



## *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Assents to Acts

#### ACT OF PARLIAMENT ASSENTED TO

**Legislative Assembly Office, Sydney, 21 September 2001**

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 62, 2001 - An Act to amend the Crimes Act 1900 and the Crimes (Sentencing Procedure) Act 1999 to increase the maximum penalty for aggravated sexual assault from imprisonment for 20 years to imprisonment for life; and for other purposes. [**Crimes Amendment (Aggravated Sexual Assault in Company) Act**]

Act No. 63, 2001 - An Act to modify the application of the Liquor Act 1982 to enable hotel trading until midnight on the night of the 2001 Rugby League Grand Final. [**Liquor (Rugby League Grand Final Special Provisions) Act**]

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## Proclamations

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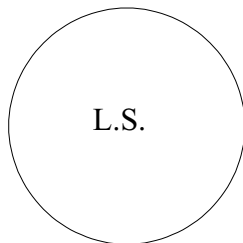
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### Crimes Amendment (Aggravated Sexual Assault in Company) Act 2001—Proclamation

JAMES JACOB SPIGELMAN, Lieutenant-Governor  
By delegation of the Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Crimes Amendment (Aggravated Sexual Assault in Company) Act 2001*, do, by this my Proclamation, appoint 1 October 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 26th day of September 2001.



By Her Excellency's Command,

BOB DEBUS, M.P.,  
Attorney General

GOD SAVE THE QUEEN!

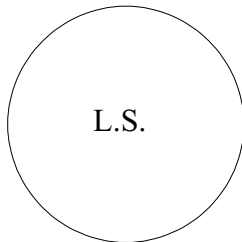
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# Rural Lands Protection Act 1998 No 143—Proclamation

JAMES JACOB SPIGELMAN, Lieutenant-Governor  
By delegation of the Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Rural Lands Protection Act 1998*, do, by this my Proclamation, appoint 28 September 2001 as the day on which the uncommenced provisions (other than clause 11 of Schedule 7) of that Act commence.

Signed and sealed at Sydney, this 26th day of September 2001.



By Her Excellency's Command,

RICHARD AMERY, M.P.,  
Minister for Agriculture

GOD SAVE THE QUEEN!

## Explanatory note

The object of this proclamation is to commence the uncommenced provisions (other than clause 11 (Annual reports) of Schedule 7) of the *Rural Lands Protection Act 1998*, including section 245 which repeals the *Rural Lands Protection Act 1989*. The *Rural Lands Protection (Savings and Transitional) Amendment Regulation 2001* amends the *Rural Lands Protection (Savings and Transitional) Regulation 2001* to insert some associated provisions.

This proclamation is made under section 2 of the Act.

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# Regulations

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## Firearms (General) Amendment (Trafficking) Regulation 2001

under the

Firearms Act 1996

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

PAUL WHELAN, M.P.,  
Minister for Police

### Explanatory note

The objects of this Regulation are to amend the *Firearms (General) Regulation 1997* (the **Principal Regulation**):

- (a) to provide that, subject to certain conditions, the provisions of Part 11 (Registration of firearms) of the Principal Regulation apply to the registration of firearm frames and firearm receivers in the same way as they apply to the registration of firearms, and
- (b) to set out the following matters to enable sales of unregistered firearm frames and firearm receivers in accordance with the six-month amnesty established by clause 16 of Schedule 3 to the *Firearms Act 1996*:
  - (i) the manner in which a sale of a firearm frame or firearm receiver must be made through a licensed firearms dealer, and
  - (ii) the location where a firearms dealer is taken to be not reasonably available, and
- (c) to update certain references in clause 99 of the Principal Regulation to provisions of the *Firearms Act 1996* that have been amended by the *Firearms Amendment (Trafficking) Act 2001*.

Firearms (General) Amendment (Trafficking) Regulation 2001

Explanatory note

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This Regulation is made under the *Firearms Act 1996*, including section 88 (the general regulation-making power) and clauses 1 (1) and 16 (2) of Schedule 3 (Savings and transitional provisions) to that Act.

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Page 2

Firearms (General) Amendment (Trafficking) Regulation 2001

Clause 1

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## **Firearms (General) Amendment (Trafficking) Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Firearms (General) Amendment (Trafficking) Regulation 2001*.

### **2 Amendment of Firearms (General) Regulation 1997**

The *Firearms (General) Regulation 1997* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

## Firearms (General) Amendment (Trafficking) Regulation 2001

Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 2)

**[1] Part 11A**

Insert after Part 11:

**Part 11A Registration of firearm frames and firearm receivers****93B Registration of firearms provisions apply**

- (1) Subject to subclauses (2) and (3), Part 11 (Registration of firearms) of this Regulation applies with necessary modifications to every firearm frame and firearm receiver in the same way as it applies to a firearm.
- (2) The following provisions do not apply in relation to firearm frames and firearm receivers:
  - (a) clause 87 (c),
  - (b) clause 89 (1) (d) and (f),
  - (c) clause 91 (d) and (f),
  - (d) clauses 93 and 93A.
- (3) Clause 87 (d) applies to firearm frames and firearm receivers as if the date "1 July 1997" were "1 July 2001".

**93C Amnesty concerning registration of firearms frames and receivers: clause 16 of Schedule 3 to the Act**

- (1) The arrangements referred to in clause 16 (2) (b) of Schedule 3 to the Act for the sale or purchase of an unregistered firearm frame or firearm receiver through a licensed firearms dealer are as follows:
  - (a) the sale must be conducted at the licensed firearms dealer's place of business or at such other place as may be approved,

## Firearms (General) Amendment (Trafficking) Regulation 2001

## Amendments

## Schedule 1

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(b) the firearms dealer must make the same records in respect of the sale as the dealer would otherwise be required to make under section 45 of the Act.

(2) For the purposes of clause 16 (2) (c) of Schedule 3 to the Act, a licensed firearms dealer is not reasonably available for the purposes of the sale or purchase of an unregistered firearm frame or firearm receiver if the nearest location of a firearm's dealer's place of business is more than 100 kilometres from the ordinary place of residence of both the purchaser and the seller.

**[2] Clause 99 Restrictions on sale and purchase of firearms**

Omit "section 51 (1) (b)" from clause 99 (1).

Insert instead "sections 51 (2) (a) and 51A (2) (a)".

**[3] Clause 99 (2)**

Omit "section 51 (1) (c) and (2) (c)".

Insert instead "sections 51 (2) (b) and 51A (2) (b)".



# Fisheries Management (Aquaculture) Amendment (Diseased Fish) Regulation 2001

under the

Fisheries Management Act 1994

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

The Hon EDWARD OBEID, M.L.C.,  
Minister for Fisheries

## Explanatory note

The objects of this Regulation are as follows:

- (a) to declare white spot syndrome virus (a virus that infects crustaceans) to be a disease for the purposes of Division 4 of Part 6 of the *Fisheries Management Act 1994* (so that it will be an offence to sell any fish known or suspected to be infected with the virus), and
- (b) to make further provision in respect of quarantine areas under the Act, including by allowing the Minister to require fish or marine vegetation that are taken in or from a quarantine area to be landed at specified locations or to be inspected, tested or cooked, or otherwise treated or handled in a specified manner.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 182, 183, 187 and 289 (the general regulation-making power).

Clause 1 Fisheries Management (Aquaculture) Amendment (Diseased Fish)  
Regulation 2001

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## **Fisheries Management (Aquaculture) Amendment (Diseased Fish) Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Fisheries Management (Aquaculture) Amendment (Diseased Fish) Regulation 2001*.

### **2 Amendment of Fisheries Management (Aquaculture) Regulation 1995**

The *Fisheries Management (Aquaculture) Regulation 1995* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

Fisheries Management (Aquaculture) Amendment (Diseased Fish)  
Regulation 2001

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

**[1] Clause 55 Diseases declared for purposes of Division 4 of Part 6 of the Act**

Insert at the end of clause 55 (2) (c):

- white spot syndrome virus.

**[2] Clause 56A**

Insert after clause 56:

**56A Order declaring quarantine area**

An order under section 183 of the Act declaring a quarantine area is authorised to contain the following provisions:

- provisions that require all or any specified classes of fish or marine vegetation taken in or from a quarantine area to be landed at a location or locations in or near the quarantine area determined by the Minister and notified to the occupier of the quarantine area concerned,
- provisions that require all or any specified classes of fish or marine vegetation taken in or from a quarantine area to be inspected, tested or cooked, or otherwise treated or handled, in any other specified manner before the fish or marine vegetation are sold, removed from a location or locations referred to in paragraph (a), or removed from the vicinity of the quarantine area.

# Public Authorities (Financial Arrangements) Amendment (Authorities) Regulation 2001

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

MICHAEL EGAN, M.L.C.,  
Treasurer

## Explanatory note

The object of this Regulation is to amend the *Public Authorities (Financial Arrangements) Regulation 2000* to omit from Schedule 4 to that Regulation references to various entities.

The references are not necessary because the entities are otherwise within the meaning of the definition of **authority** in section 3 (1) of the *Public Authorities (Financial Arrangements) Act 1987* or have ceased to exist.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including the definition of **authority** in section 3 (1) and section 43 (the general regulation-making power).

Clause 1            Public Authorities (Financial Arrangements) Amendment (Authorities)  
Regulation 2001

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## **Public Authorities (Financial Arrangements) Amendment (Authorities) Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Authorities) Regulation 2001*.

### **2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000**

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

## **Schedule 1 Amendment**

(Clause 2)

### **Schedule 4 Authorities specifically included**

Omit the following:

Administrator of the Fish River Water Supply  
Audit Office of New South Wales  
Luna Park Reserve Trust  
Newcastle Showground and Exhibition Centre Trust  
Sydney Organising Committee for the Olympic Games  
Tourism New South Wales  
WorkCover Authority

# Public Authorities (Financial Arrangements) Amendment (New South Wales Grains Board) Regulation 2001

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

MICHAEL EGAN, M.L.C.,  
Treasurer

## Explanatory note

The object of this Regulation is to extend the period of time in which the Minister for Agriculture is able to provide loans to the New South Wales Grains Board in connection with payments to producers.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including section 43 (the general regulation-making power) and clause 2 (c) of Schedule 4.

Clause 1 Public Authorities (Financial Arrangements) Amendment (New South Wales Grains Board) Regulation 2001

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## **Public Authorities (Financial Arrangements) Amendment (New South Wales Grains Board) Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (New South Wales Grains Board) Regulation 2001*.

### **2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000**

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

## **Schedule 1 Amendment**

(Clause 2)

### **Clause 52A Additional Investments—Minister for Agriculture**

Omit “30 September 2001” from clause 52A.

Insert instead “30 June 2002”.

# Rural Lands Protection (General) Regulation 2001

under the

Rural Lands Protection Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rural Lands Protection Act 1998*.

RICHARD AMERY, M.P.,  
Minister for Agriculture

## Explanatory note

The object of this Regulation is to provide for various matters that are necessary to bring the provisions of the *Rural Lands Protection Act 1998* into operation.

The Regulation:

- (a) provides for the election of members of the State Council and directors of rural lands protection boards, and
- (b) provides for the filling of casual vacancies arising before 1 October 2001 in the offices of directors of boards, and
- (c) prescribes the persons who may sign the identification cards to be provided to authorised officers, and
- (d) prescribes the fee for issue by boards of certificates as to rates, charges and other matters, and
- (e) prescribes the area and circumstances that make land within a district rateable land for the purposes of the Act and makes provision for and with respect to the making and levying of rates, and
- (f) exempts certain land from the operation of Part 7 of the Act, and



## Rural Lands Protection (General) Regulation 2001

Explanatory note

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- (g) makes provision with respect to the use of travelling stock reserves and public roads, and
- (h) provides for the making of applications for stock permits and reserve use permits and prescribes certain conditions to which such permits are subject, and
- (i) prescribes the notices to be given by boards with respect to application of pesticides and chemicals, and walking or grazing of diseased stock, on travelling stock reserves, and
- (j) provides for the impounding of bees and beehives placed or kept on controlled travelling stock reserves without authority, and
- (k) specifies the circumstances in which stock will be treated as not unattended for the purposes of impounding, and
- (l) prescribes the persons and classes of stock that the controlling authority or lessee of a stock watering place must supply with water and circumstances in which, and conditions on which, stock may be depastured in a stock watering place, and
- (m) provides for the establishment and administration of schemes for the identification of stock, and
- (n) regulates the transport of stock by vehicle, and
- (o) provides for miscellaneous other matters.

This Regulation is made under the *Rural Lands Protection Act 1998*, including sections 21, 24 (1), 42 (1), 60 (a) and (b), 62 (4) and (5), 76, 78, 96 (2), 102, 105, 106, 107, 120 (2) (c), 123, 124, 125 (2) and (3), 128 (4), 134 (2), 135, 138 (b), 187 (3) (f), 206, 223 (2), 236 and 244 and 243 (the general regulation-making power) and clause 18 of Schedule 2 and Part 1 of Schedule 7.

Rural Lands Protection (General) Regulation 2001

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Rural Lands Protection (General) Regulation 2001

Clause 1

Preliminary

Part 1

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## Rural Lands Protection (General) Regulation 2001

### Part 1 Preliminary

#### 1 Name of Regulation

This Regulation is the *Rural Lands Protection (General) Regulation 2001*.

#### 2 Commencement

- (1) Except as provided by subclause (2), this Regulation commences on 28 September 2001.
- (2) Part 8 of this Regulation commences on 28 September 2002.

#### 3 Interpretation

##### (1) Definitions

In this Regulation:

***intensive livestock production*** means the keeping or nurturing of stock for commercial purposes wholly or substantially by routinely feeding them prepared or manufactured feed (except temporary feeding during, and as a result of, drought, fire, flood or similar emergency).

***required travelling rate*** means the rate of travel required by clause 47 (1).

***small stock*** means stock other than large stock.

**Note.** ***large stock*** is defined in the Dictionary to the Act.

***stock unit*** is defined in subclause (2).

***stock warning sign*** is defined in clause 15.

***the Act*** means the *Rural Lands Protection Act 1998*.

##### (2) Stock units

For the purposes of this Regulation (other than clause 11):

- (a) a sheep that is at least 6 months old represents 1 stock unit, and
- (b) a goat that is at least 6 months old represents 1 stock unit, and
- (c) a deer that is at least 6 months old represents 1 stock unit, and

Clause 3 Rural Lands Protection (General) Regulation 2001

Part 1 Preliminary

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- (d) a bull, cow, ox, heifer, steer, calf or buffalo that is at least 6 months old represents 10 stock units, and
- (e) a horse that is at least 6 months old represents 10 stock units, and
- (f) a camel that is at least 6 months old represents 10 stock units, and
- (g) an alpaca that is at least 6 months old represents 1 stock unit, and
- (h) a llama that is at least 6 months old represents 1 stock unit, and
- (i) a pig of any age represents 1 stock unit, and
- (j) an ostrich that is at least 6 months old represents 1 stock unit, and
- (k) an emu that is at least 6 months old represents 1 stock unit.

(3) **Forms**

In this Regulation, a reference to a form is a reference to a form contained in Schedule 1.

**4 Notes**

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

Rural Lands Protection (General) Regulation 2001

Clause 5

Elections

Part 2

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## **Part 2 Elections**

### **5 Elections of members of State Council and directors of boards**

Schedules 2 and 3 have effect.



Clause 6 Rural Lands Protection (General) Regulation 2001

Part 3 Rates

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## Part 3 Rates

### 6 What is rateable land?

- (1) For the purposes of section 60 (a) of the Act, the area prescribed in relation to a district is the area set out in relation to that district in Schedule 4.
- (2) For the purposes of section 60 (b) of the Act, the following land within a district is rateable land:
  - (a) land having a notional carrying capacity of not less than 50 stock units,
  - (b) land used for intensive livestock production if as at 30 June in the preceding year the number of stock kept on the land represented not less than 50 stock units,
  - (c) land owned by the Crown that is the subject of a tenure from the Crown and has an area that is not less than the area prescribed in relation to the district under subclause (1) or has a notional carrying capacity of not less than 50 stock units.

### 7 How are rates to be made?

- (1) A general rate and an animal health rate for each year are to be made by a resolution of the board. The resolutions may be made in the previous year but must be made by 31 March of the year to which they relate.

**Note.** Under section 79 of the Act, the State Council (with the approval of the Minister) may extend the time within which the rates may be made.
- (2) A special purpose rate (if any) is to be made by resolution of the board.
- (3) The board is to make a general rate for rateable land by setting an amount payable for each stock unit based on the total notional carrying capacity of rateable land in the district.
- (4) The board is to make an animal health rate for rateable land by setting an amount payable for each stock unit based on the total notional carrying capacity of all rateable land in the district for which the annual returns lodged in the year preceding the year in which the rate is payable indicate that at least 50 stock units were kept on the land as at 30 June in the year.

Rural Lands Protection (General) Regulation 2001

Clause 7

Rates

Part 3

- (5) The amount payable in respect of rateable land is calculated in accordance with the following formula:

$$P = R \times C$$

where:

P represents the amount payable,

R represents the general rate, animal health rate or special purpose rate made by the board in accordance with this clause,

C represents the notional carrying capacity of rateable land determined in accordance with clause 11.

- (6) If the amount of the general rate payable under subclause (5) is less than the minimum general rate for the district, the amount payable is the minimum general rate.

**Note.** See clause 8 (1).

- (7) If the amount of the animal health rate payable under subclause (5) in respect of land in a district is less than the minimum animal health rate specified for the district, the amount payable is the minimum animal health rate.

**Note.** See clause 8 (2).

- (8) In calculating the general rate or animal health rate payable in respect of land, the board must disregard any part of the land used for intensive livestock production in respect of which an animal health rate is payable.

## **8 Minimum general and animal health rates**

- (1) The minimum general rate for each district is set out opposite the name of the board for the district in Column 1 of the Table in Schedule 5.
- (2) The minimum animal health rate for each district is set out opposite the name of the board for the district in Column 2 of the Table in Schedule 5.

## **9 Purposes for which special purpose rate may be levied**

Without limiting the purposes for which a special purpose rate may be levied, a special purpose rate may be levied to fund estimated expenditure by the board in contributing to the costs of eradicating pests that are insects in the district under section 172 of the Act.

Clause 10 Rural Lands Protection (General) Regulation 2001

Part 3 Rates

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#### **10 Exemption from liability for animal health rate**

- (1) For the purposes of section 62 (5) (d) of the Act, rateable land is exempt from any animal health rate for a year if the annual return lodged by the due date in respect of the land for the preceding year indicates that the total number of stock kept on the land was less than the number of stock represented by 50 stock units.
- (2) For the purposes of subclause (1), in calculating the total number of stock kept on land, if any horses are kept on the land only so many horses as exceed 5 in number are to be taken into account.

#### **11 Assessment of notional carrying capacity**

- (1) In determining the notional carrying capacity of land for the purposes of this clause:
  - (a) a 40 kilogram wether sheep of any breed represents 1 stock unit, and
  - (b) a 400 kilogram steer of any breed represents 10 stock units.
- (2) For the purposes of section 69 of the Act, a board is to assess the notional carrying capacity of land by reference to the number of stock units that could be maintained on the land in an average season under management practices that, in the board's opinion, are usual for the district.
- (3) The assessment is to be made whether or not the land is, at the date of assessment, used for any purpose.
- (4) Without limiting matters that the board may have regard to in assessing the notional carrying capacity of particular land, the board:
  - (a) must disregard the presence of noxious weeds or pest animals on the land, and
  - (b) must not take into consideration the use of irrigation if the land is irrigated land used for permanent plantings of trees or vines, and
  - (c) must make its assessment as if the raising of stock were the only use of the land, and
  - (d) in the case of land that remains in or is reverting to its original undeveloped state—must base its assessment on the condition of the land as at the date of assessment.

Rural Lands Protection (General) Regulation 2001

Clause 11

Rates

Part 3

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- (5) In assessing the notional carrying capacity of land used for intensive livestock production, a board must have regard to the following:
- (a) the nature of the holding or structure concerned,
  - (b) any improvement and equipment used for the purposes of intensive livestock production on the land,
  - (c) the manner in which the holding has been worked,
  - (d) any other matter that it considers necessary.

## 12 Annual returns

- (1) For the purposes of section 76 (1) of the Act, the following are prescribed persons:
- (a) the occupier of a holding in a district that is rateable land as at 30 June in the financial year of the appropriate board in which the annual return concerned is due to be lodged,
  - (b) the occupier of a holding in a district that is non-rateable land that has had a property identification code allotted to the land under Part 3 of the *Stock Diseases (General) Regulation 1997*,
  - (c) the owner or occupier of a holding in a district that is non-rateable land who is the registered proprietor of a brand or earmark under Part 12 of the Rural Lands Protection Act 1989 the registration of which is continued in force by clause 30 of Schedule 7 to the Act at any time during the financial year for which the annual return concerned is due to be lodged.
- (2) For the purposes of section 76 (1) of the Act, if there are 2 or more occupiers of a holding referred to in subclause (1) (a), an annual return duly lodged by any one of the occupiers is taken to have been lodged by all the occupiers.
- (3) An annual return for a holding is to be lodged with the appropriate board not later than on 31 July in each year and is to be signed by, or on behalf of, the person lodging it.
- (4) For the purposes of section 76 (2) of the Act, an annual return lodged by an occupier of a holding is to detail the following matters:
- (a) the full name of the occupier,
  - (b) the postal address and telephone number (if any) of the occupier,
  - (c) the address of the land, if different from the address referred to in paragraph (b),

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Part 3 Rates

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- (d) the rate assessment number shown on the rate notice for the land,
  - (e) a description of the land, including:
    - (i) the portion number or lot and deposited plan number,
    - (ii) the names of the parish and county where the land is located,
    - (iii) the area of the land,
    - (iv) details of any part of the land that is a conservation area within the meaning of the *National Parks and Wildlife Act 1974*,
  - (f) the number of each category of stock other than pigs kept on the land that were 6 months of age or over on 30 June in the year in which the return is due,
  - (g) the number of pigs of any age kept on the land on 30 June in the year in which the return is due,
  - (h) whether or not intensive livestock production is carried out on the land,
  - (i) if one or two individuals are nominated as the person or persons entitled to be enrolled in respect of the holding under clause 12 of Schedule 2 to the Act—the full name of each individual.
- (5) For the purposes of section 76 (2) of the Act, an annual return lodged by a person referred to in subclause (1) (b) or (c) is to detail the following matters:
- (a) the full name of the person,
  - (b) the postal address and telephone number (if any) of the person,
  - (c) details of any identifier attached to stock kept on the holding to which the return relates by the person, or supplied to the person, in accordance with Part 8 (Stock identification) in the year for which the return is due,
  - (d) details of any property identification code allotted to land occupied by the person under Part 3 of the *Stock Diseases (General) Regulation 1997*,
  - (e) the number of each category of stock other than pigs kept on the land that were 6 months of age or over on 30 June in the year in which the return is due,
  - (f) the number of pigs of any age kept on the land on 30 June in the year in which the return is due.

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Clause 12

Rates

Part 3

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(6) In this clause:

*appropriate board* means the board for the district in which the holding for which an annual return is required to be lodged is located.

**13 Purposes for which information in annual return may be used**

Without limiting the purposes for which information obtained by a board under Division 7 of Part 7 of the Act may be used, the information may be used for the following:

- (a) to verify the notional carrying capacity of land,
- (b) to facilitate the administration of animal health services or animal production services by the board,
- (c) to prepare statistical data concerning animal health or the protection of rural lands,
- (d) to prepare an annual report under the Act or the *Annual Reports (Statutory Bodies) Act 1984*,
- (e) to prepare a roll of electors.

**14 Land exempt from operation of Part 7 (Rates) of the Act**

- (1) For the purposes of section 244 of the Act, the following are exempt from the operation of the provisions of Part 7 of the Act:
  - (a) any part of a holding used as a motel or caravan park,
  - (b) any part of a holding occupied by a board,
  - (c) any part of a holding occupied by a local government council and that is used for a purpose other than an agricultural enterprise,
  - (d) any part of a holding used for the purposes of a cemetery, golf course, racecourse, showground or industrial area.
- (2) For the purposes of section 244 of the Act, the following land is exempt from the operation of the provisions of Part 7 (other than section 76) of the Act:
  - (a) any part of a holding on which a rifle range or buildings ancillary to the conduct of such a range are located,
  - (b) any part of a holding used for growing sugar cane.

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Part 4 Travelling stock reserves and public roads

Division 1 Preliminary

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## Part 4 Travelling stock reserves and public roads

### Division 1 Preliminary

#### 15 Interpretation

(1) In this Part:

***permanent stock zone*** means the whole or part of a public road set aside as a permanent stock zone in accordance with clause 16.

***permanent stock zone sign*** means a stock warning sign:

- (a) displaying particulars approved by the roads authority in the manner approved for the purposes of this definition, or
- (b) of a type approved by the roads authority.

***public road*** includes the shoulder of a public road.

***roads authority*** means roads authority within the meaning of the *Roads Act 1993*.

***shoulder*** of a public road includes any part of the road that is not designed to be used by motor vehicles in travelling along the road.

***stock warning sign*** means a sign warning road users of the presence of stock.

***stock zone*** means a permanent stock zone or temporary stock zone.

***stock zone sign*** means a permanent stock zone sign or a temporary stock zone sign.

***temporary stock zone*** means the whole or part of a public road set aside as a temporary stock zone in accordance with clause 16.

***temporary stock zone sign*** means a stock warning sign:

- (a) displaying particulars approved by the State Council in the manner approved for the purposes of this definition, or
- (b) of a type approved by the State Council.

(2) For the purposes of this Part, a stock warning sign that depicts a particular kind of stock applies to every other kind of stock.

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Clause 16

Travelling stock reserves and public roads  
Preliminary

Part 4  
Division 1

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## **16 How are stock zones established?**

### **(1) Permanent stock zones**

A roads authority may set aside the whole or any part of a public road as a permanent stock zone.

(2) A permanent stock zone is to be designated by a permanent stock zone sign exhibited at the entry to the zone to which it relates.

(3) The permanent stock zone sign is to be positioned so that:

- (a) there is not less than 200 metres between the sign and the place where a vehicle being driven towards the stock would first encounter the stock, and
- (b) the driver of a vehicle being driven towards the stock along the road is warned of the presence or likely presence of the stock a reasonable distance before the vehicle would first encounter the stock.

### **(4) Temporary stock zones**

A person who owns or has charge of stock that are grazing or walking on a public road may set aside the whole or part of that public road as a temporary stock zone.

(5) An occupier of land through which an unfenced public road passes must set aside that part of the road passing through the land as a temporary stock zone if the land is normally grazed by stock.

(6) A temporary stock zone is to be designated by a temporary stock zone sign exhibited at the entry point of the zone to which it relates.

(7) A temporary stock zone sign exhibited by a person referred to in subclause (4) is to be positioned so that there is not more than 5 kilometres, and not less than 200 metres, between the sign and the place where a vehicle being driven towards the stock would first encounter the stock.

(8) A temporary stock zone sign exhibited by a person referred to in subclause (5) is to be positioned so that the driver of a vehicle being driven towards the stock along the road is warned of the presence or likely presence of the stock a reasonable distance before the vehicle would first encounter the stock.



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Part 4 Travelling stock reserves and public roads

Division 1 Preliminary

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- (9) The provisions of Part 20 of the Australian Road Rules apply to a permanent stock zone sign or temporary stock zone sign in the same way as they apply to a traffic sign within the meaning of the Rules.

**Note.** See, eg, rule 327 which provides that the length of road to which a traffic sign on a road applies is worked out in the direction driven by a driver on the road who faces the sign before passing it. A copy of the Australian Road Rules may be obtained from the NSW Government Information Service or at [www.nrtc.gov.au/links/Aust\\_road.asp](http://www.nrtc.gov.au/links/Aust_road.asp)

## Division 2 Stock zones

### 17 Offences relating to stock zones

- (1) The owner or person in charge of stock that are on a public road must ensure, as far as practicable, that the stock do not pose a hazard to any person, animal or vehicle on the road.
- (2) The owner or person in charge of stock that are on or near a public road must ensure that the stock are in a stock zone if it is reasonably foreseeable that they may be a hazard to any person, animal or vehicle on the road.
- (3) The driver of a mechanically powered vehicle must give way to stock and to all other animals and any vehicle accompanying stock in a stock zone.

Maximum penalty: 20 penalty units.

### 18 When must temporary stock zone signs be displayed?

- (1) A person moving or grazing stock on or near any part of a public road that is not a permanent stock zone must display a temporary stock zone sign in accordance with this Part.
- (2) It is a defence to a prosecution for an offence under subclause (1) if it is proved that:
  - (a) compliance with the subclause was not necessary because the presence of the stock did not result in any reasonably foreseeable hazard to any person, animal or vehicle on the public road, or
  - (b) the failure to comply with the subclause was due to circumstances that were beyond the control of, and could not reasonably have been foreseen by, the person in charge of the stock.

Rural Lands Protection (General) Regulation 2001

Clause 18

Travelling stock reserves and public roads

Part 4

Stock zones

Division 2

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- (3) The person must remove the temporary stock zone sign when the stock are no longer on or near any part of a public road that is not a permanent stock zone.

Maximum penalty: 20 penalty units.

#### **19 Interference with signs**

A person must not, without lawful authority, remove, interfere with, damage, deface or affix advertising material or any other thing to any stock zone sign.

Maximum penalty: 20 penalty units.

#### **20 Authority to exhibit stock zone signs**

- (1) A person has authority to exhibit a stock zone sign if:
- (a) the person is the roads authority or is a person authorised by the roads authority, or
  - (b) the person exhibits the sign in accordance with the requirements of this Regulation.
- (2) A person must not, without lawful authority, exhibit a stock zone sign.

Maximum penalty: 20 penalty units.

#### **21 Directions to remove temporary stock zone signs**

- (1) A board that considers that a temporary stock zone sign erected on a public road in the district of the board does not relate to stock on or near the road may:
- (a) remove the sign, or
  - (b) direct any person exhibiting the sign to remove it within a specified time.
- (2) A person to whom a direction is given under subclause (1) must comply with the direction.

Maximum penalty: 10 penalty units.

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Clause 22	Rural Lands Protection (General) Regulation 2001
Part 4	Travelling stock reserves and public roads
Division 3	Use of travelling stock reserves and public roads generally

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### **Division 3      Use of travelling stock reserves and public roads generally**

#### **22    Travelling stock on travelling stock reserves to be prevented from moving onto carriageways between sunset and sunrise**

A person in charge of travelling stock on a travelling stock reserve through which an unfenced public road passes must ensure, so far as is reasonably practicable, that the stock are fenced or otherwise prevented from moving onto the carriageway of the public road between sunset and sunrise.

Maximum penalty: 20 penalty units.

#### **23    Unauthorised use of public roads**

For the purposes of section 96 (2) of the Act, the following are prescribed as circumstances in which a person who owns or has charge of stock that are walking or grazing on a public road is not guilty of an offence under section 96 of the Act:

- (a) if the stock are horses that are being ridden or led in daylight,
- (b) if the stock are drawing or being led by a vehicle in daylight,
- (c) if the person is moving the stock in daylight from one part of a holding that is contiguous to another part of the holding from which it is separated only by a public road,
- (d) if the person is moving the stock at any time along the road in an emergency,
- (e) if the person is moving dairy cows from one part of a holding that is contiguous to another part of the holding from which it is separated only by a public road during the period between sunset and sunrise on the following day for the shortest practicable distance,
- (f) if the person is authorised to walk or graze stock on the public road by or under the *Crown Lands Act 1989* or any other Act or regulation,

and the stock are travelling at the applicable required rate of travel.

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## 24 Control of activities on travelling stock reserves

- (1) The responsible board for a travelling stock reserve may prohibit, or regulate, the carrying on of any activity on the reserve by erection of a sign at or near the entrance to the travelling stock reserve or in some prominent place within the reserve.
- (2) A person who carries on an activity in contravention of a sign referred to in subclause (1) is guilty of an offence.  
Maximum penalty: 10 penalty units.

## 25 Removal of signs

A person who, without lawful authority, removes, damages or interferes with a sign displayed by the responsible board on a travelling stock reserve is guilty of an offence.

Maximum penalty: 10 penalty units.

## 26 Authorised use of travelling stock reserves for recreational activities

- (1) For the purposes of section 97 of the Act, the following are prescribed as recreational activities for which a person is authorised (subject to the Act and subclause (2)) to use a travelling stock reserve (or part of a travelling stock reserve) other than an excluded reserve:
  - (a) walking, running and other kinds of individual physical exercise,
  - (b) horse riding,
  - (c) picnicking,
  - (d) fishing,
  - (e) swimming,
  - (f) pedal cycling.
- (2) Subclause (1) does not apply to use of a travelling stock reserve (or part of a travelling stock reserve) for a purpose referred to in that subclause if the responsible board has made a closure order in respect of the reserve or part of any such reserve under section 93 (1) (b) of the Act.
- (3) In this clause:  
*excluded reserve* means a travelling stock reserve (or part of a travelling stock reserve) in the Western Division or a stock watering place.

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## 27 Offences on travelling stock reserves

- (1) A person must not, except in accordance with a permit issued by the responsible board for a travelling stock reserve:
- waste any water provided on the reserve for stock, or
  - divert or in any other way interfere with the natural flow of water on the reserve, or
  - swim or bathe in a water tank or dam installed or constructed on the reserve, or
  - light a fire in the reserve at any time when the lighting of fires in the reserve is prohibited by the responsible board by signs displayed on or near the reserve or at any other time except in a fireplace designated by the responsible board by the display of such a sign.

Maximum penalty: 10 penalty units.

- (2) A person must not, without the authority in writing of the responsible board or other reasonable excuse, damage or interfere with a structure, appliance or other article that forms part of or is lawfully on a travelling stock reserve.

Maximum penalty: 20 penalty units.

- (3) A person must not, without reasonable excuse, interfere with stock or beehives that are lawfully on a travelling stock reserve.

Maximum penalty: 20 penalty units.

## 28 Stock to be adequately controlled

- (1) A person in charge of stock must keep the stock under control at all times while the stock are on a public road or travelling stock reserve.
- (2) A person in charge of stock who, without reasonable excuse, fails to comply with this clause is guilty of an offence.

Maximum penalty: 10 penalty units.

- (3) In this clause:

**control**, in relation to stock, means action designed to ensure that the stock do not stray to a location, or do not behave in a manner, that would be hazardous to passing traffic or to the general public.

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Travelling stock reserves and public roads	Part 4
Use of travelling stock reserves and public roads generally	Division 3

**29 Obligations of occupiers of land adjoining public roads or travelling stock reserves**

- (1) This clause applies to an occupier of any land in a district that adjoins an unfenced public road or travelling stock reserve who is given oral or written notice by the owner or person in charge of travelling stock at least 24 hours before the stock travel or graze on that road or reserve that the stock will travel or graze on that road or reserve.
- (2) An occupier of land to whom this clause applies must take all reasonably practicable steps to prevent the stock from causing any injury, damage or harm to the land or any thing on it.

Maximum penalty: 10 penalty units.

**30 Persons prohibited from depositing or leaving rubbish, carcasses and other things on reserves**

A person must not, without lawful authority, deposit or leave on any travelling stock reserve any rubbish or animal carcass, vehicle, equipment, implement or movable structure or other thing.

Maximum penalty:

- (a) in the case of an animal carcass—50 penalty units for the first animal carcass deposited or left by the person and 5 penalty units for each additional carcass deposited or left at the same place and time by that person, and
- (b) in the case of any other thing—50 penalty units.

**31 Responsible board not liable for use of pesticides or chemicals on reserves**

- (1) For the purposes of section 123 of the Act, notice is given that a pesticide or chemical is about to be applied to a controlled travelling stock reserve if a warning sign is displayed in a conspicuous place on the reserve in accordance with this clause before the pesticide or chemical is applied.
- (2) For the purposes of section 123 of the Act, notice is given that a pesticide or chemical has been applied to a controlled travelling stock reserve if a warning sign is displayed in accordance with this clause immediately after the pesticide or chemical is applied.

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- (3) A warning sign referred to in subclause (2) must be displayed for not less than the following periods:
- (a) in the case of a pesticide or chemical the use of which requires the display of warning signs under a pesticide control order in force under the *Pesticides Act 1999* or a permit in force under the AGVET Code of New South Wales—for the minimum period specified for the pesticide or chemical in the order or permit,
  - (b) in the case of any other kind of pesticide or chemical—for the period (if any) decided by the board concerned after taking into account any withholding period specified in the label registered or approved under that Act or Code for the pesticide or chemical.
- (4) In this clause:
- warning sign** means a weather-proof sign containing a prominent warning that a pesticide or chemical is about to be, or has been, applied to a controlled travelling stock reserve.

### 32 Responsible board not liable for injury attributable to diseased travelling stock

For the purposes of section 124 of the Act, notice is given that diseased travelling stock have been walked over or grazed on a travelling stock reserve or public road situated in a district if:

- (a) notice is published in a newspaper circulating generally in the district stating that stock infected with a disease specified in the notice were walked over or grazed on the reserve or public road on a date or during a period specified, and
- (b) any stock permit issued by the responsible board for the district authorising a person to walk or graze stock on the reserve or public road that the board knows, or ought reasonably to know, are susceptible to the disease concerned is endorsed with a prominent statement that stock infected with the disease were walked over or grazed on the reserve or public road on a date or during a period specified.

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Clause 33

Travelling stock reserves and public roads

Part 4

Use of travelling stock reserves and public roads generally

Division 3

**33 When may a responsible board impound bees or beehives placed or kept on a controlled travelling stock reserve?**

- (1) For the purposes of section 125 (2) of the Act, an authorised officer of a responsible board impounds bees or beehives placed or being kept on a controlled travelling stock reserve by taking possession of the bees or beehives. The bees or beehives continue to be impounded until released or disposed of in accordance with this clause.
- (2) The authorised officer may detain bees or beehives that are impounded at the place where they were impounded or may remove them to any land under agistment or to some other place owned or under the control of the responsible board and detain them at that place.
- (3) As soon as practicable after an authorised officer impounds bees or beehives under this clause, the authorised officer is to make all reasonable inquiries to find the name and address of the person who owns the bees or beehives.
- (4) If the authorised officer knows or finds out the name and address of the owner, the responsible board is to notify the owner in writing that the bees or beehives have been impounded and that unless they are claimed within a period stated in the notice (ending not less than 7 days after the notice is given) they will be sold or otherwise disposed of.
- (5) A responsible board may sell or otherwise dispose of bees or beehives that have been impounded:
  - (a) if the name and address of the owner is not known or cannot be found out—7 days after the bees or beehives were impounded, or
  - (b) if an impounding notice is given to the owner—if at the end of the period stated in the notice the bees or beehives have not been claimed.
- (6) The responsible board is to release the bees or beehives if a person whom the board is satisfied on reasonable grounds is the owner (or is authorised to claim them on the owner's behalf) claims the bees or beehives within the period stated in the notice unless it declines to do so under section 125 (3) of the Act.

**Note.** A responsible board may decline to release impounded bees or beehives if the prescribed impounding fee is not paid.

- (7) For the purposes of section 125 (3) of the Act, the prescribed impounding fee is \$200.



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Part 4	Travelling stock reserves and public roads
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(8) In this clause:

*impounding notice* means a notice given under subclause (4).

### 34 Compliance with directions

- (1) An authorised officer of a responsible board who suspects, on reasonable grounds, that a person is committing or has committed an offence against the Act or this Regulation on a travelling stock reserve may direct the person to leave the reserve.
- (2) A person who fails, without reasonable excuse, to comply with a direction given under this clause is guilty of an offence.  
Maximum penalty: 5 penalty units.
- (3) If a person fails to comply with a direction given under this clause, the authorised officer may use force (but no more than is necessary in the circumstances) to remove the person from the reserve.

## Division 4 Stock transported by vehicle

### 35 Interpretation

(1) In this Division:

*prescribed officer* means the following:

- (a) a police officer,
- (b) an authorised officer, being an authorised officer who is authorised to exercise functions conferred on prescribed officers by this Division,
- (c) an inspector holding office as such under the *Stock Diseases Act 1923*.

*transported stock statement* means a document:

- (a) in or to the effect of the form approved for the purposes of this Division, by order published in the Gazette, by the Director-General, or
- (b) containing the particulars approved for the purposes of this Division, by order published in the Gazette, by the Director-General.

*valid transported stock statement* see clause 39 (3).

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Clause 35

Travelling stock reserves and public roads

Part 4

Stock transported by vehicle

Division 4

- (2) For the purposes of this Division, the driver of a vehicle moving stock on a public road or travelling stock reserve is to be taken to be the person in charge of the stock.

### **36 Restrictions on movement of stock by vehicular transport**

- (1) A person must not:
- (a) cause stock to be moved by vehicle on a public road or a travelling stock reserve, or
  - (b) consign stock for movement by any form of rail, water or air transport,

unless the person is authorised to do so by a stock permit or an order made or a permit issued under the *Stock Diseases Act 1923* or has duly filled out and signed, or caused to be filled out and signed, a valid transported stock statement describing the stock concerned.

Maximum penalty: 20 penalty units.

- (2) A person who:
- (a) causes stock to be moved by vehicle on a public road or a travelling stock reserve, or
  - (b) consign stock for movement by any form of rail, water or air transport,

that are described in a transported stock statement that is subject to any condition governing that method of moving the stock must ensure that the condition is not contravened.

Maximum penalty: 20 penalty units.

- (3) A person who is in charge of stock being moved by vehicle that are described in a transported stock statement filled out and signed by the person who caused the stock to be moved or consigned the stock must:
- (a) be in possession of a valid transported stock statement, and
  - (b) ensure that the stock correspond with the description of the stock specified in the statement, and
  - (c) ensure that any relevant condition to which the statement is subject is not contravened.

Maximum penalty: 10 penalty units.

- (4) If stock are being conveyed:
- (a) by vehicle on a public road or a travelling stock reserve, or

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Part 4 Travelling stock reserves and public roads

Division 4 Stock transported by vehicle

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- (b) by any form of rail, water or air transport,  
the person in charge of the stock must, if requested to do so by a prescribed officer:
- (c) allow that officer to inspect and count the stock, and
- (d) provide that officer with such assistance as the officer may reasonably require, and
- (e) unless that person claims that the stock are being moved under the authority of a stock permit or an order made or a permit issued under the *Stock Diseases Act 1923*, produce in respect of the stock a transported stock statement for inspection by that officer.

(5) If:

- (a) stock are being moved as referred to in subclause (4) (a) or (b),  
and
- (b) a prescribed officer requests the person in charge of the stock to produce a transported stock statement in respect of the stock,  
and
- (c) the person in charge of the stock claims that the stock are being moved under the authority of a stock permit or an order made or a permit issued under the *Stock Diseases Act 1923*,

the person in charge of the stock must, if requested to do so by a prescribed officer, produce the order or permit for inspection by the officer, or some other officer that he or she nominates, within 48 hours of the making of the request.

(6) If a person to whom a request is made under subclause (4) or (5) fails without reasonable excuse to comply with the request, the person is guilty of an offence.

Maximum penalty: 10 penalty units.

(7) In proceedings for an offence under subclause (6), the fact that the person who caused the stock to be moved, or who consigned the stock, did not offer the defendant the requisite transported stock statement is not to be regarded as an excuse for non-compliance with a request made under subclause (4) (e).

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- (8) This clause does not apply to the movement of stock by vehicle in the following circumstances:
- (a) when horses are being transported to or from any agricultural show, exhibition, gymkhana, pony club meeting or similar function,
  - (b) when racehorses or harness racing horses are being transported from one place to another,
  - (c) when stock are moved into New South Wales from another State or the Australian Capital Territory and travel within New South Wales for up to 30 kilometres before immediately proceeding back into the other State or that Territory,
  - (d) when stock are moved across or along a road or reserve from one part of a holding to another part that would be contiguous with the first-mentioned part but for being separated by the road or reserve,
  - (e) when stock are moved to or from a place at which they are to be or have been treated by a veterinary surgeon,
  - (f) when horses are moved to or from any place for use as working horses.

### **37 Issue of transported stock statements forms by boards**

- (1) The responsible board may issue a transported stock statement form to any person who wishes to move stock by vehicle on a public road or travelling stock reserve, or to consign stock for conveyance by means of rail, water or air transport.
- (2) An application for a transported stock statement form may be made to the responsible board, orally or in writing.
- (3) If an application is made orally, the responsible board may request the applicant to confirm the application in writing.

**Note.** If a board has delegated its functions relating to applications to a director of the board, a member of the staff of the board or an authorised officer the application may be made to the delegate.
- (4) Transported stock statement forms may be issued in books of forms or as individual forms.
- (5) A fee (not exceeding \$1 for each transported stock statement form) determined by the board is payable when a book of transported stock statement forms or an individual transported stock statement form is issued.

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Part 4 Travelling stock reserves and public roads

Division 4 Stock transported by vehicle

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- (6) The fee payable for a transported stock statement form is not subject to adjustment because of any subsequent variation in the determined fee.
- (7) No remuneration is payable to an authorised officer for the issue of a transported stock statement form.
- (8) A board to which an application is made in accordance with this clause must issue to the applicant a transported stock statement form in or to the effect of the form approved by the Director-General.
- (9) A transported stock statement remains in force for the journey, or for such period, and in relation to such stock as are specified in the statement.

### **38 Conditions of transported stock statement**

- (1) A transported stock statement is subject to the following conditions:
  - (a) the condition that the holder must:
    - (i) produce the statement for inspection on demand by a prescribed officer, and
    - (ii) comply with any reasonable request made, or direction given, by a prescribed officer, and
  - (b) such other conditions as are specified in the statement.
- (2) The holder of a transported stock statement who contravenes any condition of the statement is guilty of an offence.  
Maximum penalty: 5 penalty units.
- (3) The responsible board may revoke a transported stock statement if the board is satisfied that a condition of the statement is being or has been contravened.

### **39 How transported stock statements forms are to be filled out**

- (1) A transported stock statement form may be filled out and signed only by:
  - (a) the owner of the stock concerned or an employee or agent of that owner, or
  - (b) the owner of a registered livestock carrying vehicle that is, with the authority of the owner of the stock concerned, used to transport that stock.

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Rural Lands Protection (General) Regulation 2001	Clause 39
Travelling stock reserves and public roads	Part 4
Stock transported by vehicle	Division 4

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- (2) Any person who fills out or signs a transported stock statement form is guilty of an offence if the person is not:
- (a) the owner of the stock concerned or an employee or agent of that owner, or
  - (b) the owner of a registered livestock carrying vehicle that is, with the authority of the owner of the stock concerned, used to transport that stock.

Maximum penalty: 10 penalty units.

- (3) A transported stock statement is not valid unless:
- (a) it is filled in and signed in accordance with this clause and the instructions on the form, and
  - (b) the stock that are to be, are being or have been moved are the stock described in the statement.

**40 How used transported stock statements are to be distributed and disposed of**

- (1) If a transported stock statement relating to stock is filled out by a person other than the carrier of the stock, the person must give the original statement to the carrier and retain the copy for 2 years after the date of the journey concerned. If the carrier of the stock fills out the statement, the carrier must retain the copy for 2 years after the date of the journey concerned.
- (2) A person to whom transported stock statements have been given must retain the copies of them for at least 2 years after the date of the journey concerned and must produce them for inspection if asked to do so by the responsible board or a prescribed officer.

Maximum penalty: 20 penalty units.

**41 Refund of fees**

- (1) A person who returns unused transported stock statement forms to the board that issued them is entitled to a refund of the fee for the forms.
- (2) If a transported stock statement is surrendered or revoked, the person to whom the statement was issued is not, for the period for which the statement would have been in force but for the surrender or revocation of the statement, entitled to a refund of any part of the fee paid in respect of the statement.

Clause 42 Rural Lands Protection (General) Regulation 2001

Part 4 Travelling stock reserves and public roads

Division 4 Stock transported by vehicle

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#### **42 Person in charge of transported stock to give name and other particulars**

- (1) If a prescribed officer requests the person in charge of stock that are being moved by a vehicle on a public road or travelling stock reserve to give the person's name or address, that person must comply with the request.
- (2) A person who:
  - (a) fails to comply with a request under subclause (1), or
  - (b) in response to the request, gives a name or address that to the person's knowledge is false or misleading,

is guilty of an offence.

Maximum penalty: 10 penalty units.

#### **43 Limited duration of Division**

Unless sooner repealed, this Division ceases to have effect on 28 September 2002.

### **Division 5 Permits**

#### **44 Applications for permits**

- (1) An application for a permit is to be made to the responsible board:
  - (a) orally, or
  - (b) in the approved form (if any) for the permit concerned.
- (2) If an application is made orally, the responsible board may request the applicant to confirm the application in writing.

**Note.** If a board has delegated its functions relating to applications to a director of the board, a member of the staff of the board or an authorised officer the application may be made to the delegate.

- (3) An application for a stock permit must be made at least 2 working days before the stock enter, remain on, walk or graze on, or are moved by vehicle over, a travelling stock reserve or public road in the district of the board (unless the responsible board agrees to accept the application although it is not made in that period).

**Note.** Section 102 of the Act requires an application to be made in accordance with the regulations. A board need not process an application that is not received at least 2 working days before it is required.

Rural Lands Protection (General) Regulation 2001

Clause 44

Travelling stock reserves and public roads

Part 4

Permits

Division 5

**(4) Fee for issue of permit**

For the purposes of section 102 (2) of the Act, the fee prescribed in respect of a stock permit is as follows:

- (a) for a stock permit authorising a person to walk stock, being:
  - (i) small stock—\$1 per 100 head or less, and
  - (ii) large stock—\$1 per 10 or less large stock,
 for each 10 kilometres or less to be walked,
- (b) for a stock permit authorising a person to graze stock, being:
  - (i) small stock—\$1 per day for each 10 or less small stock, and
  - (ii) large stock—\$1 per day for each large stock,
- (c) for a stock permit authorising any other thing—\$10 per annum.

**45 Refund of fees**

The responsible board may refund all or any part of a fee paid in respect of a permit if the permit is cancelled or suspended.

**46 Conditions of stock permits and reserve use permits**

The holder of a permit must:

- (a) produce the permit for inspection on demand by an authorised officer, and
- (b) comply with any reasonable request made, or direction given, by an authorised officer.

Maximum penalty: 5 penalty units.

**47 Rate of travel to be maintained**

- (1) The holder of a permit who is in charge of travelling stock that are walking on a journey lasting more than 24 hours must ensure that the stock travel towards their destination a distance of not less than 10 kilometres on each day.

Maximum penalty: 20 penalty units.

- (2) A person is not guilty of an offence under subclause (1) if:
  - (a) the stock are prevented from travelling at the required travelling rate due to bad weather, fire, flood or some other unforeseeable circumstance, or



Clause 47 Rural Lands Protection (General) Regulation 2001

Part 4 Travelling stock reserves and public roads

Division 5 Permits

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- (b) approval for the stock to travel at a slower rate has been given under subclause (3).
- (3) An authorised officer of a board may give approval for stock to travel at a slower rate than the required travelling rate:
- (a) if the stock are unfit to travel at the required travelling rate, or
- (b) for any other reason the authorised officer considers appropriate.
- (4) The approval may be given subject to such conditions as are specified by the authorised officer.
- (5) The authorised officer is to write details of the approval on the permit concerned, together with any conditions subject to which the approval is given.
- (6) If part of a mob consists of stock fit to travel at the required travelling rate and other stock unfit to travel at that rate, an authorised officer of the board concerned may:
- (a) order the unfit stock to be culled from the mob, or
- (b) give approval, subject to such conditions as are specified by the authorised officer, for those stock to travel at a slower rate.
- (7) The person in charge of stock ordered to be culled under this clause must ensure that the stock are immediately removed by vehicle or other appropriate means from the public road or travelling stock reserve on which they were travelling.
- Maximum penalty: 10 penalty units.
- (8) **Fee for slower rate of travel**  
The fee payable for an approval to travel at a slower rate under this clause is:
- (a) for small stock—\$2 per 100 head or less for each day of travel, and
- (b) for large stock—\$2 per 10 or less large stock for each day of travel.
- (9) Any fee payable under subclause (8) is in addition to the fee payable under clause 44 for issue of a permit.

Rural Lands Protection (General) Regulation 2001	Clause 47
Travelling stock reserves and public roads	Part 4
Permits	Division 5

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- (10) The owner or person in charge of stock which travel at a slower rate than the required travelling rate must ensure the appropriate fees are paid to the board.

Maximum penalty: 10 penalty units.

## **Division 6      Miscellaneous**

### **48    Removal of soil, gravel and other materials**

- (1) A person must not remove any water, soil, sand, clay or gravel or other material from a travelling stock reserve.

Maximum penalty: 20 penalty units.

- (2) This clause does not apply to any removal of water or any other material authorised by or under the Act, any other Act or this Regulation.

### **49    Interest rate**

For the purposes of section 120 (2) (c) of the Act, the prescribed rate of interest is 2 per cent more than the Commonwealth Bank's overdraft index rate as at 1 January in each year.

### **50    Notice of exemption or cancellation of exemption**

- (1) For the purposes of section 128 (4) of the Act, the prescribed notice to be given by a board for a district is:

- (a) if a person is exempted from the operation of Part 8 (Travelling stock reserves and public roads) of the Act or a specified provision of that Part (or if such an exemption is cancelled)—by giving notice in writing to the person of the exemption or cancellation, and
- (b) if a class of persons is exempted from the operation of Part 8 or a provision of the Part (or if such an exemption is cancelled)—by publishing notice of the exemption or cancellation in a newspaper circulating generally in the district.

- (2) If an exemption is given to 2 or more occupiers of land or an exemption given to 2 or more occupiers of land is cancelled, notice duly given to any one of the occupiers under subclause (1) (a) is taken to have been given to the other occupiers of the land.

Clause 51 Rural Lands Protection (General) Regulation 2001

Part 5 Stock watering places

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## Part 5 Stock watering places

### 51 Leases of stock watering places

For the purposes of section 134 (2) of the Act, the prescribed period is 15 years.

### 52 Supply of water

(1) For the purposes of section 135 (a) of the Act, the following classes of persons are prescribed:

- (a) persons requiring water for household purposes,
- (b) a local authority or Government agency that has obtained the approval of the controlling authority to use water from the stock watering place in the construction, improvement or maintenance of public roads,
- (c) persons requiring water for personal use related to a commercial purpose (such as supply of water to the patrons of a hotel, motel or other place providing accommodation to the public),
- (d) drivers of vehicles who require water for the operation of their vehicles,

being persons who have paid the fee (if any, and not exceeding the maximum determined by the State Council from time to time) determined by the controlling authority to be payable for the purposes of this subclause.

(2) For the purposes of section 135 (a) of the Act, the following classes of stock are prescribed:

- (a) stock that are being agisted by the lessee of a stock watering place in accordance with the terms of the lease,
- (b) travelling stock that are subject to a stock permit,
- (c) travelling stock that are subject to an order made or a permit issued under the *Stock Diseases Act 1923*,
- (d) horses that are accompanied by riders,

being stock in respect of which the fee (if any, and not exceeding the maximum determined by the State Council from time to time) determined by the controlling authority to be payable for the purpose of this subclause has been paid.

Rural Lands Protection (General) Regulation 2001

Clause 52

Stock watering places

Part 5

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(3) In this clause:

*household purposes* does not include gardening purposes or external household purposes (such as window cleaning or house washing) but includes protection from fire.

**53 Offence to obtain water from stock watering place where depth below specified level**

If a depth measuring gauge installed by the controlling authority in a tank or dam at a stock watering place indicates the water level is below a mark indicated by the gauge a person must not:

- (a) take, or assist another person to take, water from the tank or dam, or
- (b) fail to take all reasonable steps to prevent any stock in the person's charge from drinking water from the tank or dam.

Maximum penalty: 10 penalty units.

Clause 54 Rural Lands Protection (General) Regulation 2001

Part 6 Impounding of unattended and trespassing stock and abandoned articles

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## **Part 6 Impounding of unattended and trespassing stock and abandoned articles**

### **54 Unattended stock**

For the purposes of section 138 (b) of the Act, stock are not unattended for the purposes of section 9 (2) (d) and 32 (3) of the *Impounding Act 1993* in the following circumstances:

- (a) if stock are unattended because of an emergency preventing the person in charge of the stock from attending the stock,
- (b) if the stock are unattended while the person in charge of the stock is moving a stock warning sign or taking other action necessary for the well-being of the stock or required by law.

Rural Lands Protection (General) Regulation 2001

Clause 55

Powers of authorised officers

Part 7

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## Part 7 Powers of authorised officers

### 55 Identification

For the purposes of section 187 (3) (f) of the Act, the prescribed person is the following:

- (a) if the authorising authority is a board—the Chairperson of the board or a delegate of the Chairperson,
- (b) if the authorising authority is the Minister—the Minister or a delegate of the Minister,
- (c) if the authorising authority is the State Council—the Chief Executive Officer or a delegate of the Chief Executive Officer,
- (d) if the authorising authority is the Director-General—the Director-General or a delegate of the Director-General.

### 56 Penalty notices for certain offences

For the purposes of section 206 of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 6 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 4 of Schedule 6.

### 57 Short descriptions of offences

(1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 6 consists of:

- (a) if one or more IPB codes are set out in relation to the offence in Column 2 of Schedule 6, any of those IPB codes together with:
  - (i) the text set out in relation to the offence in Column 3 of Schedule 6, or
  - (ii) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence, or
- (b) if no IPB code is set out in relation to the offence in Column 2 of Schedule 6:
  - (i) the text set out in relation to the offence in Column 3 of Schedule 6, or

Clause 57 Rural Lands Protection (General) Regulation 2001

Part 7 Powers of authorised officers

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- (ii) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 6, the prescribed expression for the offence is taken to relate to the offence created by the provision as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.
- (5) In this clause:
- Infringement Processing Bureau*** means the Infringement Processing Bureau within the Police Service.
- IPB Code***, in relation to an offence, means the code allocated to the offence by the Infringement Processing Bureau.

Rural Lands Protection (General) Regulation 2001

Clause 58

Stock identification

Part 8

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## Part 8 Stock identification

### 58 Definitions

In this Part:

*authorised stock identifier* means a brand, mark or other means of identifying stock specified as the authorised stock identifier for particular stock or a class of stock by a stock identification order.

*stock identification order* means an order under clause 59 (2).

*stock identification scheme* means a scheme established under clause 59 (1).

### 59 Stock identification scheme

- (1) The State Council may establish a scheme or schemes for identification of stock (whether on a compulsory or voluntary basis).
- (2) The State Council may, by order published in the Gazette, for the purposes of a stock identification scheme:
  - (a) specify brands, marks or other means of identifying particular stock or a class of stock as the authorised stock identifiers for the specified stock or class of stock,
  - (b) require devices for applying authorised stock identifiers to be constructed to specifications described in the order,
  - (c) specify a distinctive manner of application of authorised stock identifiers,
  - (d) require the compulsory identification of stock by the owner or person in charge of specified stock or a class of stock by authorised stock identifiers, applied in such a manner and in such circumstances as are specified by the State Council,
  - (e) require approval to be obtained from a board before stock are identified (whether on a compulsory or a voluntary basis) by application of authorised stock identifiers,
  - (f) require the keeping of records and compilation of data relating to stock identified under the scheme,
  - (g) make any other provision necessary to give effect to the scheme.



Clause 59 Rural Lands Protection (General) Regulation 2001

Part 8 Stock identification

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- (3) Unless otherwise determined by the State Council, the board for a district is to administer any stock identification scheme applying to stock in the district.

**60 Offences relating to stock identification schemes**

- (1) A person required to identify stock by a stock identification order who fails, without reasonable excuse, to identify stock in accordance with any requirement of the order is guilty of an offence.
- (2) A person who applies a brand, mark or other means of identifying stock to identify stock on a voluntary basis who fails without reasonable excuse:
- (a) to use the authorised stock identifier for the stock or class of stock concerned, or
  - (b) to apply the means of identification in the manner specified by a stock identification order,
- is guilty of an offence.
- (3) A person given approval by a board to apply authorised stock identifiers to stock or a class of stock in accordance with a stock identification order who applies a means of identifying stock other than the authorised stock identifier to stock is guilty of an offence unless the means of identification applied is authorised by another law.
- (4) A person must not apply any brand, mark or other means of identifying stock to stock that the person does not own unless:
- (a) the brand, mark or means of identifying the stock is applied with the consent of the owner of the stock, or
  - (b) the person is authorised under a stock identification scheme to apply the brand, mark or means of identifying the stock.
- (5) A person who constructs a device for applying an authorised stock identifier otherwise than in accordance with the specifications described for the device in a stock identification order is guilty of an offence.
- (6) A person who alters, destroys, defaces or otherwise interferes with an authorised stock identifier applied in accordance with the requirements of a stock identification scheme is guilty of an offence.

Maximum penalty: 50 penalty units.

Rural Lands Protection (General) Regulation 2001

Clause 61

Miscellaneous

Part 9

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## Part 9 Miscellaneous

### 61 Animal health functions of board

- (1) A board may provide such animal health services (including advisory services and services related to animal production) with respect to prescribed stock and any other animal that has a disease which may affect prescribed stock in its district.
- (2) In this clause:  
*prescribed stock* means sheep, goats, deer, cattle, horses, camels, alpacas, llamas, pigs, ostriches and emus.

### 62 Nuisance animals

A board at the request of the owner or occupier of a holding in its district, may carry out any activity it considers necessary to control any animal (other than a pest within the meaning of Part 11 of the Act) causing a nuisance on the holding.

### 63 Emergency management

- (1) Without limiting section 42 (2) (d) of the Act, a board may carry out such activities as it considers appropriate to protect land and animals within its district, and to provide assistance to protect land and animals in any other district, from harm caused by drought or other natural disaster.
- (2) The Minister may request from time to time request:
  - (a) the State Council to provide the Minister with seasonal and pastoral condition information concerning land in the districts of the boards, or
  - (b) any board to provide the Minister with a seasonal and pastoral condition information concerning land in the district of the board.

### 64 Appointment of an initial administrator

For the purposes of section 223 (2) of the Act, the prescribed particulars are particulars identifying the holding in respect of which the elector is entitled to be enrolled.

Clause 65 Rural Lands Protection (General) Regulation 2001

Part 9 Miscellaneous

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**65 Certificate as to rates, charges and other matters**

- (1) For the purposes of section 236 of the Act, the following are prescribed as matters in respect of land in a district as to which a person may apply to the board for the district for a certificate:
  - (a) whether or not any orders have been issued by the board under the Act or the *Rural Lands Protection Act 1989* in respect of the land,
  - (b) whether the annual returns in respect of the land required to be lodged under the Act or the *Rural Lands Protection Act 1989* in the current and previous year have been lodged with the board,
  - (c) whether or not any rates or charges are owing in respect of the land,
  - (d) whether or not any orders issued in respect of the land under the *Stock Diseases Act 1923* or the *Stock (Chemical Residues) Act 1975* are in force and, if any order is in force, details of the order.
- (2) For the purposes of section 236 (2) of the Act, the prescribed fee is as follows:
  - (a) for an application referred to in subclause (1) (a), (b) or (c), or two or more of those paragraphs, made on or before 31 December 2001—\$25,
  - (b) for an application referred to in subclause (1) (a), (b) or (c), or two or more of those paragraphs, made on or after 1 January 2002—\$35,
  - (c) for an application referred to in subclause (1) (d) made on or before 31 December 2001—\$45,
  - (d) for an application referred to in subclause (1) (d) made on or after 1 January 2002—\$30.

**66 Filling of casual vacancy in office of member or director**

- (1) If a vacancy in the office of a member of the State Council referred to in clause 3 (1) of Schedule 7 to the Act occurs before the first election of members of the State Council as referred to in clause 3 (2) of that Schedule, the Minister may appoint a person who would be qualified to be a member to fill the office until that election.

Rural Lands Protection (General) Regulation 2001

Clause 66

Miscellaneous

Part 9

- 
- (2) If a vacancy in the office of a director of a rural lands protection board referred to in clause 6 of Schedule 7 to the Act occurs before the general election of directors required to be held under clause 6 of Schedule 2 to the Act to enable directors to take office on 1 October 2001, the Minister may appoint a person who would be qualified as a director to fill the office until that date.

**67 Existing stock warning signs**

Any stock warning sign displayed for the purposes of this Regulation that, if displayed (or if it had been displayed) immediately before the repeal of the *Rural Lands Protection Regulation 1995*, complied (or would have complied) with that Regulation is taken to be a stock warning sign approved by the roads authority, or person authorised by the roads authority, for the purposes of this Regulation.

**68 Writing off of charges**

- (1) A board may waive payment of, and write off, the whole or any part of any charge payable to it under the Act or the regulations:
- (a) if the charge does not exceed \$1000, or
  - (b) if the charge exceeds \$1000—with the approval of the State Council.
- (2) Action under this clause may be taken in a particular case or class of cases.

**69 Certificate relating to animal**

- (1) An authorised officer may sign a certificate stating that an animal to which the certificate relates is an animal of the kind specified in the certificate.
- (2) In any proceedings for an offence under this Regulation, a certificate purporting to be signed by an authorised officer stating that an animal to which the proceedings relate is an animal of the kind specified in the certificate is admissible in those proceedings as evidence that the animal is of that kind.

Rural Lands Protection (General) Regulation 2001

Schedule 1 Forms

**Schedule 1 Forms**

(Clause 3 (3))

**Form 1 Statutory declaration**

(Sch 2, cl 10)

(Rural Lands Protection (General) Regulation 2001)

I, ..... of .....,  
do solemnly and sincerely declare that:

1 My full name is .....

2 My residential address is .....  
.....  
Postcode

3 My date of birth is .....

4 I am self-employed\*/employed by ..... \*  
as .....  
(specify nature of employment)

5 I hold the following qualifications (academic/trade/professional):  
.....  
.....

6 I am a member of the following organisations:  
.....  
.....

7 I hold the following offices (other than employment):  
.....  
.....

8 .....  
.....  
(See Note)

Rural Lands Protection (General) Regulation 2001

Forms

Schedule 1

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at ..... this ..... day of .....

Before me: .....  
Justice of the Peace

.....  
(signature)

**Note.** A candidate may include further information relating to the candidacy. The information should not exceed 250 words in length.

\* Delete whichever is inapplicable.

### Form 2 Ballot-paper for election of members of State Council

(Sch 2, cl 16 (4))

.....  
(insert name of region)

Election of .....  
(insert number of representatives of region to be elected)

Held on .....  
(insert election day)

#### Candidates

- VALADON, Susan
- BROWN, Denise
- SMITH, John
- (Tenterfield)
- SMITH, John
- (Blackacre)
- DAVIS, Ron

## Rural Lands Protection (General) Regulation 2001

## Schedule 1      Forms

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(The following directions are to appear on the front or the back of the ballot-paper. If the directions appear on the back of the ballot-paper, an appropriate reference to their appearance on the back must be made on the front of the ballot-paper).

**Directions for voting**

(here insert the following direction if only one candidate is to be elected)

- 1 In marking your vote on this ballot-paper, you must place the number “1” in the square opposite the name of the candidate to whom you desire to give your first preference vote. If you wish to vote for additional candidates, place consecutive numbers beginning with the number “2” in the squares opposite the names of those additional candidates in the order of your preferences for them.

(here insert the following directions if 2 candidates are to be elected)

- 1 In marking your vote on this ballot-paper you must place the numbers “1” or “2” in the squares opposite the names of 2 candidates in the order of your preferences for them. If you wish to vote for additional candidates, place consecutive numbers beginning with the number “3” in the squares opposite the names of those additional candidates in the order of your preferences for them.
- 2 After marking the ballot-paper according to paragraph 1 of these directions, you must:
  - (a) place the completed ballot-paper in an inner envelope and seal the inner envelope, and
  - (b) place the inner envelope in an outer envelope, and
  - (c) write legibly your full name and address on, and sign, the back of the outer envelope, and
  - (d) return the outer envelope to the returning officer before the close of the ballot.

(here insert the following direction if the State Council election is an election other than a special election)

- 2 After marking the ballot-paper according to paragraph 1 of these directions, you must fold it so that the vote cannot be seen, show the folded ballot-paper to the returning officer and then place it in the ballot-box.

Rural Lands Protection (General) Regulation 2001

Forms

Schedule 1

(here insert the following direction if the State Council election is a special election)

- 2 After marking the ballot-paper according to paragraph 1 of these directions, you must:
  - (a) place the completed ballot-paper in an inner envelope and seal the inner envelope, and
  - (b) place the inner envelope in an outer envelope, and
  - (c) write legibly your full name and address on, and sign, the back of the outer envelope, and
  - (d) return the outer envelope to the returning officer before the close of the ballot.

**Electors voting at an election meeting please note: You must not take a ballot-paper out of the election meeting**

**Form 3 Ballot-paper for election of directors**

(Sch 2, cl 16 (5))

.....  
 (insert name of district)

Election of .....  
 (insert number of directors to be elected)

Held on .....  
 (insert election day)

**Candidates**

- VALADON, Susan
- BROWN, Denise
- SMITH, John
- (Tenterfield)
- SMITH, John
- (Blackacre)
- DAVIS, Ron



## Rural Lands Protection (General) Regulation 2001

Schedule 1      Forms

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(The following directions are to appear on the front or the back of the ballot-paper. If the directions appear on the back of the ballot-paper, an appropriate reference to their appearance on the back must be made on the front of the ballot-paper)

**Directions for voting**

(here insert the following direction if only one candidate is to be elected)

- 1 In marking your vote on this ballot-paper, you must place a clearly legible tick or cross in the square opposite the name of the candidate to whom you desire to give your vote.

(here insert the following direction if 2 candidates are to be elected)

- 1 In marking your vote on this ballot-paper you must place a clearly legible tick or a cross in the squares opposite the names of 2 candidates.

Rural Lands Protection (General) Regulation 2001

Elections

Schedule 2

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## Schedule 2 Elections

(Clause 5)

### Part 1 Preliminary

#### 1 Definitions

In this Schedule:

*candidate* means:

- (a) in relation to a State Council election—a candidate for election as a member of State Council, and
- (b) in relation to a directors election—a candidate for election as a director.

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

*close of nominations* for an election means the final time and date fixed under clause 4 for the close of nominations for the election.

*convening board* means the board referred to in clause 3 (3).

*directors election* means election (including a special election) of a person to hold office as a director of a board.

*election* means:

- (a) a State Council election, or
- (b) a directors election.

*election meeting*, in relation to a State Council election, means a meeting of regional boards called for the purposes of a contested election (whether or not it is also called for any other purpose).

*general State Council election* means a State Council election other than a special election.

*nomination day* for a State Council election means the day for close of nominations for an election meeting.

*regional boards* of a region means the boards for the districts comprising land within the region.

## Rural Lands Protection (General) Regulation 2001

## Schedule 2 Elections

*returning officer* means:

- (a) for a State Council election—the Chief Executive Officer, or another person approved by the Chief Executive Officer (other than a candidate in the election) to be the returning officer, or
- (b) for a directors election for a board—the person determined to be the returning officer for the board in accordance with guidelines given by the State Council.

*roll* for an election means:

- (a) in the case of a State Council election—a list of the names and addresses of the directors of the regional boards for the region, and
- (b) in the case of a directors election—the roll referred to in clause 10 of Schedule 2 to the Act.

*special election* means an election referred to in clause 7 of Schedule 1 to the Act.

*special State Council election* means a special election of a person to represent a region as a member of the State Council.

*State Council election* means an election of a person to represent a region as a member of the State Council.

## 2 Functions of returning officer

- (1) The returning officer is to conduct elections.
- (2) For the purposes of conducting an election, the returning officer may determine any matter not provided for by the Act or this Regulation.
- (3) The returning officer may delegate any of his or her functions under this Part (other than this power of delegation) to any other person other than a candidate in an election.

## Part 2 Calling of elections

### 3 When is a general State Council election to be called?

- (1) The directors of the regional boards of a region are to elect, in accordance with this Regulation, one (or, in the case of any region comprising land within the Western Division, 2), of the directors nominated as candidates for election to represent the region.

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- (2) The election is to take place at an election meeting called as soon as practicable after a general election.
  - (3) The election meeting is to be convened by one of the regional boards of the region chosen by those boards (the *convening board*).

**Note.** Clause 6 of Schedule 2 to the Act determines when directors elections are to be called. Clause 7 of Schedule 1 to the Act determines when special elections are to be called.

#### 4 Notice of State Council and directors elections

- (1) As soon as practicable after it has been determined in accordance with the Act or this Regulation that an election is required to be held for a region or a board, notice of that fact is to be given to the returning officer:
  - (a) for a State Council election—by the convening board, and
  - (b) for a directors election—by the State Council.
- (2) The notice is to specify the date on which the ballot for the election is to be held and is to be given to the returning officer at least 80 days before that date.
- (3) **State Council election**  
The returning officer must give notice that a State Council election is to be held by notice in writing given to each regional board concerned.
- (4) **Directors election**  
The returning officer must give notice that a directors election is to be held by one or more of the following means:
  - (a) display of a notice in a prominent place in the office of the board concerned or on a community notice board at a public place within the district,
  - (b) causing notice to be published:
    - (i) in at least one newspaper circulating generally throughout New South Wales, or
    - (ii) in one or more local newspapers that, individually or collectively, circulate generally throughout the area of the board concerned,
  - (c) giving written notice to each person entitled to vote at the election.

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- (5) Notice under subclause (3) or (4) must:
- (a) state that the election concerned is to be held and specify the region, district or division involved, and
  - (b) state the number of persons to be elected, and
  - (c) call for nominations of candidates, and
  - (d) state the time and date fixed by the returning officer for the close of nominations, and
  - (e) state where nomination forms may be obtained and where nominations may be lodged, and
  - (f) in the case of a directors election—state the date and time fixed for the close of enrolments for the election, and
  - (g) in the case of a general State Council election—state the date and time on which, and place at which, the election meeting is to be held, and
  - (h) in the case of a directors election or a special State Council election—state the date and time fixed for the close of the ballot.
- (6) The close of nominations:
- (a) for a general State Council election—must not be less than 60 days before the election meeting, and
  - (b) for a directors election or a special State Council election—must not be less than 40 days before the close of the ballot.
- (7) In this clause:
- close of enrolments* for a directors election means the date (being a date not less than 20 days before the close of the ballot for the election) and time fixed by the returning officer by which people must be included in the roll for the election.

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### **Part 3 Nominations for State Council and directors elections**

#### **5 Eligibility for nomination**

(1) **State Council election**

Any director of a regional board for a region is eligible for nomination as a candidate for a State Council election.

(2) **Directors election**

Any person qualified for election as a director is eligible for nomination as a candidate for a directors election.

**Note.** Clause 4 of Schedule 2 to the Act sets out the persons who are qualified for election as a director.

#### **6 Nomination of candidates**

(1) **State council election**

Any director of a regional board for a region may nominate any director of a board for a district comprising land within the region as a candidate for a State Council election to represent the region.

(2) **Directors election**

Any occupier of rateable land in a district, or, if the district is divided into divisions, any occupier of land in the division, may nominate a person as a candidate for a directors election for that district or division.

(3) A nomination of a candidate:

(a) must:

- (i) in the case of a State Council election—be in writing, and
- (ii) in the case of a directors election—be in the form approved by the board concerned, and

(b) must contain a statement, signed by the candidate, stating that the candidate consents to the nomination, and

(c) must be lodged with the returning officer before the close of nominations.

(4) Each candidate must be nominated on a separate nomination paper.

(5) On receipt of the nomination, the returning officer must endorse on it the date and time of receipt.

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**7 Withdrawal of nomination proposals**

- (1) A candidate who has been nominated in an election may withdraw the nomination.
- (2) A withdrawal of nomination must:
  - (a) be in writing, and
  - (b) contain a statement, signed by the candidate, stating that the candidate withdraws the nomination, and
  - (c) be lodged with the returning officer before the close of nominations.

**Note.** Clause 40 of this Schedule makes provision for circumstances in which a candidate dies after close of nominations and before close of the ballot.

**8 Uncontested elections**

If the number of persons who have been duly nominated as candidates by the close of nominations does not exceed the number of persons to be elected, each of those persons is taken to be elected.

**9 Contested elections**

If the number of persons who have been duly nominated as candidates by the close of nominations exceeds the number of persons to be elected, a ballot must be held.

**10 Candidate information sheets**

- (1) At any time before the close of nominations, a candidate may submit to the returning officer a statutory declaration, in or to the effect of Form 1, containing information intended for inclusion in a candidate information sheet.
- (2) If a ballot is to be held, the returning officer must compile a candidate information sheet consisting of the information submitted by the candidate.
- (3) In compiling a candidate information sheet, the returning officer may omit (or, with the consent of the candidate, correct) so much of the information submitted by the candidate:
  - (a) as the returning officer considers to be false or misleading, or
  - (b) as the returning officer considers to be inappropriate for inclusion in the candidate information sheet, or
  - (c) as exceeds 250 words.

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- (4) If a candidate does not submit any information, the returning officer may, in compiling the candidate information sheet, include in respect of the candidate the words “NO INFORMATION RECEIVED”.
  - (5) The names of the candidates must be listed on the candidate information sheet in the same order as they are listed on the ballot-paper for the election.

## Part 4 Electoral roll

### 11 Electoral roll—directors elections

As soon as practicable after it becomes apparent to the returning officer that a ballot must be held for a directors election for a board, the returning officer must notify the board:

- (a) that a ballot is to be held for the election, and
- (b) that an electoral roll for the election is required.

**Note.** Part 4 of Schedule 2 to the Act provides for the keeping of rolls.

## Part 5 The ballot

### 12 State Council elections

- (1) A general State Council election that is a contested election is to be determined by ballot at an election meeting.
- (2) A special State Council election is to be determined by ballot by post.
- (3) The voting system in a contested State Council election is to be optional preferential.
- (4) A candidate nominated for election is, without a ballot being held, taken to be elected:
  - (a) in the case of a general State Council election—on the day of the election meeting, or
  - (b) in the case of a special State Council election—on the day of the close of the ballot,



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if he or she is the only nominee for election or, in the case of an election for 2 representatives, they are the only 2 nominees for election.

- (5) If no, or, in the case of an election for 2 representatives less than 2, persons are nominated for election, the Minister may appoint:
- (a) in the case of an election for one representative—a person to represent the region, or
  - (b) in the case of an election for 2 representatives—one person to represent the region for each representative for which there is no nomination.
- (6) A person so appointed is to be taken to be elected:
- (a) in the case of a general State Council election— on the day on which the election meeting was to be held, and
  - (b) in the case of a special State Council election—on the day fixed for close of the ballot for the election.

**13 Directors election**

- (1) A directors election that is a contested election is to be determined by ballot by post.
- (2) The voting system in a contested directors election is to be the “first past the post” method, that is, the candidate or candidates with the most votes is or are taken to be elected. If the number of candidates to be elected cannot be determined because of an equality of votes, the candidate taken to be elected is the candidate whose name is drawn from a lot containing the names of each of the candidates having equal votes.
- (3) A candidate nominated for election is, without a ballot being held, taken to be elected if the number of persons who have been duly nominated as candidates by the close of nominations does not exceed the number of persons to be elected.

**14 Voting entitlements—State Council elections**

- (1) Each regional board of a region is entitled to vote at a contested State Council election for the region.
- (2) The vote of the board at a State Council election other than a special election is to be exercised at the election meeting by a duly appointed proxy of the board.

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- (3) The proxy is to exercise the board's vote in the way resolved by the board.
  - (4) A duly appointed proxy of a regional board for a region is a director of the board nominated by the board and appointed by an instrument in writing:
    - (a) signed by the person presiding at that meeting, and
    - (b) specifying how the board wishes the proxy to vote, and
    - (c) given to the returning officer for the election before the poll for the election is taken at the election meeting.
  - (5) The vote of the board at a special election is to be exercised by post on behalf of the board by the Chairperson of the board or the Chairperson's nominee.

**15 Position on ballot-paper—State Council and directors elections**

- (1) The order of candidates' names on ballot-papers for a State Council election or directors election that is a contested election is to be determined by a ballot held by the returning officer.
- (2) The ballot is to be conducted by the returning officer in the presence of at least 2 persons who are not candidates for election.
- (3) The ballot is to be conducted in the following manner:
  - (a) the returning officer must, at the place of nomination and before all persons present, make out in respect of each candidate a slip bearing the name under which the candidate has been nominated,
  - (b) the returning officer must then enclose the slips in separate identical containers, securely seal each container and deposit all the containers in a securely fastened ballot-box,
  - (c) the returning officer must then shake and rotate the ballot-box and, on request, permit any other person present to do the same,
  - (d) the returning officer must then unfasten the ballot-box and take out and open each container one by one,

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- (e) the returning officer must then announce to the persons present, and record, the name of the candidate whose name appears on the slip enclosed in the container first taken from the ballot-box and, in consecutive order, the name of the candidates whose names appear on the slip enclosed in the container next taken from the ballot-box and so on until the placing of all names has been determined,
  - (f) the returning officer must sign the record and allow any of the persons present to do the same.
- (4) Each candidate or an agent of the candidate is entitled to be present at a ballot in accordance with this clause.
- (5) In this clause:
- place of nomination* means:
- (a) for a State Council election—the offices of the State Council or such other place as is determined by the returning officer, and
  - (b) for a directors election—the place determined by the returning officer.

**16 Form of ballot-papers—State Council and directors elections**

- (1) The returning officer is to have ballot-papers printed for the election.
- (2) The names of the candidates are to be printed in one column (starting at the top) in the order determined as referred to in clause 15.
- (3) The ballot-papers must show as the names of the candidates the names under which they were nominated. The names may be accompanied by descriptions or additions to distinguish them from each other in any case where a similarity in the names of 2 or more candidates is, in the opinion of the returning officer, likely to cause confusion.
- (4) The ballot-papers for a State Council election are to be in or to the effect of Form 2.
- (5) The ballot-papers for a directors election are to be in or to the effect of Form 3.

**17 Supply of ballot**

- (1) The returning officer is to provide sufficient ballot-papers for each person entitled to vote (whether in person or by proxy) in an election.

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(2) **General State Council election**

Each elector present at a general State Council election is to be given:

- (a) one ballot-paper on which to record his or her vote and one ballot-paper for the proxy he or she holds, and
- (b) an unsealed envelope addressed to the returning officer and bearing on the back the words “name of board concerned”, “full name and address of elector in legible writing” and “signature of elector”, together with appropriate spaces for the insertion of the name of the board, name of the elector, address and signature.

(3) **Directors and special State Council elections**

Each elector entitled to vote at a directors election or special State Council election is to be sent:

- (a) one ballot-paper on which to record his or her vote, and
  - (b) an unsealed envelope addressed to the returning officer and bearing on the back the words “full name and address of elector in legible writing” and “signature of elector”, together with appropriate spaces for the insertion of a name, address and signature and, if relevant, the division of the district for which the director is to be elected.
- (4) The returning officer is to make an appropriate notation on the roll to show that the elector has received or been sent the ballot-paper or ballot-papers.

**18 Ballot-paper**

A ballot-paper is to be initialled on the back by the returning officer (or by a person authorised by the returning officer) before the returning officer gives or sends it to an elector. The initials are to be placed so as to be easily seen when the ballot-paper is folded to conceal the elector’s marks. The initials may be written or stamped.

**19 Duplicate ballot-papers**

- (1) If an elector satisfies the returning officer that he or she has spoilt by reason of accident or mistake any ballot-paper handed or sent to him or her, the returning officer may, on receipt of the spoilt ballot-paper:
  - (a) hand or send to the elector a new ballot-paper, and
  - (b) cancel and preserve the spoilt paper.

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- (2) If an elector satisfies the returning officer that he or she has not received a ballot-paper sent to him or her, the returning officer may hand or send to the elector a new ballot-paper.
  - (3) The returning officer is to maintain a record of all duplicate ballot-papers issued under this clause.

**20 Recording of votes—directors elections and special State Council elections**

In order to vote in a directors election or special State Council election, a person must:

- (a) for each vote to which the person is entitled:
  - (i) record a vote on the ballot-paper in accordance with the directions shown on it, and
  - (ii) place the completed ballot-paper in an inner envelope, and
  - (iii) seal the inner envelope, and
- (b) place each inner envelope in the outer envelope, and
- (c) write legibly the person's full name and address on, and sign, the back of the outer envelope, and
- (d) return the outer envelope to the returning officer before the close of the ballot.

**Part 6 The scrutiny****21 Ascertaining result of ballot**

- (1) **General State Council election**

The result of a ballot for a general State Council election is to be ascertained by the returning officer at the election meeting at which it is held as soon as practicable after the close of the ballot.
- (2) **Directors and special State Council elections**

The result of a ballot for a directors election or special State Council election is to be ascertained by the returning officer as soon as practicable after the close of the ballot.

**22 Scrutineers**

- (1) At least one scrutineer, whether nominated by the candidate or otherwise, is to be present during the ballot for an election.

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(2) **General State Council election**

The scrutineers at a general State Council election are to be directors present at the election meeting who volunteer to be scrutineers or persons appointed by the returning officer.

(3) **Directors elections and special State Council elections**

Each candidate at a directors election or a special State Council election may nominate one person to be a scrutineer at the election.

(4) A candidate for election may not act as a scrutineer.

**23 Questions put to elector at general State Council elections**

(1) A person claiming an entitlement to vote as a proxy of the board at a general State Council election must state to the returning officer the name under which he or she claims to vote and the board for whom he or she is a proxy, and such other particulars as the returning officer requires for the purposes of checking the name or names on the roll.

(2) The returning officer must check that the name or names given by the person are on the roll before giving the person any ballot-paper.

**24 Voting—general State Council elections**

After receiving a ballot-paper for a general State Council election, an elector is to:

- (a) go alone to an unoccupied space set aside for voting, and privately record his or her proxy vote on the ballot-paper, and
- (b) fold the paper so as to conceal the vote marked on it, but to clearly show the initials on the back, and place the ballot-paper still folded in the ballot-box.

**25 Elector whose name is not on the roll—general State Council elections**

(1) A director of a regional board whose name as a proxy of a board is not on the roll for a general State Council election but who claims an entitlement to vote as a proxy in the election may make a declaration in writing to the returning officer stating the ground on which the director claims to be entitled to vote.

(2) The returning officer must examine the declaration before giving the elector a ballot-paper and, if necessary, make enquiries to determine whether the declaration is in order and the elector is entitled to vote.

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- (3) If the declaration is not in order or it appears to the returning officer that the elector is not entitled to vote, the returning officer must not give the elector a ballot-paper.
  - (4) If the declaration is in order and it appears to the returning officer that the elector is entitled to vote, the returning officer must give the elector a ballot-paper.
  - (5) After receiving the ballot-paper the elector is to:
    - (a) go alone to an unoccupied space set aside for voting at the polling place, and privately record his or her vote on the ballot-paper, and
    - (b) fold the paper so as to conceal the vote marked on it, but to clearly show the initials on the back, and place the ballot-paper still folded in the ballot-box.

**26 Informal ballot-papers**

- (1) A ballot-paper of an elector at an election is informal if:
  - (a) the elector has failed to record a vote on it in the manner directed on it, or
  - (b) it has not been initialled on the back by the returning officer, or
  - (c) it contains a mark or writing which, in the returning officer's opinion, would enable the elector to be identified.
- (2) Despite subclause (1), a ballot-paper of an elector at an election in which only one candidate is to be elected is not informal merely because a tick or a cross has been placed in one square and the other square or squares has been left blank. In such a case, the tick or cross is to be treated:
  - (a) in the case of a State Council election—as a first preference, or
  - (b) in the case of a director's election—as a vote for only one candidate.
- (3) Despite subclause (1), a ballot-paper of an elector at a State Council election is not informal merely because a preference (other than a first preference) has been repeated or omitted so long as the ballot-paper shows the minimum number of preferences required by the directions.
- (4) Despite subclause (1), a ballot-paper of an elector at an election is not informal by virtue of the existence of an unnecessary mark on the ballot-paper if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper.

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## 27 Initial scrutiny and count

- (1) On the close of the ballot for an election the returning officer must, in the presence of any scrutineers who are present, open the ballot-box and have the ballot-papers scrutinised in his or her presence and must reject the informal ballot-papers.
- (2) **State Council election**  
After the scrutiny at a State Council election, the returning officer must:
  - (a) count the first preferences recorded for each candidate and the informal votes, and
  - (b) ascertain the vote in accordance with clause 12 (3), and
  - (c) inform the persons present of the result of the count.
- (3) **Directors election**  
After the scrutiny at a directors election, the returning officer must:
  - (a) count the votes recorded for each candidate and the informal votes, and
  - (b) ascertain the results of the count in accordance with clause 13 (2), and
  - (c) inform the persons present of the result of the count.

## 28 Recount

- (1) **General State Council election**  
Any candidate present at a general State Council election when the returning officer informs the persons present of the result of the count may request a recount of the ballot-papers.
- (2) **Directors election or special State Council election**  
Any candidate present when the returning officer declares the result of the count at a directors election or special State Council election may request a recount of the ballot-papers.
- (3) If such a request is made, the returning officer must again have the papers scrutinised and counted and is to inform the persons present of the results of the recount.

## 29 Declaring the election

- (1) **General State Council election**  
After counting the votes in a general State Council election at the election meeting, the returning officer is to advise the Chief Executive



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Officer (if he or she is present at the election meeting) or some other person present nominated by the Chief Executive Officer of the results of the count. The Chief Executive Officer or nominated person is to declare the name or names of the candidates elected to the persons present at the election meeting.

(2) **Special State Council election**

As soon as practicable after counting the votes in a special State Council election, a returning officer (other than a returning officer who is the Chief Executive Officer) is to notify the Chief Executive Officer, in writing, of the candidate or candidates elected.

(3) **Directors election**

As soon as practicable after counting the votes in a directors election, the returning officer is to notify the authorised officer for the board concerned, in writing, of the candidate or candidates elected.

(4) The authorised officer is to cause notice of the candidate or candidates elected in the directors election to be published in:

- (a) at least one newspaper circulating generally throughout New South Wales, or
- (b) one or more local newspapers that, individually or collectively, circulate generally throughout the area of the board concerned.

## Part 7 Offences

### 30 Misconduct in voting

A person must not:

- (a) vote, or attempt to vote, more times than a person's voting entitlement allows in an election, or
- (b) vote, or attempt to vote, in any election in which the person is not entitled to vote, or
- (c) make a false or misleading statement:
  - (i) to the returning officer in connection with any election, or
  - (ii) in any document that the person furnishes for the purposes of any election.

Maximum penalty: 10 penalty units.

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**31 Obstruction of electoral officials**

A person must not abuse, hinder or obstruct the returning officer or a scrutineer in the exercise of his or her functions.

Maximum penalty: 10 penalty units.

**32 Misconduct by scrutineers**

(1) A scrutineer must not:

- (a) interfere with or influence an elector in an election, or
- (b) at the counting of a ballot, communicate with any person except as necessary to carry out the scrutineer's functions.

(2) A scrutineer must obey the lawful directions of the returning officer.

Maximum penalty: 10 penalty units.

**33 Breach of secrecy**

The returning officer or a scrutineer who knows how a particular elector has voted must not disclose that knowledge.

Maximum penalty: 10 penalty units.

**34 Stuffing ballot-boxes**

(1) A person must not place in a ballot-box a ballot-paper that the person knows has not been lawfully issued to an elector.

(2) An elector must not place in the ballot-box a paper or other thing other than the ballot-paper and envelope issued to him or her.

Maximum penalty: 10 penalty units.

**35 Bribery**

A person must not, in relation to an election, or an elector at such an election, do any of the things set out in section 147 of the *Parliamentary Electorates and Elections Act 1912*.

Maximum penalty: 10 penalty units.

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**36 Treating**

A candidate at an election under this Part must not, in relation to the election, do any of the things set out in section 149 of the *Parliamentary Electorates and Elections Act 1912*.

Maximum penalty: 10 penalty units.

**37 Intimidation**

A person must not, in relation to an election, or an elector at such an election, do any of the things set out in section 151 of the *Parliamentary Electorates and Elections Act 1912*.

Maximum penalty: 10 penalty units.

**Part 8 Miscellaneous****38 Delayed general State Council election**

- (1) If the Minister is of the opinion that it would be impractical or inconvenient to hold any election meeting, the Minister may, by notice in writing given to the returning officer concerned, appoint a later day for the holding of the meeting.
- (2) If a later date is appointed under this clause:
  - (a) the retiring members continue in office until that day, and
  - (b) clause 4 (3) of this Schedule applies as if the date appointed by the Minister were the original date notified to the returning officer for the holding of the election meeting.

**39 Decisions of returning officer final**

If the returning officer is permitted or required by this Regulation to make a decision on any matter relating to the taking of a ballot in any election, the decision of the returning officer on that matter is final.

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#### **40 Death of candidate**

If a candidate dies after the close of nominations and before the close of the ballot in an election:

- (a) the returning officer is to cause notice of the death to be published in one or more local newspapers that, individually or collectively, circulate generally throughout the region, district or division concerned, and
- (b) all proceedings after the returning officer was notified that an election was required to be held are of no effect and must be undertaken again.

#### **41 Security of election materials**

- (1) After the results of an election are declared, the returning officer is to parcel the marked and any unmarked ballot-papers, the roll and other papers or envelopes used in the election.
- (2) The returning officer is to seal, endorse and sign each parcel, and to allow any scrutineers entitled to be present to watch the returning officer carry out those actions and countersign the parcel.
- (3) The returning officer is to have the parcels kept securely for 12 months after the election, and then destroyed.
- (4) If a court so directs, or any legislation so requires or permits, the returning officer is to allow any person to inspect any of the election materials, except the sealed parcels of marked ballot-papers.

#### **42 Term of office of representatives**

- (1) A person elected (or taken to be elected) under this Part as a representative of a region takes office on the day on which he or she is elected.
- (2) The representative holds office for the period of 4 years after taking office or until he or she ceases to hold office as a director (whichever first occurs), but is eligible (if otherwise qualified) for re-election at the end of his or her term of office.

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Schedule 3 Counting of votes under optional preferential system

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## Schedule 3 Counting of votes under optional preferential system

(Clause 5)

### 1 General

This Schedule sets out the method of counting votes according to the optional preferential system. The counting is to be carried out by the returning officer.

### 2 Definitions

In this Schedule:

*absolute majority of votes* means a greater number than one-half of the whole number of ballot-papers other than informal and exhausted ballot-papers.

*continuing candidate* means a candidate not already elected or excluded from the count.

*exhausted ballot-paper* means a ballot-paper on which there is no indication of a next preference for a continuing candidate.

*next preference* means the first of the subsequent preferences marked on a ballot-paper which is not given to an elected or excluded candidate. However, if there is a repetition or omission in the consecutive numbering of preferences marked on a ballot-paper (other than a repetition or omission that makes the ballot-paper informal), only those preferences preceding the repetition or omission can be taken into account.

### 3 One candidate to be elected

If only one candidate is to be elected, the votes are to be counted and the result of the election ascertained in accordance with the following procedures:

- (a) The unrejected ballot-papers are arranged under the names of the respective candidates by placing in a separate parcel all those on which a first preference is indicated for the same candidate.
- (b) The total number of first preferences given for each candidate on such ballot-papers are then counted.

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- (c) The candidate who has received the largest number of first preference votes is elected if that number constitutes an absolute majority of votes.
  - (d) If no candidate has received an absolute majority of first votes, a second count is made.
  - (e) On the second count, the candidate who has received the fewest first preference votes is excluded, and the unexhausted ballot-papers counted to him or her are counted to the candidate next in the order of the elector's preference.
  - (f) If a candidate then has an absolute majority of votes, he or she is elected, but if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the fewest votes and counting each of his or her unexhausted ballot-papers to the continuing candidate next in the order of the elector's preference is repeated until one candidate has received an absolute majority of votes.
  - (g) The candidate who has received an absolute majority of votes is elected.

#### **4 Two candidates to be elected**

If 2 candidates are to be elected, the votes are to be counted and the result of the election ascertained in accordance with the following procedures:

- (a) One of the candidates is elected in accordance with clause 3 of this Schedule.
- (b) All the unrejected ballot-papers are rearranged under the names of the respective candidates in accordance with the first preferences marked on the ballot-papers, except that each ballot-paper on which a first preference for the elected candidate is indicated is placed in the parcel of the candidate next in the order of the elector's preference.
- (c) The number of ballot-papers in the parcel of each candidate is counted and the total number of votes counted to each candidate is ascertained.
- (d) If a candidate then has an absolute majority of votes he or she is elected. If not, the count proceeds according to clause 3 (d), (e) and (f) of this Schedule, until one candidate has received an absolute majority of votes.

## Rural Lands Protection (General) Regulation 2001

Schedule 3 Counting of votes under optional preferential system

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- (e) Clause 3 (d) and (e) of this Schedule is to be read for the purposes of this clause as if a reference in those paragraphs to first preference votes were a reference to all the votes counted to a candidate under this clause.

**5 Exhausted ballot-papers**

In the process of counting under clause 3 or 4 of this Schedule, exhausted ballot-papers are set aside as finally dealt with and are not taken into account in the election of a candidate under the appropriate clause.

**6 Equality**

- (1) If, on any count at which the candidate with the fewest number of votes has to be excluded, 2 or more candidates have an equal number of votes (that number being fewer than the number of votes that any other candidate has or those candidates being the only continuing candidates), the candidate whose name is on a slip drawn is accordance with subclause (2) is excluded.
- (2) The returning officer writes the names of the candidates who have an equal number of votes on similar slips of paper. The returning officer then folds the slips so as to prevent the names being seen, mixes them, and draws one slip at random.

**7 End of counting**

The process of counting each of the unexhausted ballot-papers of an excluded candidate to the continuing candidate next in the order of the elector's preference is not repeated if there is only one continuing candidate. Instead, the continuing candidate is elected.

Rural Lands Protection (General) Regulation 2001

Minimum areas of rateable land

Schedule 4

## Schedule 4 Minimum areas of rateable land

(Clause 6 (1))

<b>Column 1</b>	<b>Column 2</b>
<b>District</b>	<b>Area in hectares</b>
Armidale	10
Balranald	40
Bombala	20
Bourke	25
Braidwood	10
Brewarrina	50
Broken Hill	400
Casino	10
Central Tablelands	10
Cobar	400
Condobolin	10
Cooma	10
Coonabarabran	20
Coonamble	10
Dubbo	10
Forbes	10
Gloucester	10
Goulburn	20
Grafton	10
Gundagai	10
Hay	40
Hillston	40
Hume	10
Hunter	10
Kempsey	10
Maitland	10
Milparinka	400
Molong	10
Moree	10
Moss Vale	10

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## Rural Lands Protection (General) Regulation 2001

## Schedule 4 Minimum areas of rateable land

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<b>Column 1</b>	<b>Column 2</b>
<b>District</b>	<b>Area in hectares</b>
Mudgee–Merriwa	10
Murray	20
Narrabri	10
Narrandera	50
Northern New England	10
Northern Slopes	10
Nyngan	10
Riverina	10
South Coast	10
Tamworth	20
Tweed–Lismore	10
Wagga Wagga	20
Walgett	10
Wanaaring	400
Wentworth	20
Wilcannia	200
Yass	10
Young	10

Rural Lands Protection (General) Regulation 2001

Minimum general and animal health rates

Schedule 5

## Schedule 5 Minimum general and animal health rates

(Clause 8)

<b>Board</b>	<b>Column 1 Minimum general rate (\$)</b>	<b>Column 2 Minimum animal health rate (\$)</b>
Armidale	26.00	13.00
Balranald	10.80	5.90
Bombala	37.00	22.45
Bourke	0.00	0.00
Braidwood	45.05	19.95
Brewarrina	27.05	10.80
Broken Hill	7.60	2.20
Casino	30.25	20.60
Central Tablelands	41.10	26.00
Cobar	0.00	0.00
Condobolin	21.65	16.20
Cooma	58.45	22.80
Coonabarabran	21.65	12.60
Coonamble	21.65	7.60
Dubbo	28.60	11.85
Forbes	34.65	30.25
Gloucester	24.85	18.40
Goulburn	34.75	30.70
Grafton	33.70	22.45
Gundagai	30.80	20.70
Hay	10.80	10.80
Hillston	32.45	10.80
Hume	32.45	21.65
Hunter	33.50	18.90
Kempsey	37.95	27.65
Maitland	31.20	13.50
Milparinka	0.00	0.00
Molong	26.00	15.10

## Rural Lands Protection (General) Regulation 2001

## Schedule 5 Minimum general and animal health rates

<b>Board</b>	<b>Column 1 Minimum general rate (\$)</b>	<b>Column 2 Minimum animal health rate (\$)</b>
Moree	37.85	16.20
Moss Vale	45.45	28.10
Mudgee–Merriwa	38.50	19.25
Murray	10.80	4.35
Narrabri	36.40	26.00
Narrandera	27.05	10.80
Northern New England	34.65	21.00
Northern Slopes	43.25	24.95
Nyngan	24.85	18.95
Riverina	26.00	15.60
South Coast	58.45	26.00
Tamworth	32.45	9.05
Tweed–Lismore	32.45	24.95
Wagga Wagga	27.70	31.10
Walgett	18.40	8.65
Wanaaring	0.00	0.00
Wentworth	10.80	4.15
Wilcannia	31.80	21.00
Yass	36.40	36.40
Young	28.10	28.10

Rural Lands Protection (General) Regulation 2001

Penalty notice offences and short descriptions

Schedule 6

## Schedule 6 Penalty notice offences and short descriptions

(Clauses 56 and 57)

### Part 1 Prescribed offences under the Act

Column 1 Section	Column 2 IPB Code	Column 3 Short description text	Column 4 Penalty (\$)
76 (1)	4503	Fail to lodge annual return	500
81 (1)	4504	Fail to notify change of occupancy/ownership	200
82 (1)	4506	Occupier of land fail to notify change of postal address	150
82 (2)	4507	Stock owner fail to notify change of postal address	150
82 (3)	4510	Fail to notify postal address on becoming occupier of rateable land	150
83 (2)	4511	Fail to provide tenure bond for Crown land tenure	200
95 (a) and (b)	4513	Enter/remain on/occupy/make use of travelling stock reserve	300
95 (c)	4514	Engage in activity that damages/is likely to damage travelling reserve	300
96 (1)	4516	Fail to ensure stock do not walk/graze on public road without appropriate authority	300
106 (3)	4517	Contravene conditions of a permit	200
107	4519	Fail to ensure stock are not moved over/grazed on public road/ travelling stock reserve contrary to Act/regulations	200
126 (1) (a), (b) and (c)	4521	Fail to muster/allow inspection/assist in counting stock on request of prescribed officer	150
126 (1) (d) and (e)	4523	Fail to provide reasonable assistance /produce permit on request to prescribed officer	150
126 (3)	4524	Fail to produce order/ permit on request	150
136 (1)	4527	Intentionally/recklessly pollute/interfere with, water at stock watering place	500
139 (1)	4528	Owner/person in charge of stock on public road/travelling stock reserve without authority	300
140	4530	Release/incite/assist person to release impounded animal	500

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## Rural Lands Protection (General) Regulation 2001

## Schedule 6 Penalty notice offences and short descriptions

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Section</b>	<b>IPB Code</b>	<b>Short description text</b>	<b>Penalty (\$)</b>
155 (1)	4531	Fail to eradicate a pest under general destruction obligation	200
155 (2)	4532	Fail to eradicate a pest under limited destruction obligation	200
155 (3)	4533	Fail to give notice of pest on land	150
167 (1)	4534	Fail to comply with individual eradication order	500
167 (3)	4535	Fail to comply with general eradication order	300
170 (1) and (4)	4536	Fail to comply with written request for destruction of pest	500
176 (1)	4537	Keep pest in captivity without approval	200
176 (2)	4538	Liberate/attempt to liberate pest from captivity	500
177 (1)	4539	Administer prohibited substance to a pest	500
178 (1)	4540	Carry/drive/pass pest through/under/over fence/gate designed for prevention of pests	200
178 (2)	4541	Leave open/destroy/damage/interfere with gate/fence designed for prevention of pests	200
178 (3)	4542	Convey live pest without lawful excuse	500
179 (a) and (b)	4543	Destroy/damage/remove/interfere with anything used for eradicating pests	500
198 (1) (a)	4544	Prevent/hinder/obstruct an authorised officer	500
198 (c) and (d)	4545	Fail to comply with requirement of/furnish false/misleading information to, an authorised officer	500
198 (1) (b)	4546	Threaten/assault authorised officer in the exercise of function	1000
199	4547	Impersonate/ falsely represent authorised officer	200
210 (1)	4548	Fail to provide information without reasonable excuse	200
210 (2)	4549	Make false/misleading statement/omit material matter in an official document	200
210 (4)	4550	Forge/fraudulently alter permit/licence/authority/other document	500
237 (2)	4561	Fail to muster stock on holding	200

Rural Lands Protection (General) Regulation 2001

Penalty notice offences and short descriptions

Schedule 6

**Part 2 Prescribed offences under this Regulation**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Clause</b>	<b>IPB Code</b>	<b>Short description text</b>	<b>Penalty (\$)</b>
17 (3)	4552	Fail to give way to stock/other animal in a stock zone	500
18 (2)	4553	Fail to remove temporary stock zone sign	150
19	4554	Remove/interfere with/damage/deface/affix anything to a stock zone sign	200
20 (2)	4555	Exhibit stock zone sign without authority	150
21 (2)	4556	Fail to comply with direction to remove stock zone sign	200
22	4557	Fail to ensure travelling stock are kept off carriageway at night	200
24 (2)	4558	Contravene directions on a sign on travelling stock reserve	150
25	4559	Remove/damage/interfere with sign on reserve	200
27 (1)	4560	Waste water/divert/ interfere with flow of water/swim/bathe in water tank/dam on reserve	300
27 (2)	4561	Damage/interfere with, structure/appliance/article on reserve	500
27 (3)	4562	Interfere with stock/beehives on reserve	200
28 (2)	4563	Fail to keep stock under control on road/reserve	150
29	4564	Fail to take steps to prevent stock from causing injury/damage/harm after being notified	150
30	4565	Deposit/leave any rubbish/vehicle/equipment/ implement/moveable structure/thing on reserve	500
30	4566	Deposit/leave, any animal carcass on reserve	150 per carcass
34 (2)	4567	Fail to leave reserve when directed	150
36 (1) (a)	4520	Move stock by vehicle over public road/travelling stock reserve without appropriate authority	150
36 (1) (b)	6599	Consign stock by rail/water/air without appropriate authority	150
36 (2)	6604	Failure of person moving/consigning stock to ensure conditions of relevant authority complied with	150
36 (3) (a)	6672	Fail to possess transported stock statement	150
36 (3) (b)	6705	Fail to ensure stock as in transported stock statement	150

## Rural Lands Protection (General) Regulation 2001

## Schedule 6 Penalty notice offences and short descriptions

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Clause</b>	<b>IPB Code</b>	<b>Short description text</b>	<b>Penalty (\$)</b>
36 (3) (c)	6706	Fail to ensure condition of authority not breached	150
36 (4)	6708	Fail to allow inspection and counting of stock	100
36 (5)	4037	Fail to produce authority for inspection	150
36 (6)	4038	Fail to comply with request of prescribed officer	100
47 (1)	4568	Fail to ensure stock walk not less than 10 kilometres per day	200
47 (7)	4569	Fail to remove culled stock from road/reserve	150
47 (10)	4570	Fail to pay appropriate fees for slow travel of stock	300
53 (a)	4571	Take/assist another person to take water from tank/dam which is below depth measuring mark	150
53 (b)	4572	Fail to prevent stock from drinking water which is below a depth measuring mark in a tank/dam	150
60 (6)	4573	Alter/destroy/deface/interfere with authorised stock identifier	500

### Part 3 Prescribed offences under Schedule 2 to this Regulation

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Clause</b>	<b>IPB Code</b>	<b>Short description text</b>	<b>Penalty (\$)</b>
30 (a) and (b)	4574	Vote/attempt to vote more than/no entitlement	200
30 (c)	4575	Make false/misleading statement to returning officer/in document	200
31	4576	Abuse/hinder/obstruct returning officer	300
32	4577	Scrutineer fail to obey directions of returning officer	200
33	4578	Returning officer/scrutineer disclosing how elector voted	150
34	4579	Place unlawful ballot-paper in ballot-box	150
35	4580	Bribe person in connection with an election	500
36	4582	Treat person in connection with an election	500
37	4584	Intimidate person in connection with an election	500

# Rural Lands Protection (Savings and Transitional) Amendment Regulation 2001

under the

Rural Lands Protection Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rural Lands Protection Act 1998*.

RICHARD AMERY, M.P.,  
Minister for Agriculture

## Explanatory note

The object of this Regulation is to make provisions of a savings and transitional nature consequent on the commencement of sections 34, 36 and 54 of, and Schedule 6.21 to, the *Rural Lands Protection Act 1998*.

This Regulation is made under the *Rural Lands Protection Act 1998*, including clause 1 of Schedule 7 to, and section 243 (the general regulation-making power) of, that Act.



Clause 1 Rural Lands Protection (Savings and Transitional) Amendment  
Regulation 2001

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## **Rural Lands Protection (Savings and Transitional) Amendment Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Rural Lands Protection (Savings and Transitional) Amendment Regulation 2001*.

### **2 Commencement**

This Regulation commences on 28 September 2001.

### **3 Amendment of Rural Lands Protection (Savings and Transitional) Regulation 2001**

The *Rural Lands Protection (Savings and Transitional) Regulation 2001* is amended as set out in Schedule 1.

### **4 Notes**

The explanatory note does not form part of this Regulation.

Rural Lands Protection (Savings and Transitional) Amendment  
Regulation 2001

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 3)

### Clauses 6–8

Insert after clause 5:

**6 Audit of accounts of boards for financial year ending 31 December 2001**

- (1) Sections 30 and 39 of the 1989 Act continue to apply to and in respect of the accounts of a board for the financial year ending 31 December 2001 despite the repeal of those sections.
- (2) A board is not required to submit financial statements in accordance with section 54 of the 1998 Act in respect of the financial year ending 31 December 2001 if the board complies with the requirements of sections 30 and 39 of the 1989 Act as so continued in force.

**7 Audit of accounts of State Council for financial year ending 31 December 2002**

The first financial year to which section 34 of the 1998 Act applies is taken to be the period commencing on the commencement of that section and ending on 31 December 2002.

**8 Annual reports**

- (1) Section 52 of the 1989 Act and the regulations made for the purposes of that section continue to apply to and in respect of the annual report of a board for the period commencing on 1 January 2001 and ending on 31 December 2001 despite the repeal of those provisions, except as provided by subclause (3).
- (2) A board that prepares a report for the period referred to in subclause (1) and submits it in accordance with section 52 of the 1989 Act and the regulations as so continued in force is taken, for the purposes of section 36 (2) of the 1998 Act, to have prepared a report for that period in accordance with the guidelines.

Rural Lands Protection (Savings and Transitional) Amendment  
Regulation 2001

Schedule 1      Amendment

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- (3) For the purposes of subclause (1):
- (a) a reference in section 52 of the 1989 Act or the regulations made for the purposes of that section to the Council of Advice is to be read as if it were a reference to the State Council, and
  - (b) a reference to a board is, to the extent it relates to the activities of a board in the period commencing 1 January 2001 and ending immediately before the commencement of this clause, to be read as if it were a reference to a board within the meaning of the 1989 Act.

# OFFICIAL NOTICES

## Appointments

### MARKETING OF PRIMARY PRODUCTS ACT 1983

Appointment of a Member of Riverina Citrus

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of a provision of the Marketing of Primary Products Act 1983, and the MIA Citrus Fruit Promotion Marketing Order 1998, published in the *Government Gazette* No. 62 of 27 March 1998, has been pleased to appoint

Victor Nardi of Wamoon

as a member representing producers in the Local Government Areas of Leeton, Murrumbidgee and Narrandera, vice Frank Mercuri, resigned, for a term of office expiring 18 March 2002.

Dated this 9th day of September 2001.

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

The Cabinet Office, Sydney  
26 September 2001

### MINISTERIAL ARRANGEMENTS DURING THE ABSENCE FROM THE STATE OF THE MINISTER OF HEALTH

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable P. F. P. Whelan, M.P., Minister for Police, to act for and on behalf of the Minister for Health, as on and from 29 September 2001, with a view to him performing the duties of the Honourable C. J. Knowles, M.P., during his absence from the State.

BOB CARR,  
Premier

The Cabinet Office, Sydney  
26 September 2001

### MINISTERIAL ARRANGEMENTS DURING THE ABSENCE FROM THE STATE OF THE MINISTER FOR REGIONAL DEVELOPMENT, MINISTER FOR RURAL AFFAIRS AND MINISTER FOR LOCAL GOVERNMENT

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable M. Iemma, M.P., Minister for Public Works and Services, and Minister Assisting the Premier on Citizenship, to act for and on behalf of the Minister for Regional Development, Minister for Rural Affairs, and Minister for Local Government, as on and from 1 October 2001, with a view to him performing the duties of the Honourable H. F. Woods, M.P., during his absence from the State.

BOB CARR,  
Premier

### RURAL FIRES ACT 1997

Appointment of Members  
Bush Fire Coordinating Committee

I, ROBERT JOHN DEBUS, Minister for Emergency Services, in pursuance of sections 47 (1) (e) and (k) of the Rural Fires Act 1997, appoint the following persons as Members of the Bush Fire Coordinating Committee:

Kenneth Roy Gallen

Alan James Brown

for the remainder of the five year period expiring 1 March 2003.

BOB DEBUS, M.P.,  
Minister for Emergency Services

### RURAL FIRES ACT 1997

Appointment of Members  
Rural Fire Service Advisory Council

I, ROBERT JOHN DEBUS, Minister for Emergency Services, in pursuance of sections 123 (1) (c), (e) and (f) of the Rural Fires Act 1997, appoint the following persons as Members of the Rural Fire Service Advisory Council:

Kenneth Roy Gallen

Frank Gannell

Alan James Brown

for the remainder of the five year period expiring 1 March 2003.

BOB DEBUS, M.P.,  
Minister for Emergency Services

### THE ZOOLOGICAL PARKS BOARD ACT 1973 (PART 2, SECTION 6 (1) (B) AS AMENDED BY THE ZOOLOGICAL PARKS BOARD AMENDMENT ACT 2000

Appointment of Member to the  
Zoological Parks Board of NSW

I, BOB DEBUS, Minister for the Environment, in pursuance of Part 2, section 6 (1) (b) of the the Zoological Parks Board Act 1973, as amended by the Zoological Parks Board Amendment Act 2000, do hereby appoint Dr Anthony William ENGLISH as a Member of the Zoological Parks Board of New South Wales from 1 September 2001 to 30 June 2006.

BOB DEBUS,  
Minister for the Environment

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# NSW Fisheries

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F92/1142

**FISHERIES MANAGEMENT ACT 1994**

## Section 11 and Section 8 Notification – General Trout Closure

I, EDWARD OBEID, revoke the Notification titled General Trout Closure, published in NSW *Government Gazette* No. 127 of 29 September 2000, and all amendments thereto, which prohibited the taking of all species of fish from the waters specified in Schedules A-F of that Notification, except as specified under those Schedules. This revocation is effective from 29 September 2001.

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I do now, by this Notification, prohibit the taking of all species of fish from the waters specified in Schedules A-G from 29 September 2001 for a period of two years, inclusive, except that as specified under the Schedules, the methods of fishing may be used to take the bag limit and possession limit of trout, salmon and other fish, during the open season described, from those waters listed.

For the purposes of this Notification the following conditions apply:

- (1) A rod is deemed to be attended if it is within ten (10) metres and in the sight of the person in possession of that rod.
- (2) An artificial lure or artificial fly, whether fitted with one or more hooks, is deemed to be a single hook
- (3) A person must not be in possession of more than one rod and line with hooks attached, in on or adjacent to any of the waters included in Schedules A, B and C of this Notification.
- (4) A person must not be in possession of any rod and line with hooks other than artificial flies or artificial lures attached, in on or adjacent to the waters included in Schedules A and B of this Notification.
- (5) A person must not be in possession of more than two rods and line with hooks attached, in on or adjacent to any of the waters included in Schedules D, E and F of this Notification.
- (6) A person must not be in possession of more than five hoop or lift nets, in on or adjacent to any of the waters included in Schedule G of this Notification. Schedule G of this Notification is an exception to Schedule F of this Notification.

THE HON EDWARD OBEID OAM, MLC  
Minister for Mineral Resources  
and Minister for Fisheries

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SCHEDULE A  
(Blue Ribbon Streams)

## Daily Bag and Possession Limit

A daily bag limit of 2, and possession limit of 4, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 5), of the *Fisheries Management (General) Regulation 1995*.

## Permitted Method

One attended rod and line with not more than two hooks, being artificial flies or artificial lures, attached.

## Open Season

Saturday of October (Labour Day) long weekend to Monday of June (Queen's birthday) long weekend, inclusive.

## Waters

All the waters listed below and the tributaries upstream from where they enter the backed-up waters, of all impoundments contained therein. The backed-up waters of those impoundments are not included (see Schedule D).

## (I) Southern NSW Trout Waters:

BOBUNDARA CREEK	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries upstream from the Maffra Cooma Road crossing.
EUCUMBENE RIVER	County of Wallace. The whole of the waters of the Eucumbene River, its creeks and tributaries upstream from the dam wall of Lake Eucumbene and including Providence Portal.
KYBEYAN RIVER	County of Beresford. The whole of the waters of the Kybeyan River, its creeks and tributaries upstream from its junction with, but not including, the Numeralla River.
MACLAUGHLIN RIVER	County of Wellesley. The whole of the waters of the MacLaughlin River, its creeks and tributaries upstream from its junction, but not including, the Snowy River.
MOWAMBA RIVER	County of Wallace. The whole of the waters of the Mowamba River (or Moonbah River), its creeks and tributaries upstream from its junction, but not including, the Snowy River.
SWAMPY PLAINS RIVER	County of Selwyn. The whole of the waters of the Swampy Plains River, its creeks and tributaries downstream of the southern (upstream) boundary of Khancoban Station and upstream from its junction, but not including, the Murray River.
THREDBO RIVER	County of Wallace. The whole of the waters of the Thredbo River (or Crackenback River), its creeks and tributaries upstream from where it enters the backed-up waters of Lake Jindabyne, but not including that portion of the Thredbo River from the upstream extremity of the public reserve known as "Paddy's Corner", upstream for a distance of 2.4 kilometres (being those waters immediately adjacent to the Gaden Trout Hatchery or the waters of Sawpit Creek).

## (II) Central NSW Trout Waters:

BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from the Belgravia Road crossing.
MEADOW CREEK	County of Wellington. The whole of the waters of the Meadow Creek (or Molong Creek) and its tributaries upstream from its junction, but not including, Borenore Creek.

SCHEDULE B  
(Catch and Release Areas)

Daily Bag and Possession Limit

A daily bag limit of 0, and possession limit of 0, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). All of the trout and salmon species listed above must be immediately returned to the water with the least possible injury. For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 5), of the *Fisheries Management (General) Regulation 1995*.

Permitted Method

One attended rod and line with not more than two hooks, being artificial flies or artificial lures, attached.

Open Season

Saturday of October (Labour Day) long weekend to Monday of June (Queen's birthday) long weekend, inclusive.

Waters

All the waters listed below and the tributaries.

BOBUNDARA CREEK	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries downstream of the Maffra Cooma Road crossing and upstream from its junction with, but not including, the Snowy river (note: upstream section listed under Schedule A).
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SCHEDULE C  
(General Trout Rivers)

Daily Bag and Possession Limit

A daily bag limit of 5, and possession limit of 10, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 5), of the *Fisheries Management (General) Regulation 1995*.

Permitted Method

One attended rod and line with not more than two hooks.

Open Season

Saturday of October (Labour Day) long weekend to Monday of June (Queen's birthday) long weekend, inclusive.

Waters

All the waters listed below and the tributaries upstream from where they enter the backed-up waters, of all impoundments contained therein. The backed-up waters of those impoundments (see Schedule D) and the waters listed in Schedules A and B are not included.

(I) Southern NSW Trout Waters:

BEMBOKA RIVER	County of Auckland. The whole of the waters of Bemboka River, its creeks and tributaries upstream its junction with, and including, Tantawangalo Creek.
GOODRADIGBEE RIVER	County of Buccleuch. The whole of the waters of the Goodradigbee River, its creeks and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
INGEEGOODBEE RIVER	County of Wallace. The whole of the waters of the Ingeegoodbee River, its creeks and tributaries upstream from the Victorian border.
MACPHERSONS SWAMP CREEK	County of Buccleuch. The whole of the waters of the Macphersons Creek and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
MOLONGLO RIVER	County of Murray. The whole of the waters of the Molonglo River, its creeks and tributaries upstream from the railway bridge at Burbong.
MURRAY RIVER	County of Selwyn. The whole of the waters of the Murray River, its creeks and tributaries upstream from the road bridge at Tintaldra.
MURRUMBIDGEE RIVER	County of Cowley. The whole of the waters of the Murrumbidgee River, its creeks and tributaries upstream from its junction with, including, the Bredbo River.
QUEANBEYAN RIVER	County of Murray. The whole of the waters of the Queanbeyan River, its creeks and tributaries upstream of the fence boundary of the Googong Dam Reservoir (about 1 kilometre downstream of the wall of Googong Dam).
SHOALHAVEN RIVER	County of Murray. The whole of the waters of the Shoalhaven River, its creeks and tributaries upstream from its junction with, and including, the Mongarlowe River.
SNOWY RIVER	County of Wallace. The whole of the waters of the Snowy River, its creeks and tributaries upstream of the Victorian border.
TUMUT RIVER	County of Buccleuch. The whole of the waters of the Tumut River, its creeks and tributaries upstream from its junction with, but not including, the Murrumbidgee River.
TUROSS RIVER	County of Dampier. The whole of the waters of the Tuross River, its creeks and tributaries upstream from the Tuross Falls.

## (II) Central NSW Trout Waters:

BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from its junction with, and including, the Molong River.
BELUBULA RIVER	County of Bathurst. The whole of the waters of the Belubula River, its creeks and tributaries upstream from the Cherry Tree Falls low level road bridge near Canowindra.
BOREE CREEK	County of Ashburnham. The whole of the waters of the Boree Creek and its tributaries upstream from its junction with, but not including, Mandagery Creek.
COXS RIVER	County of Westmoreland. The whole of the waters of the Coxs River, its creeks and tributaries upstream from its junction with, but not including, Little River (note: there is an exclusion zone of 3 kilometres around Lake Burrangorang).
CUDGEGONG RIVER	County of Phillip. The whole of the waters of the Cudgegong River, its creeks and tributaries downstream of the wall of Windermere Dam and upstream from the Lawson Park Weir (Mudgee).
GUINECOR CREEK	County of Argyle. The whole of the waters of Guinecor Creek and its tributaries upstream from its junction with, but not including, the Wollondilly River.
KOWMUNG RIVER	County of Westmoreland. The whole of the waters of the Kowmung River, its creeks and tributaries upstream from its junction with, and including, Morong Creek (note: there is an exclusion zone of 3 kilometres around Lake Burrangorang).
LACHLAN RIVER	County of Bathurst. The whole of the waters of the Lachlan River, its creeks and tributaries upstream from the Cowra-Young road bridge.
MACQUARIE RIVER	County of Bathurst. The whole of the waters of the Macquarie River, its creeks and tributaries upstream from its junction with, and including, Lewis Ponds Creek.
WOLLONDILLY RIVER	County of Argyle. The whole of the waters of the Wollondilly River, its creeks and tributaries upstream from its junction with, and including, the Tarlo River (note: there is an exclusion zone of 3 kilometres around Lake Burrangorang).

## (III) Northern NSW Trout Waters:

APSLEY RIVER	County of Vernon. The whole of the waters of the Apsley River, its creeks and tributaries upstream from its junction with, and including, the Tia River.
BARNARD RIVER	County of Hawes. The whole of the waters of the Barnard River, its creeks and tributaries upstream from its junction with, and including, Gulf Creek.
BARRINGTON RIVER	County of Gloucester. The whole of the waters of the Barrington River, its creeks and tributaries upstream from its junction with, and including, the Moppy River.
BEARDY WATERS	County of Gough. The whole of the waters Beardy Waters, its creeks and tributaries upstream from its junction with, and including, Furracabad Creek.
BLICKS RIVER	County of Fitzroy. The whole of the waters of the Blicks River, its creeks and tributaries upstream from the road bridge at Dundarrabin.
CARTERS BROOK	County of Durham. The whole of the waters of Carters Brook, its creeks and tributaries upstream from its junction with, and including, Stewarts Brook.
CHANDLER RIVER	County of Clarke. The whole of the waters of the Chandler River, its creeks and tributaries upstream from its junction with, and including, the Wollomombi River.
COBARK RIVER	County of Gloucester. The whole of the waters of the Cobark River, its creeks and tributaries upstream from its junction with, and including, the Dilgry River.



## (III) Northern NSW Trout Waters (continued):

COOPLACURRIPA RIVER	County of Hawes. The whole of the waters of the Cooplacurripa River, its creeks and tributaries upstream from its junction with, and including, the Mummel River.
DEEPWATER RIVER	County of Gough. The whole of the waters of the Deepwater River, its creeks and tributaries upstream of the New England Highway road bridge near Deepwater.
DUNGOWAN CREEK	County of Parry. The whole of the waters of Dungowan Creek and its tributaries upstream from the road crossing near Ogunbil Station.
GEORGES CREEK	County of Hardinge. The whole of the waters of Georges Creek and its tributaries upstream from its junction with, and including, Louisa Creek.
GLOUCESTER RIVER	County of Gloucester. The whole of the waters of the Gloucester River, its creeks and tributaries upstream from its junction with, and including, Sharpes Creek.
GUY FAWKES RIVER	County of Gresham. The whole of the waters of the Guy Fawkes River, its creeks and tributaries upstream from its junction with, but not including, the Aberfoyle River.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries upstream of the road bridge at Torryburn.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries downstream of Copeton Dam and upstream of its junction with, but not including, Dingo Creek.
HORTON RIVER	County of Murchison. The whole of the waters of the Horton River, its creeks and tributaries upstream from its junction with, and including, Cut Road Creek.
HUNTER RIVER	County of Brisbane. The whole of the waters of the Hunter River, its creeks and tributaries upstream from its junction with, but not including, Pages Creek.
LAURA CREEK	County of Hardinge. The whole of the waters of Laura Creek and its tributaries of the ford at Baldeslie Station.
MACDONALD RIVER	County of Vernon. The whole of the waters of the Macdonald River, its creeks and tributaries upstream of the New England Highway road bridge at Bendemeer.
MCINTYRE RIVER	County of Gough. The whole of the waters of the McIntyre River, its creeks and tributaries upstream from the road bridge at Elsmore.
MANNING RIVER	County of Gloucester. The whole of the waters of the Manning River, its creeks and tributaries upstream from the Gummi Trail crossing.
MOONAN BROOK	County of Durham. The whole of the waters of Moonan Brook and its tributaries upstream from its junction with, but not including, the Hunter River.
MOREDUN CREEK	County of Hardinge. The whole of the waters of Moredun Creek and its tributaries upstream of the ford immediately below its junction with Limestone Creek.
MULLA MULLA CREEK	County of Parry. The whole of the waters of Mulla Mulla Creek and its tributaries upstream from its junction with, but not including, the Cockburn River.
MYALL CREEK	County of Hawes. The whole of the waters of Myall Creek and its tributaries upstream from its junction with, and including, Tuggolo Creek.
NOWENDOC RIVER	County of Hawes. The whole of the waters of the Nowendoc River, its creeks and tributaries upstream from Nowendoc Falls.
NYMBOIDA RIVER	County of Sandon. The whole of the waters of the Nymboida River, its creeks and tributaries upstream from its junction with, and including, Wild Cattle Creek.
OAKY RIVER	County of Clarke. The whole of the waters of the Oaky River, its creeks and tributaries upstream from where it enters the backed-up waters of Oaky River Dam.
OBAN RIVER	County of Clarke. The whole of the waters of the Oban River (or Ann River), its creeks and tributaries upstream from its junction with, but not including, the Sara River.

## (III) Northern NSW Trout Waters (continued):

OMADALE BROOK	County of Durham. The whole of the waters of Omadale Brook and its tributaries upstream from its junction with, and including, Polblue Creek.
STYXRIVER	County of Clarke. The whole of the waters of the Styx River, its creeks and tributaries upstream of the road crossing on the Armidale-Bellbrook road, but not including that portion of the Serpentine River upstream from Serpentine Falls to the Point Lookout road crossing (being those waters immediately adjacent to the Dutton Trout Hatchery).
SWANBROOK CREEK	County of Gough. The whole of the waters Swanbrook Creek and its tributaries upstream of the Kings Plain road crossing near Inverell.
WELLINGROVE CREEK	County of Gough. The whole of the waters of Wellingrove Creek and its tributaries upstream from the Gwydir Highway road bridge.

SCHEDULE D  
(General Trout Dams)

Daily Bag and Possession Limit

A daily bag limit of 10, and possession limit of 20, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 5), of the *Fisheries Management (General) Regulation 1995*.

Permitted Method

Two attended rods each with a line with not more than two hooks attached.

Open Season

All year.

Waters

The backed-up waters, of all impoundments contained in those waters listed in Schedules A, B and C including Beardy Waters, Pejar Dam, Geehi Dam, Carcoar Dam, Lake Canobolas, Cochrane Dam, Lake Lyell, Oberon Dam, Tooma Dam, Tumut Ponds, Malpas Dam, Googong Dam, Guthega Lake, Happy Jacks Pondage, Ben Chifley Dam, Red Ground Dam (Crookwell water supply), Jounama Pondage, Captains Flat Dam, Khancoban Pondage, Talbingo Dam, Tantangara Dam, Three Mile Dam, Lake Wallace, Island Bend Dam, Tumut 2 Pondage, Murray 2 Pondage.

The backed-up waters of Fitzroy Falls Dam, Wentworth Falls Lake, Sheba Dams and Dumaresq Dam are included.

The backed-up waters of Black Lake (see Schedule E), Wyangala Dam and Blowering Dam are not included.

SCHEDULE E  
(Trophy Trout Dams)

Daily Bag and Possession Limit

A daily bag limit of 2, and possession limit of 4, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 5), of the *Fisheries Management (General) Regulation 1995*.

Permitted Method

Two attended rods each with a line with not more than two hooks attached.

Open Season

All year.

Waters

BLACKLAKE	County of Wellesley. The whole of the waters of Black Lake.
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## Permitted Method

Two attended rods using artificial lure or artificial fly fishing only, from shore areas only (the use of Powerbait or any other artificial or manufactured bait product is not permitted), fishing is not permitted from any vessel or floating platform.

## Open Season

All year during the period from an hour before sunrise to 3 hours after sunset each day only.

## Waters

THOMPSONS CREEK DAM	County of Cook. The whole of the waters of Thompsons Creek Dam (near Lithgow).
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## SCHEDULE F

(Snowy Trout Strategy — Lakes )

## Daily Bag and Possession Limit

A daily bag limit of 5, and possession limit of 10, comprised of a single species or a combination of the species Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*) and rainbow trout (*Oncorhynchus mykiss*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 5), of the *Fisheries Management (General) Regulation 1995*.

## Permitted Method

Two attended rods each with a line with not more than two hooks attached.

## Open Season

All year.

## Waters

The whole of the waters of Lake Jindabyne and Lake Eucumbene.

Condition: The waters, methods, time period, bag and possession limits listed below in Schedule G are an exception to Schedule F of this Notification.

## SCHEDULE G

(Lake Jindabyne and Lake Eucumbene)  
Exception to Schedule F of this Notification

## Daily Bag and Possession Limit

A daily bag limit of 200, and possession limit of 200, for the freshwater yabby (*Cherax destructor*). For other fish species no bag and possession limits apply unless specified in the Table to Division 3, or protected under Division 1 (Clause 5), of the *Fisheries Management (General) Regulation 1995*.

## Permitted Method

Five (5) hoop or lift nets, per person, as per clause 47(1)(a) and (c) of the Regulation, if the net complies with the description specified in the Table of clause 47 of the Regulation.

## Open Season

All year.

## Waters

The whole of the waters of Lake Jindabyne and Lake Eucumbene.

**FISHERIES MANAGEMENT ACT 1994**

## Section 8 Notification — fishing closure

## Bouddi Fishing Closure

I, EDWARD OBEID prohibit the taking of fish by the methods of fishing specified in Column 1 of the Schedule to this notification, from the waters shown opposite in Column 2, respectively, of that schedule. This prohibition will be effective for a period of five (5) years from the date of publication of this notification.

## Schedule

## Bouddi Fishing Closure — all methods

Column 1 Methods	Column 2 Waters
All methods.	The whole of the waters of that part of the South Pacific Ocean adjacent to Bouddi National Park, enclosed within the following boundaries: commencing at the eastern headland of Bullimah Beach, a line drawn generally north-easterly along the highwater mark on the foreshore of Bouddi National Park, to Bombi Point, then a line bearing 135 degrees about 402 metres, then bearing 239 degrees about 1327 metres, then bearing 258 degrees about 2534 metres, then bearing 360 degrees about 402 metres to the point of commencement. (NB the boundary for this closure is denoted on 1:25000 series Topographic Map 'Broken Bay 9130-1-N' published by Land Information Centre (DLWC).

THE HON EDWARD OBEID OAM, MLC  
Minister for Mineral Resources  
and Minister for Fisheries

F97/227 (2)

**FISHERIES MANAGEMENT ACT 1994**

## Section 11 and Section 8 Notification — Fishing Closure

## Ocean Prawn Trawling Closure — North Coast Region

I, EDWARD OBEID, revoke the notification published in *Government Gazette* Number 37 on 9 February 2001, which prohibits the taking of fish (including prawns), by all methods of trawling, in the north coast region (Tweed Heads, Brunswick Heads, Ballina, Evans Head, South West Rocks, Angourie Point) of NSW.

I do now, prohibit the taking of all fish (including prawns), by all methods of trawling, in the waters described in Column 1 of the Schedule to this Notification, for the period shown opposite in Column 2 of the Schedule.

THE HON EDWARD OBEID OAM, MLC  
Minister for Mineral Resources  
and Minister for Fisheries

## SCHEDULE

Tweed Heads, Brunswick Heads,  
Ballina, Evans Head, South West Rocks & Angourie Point

Column 1 Waters	Column 2 Period
Tweed Heads — the whole of the waters within the area bounded by a line commencing at mean high water mark and 28°10' S, then north east to the point 28°08.100' S and 153°36.360' E, then south to 28°15.' S and 153°36.360' E, then west to the mean high water mark, then generally north along the mean high water mark to the point of commencement. (reference to north east is indicative only)	From official sunset 30 September to official sunrise 1 March, each ensuing year, in the period from the date of this notification until 9 February 2006.

Column 1 Waters	Column 2 Period
Brunswick Heads — the whole of the waters within the area commencing 0.5 nautical miles offshore from mean high water mark, 2 nautical miles north of the northern breakwall of the Brunswick River, then east for 0.7 nautical miles, then generally southerly, parallel to and 1.2 nautical miles from mean high water mark for 7 nautical miles, then west to a point 0.5 nautical miles east from mean high water mark, then generally north parallel to and 0.5 nautical miles from mean high water mark back to point of commencement.	From official sunset 30 September to official sunrise 1 March, each ensuing year, in the period from the date of this notification until 9 February 2006.
Ballina — the whole of the waters within the area bounded by a line commencing at the point 28°52.154' S and 153°36.252' E, then north east to the point 28°50.94' S and 153°36.91' E, then north to the point 28°49.93' S and 153°37.12' E, then north to the point 28°48.42' S and 153°37.10' E, then east to the point 28°48.432' S and 153°37.836' E, then south to the point 28°52.154' S and 153°37.836' E, then south west to the point 28°53.580' S and 153°37.360' E, then south west to the point 28°57.530' S and 153°33.420' E, then south west to the point 29°00.000' S and 153°30.988' E, then west to the point 29°00.000' S and 153°29.196' E, then north east to the point 28°53.258' S and 153°35.308' E, then east to the point 28°53.450' S and 153°35.596' E, then north east to the point 28°52.394' S and 153°36.156' E, then back to the point of commencement. (references to directions are indicative only)	From the date of this notification until 9 February 2006.
Evans Head — the whole of the waters within the area bounded by a line commencing at the point 29°07.72' S and 153°28.60' E, then south east to the point 29°08.78' S and 153°31.04' E, then south west to the point 29°10.44' S and 153°30.30' E, then south east to the point 29°11.46' S and 153°31.40' E, then south west to the point 29°15.00' S and 153°28.92' E, then west to the point 29°15.00' S and 153°23.39' E, then north east to the point 29°08.37' S and 153°28.58' E, then back to the point of commencement. (references to directions are indicative only)	From the date of this notification until 9 February 2006.
South West Rocks — the whole of the waters within the area bounded by a line commencing at the point 30°51.90' S and 153°02.70' E, then north east to the point 30°50.90' S and 153°04.00' E, then north west to the point 30°47.80' S and 153°03.60' E, then west to the point 30°47.80' S and 153°00.50' E, then south east to the point 30°49.50' S and 153°01.00' E, then south east to the point 30°51.50' S and 153°02.00' E, then back to the point of commencement. (references to directions are indicative only)	From official sunset 1 November to official sunrise 1 March, each ensuing year, in the period from the date of this notification until 9 February 2006.
Angourie Point — Ocean waters adjacent to Brooms Head, Clarence River and Woody Head, within the boundary, commencing at a point at Mean High Water Mark at <b>ANGOURIE POINT</b> , 29°29.18' S and 153°22.2' E, then east 0.5 nautical miles to a point 29°29.18' S and 153°22.72' E, then 0.7 nautical miles north to a point adjacent to <b>YAMBA POINT</b> at 29°26.48' S and 153°23.12' E, then to a point 0.6 nautical miles east of the <b>ILUKA BREAKWALL</b> at 29°25.6' S and 153°23.02' E, then north to a point 0.85 nautical miles from <b>WOODY HEAD</b> at 29°22.4' S and 153°23.46' E, then east to a point 3 nautical miles from <b>WOODY HEAD</b> at 29°22.4' S and 153°25.87' E, then south to a point 3 nautical miles east of <b>YAMBA POINT</b> at 29°26.48' E and 153°25.78' E, then south to a point 3 nautical miles east of <b>ANGOURIE POINT</b> at 29°29.2' S and 153°25.5' E, then south to a point 3 nautical miles east of <b>BROOMS HEAD</b> at 29°36.8' S and 153°23.8' E, then west to Mean High Water Mark at <b>BROOMS HEAD</b> at 29°36.8' S and 153°20.4' E, then bounded by Mean High Water Mark along the ocean shore north to the point of commencement at <b>ANGOURIE POINT</b> . (references to directions are indicative only)	From official sunset 30 September to official sunrise 1 March, each ensuing year, in the period from the date of this notification until 9 February 2006.

**FISHERIES MANAGEMENT ACT 1994**

## Notification under section 8 — Fishing Closure

## Fishing Closure — Abalone Commercial Subzones G3, H3, J1 &amp; J2

I, EDWARD OBEID, prohibit the taking of abalone by the methods of fishing specified in Column 1, from the commercial abalone fishing zones described in Column 2 and from the waters described in Column 3, respectively, of the schedule to this notification, for a period of 3 years, from the date of publication of this notification.

## Schedule

Column 1 Methods	Column 2 Zones	Column 3 Waters
All methods	G3: The Entrance to Terrigal.	The whole of the waters between a line drawn east of the point; 151° 30' 15.4908" east, 33° 20' 35.0484" south, (The northern most point of the southern side of the entrance to Tuggerah Lake, The Entrance), and a line drawn east of the point 151° 27' 00.8532" east, 33° 26' 46.644" south (The northern most point of Broken Head, Terrigal).
All methods	H3 - J2: The middle of Bondi Beach, south to the middle of Marley Beach.	The whole of the waters between a line drawn east of the point; 151° 16' 37.146" east, 33° 53' 30.9696" south, (The middle of Bondi Beach), and a line drawn east of the point 151° 08' 28.788" east, 34° 06' 57.8916" south (The middle of Marley Beach).
All methods	K3 Bombo Beach to Warri Beach, Kiama	The whole of the waters between a line drawn east of the point 151°51'23.0616" longitude, 34°39'26.8029" latitude (the middle of the Bombo Beach), and a line drawn east of the point 151°50'06.7020" longitude, 34°44'04.1820" latitude (the middle of Warri Beach)

THE HON EDWARD OBEID OAM, MLC  
Minister for Mineral Resources  
and Minister for Fisheries

**FISHERIES MANAGEMENT ACT 1994**

## Section 11 and Section 8 Notification — Fishing Closure

## Hunter River Prawn Trawl Closure 2001/2002

I, EDWARD OBEID, revoke the notification, and all amendments thereto, which prohibits the taking of fish and prawns by means of trawl nets of every description, and by the method of trawling by means of nets of every description, from all waters of the Hunter River together with all its creeks, tributaries and inlets, from its confluence with the South Pacific Ocean, upstream to its junction with the Williams River, as published in the New South Wales *Government Gazette* Number 127 of 29 October 2000.

I do now, by this notification, prohibit the taking of fish and prawns by means of trawl nets of every description, and by the method of trawling by means of nets of every description, from all waters of the Hunter River together with all its creeks, tributaries and inlets, from its confluence with the South Pacific Ocean, upstream to its junction with the Williams River.

This prohibition does not extend to the taking of fish (including prawns) by a licensed commercial fisher exercising the authority of an endorsement to operate in the Estuary Prawn Trawl Restricted Fishery, operating from a licensed fishing boat which has a S4 (Hunter River) Prawn Trawl endorsement, and using an otter trawl net (prawns) fitted with a by-catch reduction device approved by the Director of Fisheries, subject to the provisions of this notification.

THE HON EDWARD OBEID OAM, MLC  
Minister for Mineral Resources  
and Minister for Fisheries

Prawn trawling period:

1. From 6 a.m. to 6 p.m. Mondays and Wednesdays each week, but excluding the period from 6 a.m. to 6 p.m. each public holiday, during the period **3 October 2001 to 30 November 2001 (inclusive)**. (Note: If a public holiday should fall on a Monday or Wednesday the following day may be worked instead, from 6 a.m. to 6 p.m.)
2. From 6 a.m. to 6 p.m. weekdays only, but excluding the period from 6 a.m. to 6 p.m. each public holiday, during the period **1 December 2001 to 17 April 2002 (inclusive)**.
3. From 6 a.m. to 6 p.m. Mondays and Wednesdays each week, but excluding the period from 6 a.m. to 6 p.m. each public holiday, during the period **18 April 2002 to 31 May 2002 (inclusive)**. (Note: If a public holiday should fall on a Monday or Thursday the following day may be worked instead, from 6 a.m. to 6 p.m.)

Subdivisions of the Hunter River

3. For the purposes of periodic closing and opening of the Hunter River to prawn trawling during the period 3 October 2001 to 31 May 2002, the following conditions and subdivisions will apply:

#### CONDITIONS

A prawn trawling trial may be undertaken to establish the size of prawns available or the abundance of prohibited size class of fish by-catch. The trial is to be undertaken in a manner agreed between the District Fisheries Officer, Hunter, and the elected Management Advisory Committee (MAC) representative for the Hunter River.

The size of prawns is to be indirectly established by a random count of prawns from a vessel's unsorted catch, which shall be weighed and counted to establish the number of prawns per 500 grams. This process is hereafter referred to as 'the count'. For the purposes of this notification the count must be equal to or less than 150 prawns before a subdivision may be opened to prawn trawling.

A Fisheries Officer may close a subdivision where the count at any time is more than 150 prawns per 500g or where the number of any prohibited size class of fish by-catch exceeds 50 fish per shot. Once a count of prawns and/or prohibited size class of fish by-catch has been completed, a further trial may not be undertaken for at least 7 days.

Where a subdivision is closed, subdivisions upstream of that closure are also closed unless a trial is undertaken that meets the relevant criteria. Such further trials are only to be undertaken at the request of the elected MAC representative.

The opening of any subdivision shall be notified by a notice displayed in the Newcastle Fishermen's Co-operative, the NSW Fisheries Office at Newcastle and other prominent locations as agreed between the District Fisheries Officer and representatives of persons entitled to prawn trawl in the Hunter River. The closing of a subdivision shall be notified by a public notice in the Newcastle Herald newspaper and notices displayed in the Newcastle Fishermen's Co-operative and the NSW Fisheries Office at Newcastle.

A notice must provide the following information:

- Date of trial and location of trial.
- Prawn count details.
- Prohibited size class of fish by-catch.
- Area of closure.
- Period of closure.
- Proposed date and location of next trial.

A sub-divisional closure is to take effect immediately after the count has occurred, if there are more than 150 prawns per 500 grams or where the number of any prohibited size class of fish by-catch exceeds 50 fish per shot.

#### SUBDIVISIONS

For the purposes of this notification, the following subdivisions of the Hunter River may be closed and opened subject to the conditions of this notice.

##### *Subdivision 1*

The waters of the Hunter River downstream of its junction with the Williams River to its junction with Scotch Creek inclusive.

##### *Subdivision 2*

The waters of the Hunter River downstream of the junction of Scotch Creek to the Hexham road-bridge, inclusive.

##### *Subdivision 3*

The waters of the Hunter River (North Channel) downstream of the Hexham road-bridge to the junction with Mosquito Creek inclusive.

*Subdivision 4*

The waters of the Hunter River north channel and Mosquito Creek downstream to the Stockton road-bridge, inclusive, but excluding Fern Bay.

*Subdivision 5*

The waters of Fern Bay (Fullerton Cove) from a line at the southern end of Smiths Island and Sandy Island located at the deep northern channel of the Hunter River, inclusive.

*Subdivision 6*

The waters of the Hunter River (North Channel) downstream of the Stockton road-bridge to a line drawn south-westerly from the point of intersection of the south-westerly prolongation of the northwest side of Punt road, Stockton, with the high water mark to the most south-eastern point of the State dockyard Wharf. Also, the South Channel to the Tourle Street Bridge inclusive.

*Subdivision 7*

The waters of the Hunter River (South Channel) upstream of the Tourle Street Bridge, to the junction of the Hunter River (South Channel) and the Hunter River (North Channel) inclusive, at Hexham.

FC3255, F92/2022C

**FISHERIES MANAGEMENT ACT 1994**

## Section 11 and 8 – Fishing Closure

Hunter River Prawning Closure (Amateur Prawn Nets)  
2001/2002 season

I, EDWARD OBEID, revoke the notification, and all amendments thereto, which prohibits the use of recreational prawning nets, from the whole of the waters of the Hunter River from the South Pacific Ocean upstream to the junction with the Williams River as published in the New South Wales *Government Gazette* Number 127 of 29 October 2000.

I do now, by this notification, prohibit the taking of fish and prawns by the use of the hand hauled prawn net, and the push or scissors net (prawns), from the whole of the waters of that part of the Hunter River together with its creeks, tributaries and inlets from the South Pacific Ocean upstream to the junction of the Williams and Hunter Rivers.

This prohibition does not extend to the taking of fish and prawns by the methods of fishing described in Column 1 of the schedule to this Notification, from the waters described in Column 2 of the schedule, for the period specified in Column 3 of the schedule.

THE HON EDWARD OBEID OAM, MLC  
Minister for Mineral Resources  
and Minister for Fisheries

## Schedule

Methods	Waters	Period
By means of a hand hauled prawn net, as prescribed by clause 48 of the Fisheries Management (General) Regulation 1995, and the push or scissors net (prawns) as prescribed by clause 49 of the Regulation.	<i>County of Northumberland</i> ; The waters of the Hunter River, together with its creeks and tributaries, from its confluence with the South Pacific Ocean upwards to its junction with the Williams River.	From 30 September 2001 to 27 May 2002.



**FISHERIES MANAGEMENT ACT 1994**

## SECTION 163

THE following application for a Class 1 Aquaculture Lease has been made by:

Mr Mark Jacob Salm and Mr Donald Burgoyne of Lemon Tree Passage, for an area of 0.2520 ha situated in Port Stephens in the Bundabah Creek between Christmas Tree Creek and Houghs Creek – Nelson Bay, Parish of Fens, County of Gloucester at Port Stephens.

Specific details of the proposed lease can be obtained by contacting NSW Fisheries at Port Stephens.

Submissions supporting or objecting to the proposal may be lodged with NSW Fisheries, Private Bag 1, Nelson Bay, NSW 2315, within 30 days from the date of publication of this notice.

The Hon EDWARD OBIED, OAM, M.L.C.,  
Minister for Mineral Resources  
and Minister for Fisheries

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**FISHERIES MANAGEMENT ACT 1994  
FISHERIES MANAGEMENT (AQUACULTURE)  
REGULATIONS 1995**Clause 33(3) – Notice of Granting of Class 1  
Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

AL01/008 within the estuary of Port Stephens – Nelson Bay having an area of 0.6389 hectares to Mr Arie Jozias De Koeyer and Mrs Klazina N De Koeyer of Medowie, NSW, for a term of 15 years expiring on 30 July 2016.

The Hon EDWARD OBEID, OAM, M.L.C.,  
Minister for Mineral Resources  
and Minister for Fisheries

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**FISHERIES MANAGEMENT ACT 1994  
FISHERIES MANAGEMENT (AQUACULTURE)  
REGULATIONS 1995**Clause 35(4) – Notice of Class 1 Aquaculture  
Lease Renewal

THE Minister has renewed the following aquaculture leases:

OL86/090 within the estuary of Macleay River having an area of 0.3630 hectares to Ian R Haines of South West Rocks, NSW, for a term of 15 years expiring on 13 May 2017.

The Hon EDWARD OBEID, OAM, M.L.C.,  
Minister for Mineral Resources  
and Minister for Fisheries

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# Department of Land and Water Conservation

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## Land Conservation

### DUBBO OFFICE

**Department of Land and Water Conservation**  
**142 Brisbane Street (PO Box 865), Dubbo, NSW 2830**  
**Phone: (02) 6841 5200 Fax: (02) 6841 5231**

### ERRATUM

IN the notice which appeared in the *Government Gazette* No. 26 of the 29 June 2001, Folio 5049, under the heading of "Notification of Closing of Roads" the notice is corrected by deleting "and Lot 1, DP 705264".

File No.: DB01 H 68.

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

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

**APPOINTMENT OF CORPORATION TO MANAGE  
RESERVE TRUST**

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

RICHARD AMERY, M.P.,  
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Silverton Village Committee Incorporated.	Broken Hill Historical Trust.	Reserve No.: 77076. Public Purpose: Public Hall. Notified: 24 September 1954.

Commencing this day.

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

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

RICHARD AMERY, M.P.,  
Minister for Land and Water Conservation

Administrative District of Wanaaring  
— Unincorporated Area  
County — Ularara

The purpose of Western Lands Lease 6267 being the land contained within folio identifier 3547/765899 has been altered from "Grazing" to "Grazing, Farm Tourism and Film Making" effective from 21 August 2001.

The annual rental will remain unaltered as a consequence of the alteration of purpose. Conditions previously annexed to such lease will also remain unaltered except for the addition of those special conditions published in *Government Gazette* of 2 July 1999, Folios 4666 - 4667.

**GRANTING OF A WESTERN LANDS LEASE**

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

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

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

All amounts due and payable to the Crown must be paid to the Financial Controller, Department of Land and Water Conservation, within three months from the date of demand.

RICHARD AMERY, M.P.,  
Minister for Land and Water Conservation

Western Lands Lease 14352 granted to Bernard Henry WILLIAMS and Carolyn Ruth WILLIAMS of 1 Tongo Road, Tilpa, NSW 2840, comprising Portion 2 (folio identifier 2/754066) of 885 square metres at Tilpa in the Parish of Killara, County of Killara, for the purpose of Regeneration for a term in Perpetuity commencing 20 September 2001; Annual rental \$70.00; Next reappraisal date 9 September 2006.

Papers: WLL 14352.

**CONDITIONS AND RESERVATIONS ATTACHED TO  
WESTERN LANDS LEASE 14352**

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

- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be as determined by the local land board for each period of 5 years of the term of the lease, except where a rent is bid at auction or tendered under Section 19C (5) of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 22 July in each year.
- (6) (a) "GST" means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.  
 "GST law" includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey, assign or sublet the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The land leased shall be used only for the purpose of Regeneration.
- (10) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (11) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (12) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (13) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (14) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (15) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (16) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or jointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (17) The lessee shall comply with the provisions of the Clean Waters Act 1970 particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.
- Special Condition:  
 The lessee shall not erect or permit any person to erect any dwelling, business premises or building on the land leased.

**GOULBURN OFFICE**  
**Department of Land and Water Conservation**  
**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 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 is extinguished.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

Description

*Parish — Yarralaw;*  
*County — Argyle;*  
*Land District — Goulburn;*  
*Council — Mulwaree.*

Lot 1, DP 1033542, being Folio Identifier 1/1033542.

File No.: GB01 H 153:MB.

Note: On closing the land in Lot 1, DP 1033542, remains land vested in the Crown as Crown Land.

**ADDITION TO RESERVE 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.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

SCHEDULE

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Cooma.	Reserve No.: 81880.
Local Government Area: Snowy River Council.	Public Purpose: Public recreation.
Parish: Jillimatong.	Notified: 21 August 1959.
County: Beresford.	Lot 7004, section *, DP No. 750545, Parish Jillimatong#.
Locality: Mount Gladstone.	County Beresford; Lot 7005, section *, DP No. 750545, Parish Jillimatong#, County Beresford.
Lot 181, section *, DP No. 39639.	New Area: 128.064 hectares.
Area: 2.564 hectares.	
File No.: GB79 H 591/16.	

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

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

SCHEDULE

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Laurie Percival BANFIELD (re-appointment), Kenneth George COATES (re-appointment), Margaret Noelene McGRATH (re-appointment).	Berrima Sports Ground Trust.	Reserve No.: 86234. Public Purpose: Public recreation. Notified: 7 April 1967. Locality: Berrima. File No.: GB91 RN 97.

Term of Office

For the term commencing the date of this notice and  
 expiring 4 October 2006.

**GRAFTON OFFICE**  
**Department of Land and Water Conservation**  
**76 Victoria Street (Locked Bag 10), Grafton, NSW 2460**  
**Phone: (02) 6640 2000 Fax: (02) 6640 2035**

**NOTIFICATION OF CLOSING OF ROAD**

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

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

Description

*Land District — Grafton;*  
*Shire — Pristine Waters.*

Road Closed: Lot 7010, DP 1034086 (not being land under the Real Property Act), at Wooli, Parish Wooli Wooli, County Clarence. File No.: GF99 H 220.

Note: On closing, the land within the former road remains land vested in the Crown as Crown Land. It is intended to reserve the land within the former road for the purpose of public recreation.

**ERRATUM**

IN the notification appearing in the *Government Gazette* of 31 August 2001, Folio 7397, under the heading "ROADS ACT 1993 - ORDER - Transfer of a Crown road to a Council" the description of Crown road specified at Dorrigo is amended by deleting "County Raleigh" and inserting in its place "County Fitzroy".

File No.: GF01 H 253.

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

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

**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.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Narrandera.	Reserve No.: 21566.
Local Government Area: Narrandera Shire.	Purpose: Travelling stock reserve.
Parish: Narrandera.	Notified: 29 September 1894.
County: Cooper.	Lot 7002, section *, DP No. 751695#, Parish Cudjello, Parish Cooper; Lot 7019, section *, DP No. 751719#, Parish Narrandera, County Cooper; Lot 7020, section *, DP No. 751719#, Parish Narrandera, County Cooper.
Locality: Narrandera.	New Area: 338.87 hectares.
Lot 47, section *, DP No. 751719.	
Area: .4 hectares.	
File No.: GH00 R 15.	

Notes: Reserve 21566 for Travelling Stock Reserve is under the control of the Rural Lands Protection Board.

The above Lot numbers marked # are for Departmental use only.

**RESERVATION OF CROWN LAND**

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

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Mirrool.	Reserve No.: 1003016.
Local Government Area: Griffith City Council.	Public Purpose: Environmental protection.
Parish: Wyangan.	
County: Cooper.	
Locality: Nericon.	
Lot 7011, DP 1034249#.	
Area: 3000 square metres.	
File No.: GH01 R 10.	

Note: The above Lot number marked # is for Departmental use only.

**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.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Narrandera.	The whole being Lot 47,
Local Government Area: Narrandera Shire Council.	DP No. 751719, Parish Narrandera, County Cooper, of an area of .4 hectares.
Parish: Narrandera.	
County: Cooper.	
Locality: Narrandera.	
Reserve No.: 80637.	
Purpose: Soil Conservation Service Depot Site.	
Date of Notification: 9 May 1958.	
File No.: GH00 R 15.	

Note: It is intended to add Lot 47 to Travelling Stock Reserve No. 21566, notified 29 September 1894.

**MAITLAND OFFICE**  
**Department of Land and Water Conservation**  
**Newcastle Road (PO Box 6), East Maitland, NSW 2323**  
**Phone: (02) 4934 2280 Fax: (02) 4934 2252**

**ERRATUM**

PLEASE disregard the Erratum that appeared in the *Government Gazette* of 21 September 2001, Folio 7942, and insert in lieu:

## Description

*Parish — Cowan;*  
*County — Northumberland;*  
*Land District — Gosford;*  
*Local Government Area — Gosford.*

IN the *Government Gazette* of 7 September 2001, Folio 7626, under the heading "Notification of Closing of Road", the notice is hereby amended by deleting "Road Closed: Lot 1, DP1006218 at Calga (not being land under the Real Property Act)." and inserting in lieu "Road Closed: Lot 1, DP1006218 at Calga (being land in Folio Identifiers 13/263237 and 14/263237)."

File No.: MD98 H 118.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

**ASSIGNMENT OF NAME TO A RESERVE TRUST**

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

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

**SCHEDULE****COLUMN 1**

Jerrys Plains (R.55040)  
 Reserve Trust.

**COLUMN 2**

Reserve No.: 55040.  
 Public Purpose: Public recreation.  
 Notified: 16 December 1921.  
 File No.: MD80 R 212.

**MOREE OFFICE**

**Department of Land and Water Conservation**  
**Frome Street (PO Box 388), Moree, NSW 2400**  
**Phone: (02) 6752 5055 Fax: (02) 6752 1707**

**NOTIFICATION OF CLOSING OF A 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 these roads are extinguished.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

## Description

*Land District — Moree;*  
*Council — Moree Plains.*

Lot 20 in DP 1027008, Parishes Bunarba and Turrawah, County Benarba (not being land under the Real Property Act). File No.: ME00 H 164.

Note: Upon closure the land remains vested in the Crown as Crown Land.



**NOWRA OFFICE**  
**Department of Land and Water Conservation**  
**64 North Street (PO Box 309), Nowra, NSW 2541**  
**Phone: (02) 4423 0122 Fax: (02) 4423 3011**

**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.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

—————  
*Land District — Moruya;*  
*L.G.A. — Eurobodalla.*

Lot 1, DP 1031475 at Congo, Parish Congo, County Dampier (being land under the Real Property Act, Certificates of Title 2197-166, 2073-234, 2495-173 and pt. 2881-107).

File No.: NA00 H 144.

Note: On closing, Lot 1 is vested in the Crown as "Crown Land".

**PLAN OF MANAGEMENT FOR PART CROWN RESERVE, CORRIGANS BEACH RESERVE, UNDER PART 5, DIVISION 6, OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATIONS 2000**

A Draft Plan of Management has been prepared for the Crown reserve, Corrigans Beach Reserve, described hereunder which is under the trusteeship of Eurobodalla Shire Council.

Inspection of the draft plan can be made at, Eurobodalla Shire Council Administration Office, Moruya; Glenhaven Caravan Park, Batehaven; Batemans Bay Community Centre; Eurobodalla Council Depots, Batemans Bay and Narooma; Eurobodalla Council Libraries - Batemans Bay, Narooma and Moruya; Moruya Community Centre; during normal business hours.

Representations are invited from the public on the draft plan. The Plan will be on exhibition for a period of 28 days commencing from Thursday, 26 September 2001. Submissions will be received up until 25 October 2001 and should be sent to The Plans of Management Officer, Attention Deborah Purss, and Eurobodalla Shire Council, PO Box 99, Moruya 2537.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

Description of Reserves

—————  
*Land District — Moruya;*  
*L.G.A. — Eurobodalla;*  
*Parish — Bateman;*  
*County — St Vincent.*

Corrigans Beach Reserve: Being part of Crown Reserve 66122 for public recreation and resting place, comprising unsurveyed land north of Lot 1 and 2, DP 5700760, between Beach Road, Batehaven and Batemans Bay to Joes Creek. Also comprising Lot 294, DP 755902 and Lot 7014, DP 1019609.

Location: Beach Road, Batehaven.

File No.: NA01 R 4.

**ORANGE OFFICE**  
**Department of Land and Water Conservation**  
**92 Kite Street (PO Box 2146), Orange, NSW 2800**  
**Phone: (02) 6393 4300 Fax: (02) 6362 3896**

**NOTIFICATION OF PROPOSED CLOSING OF A ROAD**

IN pursuance of the provisions of the Roads Act 1993, I propose to consider the closing of the roads hereunder described.

All persons interested are hereby called upon to set forth in writing and forward to the officer specified in the notice for the purpose, within one month from the date of publication of this notice, any objections or submissions which may appear to them to exist to this proposal.

RICHARD AMERY, M.P.,  
 Minister for Land and Water Conservation

Description

*Land District and L.G.A. — Bathurst*

Bathurst City Council. **FIRSTLY**, proposed closing of the public road separating Lots 2 and 1, section 103 in DP 758065, Lot 250 in DP 750357, end of road and Lot A in DP 340792 from Lot 8, section 104, end of road and Main Western Railway Line and **SECONDLY**, proposed closing of the part of the public road separating Lot 250 in DP 750357, end of road, Lot 8, section 104 and part Lot 20 in DP 831959 from Lot A in DP 340792, end of road and Main Western Railway Line, City, Parish and County of Bathurst. Objections/submissions should be forwarded to the Manager, Resource Access and Compliance, Department of Land and Water Conservation, PO Box 2146, Orange 2800. File No.: OE01 H 324.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Roslyn Grace JOSEPH (new member), Michael James MAYOH (new member).	Grabine Lakeside State Park Trust.	Dedication No.: 1001354. Public Purpose: Public recreation. Notified: 1 June 1997. Locality: Grabine. File No.: OE99 R 87/3.

Term of Office

For a term commencing this day and expiring 30th April 2004.

**ERRATUM**

IN the notice appearing in the *Government Gazette* of 21 September 2001, Folio 7944, under the heading "NOTIFICATION OF CLOSING OF A ROAD", in the description for Lot 1 in DP 1031286, where it states "(being land in CT28/26271)" is amended to read "(being land in CT28/262716)". File No.: OE99 H 228.

**SYDNEY METROPOLITAN OFFICE**  
**Department of Land and Water Conservation**  
**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta, NSW 2150**  
**(PO Box 3935), Parramatta, NSW 2124**  
**Phone: (02) 9895 7503 Fax: (02) 9895 6227**

**APPOINTMENT OF TRUST BOARD MEMBER**

PURSUANT to section 93 of the Crown Lands Act 1989, the person whose position is specified in Column 1 of the Schedule hereunder is appointed, for the term of office specified thereunder, as a member 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.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Member Appointed, Ex-officio, The person for the time being holding the office of Cemeteries Advisor, National Trust of Australia (NSW).	Gore Hill Memorial Cemetery Trust.	Area at Gore Hill dedicated for the public purpose of historic cemetery by Gore Hill Memorial Cemetery Act 1986. Dedication No.: D500620. Torrens Title Identifiers: 101/791327, 102/791327. File No.: MN87 R 10.

Term of Office

For a period expiring on 30 June 2002.

**NOTIFICATION OF CLOSING OF ROADS**

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

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

Descriptions

*Land District — Picton;  
 L.G.A. — Wollondilly.*

Lot 100, DP 1030976 at Thirlmere, Parish Couridjah, County Camden (not being land under the Real Property Act). File No.: MN00 H 306.

Note: On closing, title for the land in Lot 100 remains vested in the Crown.

*Land District — Metropolitan;  
 L.G.A. — Parramatta.*

Lot 1, DP 1029489 at Rydalmere, Parish Field of Mars (Sheet 3), County Cumberland (being land in CT Vol. 4613, Folio 188). File No.: MN01 H 131.

Note: On closing, title for the land in Lot 1 remains vested in Parramatta City Council as operational land.

**APPOINTMENT OF TRUST BOARD MEMBER**

PURSUANT to section 93 of the Crown Lands Act 1989, the person whose name is specified in Column 1 of the Schedule hereunder is appointed, for the term of office specified thereunder, as a member 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.

RICHARD AMERY, M.P.,  
 Minister for Agriculture  
 and Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Thomas McCRIMMON.	Mt St Joseph Trust.	Reserve 100102 at Eagle Vale, notified for community purposes in the <i>Government Gazette</i> of 26 June 1987. File No.: MN84 R 130.

Term of Office

For a period commencing this day and expiring 31 March 2004

**WAGGA WAGGA OFFICE**  
**Department of Land and Water Conservation**  
**Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650**  
**Phone: (02) 6921 2503 Fax: (02) 6921 1851**

**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.

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

SCHEDULE

**COLUMN 1**

Land District: Gundagai.  
Local Government Area:  
Gundagai Shire Council.  
Parish: North Gundagai.  
County: Clarendon.  
Locality: Gundagai.  
Reserve No.: 34414.  
Purpose: Gaol.  
Date of Notification: 10 May 1902.  
File No.: WA97 H 159.

**COLUMN 2**

The whole being Lot 20, section 35, DP No. 758785, Parish North Gundagai, County Clarendon, of an area of 1821 square metres.

**RESERVATION OF CROWN LAND**

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

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

SCHEDULE

**COLUMN 1**

Land District: Gundagai.  
Local Government Area:  
Gundagai Shire Council.  
Parish: North Gundagai.  
County: Clarendon.  
Locality: Gundagai.  
Lot 20, section 35, DP No. 758785.  
Area: 1821 square metres.  
File No.: WA97 H 159.

**COLUMN 2**

Reserve No.: 1003015.  
Public Purpose: Heritage purposes.

**APPOINTMENT OF RESERVE TRUST AS TRUSTEE  
OF A RESERVE**

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

RICHARD AMERY M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

SCHEDULE

**COLUMN 1**

Gundagai Council Crown Reserves Reserve Trust. Established 3rd February 1995.

**COLUMN 2**

Reserve No.: 1003015.  
Public Purpose: Heritage purposes.  
Notified: This day.  
Parish: North Gundagai.  
County: Clarendon.  
Lot 20, section 35, DP No. 758785.

**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.

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

Description

*Parish — Mooney Mooney;*  
*County — Harden;*  
*Land District — Gundagai;*  
*Shire — Gundagai.*

Road Closed: Lot 1 in DP 1033509 at Muttama (not being land under the Real Property Act 1900).

File No.: WA00 H 228.

Note: On closing, the land within Lot 1 in DP 1033509 remains vested in the State of New South Wales as Crown Land.

## Water Conservation

### Water Act 1912

#### Review of Sydney Catchment Authority's Water Management Licence

THE Department of Land and Water Conservation recently issued a Water Management Licence to Sydney Catchment Authority under Part 9 of the Water Act 1912 (NSW). This licence is now undergoing an initial review. Submissions are invited from the community to assist with the review of this licence.

This licence regulates Sydney Catchment Authority's access to bulk water and covers water management works related to bulk water supply in the Hawkesbury-Nepean, Woronora and Shoalhaven catchments. This includes the major water supply dams such as Warragamba and Upper Nepean dams. The licence also provides for provisional environmental flow releases from most bulk water supply dams as recommended by the Healthy Rivers Commission and adopted by the NSW Government.

The purpose of the licence review is to provide an opportunity for members of the community to comment on the licence and activities of the licence holder during the period under review (April-October 2001).

To obtain an information package, please contact Lyn Brady on (02) 4722 1188 or view the licence on [www.dlwc.nsw.gov.au/care/water/wr/clu\\_list\\_wmls.html](http://www.dlwc.nsw.gov.au/care/water/wr/clu_list_wmls.html)

The closing date for submissions is Friday, 19 October 2001. Written submissions should be forwarded:

by post to:  
Corporate Licensing Unit  
Department of Land and Water Conservation  
PO Box 651  
PENRITH NSW 2751

or by fax to: (02) 4721 0181

or by e-mail: [clu@dlwc.nsw.gov.au](mailto:clu@dlwc.nsw.gov.au)

Written objections to the application specifying the grounds thereof may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged at the Department's Office at Deniliquin within twenty-eight (28) days of the date of this publication.

L. J. HOLDEN,  
A/Senior Natural Resource Officer,  
Murray Region.

Department of Land and Water Conservation,  
PO Box 205, Deniliquin, NSW 2710.

### WATER ACT 1912

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

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

#### *Murray River Valley*

MARANELLO HOLDINGS PTY LTD for two pumps on the Murray River, on Lot 2, DP 549718 and Road South of Lot 2, DP 549718, Parish of Bungunyah, County of Wakool, for water supply for stock and domestic purposes and irrigation of 246 hectares (replacement licence due to permanent transfer) (Reference: 50SL75463) (GA2:504521).

Any enquiries regarding the above should be directed to the undersigned (telephone: [03] 5881 9200).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged at the Department's Office at Deniliquin within twenty-eight (28) days of the date of this publication.

K. J. FALAHEY,  
Senior Natural Resource Officer,  
Murray Region.

Department of Land and Water Conservation,  
PO Box 205, Deniliquin, NSW 2710.

### WATER ACT 1912

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

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

#### *Murray River Valley*

BERAMBONG PASTORAL COMPANY for two pumps on an unnamed watercourse on Lot 6, DP 134401, Parish of Berambong, County of Wakool, for water supply for stock, domestic and industrial purposes and irrigation of 373 hectares (replacement licence due to permanent transfer) (Reference: 50SL75460) (GA2:504520).

Any enquiries regarding the above should be directed to the undersigned (telephone: [03] 5881 9200).

### WATER ACT 1912

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

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

#### *Castlereagh River Valley*

Geoffrey Laurence TAUNTON, Peter John TAUNTON and Arthur James TAUNTON for a pump on the Castlereagh River, TSR 54550 South of Lots 31 and 32, DP 754182, Parish of Brewan, County of Leichhardt, for irrigation of 121.5 hectares (cotton, grain, legumes) (replacement licence) (in lieu of advertisement on 24 April 2000) (Reference: 80SL95733) (GA2:311297).

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

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

FRED HUNDY,  
Water Access Manager,  
Macquarie.

Department of Land and Water Conservation,  
PO Box 717, Dubbo, NSW 2830.

### WATER ACT 1912

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

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

#### *Lachlan River Valley*

RUTH BENNETT PTY LIMITED for a pump on Lot 3, DP 706390, Parish of Glenlogan, County of Bathurst, for irrigation of 24.764 hectares (new Licence — to split existing entitlement due to subdivision) (Reference: 70SL090745) (GA2:494357).

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

An application for an authority under section 20 of Part 2 of the Water Act 1912, has been received as follows:

#### *Lachlan River Valley*

JRG AND AD CROSSLEY and OTHERS for a pump on Torriganny Creek on Lot 5036, DP 46662, Parish of Iderway, County of Franklin, for water supply for irrigation of 374.0 hectares (amended authority — increase in allocation — obtained by way of permanent transfer scheme) (Reference: 70SA009579) (GA2:494356).

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

D. THOMAS,  
A/Senior Natural Resource Officer,  
Central West Region.

Department of Land and Water Conservation,  
PO Box 136, Forbes, NSW 2871, telephone: (02) 6852 1222.

### WATER ACT 1912

APPLICATIONS for licences under section 10 of the Water Act 1912, as amended, have been received from:

Stephen PALINKAS for a pump on Iron Pot Creek (regulated), Lot 1, DP 188172, Parish Langwell, County Rous, for irrigation of 40 hectares (replacement application — increase in authorised area/allocation) (Reference: 6034779) (GA2:343267).

David Keith JONES and Ann JONES for a pump on Pearces Creek and a dam and two pumps on unnamed watercourses, Lot 5, DP 702156, Parish Tuckombil, County Rous, for conservation of water and irrigation of 40 hectares (replacement application — conversion from a joint water supply authority to a licence — no increase in authorised area or allocation) (Reference: 6127795).

David Bruce MASSEY for a pump on Orara River, Pt Lot 22, DP 569798, Parish Moonee, County Fitzroy, for water supply for domestic purposes and water supply for domestic purposes to the occupier of Lot 2, DP 654861 (new licence) (Reference: 6109975) (GA2:343266).

David HILL and Linda HILL for a dam and a pump on an unnamed watercourse, Lot 6, DP 865957, Parish Dunbible, County Rous, for conservation of water and water supply for domestic purposes (new licence) (Reference: 6127853) (GA2:343265).

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

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

G. LOLLBACK,  
Resource Access Manager.

Dept of Land and Water Conservation,  
Locked Bag 10, Grafton, NSW 2460.

### WATER ACT 1912

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

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

#### *Murrumbidgee Valley*

Milan STEKOVIC and Vesna TEPSA for a bywash dam on an unnamed watercourse, Lot 4 in the subdivision of Lot 2, DP 1015228, Parish of Goorooyaroo, County of Murray, for the conservation of water for stock and domestic purposes (new licence) (Reference: 40SL70707).

Paul CLARKSON for a bywash dam on an unnamed watercourse, Lot 5 in the subdivision of Lot 2, DP 1015228, Parish of Goorooyaroo, County of Murray, for the conservation of water for stock and domestic purposes (new licence) (Reference: 40SL70709).

Mathew JACKSON and Rachel JACKSON for a bywash dam on an unnamed watercourse, Lot 7 in the subdivision of Lot 2, DP 1015228, Parish of Goorooyaroo, County of Murray, for the conservation of water for stock and domestic purposes (new licence) (Reference: 40SL70710).

Andrew HAMILTON and Leanne HAMILTON for a bywash dam on an unnamed watercourse, Lot 10 in the subdivision of Lot 2, DP 1015228, Parish of Goorooyaroo, County of Murray, for the conservation of water for stock and domestic purposes (new licence) (Reference: 40SL70711).

Robin EDMUNDS and Cheryl EDMUNDS for a bywash dam on an unnamed watercourse, Lot 17 in the subdivision of Lot 2, DP 1015228, Parish of Goorooyaroo, County of Murray, for the conservation of water for stock and domestic purposes (new licence) (Reference: 40SL70712).

Lesla Maree MALONEY for a bywash dam on an unnamed watercourse, Lot 18 in the subdivision of Lot 2, DP 1015228, Parish of Goorooyaroo, County of Murray, for the conservation of water for stock and domestic purposes (new licence) (Reference: 40SL70713).

The blocks are part of the "Fernloff" rural residential subdivision.

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

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

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

Department of Land and Water Conservation,  
PO Box 156, Leeton, NSW 2705.

### WATER ACT 1912

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

#### *Murrumbidgee Valley*

Peter Raymond TUCKETT for an existing excavation on Lot 2, DP 624007, Parish of Tumut, County of Wynyard, for a water supply for the irrigation of approximately 10 hectares (pastures) (new licence) (Reference: 40BL188395).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 26th October 2001, as prescribed by the Act.

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

Department of Land and Water Conservation,  
PO Box 156, Leeton, NSW 2705.

### WATER ACT 1912

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

Laurence DUGGAN and Kathryn DUGGAN for a bywash dam within the catchment of Anvil Creek on Lot 102/1022399, Parish of Branxton, County of Northumberland, to conserve water for domestic purposes (new licence — exempt from current embargo) (Reference: 20SL060834).

Peter TAYLOR and Diane TAYLOR for a pump on Wallis Creek on Lots 1, 2 and 20/253101 and Lot 52/1027711, Parish of Mulbring, County of Northumberland, for irrigation of 4 hectares (improved pasture) (new licence — permanent water transfer) (Reference: 20SL060833).

Joanna CANAVAN and Harry SNAITH for a bywash dam on an unnamed watercourse on Lot 1/557382, Parish of Quorrobolong, County of Northumberland, to conserve water for stock and domestic purposes (new licence — exempt from current embargo) (Reference: 20SL060832).

MOUNTAINVIEW RETREAT RETIREMENT VILLAGE for a pump on the Bowman River and Craven Creek on Lot 121/1029118, Parish of Crosbie, County of Gloucester, for irrigation of 20 hectares (improved pasture) (new licence — pumping restrictions will apply) (Reference: 20SL060841).

Robert MITCHISON for a bywash dam and pump on Swamp Oak Creek on Lot 54/865970, Parish of Tinonee, County of Gloucester, to conserve water for irrigation of 8 hectares (peas and beans) (new licence) (Reference: 20SL060846).

Robert FOWLER and Garry FOWLER for a pump on the Manning River on Lot 52/754422, Parish of Killawarra, County of Macquarie, for irrigation of 16 hectares (improved pasture) (splitting of an existing licence — no increase in entitlement) (Reference: 20SL060842).

Lorna NASH and Michael NASH for a pump on Dingo Creek, Lot 8/706217, Parish of Marlee, County of Macquarie, for water supply for recreation (environmental) purposes (splitting of existing licence — no increase in entitlement) (Reference: 20SL069845).

John YOUDAN and Carol YOUDAN for a pump on the Nowendoc River on Lot 26/754426, Parish of Knorrit, County of Macquarie, for industrial (aquaculture) purposes and irrigation of 4 hectares (improved pasture — replacement licence) (Reference: 20SL060843).

Any enquiries regarding the above should be directed to the undersigned, on telephone number (02) 4934 4840.

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

BRIAN McDUGALL,  
Senior Natural Resource Project Officer,  
Hunter Region.

Department of Land and Water Conservation,  
PO Box 6, East Maitland, NSW 2323.

### WATER ACT 1912

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

Charles and Robert INGRAM for a pump on Bombala River being 77, 78 and 88/756819, Parish of Bombala, County of Wellesley, for the irrigation of 8 hectares (vegetables) (new licence) (lodged under the 1998 NSW Water Amnesty) (Reference: 10SL55993) (GA2:509124).

John Martin, Corinne Joy, Robert Martin NOUWENS and Johanna Ardina OONINEX for a pump on an unnamed lagoon being 11/12290, Parish of Bodalla, County of Auckland, for farming purposes (dairy washdown) and the irrigation of 80 hectares (pasture) (new additional licence) (lodged under the 1998 NSW Water Amnesty) (Reference: 10SL55992) (GA2:509123).

Stephen Charles FINNANE for a pump on Wheeny Creek being 126/751658, Parish of Merroo, County of Cook, for water supply for industrial purposes (tourist cabins) (new licence) (lodged under the 1998 NSW Water Amnesty) (Reference: 10SL55814) (GA2:460635).

William Peter DAVIES for a pump on Jaorimin Creek being 216/657605, 250 and 251/750053, Parish of Uringalla, County of Argyle, for stock, domestic and industrial purposes (nursery and quarry) and the irrigation of 12.5 hectares (pasture and grapes) (new additional licence) (lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56163) (GA2:493022).

STATE FORESTS OF NSW for a pump on Jacksons Bog being located within Bondi State Forest, Parish of Lawson, County of Wellesley, for water supply for industrial purposes (cabins) (new licence) (lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56162) (GA2:493021).

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

Natural Resource Project Officer,  
Sydney/South Coast Region.

Department of Land and Water Conservation,  
PO Box 3935, Parramatta, NSW 2124.

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#### WATER ACT 1912

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

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

*Namoi River Valley*

David Bruce HAMILTON and Freda Raelene HAMILTON for a diversion channel and three pumps on the Pian Creek on Lot 3, DP 879736, Parish of Merah North, County of Jamison, for water supply for stock (5 megalitres), domestic (3 megalitres) and irrigation (966 megalitres), total allocation of 974 megalitres (this is a replacement licence for 90SL100356 due to an additional pump and a diversion channel) (L.O. Papers: 90SL100572) (GA493671).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth within twenty-eight (28) days as specified in the Act

GEOFF CAMERON,  
Manager,  
Resource Access.

Department of Land and Water Conservation,  
PO Box 550, Tamworth, NSW 2340.

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#### WATER ACT 1912

AN application under Part 8, being within a proclaimed (declared) local area under section 5 (4) of the Water Act 1912.

An application for approval of controlled work under section 167 within the proclaimed (declared) local area described hereunder has been received as follows:

*Namoi River Valley*

LINDENOW PASTORAL CO PTY LTD for controlled works consisting of an earthen tail water drain and earthen tail water storage dam on the Mooki River Floodplain on Lot 190/751018, Parish of Gunnadilly, County of Buckland, on the property known as "Walhallow", for conservation of water (Reference: 90CW810894).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Natural Resource Project Officer, Mr Glen Turner at Tamworth by 26th October 2001.

Plans showing the location of the works referred to in the above application and a Floodplain Management Study setting out details of the proposal may be viewed at the Tamworth or Quirindi offices of the Department of Land and Water Conservation.

GEOFF CAMERON,  
Manager,  
Resource Access.

Department of Land and Water Conservation,  
PO Box 550, Tamworth, NSW 2340.

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#### WATER ACT 1912

AN application under Part 8, being within a proclaimed (declared) local area under section 5 (4) of the Water Act 1912.

An application for approval of controlled work under section 167 within the proclaimed (declared) local area described hereunder has been received as follows:

*Lower Gwydir River Valley*

Malcolm David HARRIS for controlled works (earthworks, embankments or levees), to include or in association with irrigation supply channels, drains, recirculation/storage, off-creek/river storage, floodway and access road on the Carole Creek and Gil Gil Creek Floodplain on Lot 36/821299, Lot 28/44021, Lot 20/750462 and Lot 14/750462, Parish of Galloway, County of Benarba, Lots 23/750488, 22/750488 and 21/750488, Parish of Narrawal, County of Benarba and part Crown road between Parish of Galloway and Parish of Narrawal on the property known as "Cleveland" for prevention of inundation of land, irrigation and conservation of water (Reference: 90CW801889) (GA2:493673).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Natural Resource Project Officer, Mr Garry Gardner, PO Box 486, Moree, by 26th October 2001.

Plans showing the location of the works referred to in the above application may be viewed at the Moree Office of the Department of Land and Water Conservation.

GEOFF CAMERON,  
Manager, Resource Access.

Department of Land and Water Conservation,  
PO Box 550, Tamworth, NSW 2340.



## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATION

(T01-0193)

No. 1811, GOLDFIELDS EXPLORATION PTY LIMITED (ACN 067 813 932), area of 92 units, for Group 1 and Group 6 minerals, dated 20 September, 2001. (Orange Mining Division).

EDWARD OBEID, M.L.C.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(T01-0077)

No. 1733, now Exploration Licence No. 5887, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Kennedy, Map Sheet (8332, 8432), area of 54 units, for Group 1 minerals, dated 29 August, 2001, for a term until 28 August, 2003.

(T01-0119)

No. 1759, now Exploration Licence No. 5889, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Wynyard, Map Sheet (8427), area of 23 units, for Group 1 minerals, dated 7 September, 2001, for a term until 6 September, 2003.

(T01-0123)

No. 1762, now Exploration Licence No. 5890, MICHELAGO LIMITED (ACN 057 816 609), County of Bland, Map Sheet (8428, 8429), area of 77 units, for Group 1 minerals, dated 7 September, 2001, for a term until 6 September, 2003.

### MINING LEASE APPLICATIONS

(T00-0184)

Inverell No. 167, now Mining Lease No. 1492 (Act 1992), AUSTRALIAN SAPPHIRE CORPORATION PTY LTD (ACN 073 433 360), Parish of Buckley, County of Arrawatta, Map Sheet (9138-1-S), area of 134.8 hectares, to mine for sapphire, dated 17 August, 2001, for a term until 16 August, 2022. As a result of the grant of this title, Mineral Claim Nos. 253, 254, 263 and 265 (Act 1992) have ceased to have effect.

### MINING PURPOSES LEASE APPLICATION

(T88-0318)

Lightning Ridge No. 113, now Mining Purposes Lease No. 345 (Act 1973), Michael WILLOX, Parish of Coonghan, County of Narran, Map Sheet (8439-1-N), area of 1.875 hectares, for the purpose of dam, opal puddling and treatment of tailings, dated 21 August, 2001, for a term until 20 August, 2006.

EDWARD OBEID, M.L.C.,  
Minister for Mineral Resources

NOTICE is given that the following applications have been refused:

### ASSESSMENT LEASE APPLICATION

(T92-0609)

No. 1, MELOCCO PTY LTD (ACN 094 072 214), Parish of Tenterfield, County of Clive, (9339-4-4, 9339-4-N). Refusal took effect on 14 September, 2001.

EDWARD OBEID, M.L.C.,  
Minister for Mineral Resources

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

(T93-0680)

Exploration Licence No. 4616, NEWCREST MINING LIMITED (ACN 005 683 625), area of 22 units. Application for renewal received 21 September, 2001.

(T96-1003)

Exploration Licence No. 5152, JERVOIS MINING N.L. (ACN 007 626 575), area of 35 units. Application for renewal received 20 September, 2001.

(T97-1254)

Exploration Licence No. 5368, PEREGRINE MINERAL SANDS N.L. (ACN 009 307 591), area of 609 units. Application for renewal received 21 September, 2001.

(T97-1253)

Exploration Licence No. 5373, Peter James MORTON, area of 1 unit. Application for renewal received 19 September, 2001.

(T83-1374)

Exploration (Prospecting) Licence No. 1050, Kenneth Garry KEMLO, area of 4 units. Application for renewal received 17 September, 2001.

(C00-1105)

Coal Lease No. 219 (Act 1973), MOUNT THORLEY OPERATIONS PTY LIMITED, area of 1992 hectares. Application for renewal received 19 September, 2001.

(T01-0491)

Mining Lease No. 1127 (Act 1973), EVELIN MINING CO PTY LIMITED (ACN 003 149 282), area of 3.169 hectares. Application for renewal received 17 September, 2001.

EDWARD OBEID, M.L.C.,  
Minister for Mineral Resources

### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(M80-0621)

Authorisation No. 200, METROPOLITAN COLLIERIES PTY. LTD. (ACN 003 135 635), County of Cumberland, Map Sheet (9029), area of 812 hectares, for a further term until 20 October, 2004. Renewal effective on and from 12 September, 2001.

(T94-0331)

Exploration Licence No. 4811, GATEWAY MINING NL (ACN 008 402 391), Counties of Clarendon and Harden, Map Sheet (8528), area of 16 units, for a further term until 19 March, 2003. Renewal effective on and from 6 September, 2001.

(T95-1094)

Exploration Licence No. 4964, JERVOIS MINING N.L. (ACN 007 626 575), County of Macquarie, Map Sheet (9434, 9435), area of 5 units, for a further term until 24 June, 2003. Renewal effective on and from 18 September, 2001.

(C94-0481)

Exploration Licence No. 5072, COALEX PTY LTD (ACN 000 694 315) and CLARENCE COAL INVESTMENTS PTY LIMITED (ACN 003 772 174), County of Cook, Map Sheet (8931), area of 616 hectares, for a further term until 11 November, 2005. Renewal effective on and from 19 September, 2001.

(T96-1053)

Exploration Licence No. 5185, JERVOIS MINING N.L. (ACN 007 626 575), County of Macquarie, Map Sheet (9434), area of 2 units, for a further term until 24 June, 2003. Renewal effective on and from 18 September, 2001.

(C96-2388)

Exploration Licence No. 5306, FOUR MILE DEVELOPMENTS PTY LTD (ACN 087 270 899), County of Brisbane, Map Sheet (9034), area of 3040 hectares, for a further term until 27 May, 2003. Renewal effective on and from 29 August, 2001.

(C97-0140)

Exploration Licence No. 5599, HENRY WALKER ELTIN GROUP LIMITED (ACN 007 710 483), County of Durham, Map Sheet (9132), area of 1204 hectares, for a further term until 25 July, 2003. Renewal effective on and from 19 September, 2001.

(C97-0270)

Mining Lease No. 1410 (Act 1992), GLENDELL TENEMENTS PTY LIMITED (ACN 056 693 175), Parishes of Liddell and Vane, County of Durham, Map Sheet (9133-3-S), area of 52.99 hectares, for a further term until 4 July, 2020. Renewal effective on and from 4 September, 2001.

EDWARD OBEID, M.L.C.,  
Minister for Mineral Resources

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**CANCELLATION OF AUTHORITIES  
AT REQUEST OF HOLDERS**

NOTICE is given that the following authorities have been cancelled:

(T00-0019)

Exploration Licence No. 5746, NEWBRIDGE SLATE PTY LTD (ACN 011 046 316), County of Bathurst, Map Sheet (8730), area of 14 units. Cancellation took effect on 27 August, 2001.

(T00-0060)

Exploration Licence No. 5794, HILL METALLICA PTY LTD (ACN 090 578 984) AND GEOSYSTEMS RESOURCES (SINGAPORE) PTY LTD, County of Tandora and County of Yancowinna, Map Sheet (7234, 7334), area of 6 units. Cancellation took effect on 14 September, 2001.

EDWARD OBEID, M.L.C.,  
Minister for Mineral Resources

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## Department of Urban Affairs and Planning

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### **Baulkham Hills Local Environmental Plan 1991 (Amendment No 95)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(P01/00140/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1                      Baulkham Hills Local Environmental Plan 1991 (Amendment No 95)

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## **Baulkham Hills Local Environmental Plan 1991 (Amendment No 95)**

### **1 Name of plan**

This plan is *Baulkham Hills Local Environmental Plan 1991 (Amendment No 95)*.

### **2 Aims of plan**

This plan aims to rezone the subject land from the Residential 2 (a) Zone to the Residential 2 (c) (Tourist Village) Zone under *Baulkham Hills Local Environmental Plan 1991* to enable the subject land to accommodate the redevelopment of an existing pet shop.

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

This plan applies to Lot 90, DP 1014547 and Lot 11, DP 13822, Windsor Road, Kellyville, as shown edged heavy black on the map marked "Baulkham Hills Local Environmental Plan 1991 (Amendment No 95)" deposited in the office of Baulkham Hills Council.

### **4 Amendment of Baulkham Hills Local Environmental Plan 1991**

*Baulkham Hills Local Environmental Plan 1991* is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Baulkham Hills Local Environmental Plan 1991 (Amendment No 95)

## **Blacktown Local Environmental Plan 1988 (Amendment No 156)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(P99/00614/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1                      Blacktown Local Environmental Plan 1988 (Amendment No 156)

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## **Blacktown Local Environmental Plan 1988 (Amendment No 156)**

### **1 Name of plan**

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 156)*.

### **2 Aims of plan**

This plan aims to rezone (from 5 (a) Special Uses—Church) part of the land to which this plan applies to 2 (a) Residential and part to 6 (a) Public Open Space under *Blacktown Local Environmental Plan 1988*.

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

This plan applies to land shown edged heavy black on the map marked “Blacktown Local Environmental Plan 1988 (Amendment No 156)” deposited in the office of the Council of the City of Blacktown.

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

*Blacktown Local Environmental Plan 1988* is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Blacktown Local Environmental Plan 1988 (Amendment No 156).

## **Blacktown Local Environmental Plan 1988 (Amendment No 162)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(P01/00132/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1                      Blacktown Local Environmental Plan 1988 (Amendment No 162)

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## **Blacktown Local Environmental Plan 1988 (Amendment No 162)**

### **1 Name of plan**

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 162)*.

### **2 Aims of plan**

This plan aims to allow the Council of the City of Blacktown to consent to restaurant facilities provided at a service centre on the land to which this plan applies that involve a total floor area of not more than 800 square metres.

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

This plan applies to part of Lot 3, DP 870666, Old Windsor Road, Parklea, as shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 133)" deposited in the office of the Council of the City of Blacktown.

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

*Blacktown Local Environmental Plan 1988* is amended by inserting after clause 46 (2):

- (3) Despite paragraph (c) of the definition of *service centre* in clause 6 (1), the Council may consent to restaurant facilities (as described in that paragraph) provided at the service centre that involve a total floor area of not more than 800 square metres.



**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**  
**BLUE MOUNTAINS LOCAL ENVIRONMENTAL PLAN No. 143**

I, the Minister for Urban Affairs and Planning, in pursuance of section 70 of the Environmental Planning and Assessment Act 1979 make the local environmental plan set out hereunder. (P00/00127/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

Sydney, 25 September 2001.

**Citation**

1. This plan may be cited as Blue Mountains Local Environmental Plan No. 143.

**Aims, objectives, etc.**

2. This plan aims to allow, with consent, the development of the land to which this plan applies for the purpose of a place of public worship.

**Land to which plan applies**

3. This plan applies to land being 1-7 Rusden Mall (Lots 45-50 and 82, DP 223966) and 174-178 Rusden Road (Lot 1, DP 618474 and Lots 1 and 2 DP 803588), Mount Riverview, comprising part of an existing shopping centre (Rusden Mall), as shown edged heavy black on the map marked "Blue Mountains Local Environmental Plan No. 143" deposited in the office of the Council of the City of Blue Mountains.

**Relationship to other environmental planning instruments**

4. This plan amends Blue Mountains Local Environmental Plan No. 4 in the manner set out in Clause 5.

**Amendment of Blue Mountains Local Environmental Plan No. 4**

5. Blue Mountains Local Environmental Plan No. 4 is amended by inserting at the end of Schedule 7 the following matter:

1-7 Rusden Mall (Lots 45-50 and 82, DP 223966) and 174-178 Rusden Road (Lot 1, DP 618474 and Lots 1 and 2 DP 803588), Mount Riverview, comprising part of an existing shopping centre (Rusden Mall), as shown edged heavy black on the map marked "Blue Mountains Local Environmental Plan No. 143" – place of public worship.

## **Gosford Local Environmental Plan No 416**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(N01/00177/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1 Gosford Local Environmental Plan No 416

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## Gosford Local Environmental Plan No 416

### 1 Name of plan

This plan is *Gosford Local Environmental Plan No 416*.

### 2 Aims of plan

This plan aims to facilitate “coastal hazard protection works” of a non-permanent nature by amending the definition in *Gosford Planning Scheme Ordinance* and *Interim Development Order No 122—Gosford*.

### 3 Land to which plan applies

This plan applies to all land under *Gosford Planning Scheme Ordinance* and *Interim Development Order No 122—Gosford*.

### 4 Amendment of Gosford Planning Scheme Ordinance

*Gosford Planning Scheme Ordinance* is amended by omitting from the definition of *Coastal hazard protection works* in clause 3 (1) the words “of a permanent nature”.

### 5 Amendment of Interim Development Order No 122—Gosford

*Interim Development Order No 122—Gosford* is amended by omitting from the definition of *coastal hazard protection works* in clause 3 (1) the words “of a permanent nature”.

## **Hastings Local Environmental Plan 2001 (Amendment No 3)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(G01/00098/S69; E.350.10.322)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 3)

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## Hastings Local Environmental Plan 2001 (Amendment No 3)

### 1 Name of plan

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 3)*.

### 2 Aims of plan

This plan aims to allow, with the consent of Hastings Council, the existing house on land to which this plan applies to be used for commercial premises.

### 3 Land to which plan applies

This plan applies to part of Lot 4, DP 754428, 51 Cameron Street (corner of Oxley Lane), Wauchope, as shown edged heavy black and with a vertical stipple on the map marked "Hastings Local Environmental Plan 2001 (Amendment No 3)" deposited in the office of Hastings Council.

### 4 Amendment of Hastings Local Environmental Plan 2001

*Hastings Local Environmental Plan 2001* is amended:

- (a) by inserting at the end of Schedule 3 under the headings of "**Land**" and "**Additional development permitted**", respectively, the following matter:

Part of Lot 4, DP 754428, 51 Cameron Street (corner of Oxley Lane), Wauchope, as shown edged heavy black and with a vertical stipple on the map marked "Hastings Local Environmental Plan 2001 (Amendment No 3)"	Development for the purpose of commercial premises
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- (b) by inserting in appropriate order in Part 2 of Schedule 6 the following words:

Hastings Local Environmental Plan 2001 (Amendment No 3)

## **Hurstville Local Environmental Plan 1994 (Amendment No 27)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(S01/00981/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1 Hurstville Local Environmental Plan 1994 (Amendment No 27)

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## Hurstville Local Environmental Plan 1994 (Amendment No 27)

### 1 Name of plan

This plan is *Hurstville Local Environmental Plan 1994 (Amendment No 27)*.

### 2 Aims of plan

This plan aims:

- (a) to add a definition of *environmental facilities or works* in *Hurstville Local Environmental Plan 1994*, and
- (b) to permit, with the consent of Hurstville City Council, the carrying out of development for the purpose of environmental facilities or works on land within Zone No 7 (the Waterways Zone) under the 1994 plan.

### 3 Land to which plan applies

This plan applies to all land within the City of Hurstville under *Hurstville Local Environmental Plan 1994*.

### 4 Amendment of Hurstville Local Environmental Plan 1994

*Hurstville Local Environmental Plan 1994* is amended:

- (a) by inserting in alphabetical order in clause 5 (1) the following definition:

*environmental facilities or works* means:

- (a) a structure or work that facilitates public pedestrian access and includes, but is not limited to, nature study or display facilities, walking tracks, boardwalks, pedestrian bridges, duckboards, observation decks, bird hides, fishing decks, or the like, or
- (b) environmental management or restoration works including, but not limited to, bush regeneration, wetlands restoration, erosion and sedimentation works, other drainage works, or the like.

Hurstville Local Environmental Plan 1994 (Amendment No 27)

Clause 4

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- (b) by inserting in alphabetical order in item 2 (Only with development consent) of the matter relating to Zone No 7 in the Table to Part 2 the words “environmental facilities or works;”.



## **Mosman Local Environmental Plan 1998 (Amendment No 11)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(S01/01017/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1 Mosman Local Environmental Plan 1998 (Amendment No 11)

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## Mosman Local Environmental Plan 1998 (Amendment No 11)

### 1 Name of plan

This plan is *Mosman Local Environmental Plan 1998 (Amendment No 11)*.

### 2 Aims of plan

This plan aims:

- (a) to correct mapping anomalies relating to zoning that were created during the preparation of *Mosman Local Environmental Plan 1998 (the 1998 plan)*, and
- (b) to correct a mapping anomaly relating to a heritage item, and
- (c) to correct a description of a heritage item, and
- (d) to replace the definition of *place of public worship* in the 1998 plan with the definition appearing in the *Environmental Planning and Assessment Model Provisions 1980*, and
- (e) to clarify that Mosman Municipal Council may allow an additional third storey in an existing building in all residential zones where the additional storey comprises an *existing* basement of the existing building, and
- (f) to provide that when determining a development application involving heritage items classified in Schedule 2 to the 1998 plan as being of State significance, the Council is not required to consider a conservation plan which sets out management constraints for development if, in the opinion of the Council, the proposed development is of a minor nature.

### 3 Land to which plan applies

- (1) To the extent that this plan corrects mapping anomalies relating to zoning, it applies to the land shown by distinctive colouring, edging and lettering on Sheet 1 of the map marked "Mosman Local Environmental Plan 1998 (Amendment No 11)" deposited in the office of Mosman Municipal Council.

Mosman Local Environmental Plan 1998 (Amendment No 11)

Clause 3

- 
- (2) To the extent that this plan corrects a mapping anomaly relating to a heritage item, it applies to the land known as the Elfrida Street Steps, as shown by distinctive colouring on Sheet 2 of that map.
  - (3) To the extent that this plan corrects a description of a heritage item, it applies to land known as the “Ythanbank” Flats (otherwise known as “Boxmoor”), 15 Raglan Street, Mosman.
  - (4) To the extent that this plan replaces a definition, it applies to all land within the local government area of Mosman under the 1998 plan.
  - (5) To the extent that this plan clarifies that an existing basement in an existing building may be permissible as a third storey, it applies to all land within the residential zones under the 1998 plan.
  - (6) To the extent that this plan provides for development applications relating to heritage items of State significance, it applies to all land listed in Schedule 2 to the 1998 plan classified as being of State significance.

#### **4 Amendment of Mosman Local Environmental Plan 1998**

*Mosman Local Environmental Plan 1998* is amended as set out in Schedule 1.

Mosman Local Environmental Plan 1998 (Amendment No 11)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

**[1] Clause 13 Height limits in residential zones**

Insert “existing” before “basement” in clause 13 (3) (b).

**[2] Clause 33 Protection of heritage items and heritage conservation areas**

Insert “or unless it is of the opinion that the proposed development is of a minor nature” after “for development” in clause 33 (3) (d).

**[3] Schedule 1 Definitions**

Insert at the end of the definition of *heritage conservation map*:

Mosman Local Environmental Plan 1998 (Amendment No 11)—Sheet 2

**[4] Schedule 1, definition of “place of public worship”**

Omit the definition. Insert instead:

*place of public worship* means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

**[5] Schedule 1, definition of “zoning map”**

Insert in appropriate order in the definition:

Mosman Local Environmental Plan 1998 (Amendment No 11)—Sheet 1

**[6] Schedule 2 Heritage items**

Omit “ ‘Boxmoor’ Flats (formerly ‘Ythanbank’)” from Column 4 in the matter relating to 15 Raglan Street.

Insert instead “ ‘Ythanbank’, House (formerly known as ‘Boxmoor Flats’)”.

## **Tweed Local Environmental Plan 2000 (Amendment No 17)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(G95/00336/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

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Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 17)

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## **Tweed Local Environmental Plan 2000 (Amendment No 17)**

### **1 Name of plan**

This plan is *Tweed Local Environmental Plan 2000 (Amendment No 17)*.

### **2 Aims of plan**

This plan aims to alter the zone boundaries of the land to which this plan applies, being Zone 3 (d) Waterfront Enterprise and Zone 4 (a) Industrial under *Tweed Local Environmental Plan 2000*, so as to enable the carrying out of development for the purposes permitted in those zones.

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

This plan applies to land situated in the local government area of Tweed, being so much of Lot 9, DP 830659, Ozone Street, Chinderah as is shown by distinctive colouring, edging and lettering on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 17)" deposited in the offices of Tweed Shire Council.

### **4 Amendment of Tweed Local Environmental Plan 2000**

*Tweed Local Environmental Plan 2000* is amended by inserting in appropriate order in Part 2 of Schedule 6 the following words:

Tweed Local Environmental Plan 2000 (Amendment No 17)

**TIMBER PLANTATIONS (HARVEST GUARANTEE) ACT 1995**

## Notice of Accreditation of a Timber Plantation

The GROUP GENERAL MANAGER of the NATURAL RESOURCE PRODUCTS Group, Department of LAND AND WATER CONSERVATION, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 18th day of September 2001.

LEANNE WALLACE,  
Group General Manager  
Natural Resource Products  
Department of Land and Water Conservation

## SCHEDULE

All that land in the JERILDERIE SHIRE COUNCIL area, County of BUNDURE NORTH known as Lot 86, Deposited Plan 756398 shown on the map accompanying the application for accreditation No 01/135 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 97 90 642.

**TIMBER PLANTATIONS (HARVEST GUARANTEE) ACT 1995**

## Notice of Accreditation of a Timber Plantation

The GROUP GENERAL MANAGER of the NATURAL RESOURCE PRODUCTS Group, Department of LAND AND WATER CONSERVATION, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 18th day of September 2001.

LEANNE WALLACE,  
Group General Manager  
Natural Resource Products  
Department of Land and Water Conservation

## SCHEDULE

All that land in the KYOGLE SHIRE COUNCIL area, County of BULLER and Parish of CAPEEN known as Lots 42, 43, Deposited Plan 751050 and Lot 5 and Deposited Plan 263956 shown on the map accompanying the application for accreditation No 01/134 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 104 90 640.

**TIMBER PLANTATIONS (HARVEST GUARANTEE) ACT 1995**

## Notice of Accreditation of a Timber Plantation

The GROUP GENERAL MANAGER of the NATURAL RESOURCE PRODUCTS Group, Department of LAND AND WATER CONSERVATION, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 18th day of September 2001.

LEANNE WALLACE,  
Group General Manager  
Natural Resource Products  
Department of Land and Water Conservation

## SCHEDULE

All that land in the TENTERFIELD SHIRE COUNCIL area, County of BULLER and Parish of KANGAROO known as Lots 41, 60 and 61 Deposited Plan 751067 and Lots, 22, 24 and 25 Deposited Plan 726323 shown on the map accompanying the application for accreditation No 01/132 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 179 90 639.

**TIMBER PLANTATIONS (HARVEST GUARANTEE) ACT 1995**

## Notice of Accreditation of a Timber Plantation

The GROUP GENERAL MANAGER of the NATURAL RESOURCE PRODUCTS Group, Department of LAND AND WATER CONSERVATION, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the Timber Plantations (Harvest Guarantee) Act 1995.

Dated at Sydney this 18th day of September 2001.

LEANNE WALLACE,  
Group General Manager  
Natural Resource Products  
Department of Land and Water Conservation

## SCHEDULE

All that land in the KYOGLE SHIRE COUNCIL area, County of DRAKE and Parish of SANDILANDS known as Lots 2, 3, 4 and 7, Deposited Plan 857272 shown on the map accompanying the application for accreditation No 01/133 held by the Department of Urban Affairs and Planning, Plan Catalogue No. 010 104 90 641.



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## Roads and Traffic Authority

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### ROADS ACT 1993

#### Section 10

Notice of Dedication of Land as Public Road at  
Batemans Bay in the Eurobodalla Shire Council Area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D. J. LORSCHY,  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales

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#### SCHEDULE

All those pieces or parcels of land situated in the Eurobodalla Shire Council area, Parish of Bateman and County of St Vincent, shown as Lots 12, 13 and 14 Deposited Plan 236342.

(RTA Papers: 145.1235).

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### ROADS ACT 1993

#### Section 10

Notice of Dedication of Land as Public Road at Bargo  
and Tahmoor in the Wollondilly Shire Council Area

THE Roads and Traffic Authority of New South Wales dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D. J. LORSCHY,  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales

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#### SCHEDULE

All those pieces or parcels of land situated in the Wollondilly Shire Council area, Parishes of Bargo and Couridjah and County of Camden, shown as:

Lots 3 and 4 Deposited Plan 234743; and

Lot 3 Deposited Plan 227780.

(RTA Papers: 2/496.1220).

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### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at  
Murrurundi in the Murrurundi Shire Council area

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

D. J. LORSCHY,  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales

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#### SCHEDULE

ALL that piece or parcel of Council public road situated in the Murrurundi Shire Council area, Parish of Murrurundi and County of Brisbane, shown as Lot 1 Deposited Plan 1019316.

(RTA Papers FPP 1M2575; RO 9/303.11050)

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### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Darling  
Harbour in the Sydney City Council area.

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

D. J. LORSCHY,  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales

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#### SCHEDULE

ALL that piece or parcel of Council public road situated in the Sydney City Council area, Parish of St Andrew and County of Cumberland, shown as Lot 3 Deposited Plan 1031912 and being part of the land in Certificate of Title 10/861767.

(RTA Papers 1M2742; RO 412.12119)

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

Notice of Compulsory Acquisition of Land at Glendale  
in the Lake Macquarie City Council area

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

D. J. LORSCHY,  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales

—————  
SCHEDULE

All that piece or parcel of land situated in the Lake Macquarie City Council area, Parishes of Kahiba and Teralba and County of Northumberland, shown as Lot 2 Deposited Plan 1022127, being part of the land in Certificate of Title 31/883898, excluding from the compulsory acquisition of Lot 2 the right of carriageway over the land created by Dealing 6030656 and shown designated "A" in the plan with the Dealing.

The land is said to be in the possession of the State Rail Authority of New South Wales.

(RTA Papers FPP 1M3045; RO 252.1813)

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

Notice of Compulsory Acquisition and Dedication as  
Public Road of Land at Glen Innes in the  
Severn Shire Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993 and further dedicates the land as Public Road under Section 10 of the Roads Act 1993.

D. J. LORSCHY,  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales

—————  
SCHEDULE

ALL that piece or parcel of land situated in the Severn Shire Council area, Parish of Beardy Plains and County of Gough, shown as Lot 101 Deposited Plan 1030096, being part of the land in Camping Reserve No 1420 notified in the Government Gazette of 19 March 1883 on page 1502.

The land is said to be in the possession of the Crown and the Northern New England Rural Lands Protection Board.

(RTA Papers FPP 1M2848; RO 12/400.1159)

## Sydney Water

### **SEWER MAINS**

#### **SYDNEY WATER**

##### Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

*CANTERBURY COUNCIL, AT CANTERBURY: Contract Number 437223F8, Project Number 3001529. Line 1 inclusive and its appurtenant junctions sidelines and inlets serving CANTERBURY ROAD.*

*CANTERBURY COUNCIL, AT LAKEMBA: Contract Number 962703S0, Project Number 381591. Line 1 inclusive and its appurtenant junctions sidelines and inlets serving SPOULE STREET.*

*CANTERBURY COUNCIL, AT ROSELANDS: Contract Number 973109S5, Project Number 3002246. Line 1 inclusive and its appurtenant junctions sidelines and inlets serving PAYTEN AVENUE and EWEN STREET.*

*DRUMMOYNE COUNCIL, AT CHISWICK: Contract Number 970163SB, Project Number 3002153. Line 1 and Line 2 inclusive and its appurtenant junctions sidelines and inlet serving MELROSE CRESCENT and BLACKWALL POINT ROAD.*

*ROCKDALE COUNCIL, AT BEXLEY: Contract Number 969493S5, Project Number 3001965. Property Connection Sewer 1 inclusive and its appurtenant junctions sidelines and inlets serving ALBYN STREET.*

*ROCKDALE COUNCIL, AT BEXLEY: Contract Number 973007S0, Project Number 3002243. Line 1 inclusive and its appurtenant junctions sidelines and inlets serving GLENFARNE STREET.*

*ROCKDALE COUNCIL, AT KOGARAH: Contract Number 972844S9, Project Number 3002191. Line 1 inclusive and its appurtenant junctions sidelines and inlets serving GREEN STREET and CROSS STREET.*

*ROCKDALE COUNCIL, AT SANS SOUCI: Contract Number 967967S2, Project Number 3001404. Sideline 1 inclusive and its appurtenant junctions sidelines and inlets serving TOYER AVENUE.*

*SOUTH SYDNEY COUNCIL, AT ZETLAND: Contract Number 444305FA, Project Number 3002048. Line 1 and Line 2 inclusive and its appurtenant junctions sidelines and inlets serving HANSARD STREET and TOSH LANE.*

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

GERRY DACOCO,  
Developer Activity Officer

28th September 2001.

#### **SYDNEY WATER**

##### Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

*CITY/MUNICIPALITY OF KU-RING-GAI, AT WAHROONGA: Contract Number 960361S6, Project Number 3001821. Property connection sewer line 1, inclusive and its appurtenant junctions, sidelines and inlets serving FOX VALLEY ROAD.*

*CITY/MUNICIPALITY OF WARRINGAH, AT BROOKVALE: Contract Number 972466S3, Project Number 3002000. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving GREEN STREET.*

*CITY/MUNICIPALITY OF MOSMAN, AT MOSMAN: Contract Number 969854S2, Project Number 3001112. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving COWLES ROAD.*

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARTHA AMADOR,  
Developer Activity Officer  
Chatswood

28th September 2001.

**WATER MAINS****SYDNEY WATER**

## Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

*CITY OF LIVERPOOL, AT PRESTONS: Contract Number 963474W2, Project Number 1000710. Water mains are now laid and capable of serving identified properties in YERONA STREET.*

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VALDIS VIKSNE,  
Developer Activity Officer,  
Liverpool Commercial Centre

28th September 2001.

**SYDNEY WATER**

## Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

*CITY/MUNICIPALITY OF KU-RING-GAI, AT WAHROONGA: Contract Number 969887W3, Project Number 1000755. Water mains are now laid and capable of serving identified properties in ILLOURA AVENUE.*

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARTHA AMADOR,  
Developer Activity Officer  
Chatswood

28th September 2001.

## Other Notices

### CO-OPERATIVES ACT 1992

#### Change of Name

IT is hereby notified that on 26 September 2001, I registered a change of name for NSW Stock and Station Agents Co-operative Limited to Stock and Station Agents Co-operative Limited.

Dated this twenty sixth day of September 2001.

D. CHARTERS,  
Delegate of the Registrar of Co-Operatives

### EDUCATION ACT 1990

Land Acquisition (Just Terms Compensation) Act 1991

#### Notice of Compulsory Acquisition of Land for Public School

THE Minister for Education and Training, with the approval of Her Excellency the Governor, declares by delegate 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 Education Act, 1990.

DATED at Sydney, this 13th day of August 2001.

R. MASTERTON,  
Delegate of the Minister for  
Education and Training

#### SCHEDULE

All that piece or parcel of land situated in the Local Government Area of Coffs Harbour, Parish of Woolgoolga and County of Fitzroy, containing an area 3035 square metres or thereabouts and being Lot 2, Section 31 Deposited Plan 759113.

### EDUCATION ACT 1990

Land Acquisition (Just Terms Compensation) Act 1991

#### Notice of Compulsory Acquisition of Land for Public School

THE Minister for Education and Training, with the approval of Her Excellency the Governor, declares by delegate 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 Education Act, 1990.

DATED at Sydney, this 13th day of August 2001.

R. MASTERTON,  
Delegate of the Minister for  
Education and Training

### SCHEDULE

All that piece or parcel of land situated in the Local Government Area of Great Lakes, Parish of Tuncurry and County of Gloucester, containing an area 2.324 hectare or thereabouts and being Lot 3, Deposited Plan 1003293 and Lot 277 Deposited Plan 753207.

### EDUCATION ACT 1990

Land Acquisition (Just Terms Compensation) Act 1991

#### Notice of Compulsory Acquisition of Land for Public School

THE Minister for Education and Training, with the approval of Her Excellency the Governor, declares by delegate 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 Education Act, 1990.

DATED at Sydney, this 13th day of August 2001.

R. MASTERTON,  
Delegate of the Minister for  
Education and Training

#### SCHEDULE

All that piece or parcel of land situate in the Local Government Area of Shoalhaven, Parish of Nowra and County of St Vincent, being lot 1 Deposited Plan 804613, but excluding thereout rights of easement for transmission line 20.115 metres wide shown in Deposited Plan 109760, easement for water supply line 9.145 metres wide shown in Deposited Plan 227087 and easement for transmission line acquired by notification in Commonwealth Government Gazette Number 46 of 23 June 1960 page 2203 (SB 51013).

### ELECTRICITY SUPPLY (GENERAL) REGULATION 2001

#### Regulatory Impact Statement Invitation for Public Comment

NSW Treasury has prepared a Regulatory Impact Statement in relation to the *Electricity Supply (General) Regulation 2001* that came into effect on 1 July 2001. The Statement was prepared in accordance with the requirements of the *Subordinate Legislation Act 1989*.

The overarching object of the Regulation is to provide small retail customers with the choice of negotiated or regulated supply arrangements in the retail electricity market. The Regulation also sets out arrangements that are designed to deliver the following customer protection objectives:

- to ensure that contracts contain sufficient information to allow customers to make informed choices;
- to ensure the adequate disclosure of billing and charging information;
- to establish a right to connection and supply of electricity services to all persons;

- to develop a reliable and responsive framework for retailer of last resort supply; and
- to establish a cost-effective framework for dealing with customer disputes.

**Further information:** A copy of the Regulatory Impact Statement and Regulation may be obtained from Treasury's website, [www.treasury.nsw.gov.au/ereform.htm](http://www.treasury.nsw.gov.au/ereform.htm), or contact the Resource Allocation Directorate, NSW Treasury on (02) 9228 3312.

Interested parties are invited to provide a written submission commenting on the information provided in the Regulatory Impact Statement. NSW Treasury will then prepare a report for the Minister for Energy detailing the issues raised through the public submission process.

**Submissions** should be delivered to NSW Treasury,

Attention: Medha Gupta-Dibble,  
Governor Macquarie Tower,  
1 Farrer Place, Sydney NSW 2000,  
or may be faxed to (02) 9228 3173,  
or e-mailed  
[[medha.guptadibble@mail.treasury.nsw.gov.au](mailto:medha.guptadibble@mail.treasury.nsw.gov.au)].

**Deadline for submissions:** Friday 19 October 2001.

### FORESTRY ACT 1916

Proclamation

(L.S.) MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales in pursuance of the provisions of the Forestry Act 1916, and with the advice of the Executive Council, do, by this my Proclamation, declare that the land described in the Schedule hereto is dedicated as a State Forest.

#### SCHEDULE

##### EASTERN DIVISION

*Land District of Taree;  
Greater Taree City Council Area;  
Mid North Coast Forestry Region*

Knorrit State Forest No. 767, No. 12 Extension. An area of about 742.2 hectares in the Parishes of Khatambuhl and Mackay, County of Macquarie, being **FIRSTLY**, in the Parish of Khatambuhl, the land within Portions 29, 33 and 34, 44, 57, 60, 70 and 71, 102, 103, 104, 105, 108, 118, 126, 127, 188, 196, 197 and 213 delineated on plans catalogued 943, 986, 1051, 1249, 1346, 1446, 1738, 1739, 1682, 1681, 2165, 2307, 2478, 2493, 5182, 5308, 5310 and 6040 – 666 respectively, in the Department of Information Technology and Management, Sydney, **EXCLUSIVE OF** the reserved roads 20.115 metres wide traversing Portions 29, 33, 34, 57, 60, 70, 71, 196 and 197 and the 'Right of Carriageway over track in use' within Portions 34 and 102 and delineated on Deposited Plan 639840; **SECONDLY**, in the Parish of Mackay, the land within Portions 98, 99, 162, 165 and 167 delineated on plans catalogued 1721, 2140, 6420, 8186 and 8822 – 666 respectively in the Department of Information Technology and Management, **EXCLUSIVE OF** the reserved road 20.115 metres wide traversing Portion 98 and the 'Right of Carriageway over track in use' delineated on Deposited Plan 639840 within Portion 98. (53191).

Signed and sealed at Sydney, this nineteenth day of September, 2001.

By Her Excellency's Command,

KIM YEADON, M.P.,  
Minister for Forestry

GODSAVE THE QUEEN!

### GEOGRAPHICAL NAMES ACT 1966

#### ERRATUM

IN the notices referring to determination of suburban boundaries and the assignment of geographical names for suburbs in the Shire of Wyong, in the *Government Gazettes* of 25 January 1991, folio 688 and 17 May 1991, folio 3737, the name Budgewoi Peninsular was misspelt. It should have read Budgewoi Peninsula; this notice corrects that error. GNB3527.

W. WATKINS,  
Chairperson

Geographical Names Board,  
PO Box 143, BATHURST 2795

### HOUSING ACT 1976 ROADS ACT 1993

#### PROCLAMATION

Her Excellency Professor Marie Bashir, AC

I, Professor Marie Bashir, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia, with the advice of the Executive Council, on the recommendation of the Minister for Housing, and in pursuance of section 13 of the Roads Act 1993, do, by this my Proclamation, dedicate as a public road the land referred to in the Schedule of this Proclamation.

Signed and sealed at Sydney, this 12th day of September 2001.

By Her Excellency's Command,

ANDREW REFSHAUGE M.P.,  
Deputy Premier,  
Minister for Urban Affairs and Planning  
Minister for Housing  
Minister for Aboriginal Affairs

GODSAVE THE QUEEN!

#### SCHEDULE

The Land shown as Nevell Place on the plan of land at Cranebrook in the Local Government area of the City of Penrith, Parish of Castlereagh, County of Cumberland registered at Land & Property Information NSW as Deposited Plan 789888.

**HUNTER WATER ACT 1991**

Land Acquisition (Just Terms Compensation) Act 1991

Compulsory Acquisition of Land  
Raymond Terrace Sewerage Scheme

THE Minister for Information Technology, Minister for Energy, Minister for Forestry and Minister for Western Sydney with the approval of Her Excellency the Governor, declares 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 and it is further notified that the land is vested in the Hunter Water Corporation.

Dated at Sydney this 5th day of September 2001.

KIMBERLY MAXWELL YEADON, M.P.,  
Minister for Information Technology,  
Minister for Energy, Minister for Forestry  
and Minister for Western Sydney

**SCHEDULE**

All that piece or parcel of land delineated in Deposited Plan 159023 and containing and area of 25.08 hectares at Raymond Terrace in the Local Government Area of Port Stephens, Parish of Eldon, County of Gloucester being the land in Deed of Conveyance Number 203 Book 2238.

(C5/11373)

**INDEPENDENT PRICING AND REGULATORY TRIBUNAL OF NEW SOUTH WALES**Application for Transfer of Gas Supplier's  
Authorisation — (ref: 01/301)

The Tribunal has received a joint application from ACTEW Retail Limited (ABN 23 074 371 207) and AGL ACT Retail Investments Pty Ltd (ABN 53 093 631 586) to transfer to those companies, trading as ActewAGL Retail (ABN 46 221 314 841) a Gas Supplier's Authorisation currently held under the Gas Supply Act 1996 by ACTEW Retail Limited to supply natural gas in New South Wales.

The Tribunal seeks public submissions on the application. Submissions should address the assessment criteria contained in the Gas Supply Act 1996. All submissions should reach the Tribunal by 5 November 2001.

Inquiries to Ms Deborah Walker (02) 9290 8450.

THOMAS G. PARRY,  
Chairman

Level 2, 44 Market Street  
Sydney NSW 2000  
PO Box Q290  
QVB Post Office  
NSW 1230  
26 September 2001

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Wambina Nature Reserve

Plan Of Management

IN pursuance of Section 76 of the National Parks and Wildlife Act 1974, it is hereby notified that a Plan of Management for Wambina Nature Reserve has been prepared.

The plan will be on public display from 21st September 2001 until 3rd December 2001. Copies of the plan may be inspected during office hours at:

NPWS Head Office Library      National Parks Centre  
7th Floor                              102 George Street  
43 Bridge Street                      THE ROCKS  
HURSTVILLE

NPWS Central Coast                      The Maitland Bay Centre  
Regional Office                      The Scenic Road  
Suites 36-38                              KILLCARE HEIGHTS  
207 Albany Street North  
GOSFORD

Gosford City Council                      Wamberal Post Office  
49 Mann Street                              780 The Entrance Road  
GOSFORD                                      WAMBERAL

Copies of the plan may be obtained, free of charge, from the National Parks and Wildlife Service Gosford office and the National Parks Centre at The Rocks. The plan is also available on the NPWS web site: [www.npws.nsw.gov.au](http://www.npws.nsw.gov.au).

Written representations in connection with the plan should be forwarded to:

The Planner  
Wambina Nature Reserve  
NSW National Parks and Wildlife Service  
Central Coast / Hunter Range Region  
PO Box 1477  
GOSFORD NSW 2250

by close of business on 3rd December 2001.

Following the exhibition period, the plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

Your comments on this draft plan of management may contain information that is defined as "personal information" under the NSW *Privacy and Personal Information Protection Act 1998* and identifies you. Following adoption of the plan by the Minister, copies of all submissions will be available by arrangement for inspection in the regional office mentioned above. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

KEVIN SHANAHAN,  
Manager,  
Conservation Management Unit

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Myall Lakes National Park

## Plan of Management

IN pursuance of Section 75 of the National Parks and Wildlife Act, 1974, it is hereby notified that a Plan of Management for Myall Lakes National Park has been prepared.

The plan will be on public display from 21st September 2001 until 14th December 2001. Copies of the plan may be inspected during office hours at:

NPWS Head Office Library    National Parks Centre  
7th Floor                      102 George Street  
43 Bridge Street              THE ROCKS  
HURSTVILLE

NPWS Hunter Regional      NPWS Great Lakes Area  
Office                              Office  
Level 1                            The Ruins Camping Area  
12 Temamby Road              Booti Booti National Park  
NELSON BAY                      The Lakes Way  
PACIFIC PALMS

NPWS Manning Area        Newcastle City Council  
Office                              Laman Street  
78 Hargreaves Street        NEWCASTLE  
TAREE

Port Stephens Council       Maitland City Council  
78 Port Stephens Street      285-287 High Street  
RAYMOND TERRACE            MAITLAND

Lake Macquarie City        Great Lakes Council  
Council                            Breeze Parade  
Main Road                        FORSTER  
BOOLAROO

Tea Gardens Tourist        Bulahdelah Tourist  
Information Centre              Information Centre  
Myall Street                      Pacific Highway  
TEA GARDENS                    BULAHDELAH

Great Lakes Tourist        Myall Shores Ecotourism  
Information Centre              Resort  
Little Street                      Myall Lakes National Park  
FORSTER

Copies of the plan may be obtained, free of charge, from the National Parks and Wildlife Service offices at Nelson Bay and Pacific Palms and the National Parks Centre. The plan is also available on the NPWS web site: [www.npws.nsw.gov.au](http://www.npws.nsw.gov.au).

Written representations in connection with the plan should be forwarded to:

The Planning Officer  
NPWS Hunter Regional Office  
Locked Bag 99  
Mail Delivery Centre  
NELSON BAY NSW 2315

by close of business on 14th December 2001.

Following the exhibition period, the plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

Your comments on this draft plan of management may contain information that is defined as "personal information" under the *NSW Privacy and Personal Information Protection Act 1998* and identifies you. Following adoption of the plan by the Minister, copies of all submissions will be available by arrangement for inspection in the regional office mentioned above or the library of the NPWS Head Office in Hurstville. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

KEVIN SHANAHAN,  
Manager,  
Conservation Management Unit

**NSW SCIENTIFIC COMMITTEE**

## 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 Schedule of the Act.

**Endangered Species** (Part 1 of Schedule 1)

*Eidothea* sp. 'Nightcap Range' (P.H. Weston 2469), a tree

This species is currently provisionally listed as an endangered species.

The Committee is of the opinion that this species is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

**Vulnerable Species** (Schedule 2)

*Euphrasia ciliolata* W.R. Barker, a herb

The Committee is of the opinion that this species is likely to become endangered unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Any person may make a written submission, which should be forwarded to:

Director General  
National Parks & Wildlife Service  
PO Box 1967  
Hurstville NSW 2220  
Attention: Suzanne Chate  
Executive Officer,  
Scientific Committee

Submissions must be received by 2nd November, 2001.

Copies of these Determinations may be inspected at the National Parks Centre, 102 George Street, The Rocks, Sydney and at all National Parks & Wildlife Service Area Offices/Visitors Centres during business hours.

Dr CHRIS DICKMAN,  
Chairperson



**PROPERTY, STOCK AND BUSINESS AGENTS  
ACT 1941**

Notification

I, JOHN ARTHUR WATKINS, M.P., Minister for Fair Trading, in pursuance of section 36AA(2) of the Property, Stock and Business Agents Act 1941, have determined that the Reserve Bank of Australia target cash rate will apply in relation to the calculation of interest on moneys held in trust accounts kept by Southern Cross Credit Union Ltd in accordance with the provisions of the Act.

JOHN WATKINS, M.P.,  
Minister for Fair Trading,  
Minister for Corrective Services  
and Minister for Sport and Recreation

Deposited Plan 581131, Road 20.115 wide shown within lot 1 Deposited Plan 125745, Road 20.115 wide shown within lot 2 DP630055 and Public Highway notified in Government Gazette dated 4 June 1954 Folio 1662.

**Easement to Flood**

An easement or right to use the surface of the land by causing to flow, be and remain thereon such waters as shall from time to time flow, be and remain thereon as a consequence of the construction and maintenance of Ben Chifley Dam (part of the Bathurst Water Supply Scheme). DPWS Reference 126.

**PUBLIC WORKS ACT 1912**

Land Acquisition (Just Terms Compensation) Act 1991  
Compulsory Acquisition Bathurst Water Supply — Ben Chifley Dam

THE Minister for Land and Water Conservation, with the approval of Her Excellency the Governor, declares that the land and interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette*, the land and interest in land, is vested in the Minister for Land and Water Conservation as Constructing Authority under section 4 of the Public Works Act 1912.

RICHARD AMERY, M. P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation

SCHEDULE

LAND

Lot 15, Lot 17, Lots 19 to 21 inclusive, Lots 23 to 26 inclusive in Deposited Plan 859300 (SB52130)

Part Lot 35 in Deposited Plan 859300 (SB52130) within Public Highway notified in Government Gazette dated 4 June 1954 Folio 1662.

Part Lot 36 in Deposited Plan 859300 (SB52130) within Road 20.115 wide shown within lot 2 DP630055.

INTEREST IN LAND

Easement rights as described under the heading Easement to Flood in the terms set out hereunder over the site shown in:

Deposited Plan 859300 (SB52130) as:

‘EASEMENT FOR FLOOD VARIABLE WIDTH’ within Lot 1 in Deposited Plan 125597, Lot 1 in Deposited Plan 125743, Lot 2 in Deposited Plan 791697, Lot 2 in Deposited Plan 570867, Portion 14 of Parish OAKLEY (DP750400), Portion 16 of Parish OAKLEY (DP750400), Lot 2 in

**PUBLIC WORKS ACT 1912**

Land Acquisition (Just Terms Compensation) Act 1991  
Compulsory Acquisition

*Kew/Kendall Sewerage*

THE Minister for Land and Water Conservation, with the approval of Her Excellency the Governor, declares that the interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette*, the interest in land, is vested in the Minister for Land and Water Conservation as Constructing Authority under section 4 of the Public Works Act 1912.

RICHARD AMERY, M.P.,  
Minister For Agriculture  
and Minister For Land And Water Conservation

SCHEDULE

INTEREST IN LAND

Easement rights as described under the heading Sewer Pipeline in Memorandum E931212 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1023002 (SB55143) as:

‘E’ PROPOSED EASEMENT FOR SEWER PIPELINE 3 WIDE.

DPWS Reference 131.

**PROFESSIONAL STANDARDS ACT 1994**

Notification Pursuant to Section 13

Professional Surveyors Limitation of Liability Scheme

PURSUANT to section 13 of the Professional Standards Act 1994, I authorise the publication of the amendment to the Professional Surveyors Limitation of Liability Scheme. The amendment will commence on 15 October 2001.

BOB DEBUS,  
Attorney General

**REPORT CONCERNING THE APPROVAL OF  
AMENDMENT OF THE PROFESSIONAL  
SURVEYORS SCHEME**

**AMENDMENT APPROVAL**

On 17 April 2001, an application was received by the Professional Standards Council from the Professional Surveyors Occupational Association of NSW Inc (PSOA) for amendment to the Professional Surveyors scheme pursuant to the provisions of the *Professional Standards Act 1994* (the PSAct).

The purpose of the amendment is to change the description definitions for the classes of persons under clause 3.3 of the scheme which relates to the area of limited liability.

On 15/6/01, the council decided to:

1. *approve<sup>1</sup> amendment in respect of the Professional Surveyors Occupational Association;*
2. *submit<sup>2</sup> the amendment to the Minister to authorise its publication in the Gazette<sup>3, 4</sup>.*

Before approving the amendment of the scheme, the council:

1. *published<sup>5</sup> a notice in a daily newspaper circulating throughout NSW:*
  - (a) explaining the nature and significance of the amendment, and
  - (b) advising where a copy of the amendment may be obtained or inspected, and
  - (c) inviting comments and submissions within 21 days after publication of the notice; and
2. *considered matters under section 10, as necessary.*

**THE AMENDMENT**

The amendment applies to the Professional Surveyors scheme which commenced on 1/06/01. The scheme provides descriptions of the classes of persons to whom the scheme applies and stipulates a maximum amount of liability that corresponds for each class of persons (Clause 3.3). The amendment changes the class descriptions of classes 1-3 (as appended).

By changing the definitions of the classes, it alters the range of persons within classes 1-3, effectively changing a person's maximum liability amount. Therefore, in considering the changes to the description of the classes the Council has had regard to the number and amounts of claims made against persons within the PSOA and considered the need to adequately protect consumers. The Council is satisfied that the limitation of liability, applicable to the redefined classes is reasonable having regard to the nature and level of claims, will adequately protect consumers and not adversely affect other persons to a significant degree.

**Commencement of Amendment**

The amendment commences on 15/10/01.

**Recommendation**

The council recommends that the Attorney General authorise the publication in the Government Gazette of the amendment, as submitted.

The amendment is herewith.

**Submitted**

Professional Standards Council

WARWICK WILKINSON, A.M.,  
Chairman

**PROFESSIONAL SURVEYORS SCHEME  
AMENDMENT**

- [1] Clause 3.3 Classes of Persons/Maximum Amount of Liability

Omit "\$500,000", which appears in the "Description" of Class 1. Insert instead "\$5 million".

Omit "\$500,000 and less than \$1 million", which appears in the "Description" of Class 2. Insert instead "\$5 million and less than \$10 million".

Omit "\$1 million", which appears in the "Description" of Class 3. Insert instead "\$10 million".

The amendment commences on 15 October 2001.

<sup>1</sup> pursuant to section 7(3)

<sup>2</sup> pursuant to section 12

<sup>3</sup> pursuant to section 13

<sup>4</sup> Section 16A provides that the provisions of sections 7 - 15 apply, with any necessary modification, to the amendment of a scheme as well as to the making of a scheme.

<sup>5</sup> pursuant to section 8

**REFERRAL TO THE PRODUCTS SAFETY  
COMMITTEE**

**SECTION 28(1) OF THE FAIR TRADING ACT, 1987**

The Products Safety Committee  
C/- The Department of Fair Trading  
Enterprise House  
1 Fitzwilliam Street,  
PARRAMATTA NSW 2150

PURSUANT to section 28(1) of the *Fair Trading Act 1987* ("the Act"), I, John Arthur Watkins, Minister for Fair Trading, hereby refer to the Products Safety Committee ("the Committee") for its consideration in respect of goods of the kind specified in Schedule 1, the prescribed question specified in section 28(3)(a) of the Act which is set out in Schedule 2.

DATED this 26th day of September 2001.

JOHN WATKINS, M.P.,  
Minister For Fair Trading

**SCHEDULE 1**

Goods: Shower screens (whether doors or fixed panels) containing glass which has been tempered by a manufacturing process of heating the glass to a molten state and then rapidly cooling it by the application of compressed air.

## SCHEDULE 2

Questions: The question whether the supply of the goods should, because they are dangerous, or are a possible source of danger, be prohibited or should be allowed only subject to conditions or restrictions to be specified by the Committee.

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**ROADS ACT 1993**

Proclamation of Public Road at Kew in the Hastings Shire

Professor MARIE BASHIR, Governor

I, PROFESSOR MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council, pursuant to the provisions of section 13 (1) of the Roads Act 1993, hereby proclaim that the land described in the schedule hereto owned by the Minister for Education and Training, a public authority and used by the public as road is hereby dedicated as a public road.

Professor MARIE BASHIR,  
Governor

By Her Excellency's Command,

R. MASTERTON,  
Delegate of the Minister for  
Education and Training

## SCHEDULE

All that piece or parcel of land situate in the Local Government Area of Hastings Council, Parish of Camden Haven and the County of Macquarie, being Lots 1 and 2, Deposited Plan 1006995.

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**SAFER COMMUNITY COMPACT**

Order

I, the Honourable Bob Debus Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the *Children (Protection and Parental Responsibility) Act 1997*, do, by this my Order, approve the Holroyd Community Safety and Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 21 September 2001 and remains in force until 20 September 2004.

Signed at Sydney, this 19th day of September 2001.

BOB DEBUS,  
Attorney General

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# TENDERS

## Department of Public Works and Services

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

TENDERS for the undermentioned Period Contracts, Supplies and Services, required for the use of the Public Service, will be received by the Department of Public Works and Services, Level 3, McKell Building, 2-24 Rawson Place, Sydney, NSW 2000, up till 9.30 a.m. on the dates shown below.

**3 October 2001**

**ITS004/2025a** MOBILE TELEPHONES, ACCESSORIES & INSTALLATION; REPAIR & MAINTENANCE.  
DOCUMENTS: \$220.00 PER SET

**10 October 2001**

**S01/00274 (32)** CLEANING CENTRAL SQUARE AT 323 CASLEREAGH ST FOR UP TO 2 YEARS.  
DOCUMENTS: \$55.00 PER SET

**11 October 2001**

**013/7225** MOTOR SPIRIT AND DIESEL TO LORD HOWE ISLAND. DOCUMENTS: \$110.00 PER SET

**16 October 2001**

**S01/00238 (191)** CLEANING DET BUILDING AT BRIDGE ST. DOCUMENTS: \$55.00 PER SET  
**014/7220** PROGRESSION OF REFORM WITHIN THE NSW POLICE SERVICE. DOCUMENTS: \$110.00 PER SET

**25 October 2001**

**016/7182** PRINTING SERVICES FOR OTEN-DE. DOCUMENTS: \$110.00 PER SET

**6 November 2001**

**025/7223** PUBLIC SECTOR MANAGEMENT COURSE. DOCUMENTS: \$110.00 PER SET

#### TENDER DOCUMENT FEE

Tender documents for inspection and purchase, and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Public Works and Services. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further Information is available on the Internet (<http://www.dpws.nsw.gov.au/tenders>)

## Government Printing Service

### TENDERS FOR PRINTING

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer, Unit 5, Block V, 391 Park Road, Regents Park NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted. Special envelopes are available for this purpose.

**Advertised for 3 weeks closing 22nd October 2001.**

**Tender No. 22842**

Tenders are invited on behalf of the Australian Museum for the Design, film, printing, binding and distribution Australia wide of The Nature Australia Magazine

Tender documents will be available the 2nd of October 2001 from the contracts department of the NSW Government Printing Service. Job consists of 84pp plus cover 20,000 copies printed quarterly

For further information contact Gavin Potter or Phil Dobson on 9743 8777.

## Department Of Housing

“Tenderers are required to comply with the New South Wales Government’s Code of Practice and Tendering for the Construction Industry”

### WESTERNSYDNEY REGIONAL OFFICE

#### MAINTENANCE / UPGRADING

- 1) COLYTON / ST MARYS ( JOB NO WSR 1755) Approx 76 Properties
- 2) KINGSWOOD PARK / LEMONGROVE / MOUNT PLEASANT ( JOB NO WSR 1756) Approx 92 Properties
- 3) BLAXLAND / RICHMOND / WENTHWORTH FALLS / WINDSOR ( JOB NO WSR 1757) Approx 98 Properties

External Repairs / External Painting

Note: **CLOSING 10.00 AM TUESDAY OCTOBER 9, 2001**

- 1) BLACKTOWN / LALOR PARK / SEVEN HILLS ( JOB NO WSR 1750) Approx 155 Properties
- 2) DOONSIDE / MARAYONG / QUAKERS HILL / RIVERSTONE ( JOB NO WSR 1751) Approx 151 Properties

External Repairs / External Painting

Note: **CLOSING 10.00 AM TUESDAY OCTOBER 16, 2001.**

FULL BUILDERS LICENCE REQUIRED FOR ALL EXTERNAL REPAIRS / EXTERNAL PAINTING CONTRACTS.

#### LAWNMOWING / CLEANING

- 1) LALOR PARK / KINGS LANGLEY (JOB NO WSG 018) 17 Sites
- 2) SEVEN HILLS / BLACKTOWN ( JOB NO WSG 019) 12 Sites
- 3) SEVEN HILLS / BLACKTOWN / LALOR PARK (JOB NO WSG 021) 18 Sites

Lawns / Gardens / Common Area Cleaning

Note: **CLOSING 10.00 AM TUESDAY OCTOBER 9, 2001.**

Tender Fee: - \$55.00 (GST Included) per tender, payable by cheque or money order.

Phone: 9891 8402 / 9891 8180

Tender documents are available from Western Sydney Regional Office; 106-108 Church Street Parramatta and tenders close at that office.

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### ALBURY, HUME AND CULCAIRN DISTRICTS

Rural Fires Act 1997 — Section 82  
Revocation of the Bush Fire Danger Period

NOTICE is hereby given that the Superintendent for the Albury, Hume and Culcairn Districts, on 24th September, 2001, by instrument REVOKED the Bush Fire Danger Period within the City of Albury and the Shires of Hume and Culcairn from 1st October, 2001, until midnight on 30th November, 2001, in accordance with the provisions of the Rural Fires Act 1997. W. G. ALEXANDER, Superintendent, NSW Rural Fire Service, PO Box 1354, Albury, NSW 2640. [0844]

### BAULKHAM HILLS SHIRE COUNCIL

Naming of Roads

NOTICE is hereby given that Baulkham Hills Shire Council pursuant to the Roads Act 1993 (general regulations), has resolved to name the section of road described below as Kingcott Place.

Description

The additional section of Annangrove Road which runs parallel to the main road and provides access to No's 129 to 141 Annangrove Road and to Gibber Place.

For further enquiries regarding this matter please contact Council's Land Information Officer, Mrs Ana Kharoufeh on 9843 0436. DAVID MEAD, General Manager, Council Chambers, Castle Hill, NSW 2154. [0865]

### BEGA VALLEY SHIRE COUNCIL

Rural Fires Act 1997

Bush Fire Danger Period  
Bega Valley Rural Fire District

PURSUANT to section 82 of the Rural Fires Act 1997, notice is hereby given that the Bush Fire Danger Period for Bega Valley Rural Fire District, comprising Local Government area of Bega Valley Shire, commenced on 1st September, 2001, and shall continue until 1st March, 2002, unless otherwise notified. Persons wishing to light any fire in the open must first obtain a permit from the local permit issuing officer of the Rural Fire Brigade for the area in which they wish to burn. Fines apply for failure to comply with this Regulation. P. J. COLLINS, Fire Control Officer, Bega Valley Rural Fire Service, PO Box 684, Bega, NSW 2550. [0846]

### BEGA VALLEY SHIRE COUNCIL

Roads Act 1993 — Section 10  
Dedication of Land as Public Road

NOTICE is hereby given that the Bega Valley Shire Council pursuant to section 10 of the Roads Act 1993, dedicates the land in the Schedule as public road. D. G. JESSON, General Manager, Zingel Place (PO Box 492), Bega, NSW 2550.

## SCHEDULE

Lots 180 and 181, Deposited Plan 1011488, situated in the Parish of Tanja, County of Dampier. [0859]

### BOTANY BAY CITY COUNCIL

Tree Preservation Order

Botany Local Environmental Plan 1995 – Clause 6 and  
Environmental Planning and Assessment Model  
Provisions 1980 — Clause 8

PURSUANT to the provisions of Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, as adopted by Clause 6 of the Botany Local Environment Plan 1995, a Tree Preservation Order be and is hereby applied throughout the Botany Bay City Council Areas which:

- (1) Prohibits the ringbarking, cutting down, topping, lopping, removing, injuring, or wilful destruction of any tree or trees specified in this order except with the written consent of Council and such consent may be given subject to such conditions as the Council thinks fit; and
- (2) Applies to all trees exceeding 3 metres in height or with a trunk girth of over 600mm measured at 1 metre above ground on all land in the City of Botany Bay excepting those tree species and classes of trees identified in Schedule 1.

Notwithstanding the provisions of Clause (2) the prohibition contained in Clause (1) also applies to all trees (regardless of height or trunk girth) within the Eastern Suburbs Banksia Scrub, which is listed as an Endangered Plant Community under Part 3, Schedule 1 of the Threatened Species Conservation Act 1995.

A twelve month expiry date applies to consents obtained under the Tree Preservation Order.

## SCHEDULE 1

Botanical name	Common name
<i>Ligustrum sp.</i>	Privet
<i>Salix sp.</i>	Willows
<i>Cinnamomum camphora</i> (under 5 metres in height only)	Camphor Laurel
<i>Ficus elastica</i>	Rubber Tree
<i>Citrus sp.</i>	Lemons, Oranges, Mandarines
<i>Prunus sp.</i> (fruiting species only)	Peaches, Plums, Cherries, Apricots
<i>Malus sp.</i> (fruiting species only)	Apples
<i>Pyrus sp.</i> (fruiting species only)	Pears
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Nerium oleander</i>	Oleander
<i>Olea africana</i>	Wild Olive
<i>Senna pendula</i>	Cassia / Senna

<b>Botanical name</b>	<b>Common name</b>
<i>Ochna serrulata</i>	Birdseye Bush
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Toxicodendron succedaneum</i>	Rhus Tree

**Classes of Trees**

Trees that are also plant species declared noxious from time to time in the Botany Control Area under the Noxious Weeds Act 1993. [0873]

**CABOBOLAS RURAL FIRE SERVICE**

Rural Fires Act 1997 — Section 82  
Bushfire Danger Period

THE Canobolas Rural Fire Service advises that the Bush Fire Danger Period has been officially revoked for the period 1st October through to 31st October, 2001. Permits to burn will not be required during October unless conditions deteriorate. Should this occur a Public Notice will be advertised stating the permit requirements for burning off in the open. The Rural Fire Service will continue to monitor the level of risk and Bush Fire Danger throughout the Zone during the month of October. The Bush Fire Danger Period for the Canobolas Zone area is scheduled to commence as of 1st November, 2001. DAVID HOADLEY, Zone Manager, PO Box E4, East Orange, NSW 2800. [0869]

**GRIFFITH RURAL FIRE SERVICE**

Revocation of Bush Fire Danger Period 2001/02

PLEASE be advised that notice is hereby given that the Superintendent for Griffith Rural Fire District by his instrument in writing as revoked the statutory Bush Fire Danger Period in the Griffith Shire/Griffith Rural Fire District has been revoked from Monday, 1st October, 2001, until midnight, 31st October, 2001, both dates inclusive. This action has been taken due to the mostly mild and damp conditions prevailing in the Griffith Shire at this time as well as the advice of the brigades and the district bush fire management committee. S. J. GRAY, Superintendent, Griffith Rural Fire Service, 46 Jensen Road, Griffith, NSW 2680. [0866]

**HOLBROOK SHIRE COUNCIL**

Rural Fires Act 1997 — Section 82 (1) (b)  
Revocation of Bush Fire Danger Period

NOTICE is given that a delegate of Council in accordance with the provisions of section 82 (1) (b) of the Rural Fires Act 1997, on 21st September, 2001, REVOKED the Bush Fire Danger Period from midnight Sunday, 30th September, 2001, until midnight Friday, 30th November, 2001, within the Shire of Holbrook. P. J. DALEY, General Manager, Holbrook Shire Council, PO Box 99, Holbrook, NSW 2644. [0842]

**LEETON SHIRE COUNCIL**

Revocation of Fire Danger Period — Monday, 1st  
October to Wednesday, 31st October 2001

THE NSW Rural Fire Service wishes to advise it has revoked the Statutory Fire Danger Period within the Leeton Shire from Monday, 1st October to Wednesday,

31st October 2001, both dates inclusive. (This means that the Bush Fire Danger Period within the Leeton Shire will now commence on 1st November 2001). This decision has been taken due to the generally low fire danger existing over much of the Shire area. Owners and occupiers of land within the Shire are reminded that due care is still required when conducting burning off operations outside the fire danger period, as they are legally responsible for fires under their charge. Residents of the Shire are reminded that compliance with current air pollution guidelines is required in Leeton Shire. (Section 7 of the Clean Air (Control of Burning) Regulation (1995) — Protection of the Environment Operations Act (1997). Maximum Penalty \$660.00). Further information is available from Council offices. M. G. DANDO, Superintendent, Fire Control Officer, 23-25 Chelmsford Place, Leeton, NSW 2705. [0839]

**LITHGOW CITY COUNCIL**

Roads Act 1993 — Section 162  
Naming of Public Roads

NOTICE is hereby given that in accordance with section 162 (1) and (2) of the Roads Act 1993, Council has named the following roads as described below:

<i>Location</i>	<i>Name</i>
New road off Fullager Avenue, Bowenfels.	Willow Place.
New road off Baaners Lane, Little Hartley.	Bonnie Blink Drive.

STUART McPHERSON, General Manager, Lithgow City Council, PO Box 19, Lithgow, NSW 2790. [0848]

**MURRUMBIDGEE SHIRE RURAL FIRE DISTRICT**

Revocation of Fire Danger  
Monday, 1st October, 2001, to  
Wednesday, 31st October, 2001.

NOTICE is given that the Superintendent for the Murrumbidgee Fire District on the 21st September, 2001, by instrument has REVOKED the Bush Fire Danger Period within the Shire of Murrumbidgee from the 1st October, 2001, until midnight on the 31st October, 2001, in accordance with the provisions of the Rural Fires Act 1997. K. C. ADAMS, Superintendent, Murrumbidgee District, PO Box 5, Darlington Point, NSW 2706. [0850]

**NARROMINE SHIRE COUNCIL**

Roads Act 1993, Division 3, Section 31  
Fixing the Levels of a Public Road

NOTICE is hereby given by Narromine Shire Council that, pursuant to section 31, Division 3 of the Roads Act 1993, it intends to vary the levels of Main Road 354 (Tullamore to Narromine Road). This notice applies to the section of road between 32km900 and 34km900 from Narromine. Details of the work are shown on Council Plans 201\20\03. Dated at Narromine, 21st September, 2001. J. GARSIDE, General Manager, Narromine Shire Council, PO Box 115, Narromine, NSW 2821. [0867]

**TEMORA SHIRE COUNCIL**

NSW Rural Fires Act 1997 — Section 82  
Revocation of Bush Fire Danger Period

THE Temora Shire Council wishes to advise, under section 82 of the NSW Rural Fires Act 1997, the Bush Fire Danger Period within the Temora Shire has been revoked from Monday, 1st October, 2001, until Monday, 15th October, 2001. STEVE HOLDEN, Fire Control Officer, NSW Rural Fire Service, Temora District, PO Box 169, Temora, NSW 2666. [0874]

**TWEED SHIRE COUNCIL**

Roads Act 1993 — Section 10  
Dedication of Lands as Public Road

NOTICE is hereby given that the Tweed Shire Council, by resolution of the Council dated 4th April, 2001, has resolved to dedicate the land described hereunder as public road pursuant to section 10 of the Roads Act 1993. J. F. GRIFFIN, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah, NSW 2484.

## SCHEDULE

Lot 14, DP 772294. [0868]

**WAGGA WAGGA CITY RURAL FIRE DISTRICT**

Revocation of the Bush Fire Danger Period

I, Joe Knox, Superintendent for the Rural Fire District of the Wagga Wagga District under the provisions of the Wagga Wagga Service Level Agreement Schedule 3 S82, under delegation of section 377 of the Local Government Act 1993 and in pursuance of the provisions of section 82 of the Rural Fires Act 1997, by this instrument in writing, declare that the Bushfire Danger Period be revoked within the Wagga Wagga District until midnight on the 31st October, 2001. J. R. H. KNOX, Superintendent, NSW Rural Fire Service, Wagga Wagga District, 208 Fernleigh Road, Wagga Wagga, NSW 2650. [0849]

**WOLLONDILLY SHIRE COUNCIL**

Local Government Act 1993 — Section 50 (4)  
Vesting of Land in Council

NOTICE is hereby given that the Wollondilly Shire Council by resolution of the Council dated 26th February 2001, has resolved to vest itself with the land described hereunder pursuant to section 50 (4) of the Local Government Act 1993. G. TAYLOR, General Manager, Wollondilly Shire Council, 62-64 Menangle Street, Picton 2571.

## SCHEDULE

Lot 7 of DP 210329. [0838]



## COUNCIL OF YALLAROI SHIRE

Properties Eligible for Sale for Overdue Rates in Accordance with Section 713 (1), (2) of the Local Government Act 1993.

NOTICE is hereby given to persons named hereunder that the Council of the Shire of Yallaroi has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the person(s) named appear to be the owner or in which they appear to have an interest and on which the amount of rates and charges stated in each case, as at the 31st August, 2001, is due:

Owner(s) or persons having an interest in the land	Description of Property	Amount of rates (including extra charges) overdue more than five years	Amount of all other rates (including extra charges) due and in arrears	Total
(a)	(b)	(c) \$	(d) \$	(e) \$
Stephen Garry and Lynn Janis Dovey	Lot 13, DP 731038, Parish Hollingsworth	1665.57	4229.27	5894.84
Garry John Shannon	Lots 8 and 9, DP 758471, Parish Gravesend	3190.01	2418.81	5608.82
Leslie Herbert, Amparo Le Nepveu and Westpac Banking Corporation	Lot 16, DP 714356, Parish Vicars	1408.50	1031.18	2439.68
Jason Alexander and Leslie Rhonda Rutherford	Lots 10 and 11, DP 759052, Parish Warialda	1969.20	2670.56	4639.76
Garry Thomas, Noleen Lorna Lorraine Bussell and Commonwealth Bank of Australia	Lot 1, DP 759052, Parish Warialda	5412.50	3981.83	9394.33
Trevor John, Vivianne Lorraine Bussell and Westpac Banking Corporation	Lot 3, DP 759052, Parish Warialda	5049.57	3683.14	8732.71
John David Keaton	Lot 193, DP 751137, Parish Warialda	724.94	506.75	1231.69
Stephen Thomas Boxsell	Lot 216, DP751137, Parish Warialda	725.95	1553.76	2279.71
Leslie James, Zola Maree Roby and Westpac Banking Corporation	Lots 204 and 205, DP 751137, Parish Warialda	724.94	184.69	909.63
Mark Edward, Rebecca Alfonso Champley	Lot 63, DP 751115, Parish Coolatai	823.68	206.67	1030.35
Christopher Shane Beadle	Lot 126, DP 802394, Parish Gravesend	725.95	353.27	1079.22
Brian Vincent Pettigrew and Commonwealth Bank of Australia	Lot 1, DP 713780, Parish Warialda	2659.22	713.51	3372.73
Brian Vincent Pettigrew and Commonwealth Bank of Australia	Lot 278, DP 751137, Parish Warialda	4960.87	1297.05	6257.92
Leslie James, Zola Maree Roby and Westpac Banking Corporation	Lot 5, section F, DP 5723, Parish Warialda	725.95	252.68	978.63
Anthony Henry, Belinda Hyles, Westpac Banking Corporation and NSW Rural Assistance Authority	Lots 1 and 2, DP 633483 and Lot 98, DP 44043, Parish Yagobie	14106.60	3383.48	17,490.08
James David Richard Wheeler	Lot 65, DP 751115, Parish Coolatai	725.95	602.69	1328.64

In default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person(s), before the time fixed for the sale, the said land will be offered for sale by public auction by McGregors Agricultural Services in the Council Chambers, Hope Street, Warialda, NSW, on Saturday, 9th February, 2002, at 10.00 a.m. J. J. GOSSAGE, General Manager, Yallaroi Shire Council, PO Box 93, Warialda, NSW 2402. [0847]

### ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of CATHERINE GOLIGHTLY CRAWFORD, late of Lurnea, in the State of New South Wales, widow, who died on 23rd May, 2001, must send particulars of his claim to the executrix, Margaret Catherine Isobel Christina Williams (in the Will called Margaret Isabel Christine Catherine Williams), c.o. Kencalo & Ritchie, Solicitors, 96 Moore Street, Liverpool, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 10th September, 2001. KENCALO & RITCHIE, Solicitors, 96 Moore Street, Liverpool, NSW 2170, (DX 5003, Liverpool), tel.: (02) 9602 8333. [0841]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of KENNETH JOHN FOWLER, late of Lane Cove, in the State of New South Wales, who died on 12th June, 2001, must send particulars of his claim to the executors, Phillip Stephen Fowler and Penelope Anne Fowler, c.o. A. E. Whatmore, G. C. M. Gee & Co., Solicitors, 5/46 Burns Bay Road, Lane Cove, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 17th September, 2001. A. E. WHATMORE, G. C. M. GEE & CO., Solicitors, 5/46 Burns Bay Road, Lane Cove, NSW 2066, (DX 23306, Lane Cove), tel.: (02) 9427 0400. [0843]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of NORMAN JOSEPH MOUSSA, late of 1/4 King Street, Enfield, in the State of New South Wales, night manager, who died on 25th November, 2000, must send particulars of his/her claim to the executor, Janet Sinclair Moussa, c.o. Colquhoun & Colquhoun, Solicitors, 588 Darling Street, Rozelle, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Letters of Administration were granted in New South Wales on 14th September, 2001. COLQUHOUN & COLQUHOUN, Solicitors, 588 Darling Street, Rozelle, NSW 2039. [0845]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of GREGORY JOSEPH DUFFY, late of 54B Grove Avenue, Narwee, in the State of New South Wales, retired clerk, who died on 15th March, 2001, must send particulars of the claim to the executor, John David Waugh, c.o. Deacons, Lawyers, 1 Alfred Street, Sydney, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 27th

August, 2001. DEACONS, Lawyers, 1 Alfred Street (PO Box 3872), Circular Quay, Sydney, NSW 2000, (DX 368, Sydney), tel.: 9330 8184. [0852]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SELMA VERNON LAWSON, late of Bowral, in the State of New South Wales, widow, who died on 13th June, 2001, must send particulars of the claim to the executor, Ian Edward Leon Webster, c.o. Deacons, Lawyers, 1 Alfred Street, Sydney, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 12th September, 2001. DEACONS, Lawyers, 1 Alfred Street (PO Box 3872), Circular Quay, Sydney, NSW 2000, (DX 368, Sydney), tel.: 9330 8184. [0853]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of NORMAN STANLEY GUEST, late of East Gosford, in the State of New South Wales, cab driver, who died on 25th April, 2001, must send particulars of his claim to the executor, Richard Norman Guest, c.o. John G Burton & Associates, Solicitors, 16 Adelaide Street, East Gosford, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 17th July, 2001. JOHN G BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250, (DX 7263, Gosford), tel.: (02) 4323 4899. [0854]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of REBECCA O'HARA, late of Point Frederick, in the State of New South Wales, retired court reporter, who died on 22nd March, 2001, must send particulars of his claim to the executor, Maree Ann O'Hara, c.o. John G Burton & Associates, Solicitors, 16 Adelaide Street, East Gosford, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 7th August, 2001. JOHN G BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250, (DX 7263, Gosford), tel.: (02) 4323 4899. [0855]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LAUREL IRENE NEIL, late of 16 Hawksview Street, Guildford, in the State of New South Wales, widow, who died on 25th March, 2001, must send particulars of his/her claim to the executor, Raymond Alfred Neil, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has

notice. Probate was granted in New South Wales on 12th September, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160, (DX 25406, Merrylands), tel.: (02) 9682 3777. [0856]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of WINIFRED WILTSHIRE, late of 1 Orchard Street, Balgowlah, in the State of New South Wales, widow, who died on 24th July, 2001, must send particulars of his claim to the executor, Philip Lewis Abigail, c.o. Abigails, Solicitors, 400 Sydney Road, Balgowlah, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 7th September, 2001. ABIGAILS, Solicitors, 400 Sydney Road, Balgowlah, NSW 2093, tel.: (02) 9948 0264. [0858]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ELLEN ELIZABETH ANNE NEVILLE, late of Redfern, in the State of New South Wales, canteen manager, who died on 11th October, 2000, must send particulars of his claim to the executor, Ruth Colston Dowd, c.o. M. F. Crawley, Solicitor, 148 Brook Street, Coogee, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 21st August, 2001. M. F. CRAWLEY, Solicitor, 148 Brook Street, Coogee, NSW 2034, tel.: (02) 9665 5474. [0863]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HERBERT WILLIAM EMERY, late of 38 Grove Street, Earlwood, in the State of New South Wales, designer, who died on 10th April, 2001, must send particulars of the claim to the executor, Donald Nicholson, c.o. Deacons, Lawyers, 1 Alfred Street, Sydney, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 30th July, 2001. DEACONS, Lawyers, 1 Alfred Street (PO Box 3872), Circular Quay, Sydney, NSW 2000, (DX 368, Sydney), tel.: 9330 8184. [0864]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DONALD JOSEPH STUART, late of Villa 14, Cardinal Gilroy Village, Barcom Street, Merrylands, in the State of New South Wales, plumber, who died on 27th July, 1998, must send particulars of his/her claim to the executrix, Carole Ann Smith, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executrix has notice.

Probate was granted in New South Wales on 17th September, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160, (DX 25406, Merrylands), tel.: (02) 9682 3777. [0870]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JACK FREDERICK SEABURY, late of 28 Richardson Street, Merrylands, in the State of New South Wales, clerk, who died on 11th June, 2001, must send particulars of his/her claim to the executrix, Gwenneth Lavean Seabury, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executrix has notice. Probate was granted in New South Wales on 19th September, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160, (DX 25406, Merrylands), tel.: (02) 9682 3777. [0871]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of PEARL MALVENA LANE, late of Room 8, John Woodward House, Cardinal Gilroy Village, Barcom Street, Merrylands, in the State of New South Wales, widow, who died on 20th June, 2001, must send particulars of his/her claim to the executor, Noel David McDonald, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 27th August, 2001. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160, (DX 25406, Merrylands), tel.: (02) 9682 3777. [0872]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOHN WILLIAM CHATAWAY, late of 10/1B Kincora Road, Hawthorn, in the State of Victoria, meteorologist, who died on 25th January, 2001, must send particulars of his/her claim to the executors, Paul Vincent Chataway and Erica Lucy Lloyd-Smith, c.o. Toomey Pegg Drevikovskiy, Lawyers, Level 9, 167 Macquarie Street, Sydney, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 14th September, 2001. TOOMEY PEGG DREVIKOVSKY, Lawyers, Level 9, 167 Macquarie Street, Sydney, NSW 2000, tel.: (02) 9231 6000. [0875]

## COMPANY NOTICES

NOTICE of second meeting of creditors of a company under administration.—CARDSOFT PTY LIMITED (Administrator appointed), A.C.N. 075 871 911.—NOTICE is given that a meeting of the creditors of the abovenamed company will be held pursuant to section 439A of the Corporations Act at the offices of Stockford

Limited, Level 22, 207 Kent Street, Sydney, on Friday, 28th September, 2001, at 10.00 a.m. Agenda: (1) To discuss the Administrator's report to creditors. (2) To consider the following resolutions: (i) To adjourn the meeting for up to 60 days; (ii) That the company execute a Deed of Company Arrangement; or (iii) That the Administration should end; or (iv) That the company be wound up. (3) To approve the Administrator's remuneration. (4) To consider any other business. Dated this 24th day of September, 2001. G. T. HANCOCK, Administrator, c.o. Stockford Limited, Level 22, 207 Kent Street, Sydney, NSW 2000, tel.: (02) 9921 5400. [0851]

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NOTICE of Dissolution of Partnership.—Notice is hereby given that the partnership previously subsisting between Judith Heather Paris and Anthony Warren Edward Phillips carrying on business as INTEGRITY FRAIL AGED AND DISABILITY SUPPORT SERVICES at 284 Meade Street, Glen Innes, has been dissolved as from 31st July, 2001. ABBOTT PARDY & JENKINS (incorporating Tilbury & Co), Lawyers, 342 Grey Street (PO Box 82), Glen Innes, NSW 2370 (DX 6050, Glen Innes), tel.: (02) 6732 2022. [0857]

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NOTICE of final meeting of members.—CECIL R PIERCE (SALES) PTY LIMITED (in voluntary liquidation), A.C.N. 000 499 258.—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovenamed company will be held at the offices of Gordon Channell & Associates, Unit 3, "Norberry Terrace", 177-199 Pacific Highway, North Sydney, on 31st October, 2001, at 4.15 p.m., for the purpose of laying before the meeting the liquidator's final account and report and giving any explanations thereof. G. C. CHANNELL, Liquidator, c.o. Gordon Channell & Associates, Certified Practising Accountant, Unit 3, "Norberry Terrace", 177-199 Pacific Highway, North Sydney, NSW 2060, tel.: (02) 9923 1544. [0860]

NOTICE of final meeting of members.—CECIL R PIERCE PTY LIMITED (in voluntary liquidation), A.C.N. 000 242 544.—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovenamed company will be held at the offices of Gordon Channell & Associates, Unit 3, "Norberry Terrace", 177-199 Pacific Highway, North Sydney, on 31st October, 2001, at 4.00 p.m., for the purpose of laying before the meeting the liquidator's final account and report and giving any explanations thereof. G. C. CHANNELL, Liquidator, c.o. Gordon Channell & Associates, Certified Practising Accountant, Unit 3, "Norberry Terrace", 177-199 Pacific Highway, North Sydney, NSW 2060, tel.: (02) 9923 1544. [0861]

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NOTICE convening final meeting of members and creditors.—GUNEK ENTERPRISES PTY LIMITED (in liquidation), A.C.N. 051 622 916.—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final general meeting of the abovenamed company will be held at the office of Lower, Russell & Farr, Corner Henry and Lawson Streets, Penrith, on 18th October, 2001, at 10.00 a.m., for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and of hearing any explanations that may be given by the liquidator. Persons claiming to be creditors are required to prove their debt by no later than 4.00 p.m. on the previous day. In default they will be excluded from the benefit of the dividend. Dated this 27th day of September, 2001. STEPHEN HENRY LOWER, Liquidator, c.o. Lower, Russell & Farr, Chartered Accountants, Corner Henry and Lawson Streets (PO Box 459), Penrith, NSW 2751, tel.: (02) 4732 3033. [0862]