includes emails, webpages, word processing files, images, sound recordings, videos and databases stored in any device

Field means a column of data within a database. Each record (row) can be made up of a number of pieces of information and, therefore, consists of a number of fields. These fields may be displayed as a box to enter or display data (in a form or report)

IMAGE means a picture or photograph that has been created or copied and stored in electronic format.

Medium means a mechanism through which a message is communicated

Virus means a computer program designed to replicate itself, usually having some unexpected and undesirable result for its targets. Viruses can be transmitted by downloading programs from infected sites (including internet sites) or they may be present on a storage device received from an infected system

XML means extensible mark up language used to facilitate the transfer of documents between computer systems

Introduction

4. The purpose of this Practice Note is to set out a protocol for the use of technology in courtrooms and jury deliberation rooms and, in relation to civil litigation, to:

- encourage the use of information technology as a means of improving the efficiency of litigation in general;
- emphasise the court's power to require the use of technology in particular cases or circumstances in order to provide such efficiencies;
- offer guidelines on the matters parties should take into account in deciding how to make use of technology; and
- offer examples and suggested standards to assist parties in agreeing upon the extent and manner in which they will use technology to exchange information.

Use of technology in courtrooms and jury deliberation rooms

5. Parties should give the Court as much notice as possible if they require technology in the courtroom or jury deliberation room during a hearing. Equipment and services may be required, such as hardware, software and additional infrastructure and a third party service provider may need to be engaged. Technology may include:

- Real time transcript;
- Video-conferencing; and
- Computers at the bar table.

6. The trial or presiding judge must give approval before technology may be installed or used in courtrooms or jury deliberation rooms. Where such a judge has not yet been allocated, parties should obtain approval from the relevant List Judge. Nothing in this practice note is intended to preclude practitioners from using their own laptop computers at the bar table during hearings.

7. A judge who approves the use of technology will ask the registry to make all arrangements. In most circumstances the Court will install its own equipment and the parties will be asked to meet all associated costs.

8. A document *Technology in the courtroom - Protocols and Procedures for Video and Audio Link* is available on the Court's website, along with the relevant forms.

Encouraging the use of technology in civil litigation

9. All parties are required at all stages of their litigation to consider the prospect of using technology for the purposes of information exchange and at trial itself. In preparing a case for trial the parties are specifically encouraged to:

- exchange electronic versions of documents such as pleadings and statements;
- consider the use of electronic data at trial in accordance with the Court's requirements.
- Serve documents electronically

Electronic exchange of discovery lists and documents

10. Where parties have discoverable ESI, efficiency dictates that any discovery and production of such information be given electronically to avoid the need to convert it to a paper format. In such cases the Court, as a general rule, will require the parties to:

- create electronic lists of their discoverable ESI material
- give inspection by production of databases containing copies of discoverable ESI created in accordance with an agreed protocol. Host and attachment documents must not be separated in this process and
- change original file names to document identification numbers.

11. Where the parties have more than 500 documents that are not ESI, as a general rule the Court will expect the parties to consider the use of technology to discover and inspect such documents along with any ESI. Decisions about the appropriate use of technology will be better informed if the parties have identified early in the proceedings the scope of discovery and the categories of documents likely to be discovered.

12. Practitioners must advise their opponents at an early stage of the proceedings of potentially discoverable electronically stored information and meet to agree upon matters including:

- the format of the electronic database for the electronic discovery, noting that metadata, mark-up or other "hidden" data will be automatically discovered if native format is used. Because of potential costs, the Court would ordinarily expect it should only be discovered where the relevance outweighs the cost
- the protocol to be used for the electronic discovery including electronically stored information
- the type and extent of the electronically stored information that is to be discovered
- how legacy or deleted data is to be dealt with. The existence of ESI that is not reasonably or readily accessible should be disclosed between the parties, but the Court would ordinarily expect that it would not need to be retrieved unless necessary for the conduct of the proceedings
- whether electronically stored information is to be discovered on an agreed without prejudice basis
 - without the need to go through the information in detail to categorise it into privileged and non-privileged information and
 - without prejudice to an entitlement to subsequently claim privilege over any information that has been discovered and is claimed to be privileged under s 118 and/or s119 of the Evidence Act 1995 and/or at common law.
 - Such ESI could be produced separately on a CD-ROM or DVD and appropriately marked to enable the Court to determine any privilege issue.

13. In many cases where there is a substantial amount of ESI the parties should consider producing the material in its searchable native format, rather than by production of document images.

14. If a party chooses to produce document images rather than originals of ESI, the costs of providing access to hardware, software or other resources to enable inspection of original electronic material should be agreed by the parties.

Agreement by written protocol

15. In any case where there is to be discovery given by production of databases containing discoverable ESI the parties should:

- endeavour to reach agreement early in the proceedings on the protocol to be used and the scope of that protocol; and
- seek either consent orders or directions from the Court, if agreement is not reached, concerning the terms of the protocol.

16. The court will expect the protocol to deal with the following matters:

- the format of the electronic database for the electronic discovery;
- the protocols and data formats to be used for the electronic discovery;
- the type and extent of the ESI that is to be discovered; and
- whether ESI is to be discovered on an agreed without prejudice basis;
 - without the need to go through the information in detail to categorise it into privileged and non privileged information; and
 - without prejudice to an entitlement subsequently to maintain a claim for privilege over any information that has been discovered and is claimed to be privileged under S118 and/or S119 of the Evidence Act 1995 and/or at common law.
- whether documents will be produced in native or image format
- for cost reasons, forensic examination of hard drives is only appropriate when the Court makes specific orders
- Any other terms and conditions of electronic discovery

Verification of electronic lists

17. Each party shall consider how lists of documents should be verified where data about those documents is to be exchanged electronically.

Orders to dispense with verifications by affidavit

18. Presently existing rules of Court presuppose that a hard copy list of documents will be verified by affidavit. Where a party believes that it is appropriate to dispense with verification of a hard copy list, that party should ask the Court for an appropriate direction.

Verification by reference to method of service

19. As an alternative to verification of a hard copy list, the parties may wish to consider asking for a direction that the verifying affidavit identify the documents by reference to the medium by which the data was served and the date of service. For example, the affidavit may refer, in a hypothetical case, to: *the documents described in the database contained on the compact disks served on the defendant under cover of letters date 21 January, 24 January and 29 March 2003.*

Providing electronic lists of documents to the Court

20. The parties should consider whether data relating to their discoverable documents should be provided to the Court electronically in addition to any hard copy list.

21. Directions

21. The Court retains the power to direct parties to use information technology in appropriate cases. Parties shall comply with any directions issued by the Court in relation to the use of technology and shall comply with any requirements published by the Court in relation to issues concerning the use of technology, such as document formats.

22. It should be noted that whilst this practice note is generally advisory in nature the Court may mandate the use of the technology standards it describes in cases where the parties fail to agree on exchange and presentation mechanisms within a reasonable time frame.

Electronic exchange of Court documents

23. Where a party serves a pleading, affidavit, statement, list of documents or interrogatory on another party, the recipient may ask the first party to also provide a copy of it in an electronic format.

24. The Court expects parties to accede to reasonable requests for copies of court documents in an electronic format. Before copies are provided the parties shall make all reasonable efforts to agree upon:

- the word processing or other format in which electronic versions will be provided;
- the methods by which electronic versions will be exchanged; and
- any other terms and conditions of electronic exchange.

25. Attention is directed to UCPR 3.8, which provides for electronic service of documents in proceedings. The consent can be given inter alia by including an electronic address for service in a notice of appearance.

Document formats

26. Where appropriate the parties may wish to agree upon the preparation of a document in a structured format, such as HTML or XML, so that hypertext links can be made where appropriate. For example, if a document refers to a document ID, a hypertext link can be made to the relevant document image.

Content of Court documents

27. A court document provided by a party in electronic format shall contain only the same text as the paper copy. Where a court document contains an annexure, however, the text of the annexure will be expected to be contained within the electronic copy.

Risk of computer viruses

28. Generally it will not be regarded as unreasonable for a party to provide documents in electronic format subject to a condition that it is the responsibility of the recipient to test it for viruses.

Providing electronic copies to the Court

29. The Court may direct a party to provide the Court with copies of court documents in an electronic format.

30. Technology checklist

30. In developing a protocol on electronic exchange the parties should consider the matters described in the annexed [Technology Check List](#). The checklist is a guide only and parties are free to agree on appropriate changes to it. However, if the parties are unable to agree on a protocol then the default options indicated in the checklist will apply as a minimum standard.

Recommended fields

31. The fields and associated guidelines described in [Annexure 2](#) are those that ought be used for the purpose of electronic exchange and which may be mandated by the Court in a given case, in the absence of agreement to the contrary by the parties.

Use of technology during a hearing

32. Where parties have used databases or databases and associated documents or images to facilitate discovery and inspection, the parties should consider and make submissions about how best to use technology at the hearing. For example, the parties' discovery databases might form the basis of an index to the agreed bundle, or for the creation of a database of documents admitted into evidence and rulings on the admissibility of documents. Early involvement of the court in this process will assist in many cases

J J Spigelman AC
Chief Justice of New South Wales
9 July 2008

Related Information

See also:
Technology in the courtroom - Protocols and Procedures for Video and Audio Link
Video-Link call application form
Video/audio-link call order form
Video-link set-up form

Amendment History

This Practice Note was issued on 9 July 2008 and commenced on 1 August 2008. It replaces Practice Note SC Gen 7 issued on 1 September 2006.

The Practice Note issued on 1 September 2006 replaced the Note issued on 17 August 2005.

The Practice Note issued on 17 August 2005 replaced Former Practice Note No. 127.

Annexure 1

Technology checklist

** = default or minimum standard

Preparation stage	Type of document	Options
Pre-Trial	Exchange of Court Documents and Witness Statements	Hard copy only Electronic Copy only Hard copy and electronic copy**
	Electronic Document Format	Delimited ASCII text file** Word processing format _____ Excel spreadsheet XML Other _____
	Document Exchange Via	DX Courier Australia Post Floppy Disk** Electronic mail CD Rom Internet
Discovery	Exchange of Document Lists	Hard copy only Electronic Copy only Hard copy and electronic copy**
	Electronic Document List Format	Delimited ASCII text file** Word processing format _____ Excel spreadsheet XML Other _____
	Document Exchange Via	DX Courier Australia Post Floppy Disk** Electronic mail CD Rom Internet
	Example Database Formats	MS Access Lotus Notes Filemaker Pro MS SQL Sybase Excel Spreadsheet** Oracle Other
	Document Inspection Format	Hard copy only Electronic/image of hard copy Hard copy and electronic/image copy** Non-paper record for example, video/audio tape, database, microfiche, etc Other Medium _____
	Electronic Image Formats	TIFF – Multi TIFF – Single** PDF GIF Other
	Special Considerations	Redacting (masking) Confidentiality

Trial	Exchange of Agreed Bundle/Court Book Indexes	Hard copy only Electronic/image of hard copy Hard copy and electronic/image** copy Other Medium _____
	Electronic Document Index Format	Delimited ASCII text file** Word processing format Excel spreadsheet Other
	Document Exchange Via	DX Courier Australia Post Floppy Disk** Electronic mail CD Rom Internet/Intranet
Generally	Image Resolution	Images may be scanned in at around 200 dpi. Any greater file size may be unworkable.
	Filename Structure	Images may be named identically to the relevant Document ID or according to the agreed folder structure. If images are named in accordance with the naming convention of the full document ID then the dots within the Document ID may be omitted (other than the dot preceding the file extension).
		Consideration should be given to: <ul style="list-style-type: none"> • whether there are any special requirements, such as redacting (masking) • the implications of using technology in respect of information that may be subject to confidentiality orders or undertakings.
	Recommended fields and default fields**	Among the Recommended Fields, the following are the default fields (those which the parties will be expected to use as a minimum standard unless otherwise agreed or ordered): <ul style="list-style-type: none"> • Document ID • Date • Document type • Author/ Author organisation • Addressee/ Addressee organisation • Title

Annexure 2

Recommended fields

Field	Data type and length	Notes
Document ID (Default field 1)	Text and Numbers (if appropriate) Length - depending on field structure	<p>Each document should be uniquely identified. The field may be broken into different components such as First Page and Last Page providing the parties agree. The field or fields might comprise a four-part number in form AAA.NNN.NNN.NNNN where "AAA" represents alphabetic shorthand for the party name. The other three sets of numbers could be used to suit the convenience of the parties. It may be useful if the first set is used to refer to an archive box number, the second to the number of the folder within the box, and the third to the page number. Rules for the numbering hierarchy can be agreed prior to discovery and the above is to be used as a guide not the definitive form.</p> <p>The parties should consider whether each page should be individually numbered or agree on some other satisfactory arrangement. If agreement is not reached then the parties should seek the Court's direction. If the parties agree not to number each page, consideration should be given to an additional field recording the number of pages in each document. Attachments to documents can be separately listed and numbered. Attachments can be numbered sequentially following the host document. For example, a host document may be numbered XXX.001.001.0001 and its attachments would be numbered as XXX.001.001.0002, XXX.001.001.0003 and XXX.001.001.0004.</p> <p>If imaging is to be used the parties can agree to any additional information about document identification. It is recommended that the document ID match the image file name i.e. where the document id is AAA.NNN.NNN.NNNN then the image file name should be AAA.NNN.NNN.NNNN.tiff</p>
Attachments	Text & Number, Length -depending on the number of attachments	Contains first and last pages of each document physically attached to a discovered document. Does not include documents that are only referred to in a discovered document. Each attachment should be listed separately, with its own discovery number and details. Multiple entries to be separated by commas.
Host Document Number	Text and Number, Length depending on the document ID structure	Contains First Page and - if agreed - Last Page of the host document to which an attachment is attached. Should never be multiple entries in this field, as each attachment should only ever have one host document.
Document Group	Text, 3	<p>HWA Host with attachment</p> <p>HNA Host no attachment</p> <p>ATT Attachment</p> <p>This field may be required if parties agree to swap image files.</p>
Date (Default field 2)	Date, 11	<p>Date can be inserted as:</p> <p>DD/MMM/YYYY for example 05/Sep/1996</p> <p>DD = Day</p> <p>MMM = Month</p> <p>YYYY = Year</p> <p><u>Undated documents</u>: = Documents with no discernible date should be coded to a standard agreed between the parties which the parties will</p>

		<p>recognise as "undated." For example, the date field may be left blank. (Where this option is selected the parties may choose to enter the word "undated" in an additional text field.)</p> <p>Alternatively, an agreed date format such as 01/Jan/1801 should be used. It is important to note that databases that use a Date Type format may not accept text such as 'Undated' or dates that include '00' in the field.</p> <p>If there is no way of ascertaining the date of the document*:</p> <p>Documents with only the month and year (e.g. August 1997) can be coded with the first day of the month, the month and the year (e.g. 01/Aug/1997) and a 'Yes' an entry should be made in the next field - "Estimated Date" field.</p> <p>Documents with the day and month but no year are considered undated. For example, a document dated 04/Apr will should be coded as "undated." as the year cannot be identified. Documents with just the year (e.g. 1997) should be coded with the first day of January (e.g. 01/Jan/1997) and a 'Yes' entry should be made in the 'Estimated Date' field. *If there is no way of ascertaining the date of the document, then the parties may agree upon what naming convention to use, for example, "Undated", or 00/00/0000, however, it should be noted that some database formats may not recognise these codes.</p>
Document type (Default field 3)	Text, 254	<p>This field is completed using commonly received document types e.g. letter, memo, deed. Parties should endeavour to create a list of agreed document types prior to discovery. If the document has been faxed, this field should include "facsimile".</p> <p>If a group of documents is being discovered as a bundle, this field should be completed as "Bundle of <i>document type</i>".</p>
Privilege	Text, 6	<p>This identifies whether a claim of privilege is made over the document. The permissible entries in this field are "YES", "NO" and "PART". If this field is completed with "YES" or "PART", the basis of privilege field must also be completed.</p>
Basis of Privilege	Text, 50 (or combination of text and numbers)	<p>Identifies basis of privilege claim. Parties should agree how they will identify privilege claims. One possibility is to set out here the basis of the claim that the document is privileged eg, the section or sections of the Evidence Act.</p>
Status	Text, 10	<p>"Copy" or 'Original' or "Fax". "Fax" should be used for a document that is either the original facsimile document (i.e. the document sent by the sender) or an original facsimile copy produced by the recipient's facsimile machine.</p>
Author (Default field 4)	Text, 254 or as appropriate	<p>Person or persons who wrote the document. To be completed using information on the face of the document. Last name First initial only eg. "Smith B". If more than one author enter as "Brown J; Jones J, ..." etc. If more than one addressee for one company, enter as "Brown J; Jones J;..." etc. Other ways of addressing multiple values can be agreed between the parties.</p>
Author Organisation (Default field 4)	Text, 254 or as appropriate	<p>Organisation from which the document emanated. To be completed from information on the face of the document. Multiple entries to be separated by commas. Parties should agree on standard spellings or abbreviations for organisations. Other ways of addressing multiple values can be agreed between the parties.</p>
Addressee (Default field 5)	Text, 254 or as appropriate	<p>Person or persons to whom the document is addressed. Includes persons to whom copies are circulated. To be completed from information on the face of the document. Last name First initial only eg. "Smith B". Multiple entries to be separated by commas. Other ways of addressing multiple values can be agreed between the parties.</p>
Addressee Organisation	Text, 254 or as appropriate	<p>Organisation receiving the document. To be completed from information on the face of the document. Multiple entries to be</p>

(Default field 5)		separated by commas. Parties should agree on standard spellings or abbreviations for organisations. Other ways of addressing multiple values can be agreed between the parties.
Parties	Text, 254 or as appropriate	Identifies parties to an agreement or other legal document (not correspondence). Multiple entries to be comma delimited.
Title (Default field 6)	Text, 254 or as appropriate	Title of a document such as "Report on Technology".
Source	Text, 20 or as appropriate	Parties may find this field useful to identify documents that have been obtained from someone other than the party giving discovery, e.g. documents obtained on subpoena or through some other compulsory process of obtaining access to documents. This field would identify the party from whom such documents were obtained.
Non-paper record	Text, 3	This field should be used to identify information recorded using media other than paper, where the relevant information has not been printed out and discovered in hard copy form, e.g. video and audio tapes, floppy disks and magnetic computer tapes. Permissible entries are "YES" and "NO".

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

ALBURYCITY COUNCIL

Roads Act 1993, Section 162

Naming of Roads

NOTICE is given that AlburyCity Council, in pursuance of Section 162 of the Roads Act 1993, has named the road described hereunder:

<i>Location</i>	<i>Name Adopted</i>
New road off south-east side of Carstens Street, Lavington.	Victor Place

Mr LESLIE G. TOMICH, General Manager, Albury City Council, PO Box 323, Albury NSW 2640.

[4032]

BELLINGEN SHIRE COUNCIL

Roads (General) Regulation 2000

Naming of Roads

NOTICE is hereby given pursuant to Section 9 of the Roads (General) Regulation 2000, that Council has named those sections of road described hereunder:

- McLachlan Avenue

The subject road intersects McCristal Drive in the locality of Bellingen.

Authorised by a Council Resolution of 1 July 2008. MIKE COLREAVY, General Manager, Bellingen Shire Council, PO Box 117, BELLINGEN NSW 2450.

Dated 15 July 2008.

[4033]

BLUE MOUNTAINS CITY COUNCIL

Roads Act, 1993, Section 162

Naming Of Public Road

IN accordance with provisions of the Roads Act, 1993, notice is given that Council has named the unformed portion of road created in the subdivision of L 3 DP 593545, No 85-99 Burrawang Street, Katoomba, as Persoonia Way.

The new road is located off Wellington Road.

This notice was approved on 16 July 2008 under the authority of PAUL KOEN, Executive Principal, Environmental & Customer Services, Blue Mountains City Council, Locked Bag 1005, Katoomba NSW 2780.

[4034]

CAMPBELLTOWN CITY COUNCIL

Local Government Act 1993, Section 50 (1), (4)

Notification of vesting of land

NOTICE is hereby given pursuant to Section 50 (1) and (4) of the Local Government Act 1993, that the land in the Schedule below is vested in Campbelltown City Council. PAUL TOSI, General Manager, Campbelltown City Council, PO Box 57, Campbelltown, NSW, 2560.

SCHEDULE

Lot 21 in Deposited Plan 205224, described on this plan as "Public Garden & Recreation Space", and comprising part of the land in registered conveyance Bk 2338 No 502.

[4035]

GREATER TAREE CITY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

GREATER TAREE CITY COUNCIL declares, with the approval of Her Excellency the Governor, that the lands described in the Schedule below, excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of road realignment. Dated at Taree this 16th day of July 2008. G JOSE, General Manager, Greater Taree City Council, PO Box 482, TAREE NSW 2430.

SCHEDULE

Lots 1, 4 & 6 DP 1123594.

[4036]

GREATER TAREE CITY COUNCIL

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given by Greater Taree City Council that pursuant to section 10(1), Division 1, Part 2 of the Roads Act 1993, the land described in the Schedule below is hereby dedicated as Public Road. Dated at Taree this 16th day of July 2008. G JOSE, General Manager, Greater Taree City Council, PO Box 482, TAREE NSW 2430.

SCHEDULE

Lots 1, 4 & 6 DP 1123594.

[4037]

MAITLAND CITY COUNCIL

Roads Act 1993, Section 16

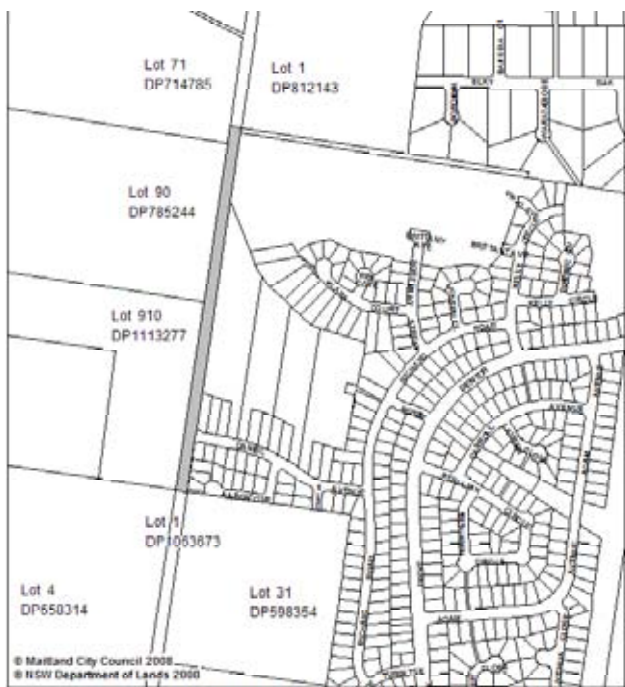
Dedication of Land as Public Road

NOTICE is hereby given by Maitland City Council that in pursuance of Section 16 (2), Part 2 Division 2 of the Roads Act 1993, the land at Rutherford as described in the Schedule below is hereby dedicated to the public as road.

D EVANS, General Manager, Maitland City Council, PO Box 220, Maitland NSW 2320.

SCHEDULE

Land shown in DP 2881 as road, being the land approximately 20.120 metres wide extending from the northerly boundary of Lot 1 DP 1063673 to a point being the westerly promulgation of the southern boundary of Lot 1 DP 812143 and being the land shown shaded in the Plan attached.



Land at Rutherford to be dedicated as public road

[4039]

MAITLAND CITY COUNCIL

Naming of Public Roads

NOTICE is hereby given that Maitland City Council, in pursuance of section 162 of the Roads Act 1993 and Part 2 of The Roads (General) Regulation 2000, has approved the following new road names for gazettal:

Deposited Plan	Location	Road Name
DP1090985	Off Pacific Crescent , Ashtonfield	Magnetic Drive
DP1090985	Off Pacific Crescent , Ashtonfield	Gilbert Way
DP1090985	Off Pacific Crescent , Ashtonfield	Holmes Street
DP1090985	Off Pacific Crescent , Ashtonfield	Austral Close
DP1090985	Off Pacific Crescent , Ashtonfield	Claremont Close
DP1090985	Off Pacific Crescent , Ashtonfield	Ashmore Close
DP1090985	Off Pacific Crescent , Ashtonfield	Coromandel Close
DP1090985	Off Pacific Crescent , Ashtonfield	Hinchinbrook Close

The above road names have been advertised & notified. No objections to the proposed names have been received during the prescribed 28 day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220) MAITLAND NSW 2320. [4039]

PORT STEPHENS COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act

Notice of Compulsory Acquisition of Land

PORT STEPHENS COUNCIL declares with the approval of His Excellency the Lieutenant Governor that the easement described in the schedule below, excluding any mines or deposits of minerals in the easement, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for drainage purposes. Dated at Raymond Terrace this 18th day of July 2008. P. GESLING, General Manager, Port Stephens Council PO Box 42 Raymond Terrace, NSW 2324.

SCHEDULE

Easement to drain water 3 wide and variable over Lot 16 DP 1071458 as shown in DP 1117610. [4040]

YOUNG SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

YOUNG 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 a rubbish tip.

Dated at Young this 11 day of July 2008.

SCHEDULE

Lot 1 DP 1107405.

ADRIAN HANRAHAN,
General Manager

[4041]

YOUNG SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

YOUNG 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 purpose of a public road.

Dated at Young this 11 day of July 2008.

SCHEDULE

Lot 2 DP 1107405.

ADRIAN HANRAHAN,
General Manager

[4042]

TUMUT SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easements

THE Tumut Shire Council declares, with the approval of Her Excellency the Governor, that the land and easements described in Schedule 1 below, excluding the easement described in Schedule 2 below and any mines or deposits of minerals in the land, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for sewage treatment plant and water supply augmentation, purposes. CADAMS, General Manager, Tumut Shire Council, 76 Capper Street, Tumut NSW 2720.

Schedule A

LAND

Lot 20 DP 1116727.

INTEREST IN LAND

Easement rights shown in:

DP 1116727 as:

(S) Proposed easement for services Var. Width

DP 1116727 as:

(W) Proposed easement to drain water 5 wide

Schedule B

Transmission Line over Existing Line of Poles 18.29 Wide (not. 8/12/88) (MS 20993110).

[4043]

OTHER NOTICES**COUNTRY ENERGY**

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easements for Electricity Purposes at Griffith

Erratum

THE Country Energy notice published in the Government Gazette of the 11 July 2008 No. 87 folio 7156 contained an error. In Schedule 2, Terms of Easements, the description of the first easement refers to:

DP121453 which is incorrect. The correct number is DP1121453.

This erratum now amends that error with the gazettal date remaining the 11 July 2008.

[4045]

COMPANY NOTICES

NOTICE of winding up – PROFESSIONAL CLERICAL SERVICES PTY LTD (in liquidation), A.C.N. 001 838 142 – It was resolved as a special resolution of members on 19 June 2008, that Professional Clerical Services Pty Ltd be wound up voluntarily and that Helen Mary Huthnance be appointed liquidator. G G Farago Chairman. Cartwright Brown & Company Financial Planning Pty Ltd (Company Incorporated 1921) Trading as Cartwright Brown and Company Financial Advisers. Authorised Representative of Count Wealth Accountants(r).

[4044]