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OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 17 June 2002

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. 19, 2002 – An Act to amend the Local Government Act 1993 to enable prompt action to be taken against councils, councillors and council staff involved in serious corrupt conduct; to amend the Independent Commission Against Corruption Act 1988; and for other purposes. [Local Government Amendment (Anti-Corruption) Bill]

RUSSELL D. GROVE PSM
Clerk of the Legislative Assembly

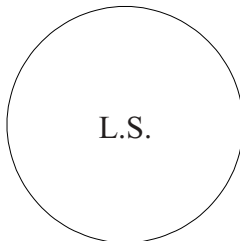
Proclamations

Criminal Legislation Amendment Act 2001 No 117—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (1) of the *Criminal Legislation Amendment Act 2001*, do, by this my Proclamation, appoint 1 July 2002 as the day on which Schedule 6 [2]–[9] to that Act commences.

Signed and sealed at Sydney, this 12th day of June 2002.



By Her Excellency's Command,

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

Explanatory note

The object of this proclamation is to commence amendments to the *Criminal Appeal Act 1912* that make provision for notices of intention to appeal, and notices of intention to apply for leave to appeal, to the Court of Criminal Appeal against a conviction or sentence.

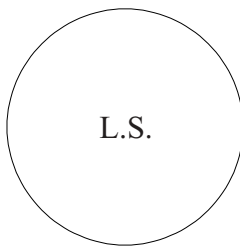
Environment Protection Legislation Amendment Act 2002 No 14—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Environment Protection Legislation Amendment Act 2002*, do, by this my Proclamation, appoint:

- (a) 28 June 2002 as the day on which sections 1–3 and 7 of, and Schedule 1 and Schedule 5.2 to, that Act commence, and
- (b) 1 July 2002 as the day on which the other provisions of that Act commence.

Signed and sealed at Sydney, this 19th day of June 2002.



By Her Excellency's Command,

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

GOD SAVE THE QUEEN!



Proclamation

under the

International Transfer of Prisoners (New South Wales) Act 1997
No 144

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *International Transfer of Prisoners (New South Wales) Act 1997*, do, by this my Proclamation, appoint 1 July 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 12th day of June 2002.

By Her Excellency's Command,



L.S.

RICHARD AMERY, M.P.,
Minister for Corrective Services

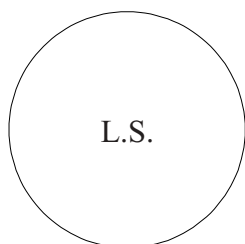
GOD SAVE THE QUEEN!

Police Service Act 1990—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 34 of the *Police Service Act 1990*, do, by this my Proclamation, with effect on and from 1 July 2002, amend Schedule 2 (Police Service senior executive positions) to that Act as set out in the Schedule to this Proclamation.

Signed and sealed at Sydney, this 19th day of June 2002.



By Her Excellency's Command,

MICHAEL COSTA, M.L.C.,
Minister for Police

GOD SAVE THE QUEEN!

Schedule Amendment of Schedule 2 (Police Service senior executive positions) to the Act

- (1) Omit the position of Deputy Commissioner (3 positions).

Insert instead:

Deputy Commissioner (2 positions)

Senior Assistant Commissioner

Police Service Act 1990—Proclamation

(2) Omit the following positions:

Commander, Crime Agencies

Commander—Region (11 positions)

Director, Information and Intelligence Centre

Insert instead the following positions:

Region Commander—Assistant Commissioner (5 positions)

Director, Crime Investigation Intelligence Agency

Regulations

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

under the

Electricity Safety Act 1945

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Safety Act 1945*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Electricity Safety (Equipment Efficiency) Regulation 1999* so as:

- (a) to update references to certain Australian/New Zealand Standards with respect to single phase airconditioners, and so extend the operation of that Regulation to airconditioners with a cooling output capacity of more than 7.5kW, and
- (b) to enable energy efficiency labels to be attached to three phase airconditioners and to three phase electric motors, and
- (c) to ensure that both current and future amendments to that Regulation, or to any Australian/New Zealand Standard adopted by that Regulation, do not affect existing stocks of electrical articles, and
- (d) to make minor, consequential and ancillary amendments to that Regulation.

This Regulation is made under the *Electricity Safety Act 1945*, including section 37 (the general power to make regulations).

Clause 1 Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

1 Name of Regulation

This Regulation is the *Electricity Safety (Equipment Efficiency) Amendment Regulation 2002*.

2 Amendment of Electricity Safety (Equipment Efficiency) Regulation 1999

The *Electricity Safety (Equipment Efficiency) Regulation 1999* is amended as set out in Schedule 1.

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 3 Definitions

Insert “, being a standard published by Standards Australia or a standard published jointly by Standards Australia and Standards New Zealand” after “to the article” in the definition of *relevant standard* in clause 3 (1).

[2] Clause 3 (1), definition of “scheduled electrical article”

Omit the definition.

[3] Clause 3 (4)

Insert after clause 3 (3):

- (4) Without limiting subclause (3), a reference in this Regulation to an electrical article listed in Schedule 2 or 3 extends only to an electrical article to which the relevant standard for that kind of article applies.

[4] Clause 5 Minimum standards

Omit clause 5 (1A).

[5] Clause 5 (2)

Insert “and performance criteria” after “energy efficiency requirements”.

[6] Clause 6

Omit the clause. Insert instead:

6 Registration of electrical articles

An electrical article listed in Schedule 2 or 3 may be registered by the Corporation.

[7] Clause 7 Applications for registration

Omit “a scheduled electrical article” from clause 7 (1).

Insert instead “an electrical article listed in Schedule 2 or 3”.

Page 3

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

Schedule 1 Amendments

[8] Section 7 (2) (a)

Omit “Part 2 of”.

[9] Section 7 (2) (a1)

Insert after section 7 (2) (a):

- (a1) if the applicant’s address is not in Australia or New Zealand, include the name and address of a person in Australia or New Zealand who can provide information about the application, and

[10] Section 7 (3) (a)

Insert “(in the form, if any, set out in the relevant standard)” after “in writing”.

[11] Clause 7 (7), (8) and (9)

Omit the subclauses.

[12] Clause 12 Cancellation of registration

Insert “or performance criteria” after “requirements” in clause 12 (1) (a) (ii).

[13] Clause 14 Sale of certain electrical articles

Omit “a scheduled electrical article” from clause 14 (1).

Insert instead “an electrical article listed in Schedule 2 or 3”.

[14] Clause 15 Certain electrical articles to be appropriately labelled when sold

Omit clause 15 (4) (a) and (c).

[15] Clause 15A

Insert after clause 15:

15A Other electrical articles may be appropriately labelled when sold

- (1) This clause applies to electrical articles listed in Schedule 3.

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

Amendments

Schedule 1

-
- (2) A person must not sell an electrical article on which an energy efficiency label is displayed unless the label is an approved energy efficiency label.

Maximum penalty: 20 penalty units.

[16] Clause 16 Use of display fronts

Omit clause 16 (2).

[17] Clause 17 Approval of energy efficiency label

Insert after clause 17 (1):

- (1A) The Corporation may approve an energy efficiency label for any electrical article listed in Schedule 3 that it registers.
- (1B) In the case of a rotating electrical machine (three phase), such an approval may be given only if the Corporation is satisfied that the machine satisfies the requirements of the relevant standard for high efficiency rotating electrical machines.

[18] Clause 17 (2) (a)

Omit the paragraph.

[19] Clause 17 (3)

Omit the subclause.

[20] Clauses 24 and 25

Omit clause 24. Insert instead:

24 Transitional provisions for existing goods affected by changes to Regulation or to relevant standards

- (1) This Regulation does not apply to an electrical article that (but for this clause) would become subject to this Regulation as a consequence of an amendment to this Regulation or to a relevant standard if the electrical article was manufactured in or imported into Australia before the amendment took effect.
- (2) This clause extends to the amendments made to this Regulation by the *Electricity Safety (Equipment Efficiency) Amendment Regulation 2002*.

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

Schedule 1 Amendments

25 Transitional provisions for existing goods affected by changes in performance criteria or energy efficiency requirements

- (1) This clause applies to an electrical article in respect of which:
- (a) there is a change in the performance criteria referred to in clause 5 (1), or
 - (b) there is a change in the energy efficiency requirements or performance criteria referred to in clause 5 (2),
- as a consequence of an amendment to this Regulation or to a relevant standard.
- (2) This Regulation or the relevant standard, as the case may be, applies to such an electrical article as if the amendment had not been made if the electrical article was manufactured in or imported into Australia before the amendment took effect.
- (3) This clause extends to the amendments made to this Regulation by the *Electricity Safety (Equipment Efficiency) Amendment Regulation 2002*.

[21] Schedules 2 and 3

Omit the Schedules. Insert instead:

Schedule 2 Standards for electrical articles that require registration and labelling

(Clause 3 (1))

Article	Relevant standard
Airconditioners and heat pumps (single phase)	AS/NZS 3823.1.1:1998, <i>Performance of electrical appliances—Airconditioners and heat pumps—Part 1.1: Non-ducted airconditioners and heat pumps—Testing and rating for performance</i>
	AS/NZS 3823.1.2:2001, <i>Performance of electrical appliances—Airconditioners and heat pumps—Part 1.2: Test methods—Ducted airconditioners and air-to-air heat pumps—Testing and rating for performance</i>

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

Amendments

Schedule 1

Article	Relevant standard
Clothes washing machine	<p>AS/NZS 3823.2:2001, <i>Performance of electrical appliances—Airconditioners and heat pumps—Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements</i></p> <p>AS/NZS 2040.1:1998, <i>Performance of household electrical appliances—Clothes washing machines—Part 1: Energy consumption and performance</i></p> <p>AS/NZS 2040.2:2000, <i>Performance of household electrical appliances—Clothes washing machines—Part 2: Energy labelling requirements</i></p>
Dishwasher	<p>AS/NZS 2007.1:1998, <i>Performance of household electrical appliances—Dishwashers—Part 1: Energy consumption and performance</i></p> <p>AS/NZS 2007.2:2000, <i>Performance of household electrical appliances—Dishwashers—Part 2: Energy labelling requirements</i></p>
Refrigerating appliance	<p>AS/NZS 4474.1:1997, <i>Performance of household electrical appliances—Refrigerating appliances—Part 1: Energy consumption and performance</i></p> <p>AS/NZS 4474.2:2000, <i>Performance of household electrical appliances—Refrigerating appliances—Part 2: Energy labelling and minimum energy standard requirements</i></p>
Rotary clothes dryer	<p>AS/NZS 2442.1:1996, <i>Performance of household electrical appliances—Rotary clothes dryers—Part 1: Energy consumption and performance</i></p> <p>AS/NZS 2442.2:2000, <i>Performance of household electrical appliances—Rotary clothes dryers—Part 2: Energy labelling requirements</i></p>

Electricity Safety (Equipment Efficiency) Amendment Regulation 2002

Schedule 1 Amendments

Schedule 3 Standards for electrical articles that require registration only

(Clause 5 (2))

Article	Relevant standard
Airconditioners and heat pumps (three phase)	<p>AS/NZS 3823.1.1:1998, <i>Performance of electrical appliances—Airconditioners and heat pumps—Part 1.1: Non-ducted airconditioners and heat pumps—Testing and rating for performance</i></p> <p>AS/NZS 3823.1.2:2001, <i>Performance of electrical appliances—Airconditioners and heat pumps—Part 1.2: Test methods—Ducted airconditioners and air-to-air heat pumps—Testing and rating for performance</i></p> <p>AS/NZS 3823.2:2001, <i>Performance of electrical appliances—Airconditioners and heat pumps—Part 2: Energy labelling and minimum energy performance standard (MEPS) requirements</i></p>
Rotating electrical machines (three phase)	AS/NZS 1359.5:2000, <i>Rotating electrical machines—General requirements—Part 5: Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements</i>
Storage water heater—unvented without an attached feed tank	AS 1056.1—1991, <i>Storage water heaters—Part 1: General requirements</i> (clause 2.4 “Thermal Insulation”)

Protection of the Environment Operations (Penalty Notices) Amendment (Waste Offences) Regulation 2002

under the

Protection of the Environment Operations Act 1997

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

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

Explanatory note

The objects of this Regulation are as follows:

- (a) to remove references to short descriptions of offences as a result of the repeal of section 145B of the *Justices Act 1902* and to make consequential amendments,
- (b) to omit out-of-date references to officers of the Bicentennial Park Trust,
- (c) to increase to \$1,500 and \$5,000, respectively, the penalties for individuals and corporations issued penalty notices for the offence of transporting waste to a place that cannot lawfully be used as a waste facility for that waste, if the waste comprises asbestos or hazardous waste, or is more than 1 cubic metre in volume or 2 tonnes in weight,
- (d) to increase to \$1,500 and \$5,000, respectively, the penalties for individuals and corporations issued penalty notices for the offence of permitting land to be used as a waste facility that cannot lawfully be used as a waste facility,

Protection of the Environment Operations (Penalty Notices) Amendment (Waste Offences)
Regulation 2002

Explanatory note

- (e) to enable officers or employees of the Sydney Catchment Authority to issue penalty notices for offences relating to the release of balloons.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 226, section 227 and section 323 (the general regulation-making power).

Protection of the Environment Operations (Penalty Notices) Amendment
(Waste Offences) Regulation 2002

Clause 1

Protection of the Environment Operations (Penalty Notices) Amendment (Waste Offences) Regulation 2002

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Penalty Notices) Amendment (Waste Offences) Regulation 2002*.

2 Commencement

This Regulation commences on 1 July 2002.

3 Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 1999

The *Protection of the Environment Operations (Penalty Notices) Regulation 1999* is amended as set out in Schedule 1.

Protection of the Environment Operations (Penalty Notices) Amendment
(Waste Offences) Regulation 2002

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

- [1] Clause 6 Authorised officers: section 226**
Omit “Column 3” wherever occurring. Insert instead “Column 2”.
- [2] Clause 6 (5) (i)**
Omit “of the Bicentennial Park Trust”.
- [3] Clause 7 Amounts of penalty payable: section 227**
Omit “Column 4” from clause 7 (a). Insert instead “Column 3”.
- [4] Clause 7 (b)**
Omit “Column 5” wherever occurring. Insert instead “Column 4”.
- [5] Clause 9 Short descriptions: section 145B of Justices Act 1902**
Omit the clause.
- [6] Schedule 1 Penalty notice offences**
Omit Column 2.
- [7] Schedule 1**
Re-number Columns 3, 4 and 5 as Columns 2, 3 and 4, respectively.

Protection of the Environment Operations (Penalty Notices) Amendment
(Waste Offences) Regulation 2002

Amendments

Schedule 1

[8] Schedule 1

Omit the matter relating to sections 143 and 144 under the heading “Protection of the Environment Operations Act 1997”.

Insert instead in Columns 1, 2, 3 and 4 (as renumbered by this Regulation):

Section 143: Transfer waste, being waste comprising asbestos waste or hazardous waste, or any other waste greater than 1 cubic metre in volume or 2 tonnes in weight, to a place that cannot lawfully be used as a waste facility for that waste	1, 2	\$1500	\$5000
Section 143: Transfer waste to a place that cannot lawfully be used as a waste facility for that waste	1, 2	\$750	\$1500
Section 144	1, 2	\$1500	\$5000

[9] Schedule 1

Insert “14,” after “13,” wherever occurring in Column 2 (as renumbered by this Regulation) of the matter relating to section 146E (1), (2) and (3) under the heading “Protection of the Environment Operations Act 1997”.

**PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) AMENDMENT
(CONTRIBUTIONS) REGULATION 2002**

ERRATUM

IN the *Government Gazette* No. 98 of 14 June 2002, starting on folio 4196, the Protection of the Environment Operations (Waste) Amendment (Contributions) Regulation 2002 was published incorrectly.

The line showing

“CARMEL TEBBUTT, M.L.C.,
Minister for the Environment”

should have read

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

this erratum amends that error.

Public Authorities (Financial Arrangements) Amendment (Delta Electricity) Regulation 2002

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

Schedule 4 to the *Public Authorities (Financial Arrangements) Act 1987* provides that such additional investments as are prescribed are authorised for authorities that may exercise powers under certain Parts of Schedule 4 to that Act.

The object of this Regulation is to prescribe additional investments as authorised investments for Delta Electricity, an authority that may exercise Part 3 investment powers, and for Delta Electricity Australia Pty Ltd, an authority that may exercise Part 1 investment powers.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including sections 24 and 43 (the general regulation-making power) and Schedule 4.

Clause 1 Public Authorities (Financial Arrangements) Amendment (Delta Electricity)
 Regulation 2002

Public Authorities (Financial Arrangements) Amendment (Delta Electricity) Regulation 2002

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Delta Electricity) Regulation 2002*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

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

Public Authorities (Financial Arrangements) Amendment (Delta Electricity)
Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clauses 52H and 52I

Insert after clause 52G:

52H Additional investment—Delta Electricity

The following additional investment is prescribed in respect of Delta Electricity for the purposes of clause 4 (1) (l) of Schedule 4 to the Act:

Investment, made on terms and conditions approved by the Treasurer, in Delta Electricity Australia Pty Ltd (ACN 074 408 923).

52I Additional investment—Delta Electricity Australia Pty Ltd

The following additional investment is prescribed in respect of Delta Electricity Australia Pty Ltd (ACN 074 408 923) for the purposes of clause 2 (c) of Schedule 4 to the Act:

Investment, made on terms and conditions approved by the Treasurer, in connection with the Sunshine Electricity Joint Venture.

Public Authorities (Financial Arrangements) Amendment (Waste Recycling and Processing Corporation) Regulation 2002

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, on the recommendation of the Treasurer and the Minister for the Environment, and 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

At present, the Waste Recycling and Processing Corporation has Part 3 investment powers under the *Public Authorities (Financial Arrangements) Act 1987*. The object of this Regulation is to confine the investment powers of the Waste Recycling and Processing Corporation to the powers conferred by Part 2 of Schedule 4 to that Act.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including sections 24 and 43 (the general regulation-making power).

Clause 1 Public Authorities (Financial Arrangements) Amendment (Waste Recycling and Processing Corporation) Regulation 2002

Public Authorities (Financial Arrangements) Amendment (Waste Recycling and Processing Corporation) Regulation 2002

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Waste Recycling and Processing Corporation) Regulation 2002*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

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

Schedule 1 Amendments

(Clause 2)

[1] Schedule 1 Authorities having Part 2 investment powers

Insert in alphabetical order:

Waste Recycling and Processing Corporation

[2] Schedule 2 Authorities having Part 3 investment powers

Omit "Waste Recycling and Processing Corporation".

Rules

Land and Environment Court Rules (Amendment No 6) 2002

under the

Land and Environment Court Act 1979

The Judges of the Land and Environment Court made the following rules of court under the *Land and Environment Court Act 1979* on 19 June 2002.

Megan Greenwood

Registrar of the Land and Environment Court

Explanatory note

The object of these Rules is to amend the *Land and Environment Court Rules 1996* to extend the hours of the Court Registry from 8.30 am to 5 pm.

Land and Environment Court Rules (Amendment No 6) 2002

1 Name of rules

These rules are the *Land and Environment Court Rules (Amendment No 6) 2002*.

2 Commencement

These rules commence on 1 July 2002.

3 Amendment of Supreme Court Rules 1970

The *Land and Environment Court Rules 1996* are amended by omitting from Part 5 Rule 2(1) the words “between 9 am and 4 pm” and by substituting the words “between 8.30 am and 5 pm”.

Land and Environment Court Rules (Amendment No 7) 2002

under the

Land and Environment Court Act 1979

Pursuant to section 74 of the *Land and Environment Court Act 1979* we have this day made the Rules set forth hereunder.

Dated, this 19th day of June 2002.

.....
M.L. Pearlman AM Chief Judge

.....
N.R. Bignold Judge

.....
R.N. Talbot Judge

Rule 1 Land and Environment Court Rules (Amendment No 7) 2002

Land and Environment Court Rules (Amendment No 7) 2002

1 Name of Rules

These Rules are the *Land and Environment Court Rules (Amendment No 7) 2002*.

2 Commencement

These Rules commence on 1 July 2002.

3 Amendment of Land and Environment Court Rules 1996

The *Land and Environment Court Rules 1996* are amended as set out in Schedule 1.

Land and Environment Court Rules (Amendment No 7) 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Rule 3)

Part 19

Insert after Part 18:

Part 19 Electronic information management systems

1 Application of Part to Class 1–4 matters only

This Part applies only to matters within Class 1, 2, 3 or 4 of the Court's jurisdiction.

2 Information management system for proceedings

The Registrar is to establish and maintain an electronic information management system comprising:

- (a) an *electronic process filing system* (or *EPF system*), for the purpose of enabling documents to be created, filed or served electronically,
- (b) an *electronic register of proceedings*, for the purpose of enabling information with respect to proceedings to be made available in electronic form.

3 Registration of users of electronic process filing system

- (1) A person may become a registered user of the EPF system by applying to the Registrar (whether by means of the system or otherwise) for registration as a user of the system.
- (2) A person may be registered as a user for all proceedings to which the user is a party, or for particular proceedings only, as specified in the application.
- (3) A person may be registered:
 - (a) as a *public user*, being a user who agrees to accept service of process by means of the EPF system for all proceedings to which the user is a party, or

Page 3

Land and Environment Court Rules (Amendment No 7) 2002

Schedule 1 Amendment

(b) as a *private user*, being a user who does not so agree, as specified in the application.

- (4) A person may not be registered as a public user unless the person provides the Registrar with an email address to which documents can be delivered to the person by means of the EPF system.

4 Electronic creation, filing and service of documents generally

- (1) A registered user for any proceedings may, by means of the EPF system, file or create documents in relation to those proceedings.
- (2) A registered user for any proceedings may also, by means of the EPF system, serve a document so filed or created:
- (a) on a public user, or
- (b) on a private user who has agreed, in relation to the proceedings, to accept service of process by means of the system.
- (3) A document filed by means of the EPF system must be in an electronic format approved by the Registrar as appropriate for documents filed by means of the system.
- (4) A document created by means of the EPF system:
- (a) in the case of a document authorised or required to be issued by the Registrar, is taken to have been issued by the Registrar, or
- (b) in the case of a document authorised or required to be filed by a party, is taken to have been filed by the party.
- (5) A document filed or served by means of the EPF system (including a document created by means of the system) is taken to have been filed or served in accordance with these rules.
- (6) Any provision of these rules:
- (a) that requires multiple copies of a document to be filed, or
- (b) that requires multiple copies of a document to be served on a party,
- does not apply to a document that is filed or served by means of the EPF system.

Land and Environment Court Rules (Amendment No 7) 2002

Amendment

Schedule 1

-
- (7) Part 8 applies to the service on a party of a paper copy of a document that has been filed or created by means of the EPF system, but that has not been served on the party by means of that system, in the same way as it applies to the service of any other document.

5 Filing and service of documents requiring signatures

- (1) In the case of a document created by means of the EPF system, it is sufficient compliance with a requirement of these rules that the document be signed by a person if the document names the person and states that the document has been created by means the system.
- (2) In the case of a document filed, but not created, by means of the EPF system, it is sufficient compliance with a requirement of these rules that the document be signed by a person if:
- (a) the document bears a facsimile of the person's signature and states that the document has been filed by means the system, and
 - (b) a paper copy of the document, bearing the person's original signature, is delivered to the Registrar within 2 days (excluding any Saturday, Sunday or public holiday) after the date on which the document was filed.
- (3) Subrule (2) (b) does not prevent a document from being served, whether by means of the EPF system or otherwise, before the paper copy is delivered to the Registrar, but the validity of the document and its service depends upon the requirements of that paragraph being complied with.
- (4) This rule does not apply to the signatures of a Judge, a Commissioner, the Registrar or the Assistant Registrar.

Note. Section 66A of the Act applies to the signatures of a Judge, a Commissioner, the Registrar or the Assistant Registrar.

6 Filing and service of accompanying documentation

- (1) This Rule applies to a document (the *supplementary document*) that is required to be filed together with any other document (the *principal document*), where the principal document is, but the supplementary document is not, filed by means of the EPF system.

Land and Environment Court Rules (Amendment No 7) 2002

Schedule 1 Amendment

- (2) It is sufficient compliance with the requirement referred to in subrule (1) if:
- (a) the principal document states that the supplementary document is being filed otherwise than by means of the EPF system, and
 - (b) the supplementary document is delivered to the Registrar within 2 days (excluding any Saturday, Sunday or public holiday) after the date on which the principal document was filed or served.
- (3) Subrule (2) (b) does not prevent the principal and supplementary documents from being served, whether by means of the EPF system or otherwise, before the paper copy of the supplementary document is delivered to the Registrar, but the validity of those documents and their service depends upon the requirements of that paragraph being complied with.

7 Date of filing

- (1) Subject to subrule (2), a document that is filed by means of the EPF system after 5.00pm on any day (including a supplementary document referred to in rule 6) is taken to have been filed on the next day.
- (2) A document that is filed by means of the EPF system on a Saturday, Sunday or public holiday (including a supplementary document referred to in rule 6) is taken to have been served on the next day that is not a Saturday, Sunday or public holiday.

8 The electronic register of proceedings

- (1) The following information is to be included in the electronic register of proceedings:
 - (a) information identifying public users referred to in rule 3 (3) (a),
 - (b) information identifying proceedings initiated in the Court, together with the information referred to in subrule (2) in relation to the proceedings,
 - (c) such other matters as the Registrar considers appropriate to be included in the register.

Land and Environment Court Rules (Amendment No 7) 2002

Amendment

Schedule 1

- (2) The information required by subrule (1) (b) in relation to proceedings is as follows:
- (a) information as to the name and address of any legal practitioner or agent representing a party in the proceedings,
 - (b) information as to the nature of each document filed in the proceedings, together with information as to the date and time on which each such document was filed and the identity of the party by whom it was filed,
 - (c) information as to any callover in connection with the proceedings, including the date and time of the callover and particulars of any information furnished by the parties to the proceedings for the purposes of the callover,
 - (d) information as to each order made in the proceedings, together with information as to the date and time on which each such order was made and the identity of the party against whom it was made.

Orders

Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002

under the

Fisheries Management Act 1994

I, the Minister for Fisheries, make the following Order under section 221IG of the *Fisheries Management Act 1994*.

Dated, this 16th day of June 2002.

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

Explanatory note

The aquatic ecological community in the natural drainage system of the lower Murray River catchment is listed as an endangered ecological community under the *Fisheries Management Act 1994*.

However, the Act enables the Minister for Fisheries to make an order authorising a class of persons to carry out an activity that may result in harm to an endangered species, population or ecological community or damage to its habitat. As an interim measure (that is, while such a proposed order is being assessed under the Act) the Minister may make an order lasting up to 6 months to allow an existing activity to be continued. The Act also provides for the remaking of an order.

The object of this Order is to remake the *Fisheries Management (Continuation of Activities in Lower Murray River) Interim Order 2001* so as to allow certain recreational and commercial fishing activities in the natural drainage system of the lower Murray River catchment to continue for a further period of 2 months.

The activities the subject of this Order may only continue subject to compliance with any applicable fishing regulatory controls. (For example, the taking of silver

Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002

Explanatory note

perch is to be subject to compliance with the fishing closure under section 8 of the *Fisheries Management Act 1994* that prohibits the taking of silver perch by all methods of fishing from all New South Wales waters except, and only to the extent it is otherwise lawful to do so, from the backed up waters of any dam or impoundment.)

The recommendation of the Fisheries Scientific Committee referred to in this Order is available for inspection at all NSW Fisheries Offices.

This Order is made under section 221IG of the *Fisheries Management Act 1994*.

Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002

1 Name of Order

This Order is the *Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002*.

2 Commencement and duration

This Order:

- (a) takes effect on the day that it is published in the Gazette, and
- (b) ceases to have effect on the day that is 2 months after the day on which it takes effect.

3 Continuation of existing activities

- (1) The following activities may continue in the natural drainage system of the lower Murray River catchment (as described in the recommendation of the Fisheries Scientific Committee to list the aquatic ecological community in that system as an endangered ecological community) subject to compliance with any applicable fishing regulatory controls:

- (a) recreational fishers may take or possess any of the following:
 - (i) *Paratya australiensis* (freshwater shrimp),
 - (ii) *Macrobrachium australiense* (freshwater prawn),
 - (iii) *Caridina mccullochi* (freshwater shrimp),
 - (iv) *Cherax destructor* (yabby),
 - (v) *Euastacus armatus* (Murray crayfish),
 - (vi) *Tandanus tandanus* (freshwater catfish),
 - (vii) *Gadopsis marmoratus* (river blackfish),
 - (viii) *Maccullochella peelii peelii* (Murray cod),
 - (ix) *Macquaria ambigua* (golden perch),
 - (x) *Bidyanus bidyanus* (silver perch),
 - (xi) *Nematalosa erebi* (bony bream),

or carry out any routine activity in that connection,

Clause 3 Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002

- (b) persons holding a commercial fishing licence with a class A: Yabby and carp endorsement (transferable) may take, possess or sell *Cherax destructor* (yabby), or carry out any routine activity in that connection.
- (2) In this clause ***fishing regulatory controls*** has the same meaning it has in Division 5 of Part 5 of the *Environmental Planning and Assessment Act 1979*.

OFFICIAL NOTICES

Appointments

VALUATION OF LAND ACT 1916

Appointment of Valuer General

Department of Information Technology and Management

HER Excellency, the Governor, with the advice of the Executive Council, pursuant to section 8 and Clause 2(2) of Schedule 1 of the Valuation of Land Act, 1916, has appointed Peter CUNNINGHAM as Valuer General, Department of Information Technology and Management, effective on and from 14 June 2002 until 13 September 2002 (inclusive).

The Hon KIM YEADON, M.P.,
Minister for Information Technology

STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975

Appointment

Statutory and Other Offices Remuneration Tribunal

HER Excellency the Governor, with the advice of the Executive Council, and in pursuance of section 6(2) of the Statutory and Other Offices Remuneration Act 1975, has approved the appointment of Mr G. GLEESON, AC, as the Statutory and Other Offices Remuneration Tribunal for the period 29 May 2002 up to and including 9 May 2003.

BOB CARR, M.P.,
Premier

STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975

Appointment

Statutory and Other Offices Remuneration Tribunal

HER Excellency the Governor, with the advice of the Executive Council, and in pursuance of section 6(2) of the Statutory and Other Offices Remuneration Act 1975, has approved the appointment of Mr G. GLEESON, AC, as the Statutory and Other Offices Remuneration Tribunal for the period 10 May 2002 to 29 May 2002.

BOB CARR, M.P.,
Premier

The Cabinet Office, Sydney
19 June 2002

CONSTITUTION ACT 1902

Ministerial arrangements during the absence of The Minister for Mineral Resources and Minister for Fisheries

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable J. J. Della Bosca, M.L.C., Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast, to act for and on behalf of the Minister for Mineral Resources and Minister for Fisheries, as on and from 5 July 2002, with a view to him performing the duties of the Honourable E. M. Obeid, M.L.C., during his absence.

BOB CARR, M.P.,
Premier

NSW Agriculture

RURAL LANDS PROTECTION (GENERAL) REGULATION 2001

Clause 35

Approval of Transported Stock Statement

I, KEVIN PATRICK SHERIDAN, Director-General of the New South Wales Department of Agriculture, hereby approve, for the purposes of Division 4 of Part 4 of the Rural Lands Protection (General) Regulation 2001, the attached form marked "AAB" as a transported stock statement.

Signed this 14th day of June 2002.

K. P. SHERIDAN, AO,
Director-General

RURAL LANDS PROTECTION REGULATION 2001 CLAUSE 35

**Transported Stock Statement
Part 1**



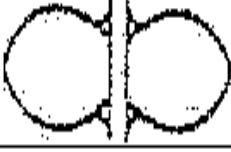
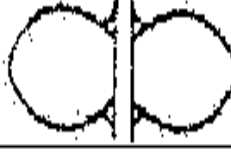
"AAB"
Print a non-convictive number on each
page

1. Owner of stock _____ 2. Owner's phone number _____
3. Place of loading stock _____
4. Consigned to (name of person) _____
5. Address _____
6. Destination address of stock (if different to 5. above) _____

DETAILS OF STOCK

Type (tick)	Number	Sex	Description/breed
Cattle			
Sheep			
Goats			
Horses			
Other (specify type)			

STOCK IDENTIFIERS (SEE NOTES BELOW)

Brands (Draw)	Larmarks (Draw)		Tail Tags/ Ear Tags/ NLIS No.
			
			

- NOTE 1. If the load of stock includes one or a mixed variety of Brands/Earmarks/ Ear Tags/Tail Tags/NLIS, then it is necessary to show the details of –
- (a) all stock identifiers if up to four (4) different identifiers are in the load; or
 - (b) if more than four (4) identifiers are in the load, the four (4) most commonly used identifiers.
- NOTE 2. If some or all of the stock have no identifiers, tick the box on the right. (Tick Box)

Part 1 is completed by (Print Name) _____ and I am the
 owner, OR
 agent for the owner of the stock referred to above.

My address is _____

Signature _____ Date _____

**Part 2 (To be completed by driver)
Vehicle-related details**

Vehicle registration No.:	
Owner of vehicle (Name):	
Vehicle driver:	
Driver's address:	

Collection/delivery of stock details

Collection of stock		Delivery of stock	
Date:		Date:	
Time:		Time:	

I have collected and delivered the above stock as shown in the details on this form.

Signature of driver _____ Date _____

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Section 177(c) – Notice of Aquaculture Lease Cancellation

THE Minister has cancelled the following aquaculture leases:

OL88/076 within the estuary of Brisbane Waters having an area of 0.8369 hectares formerly leased by Mr Phillip Mark Dines.

OL73/335 within the estuary of the Bega River having an area of 1.3875 hectares formerly leased by Mr Anthony J McCabe and Mrs Leonie I McCabe.

Section 163 – Notice of Receipt of Application for Aquaculture Lease

THE following application for a Class 1 Aquaculture Lease:

Gary Rodley & Peter Holdsworth of Tathra, NSW, for an area previously known as OL86/129 of 2.9512 hectares situated in Nelson Lagoon, Parish of Tanja, County of Dampier, Shire of Bega Valley.

Gary Rodley & Peter Holdsworth of Tathra, NSW, for an area previously known as OL58/275 of 0.91 hectares situated in Nelson Lagoon, Parish of Tanja, County of Dampier, Shire of Bega Valley.

Gary Rodley & Peter Holdsworth of Tathra, NSW, for an area previously known as OL75/083 of 0.5625 hectares situated in Nelson Lagoon, Parish of Tanja, County of Dampier, Shire of Bega Valley.

Gary Rodley & Peter Holdsworth of Tathra, NSW, for an area previously known as OL66/011 of 0.306 hectares situated in Nelson Lagoon, Parish of Tanja, County of Dampier, Shire of Bega Valley has been made by:-

Pelican Beach Oysterage Pty Ltd of Batemans Bay, NSW, for an area previously known as OL89/025 of 1.519 ha situated in the Clyde River, Parish of East Nelligen, County of St Vincent, Shire of Eurobodalla.

Clause 35 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following class 1 Aquaculture Lease:

OL86/257 within the estuary of the Hastings River having an area of 0.7898 hectares to Pamela Albury Halpin of Northmead, NSW, for a term of 15 years expiring on 12 February 2017.

OL87/049 within the estuary of the Wonboyn River having an area of 0.2135 hectares to Robert Leslie Hogley of Wonboyn Lake, NSW, for a term of 15 years expiring on 9 March 2017.

OL58/038 within the estuary of Wallis Lake having an area of 0.4894 hectares to M S Verdich & Sons Pty Ltd of Forster, NSW, for a term of 15 years expiring on 5 March 2018.

OL71/391 within the estuary of the Bermagui River having an area of 1.7830 hectares to John Alexander Smith of Bermagui, NSW, for a term of 15 years expiring on 15 January 2018.

OL87/143 within the estuary of Merimbula Lake having an area of 6.1889 hectares to Pitt Warn Pty Ltd of Pambula, NSW for a term of 15 years expiring on 25 February 2018.

OL71/187 within the estuary of Hastings River having an area of 0.6525 hectares to Maree Anne Moore of Port Macquarie, NSW, for a term of 15 years expiring on 14 October 2016.

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

FISHERIES MANAGEMENT ACT 1994

Total Allowable Commercial Catch (TACC) for Eastern Rock Lobster

THE Total Allowable Catch Setting and Review Committee, pursuant to Division 4 of Part 2 of the Fisheries Management Act 1994, by this notice specifies that the total allowable commercial catch for eastern rock lobster for the fishing period beginning 1 July 2002 and ending 30 June 2003 (inclusive) is 135 tonnes.

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

F96/402

FISHERIES MANAGEMENT ACT 1994

Total Allowable Commercial Catch (TACC) for Abalone

THE Total Allowable Catch Setting and Review Committee, pursuant to Division 4 of Part 2 of the Fisheries Management Act 1994, by this notice specifies that the total allowable commercial catch for abalone for the fishing period beginning 1 January 2002 and ending 30 June 2003 (inclusive) is 450 tonnes, with no more than 300 tonnes to be taken in the 2002 calendar year.

Further, the Committee recommends:

- that zero catch be taken in region 1 after 30 June 2002;
- that no more than 45 tonnes be taken in region 2 during the fishing period, with no more than 30 tonnes taken in the 2002 calendar year;
- that no more than 206 tonnes be taken in regions 5 and 6 combined during the fishing period with no more than 137 tonnes to be taken in the 2002 calendar year.

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

F96/402

Department of Land and Water Conservation

Land Conservation

ARMIDALE OFFICE

Department of Land and Water Conservation
108 Faulkner Street, Armidale, NSW 2350
Phone: (02) 6772 5488 Fax (02) 6771 5348

ORDER

Transfer of a Crown road to a Council

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation.

SCHEDULE 1

*Parish – Tenterfield; County – Clive;
Land District and LGA – Tenterfield*

The Crown road 20.115 metres wide being Smiths Lane; separating Lot 1 D.P. 837443, Lot 301 D.P. 751540 and Lot 1 D.P. 979894 from Lot 498 D.P. 751540, end of road, Lot 299 D.P. 751540 and Lot 1 D.P. 131518

SCHEDULE 2

Roads Authority: Tenterfield Shire Council.

File No.: AE 02 H 32.

Council's reference: SR4205:SO:LG:027.

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Edward James Carter (re-appointment) Valerie May Carter (re-appointment) Maxwell Norman Honeyman (re-appointment) Colin Claude Anderson (new member) Margaret Gwendolynne Anderson (new member) Annette Hodges (new member) Frank Hodges (new member)	Bodangora Recreation Reserve Trust	Reserve No. 30010 Public Purpose: Public Recreation Notified: 21 October 1899 File Reference: DB81R162/4

For a term commencing this day and expiring 20 June 2007.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Christine Mary Nash (new member) Alexandra Frances Whitney (new member)	Bugaldie Recreation Reserve Trust	Reserve No. 66013 Public Purpose: Public Recreation Notified: 22 May 1936 File Reference: DB80R189/2

For a term commencing this day and expiring 25 November 2004.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Christine Mary Nash (new member) Alexandra Frances Whitney (new member)	Bugaldie War Memorial Site Trust	Dedication No. 520068 Public Purpose: War Memorial Notified: 8 June 1934 File Reference: DB80R189/2

For a term commencing this day and expiring 25 November 2004.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Ria WM Koppers (new member) Ann Savage (new member)	Coonabarabran Showground Trust	Reserve No. 85201 Public Purpose: Public Recreation Showground Notified: 22 January 1965 File Reference: DB80R126

For a term commencing this day and expiring 10 February 2005.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Keith Charles Smith (re-appointment) David James Smith (re-appointment) Michael Lyons (re-appointment)	Walgett Pistol Club Reserve Trust	Reserve No. 120034 Public Purpose: Non-Profit Making Organisations Notified: 31 July 1987 File Reference: DB87R114/1

For a term commencing this day and expiring 20 June 2007.

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Raymond Venn Roberts (new member) Raymond Peter Sloey (re-appointment) Stephen Frederick Holmes (re-appointment)	Orana Pistol Club Trust	Reserve No. 97792 Public Purpose: Non-Profit Making Organisations Notified: 17 May 1985 File Reference: DB84R87/2

For a term commencing this day and expiring 13 June 2007.

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

**ALTERATION OF CONDITIONS OF WESTERN
LANDS LEASE**

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

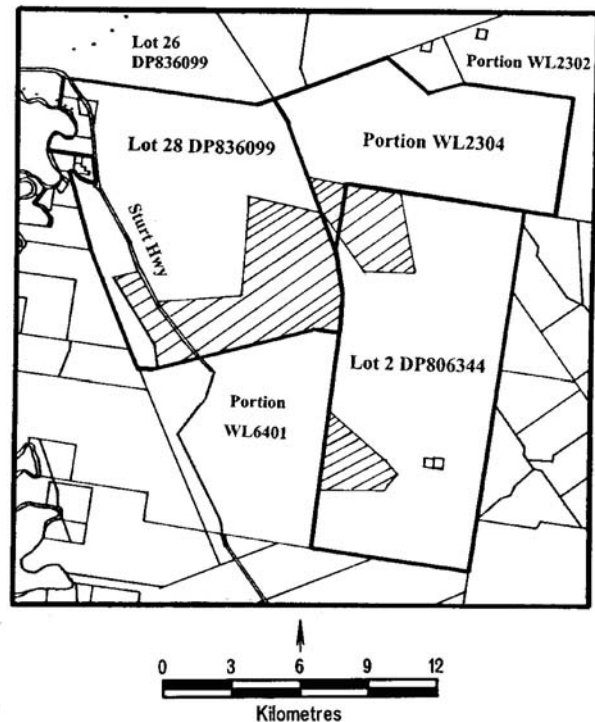
JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

*Administrative District and Shire – Wentworth;
Parish – Various; County – Taila*

The conditions of Western Lands Lease Nos. 2935, 4478, and 4479, being the lands contained within Folio Identifiers 2/806344, 1232/762727, 27/836099, 28/836099 and 2304/764229, have been altered effective from 3 June 2002 by the inclusion of the special conditions following. The conservation areas indicated in the special conditions comprise 5326 hectares.

**SPECIAL CONDITIONS ATTACHED TO WESTERN
LANDS LEASES 2935, 4478 and 4479**

1. The lessee shall erect and maintain a domestic stockproof standard fence surrounding the areas shown hatched on the diagram hereunder and ensure the areas remain ungrazed by both domestic stock and feral animals.
2. The lessee shall not clear any vegetation or remove any timber within the areas shown hatched on the diagram hereunder unless written approval has been granted by either the Commissioner or the Minister.
3. The lessee shall manage the areas shown hatched on the diagram hereunder in accordance with best management practices specified in the document known as "Southern Mallee Regional Guidelines for the Development of Land Use Agreements".
4. Special Condition 1 above shall be revoked, upon application by the lessee, in the event of the revocation of Cultivation Consent for any reason other than a breach of Consent condition(s).



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

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

*Administrative District and Shire – Bourke;
Parish – Various; County – Cowper*

The purpose of Western Lands Leases 2558 and 4226 being the lands contained within folio identifiers 577/761585, 6373/761929 and 2046/763955 has been altered from Grazing to Grazing and Farm Tourism effective from 28 May 2002.

The annual rental will remain unaltered as a consequence of the alteration of purpose. Conditions previously annexed to such leases will also remain unaltered except for the addition of those special conditions published in *Government Gazette* of 8 March 2002, Folio 1478.

*Administrative District and Shire – Bourke;
Parish – Various; County – Irrara*

The purpose of Western Lands Leases 278, 448, 1492, 6768, 13653, 13659 and 13660 being the lands contained within folio identifiers 4107/766612, 6030/768887, 6032/768889, 6019/768875, 3762/766175, 910/762112, 5144/705039, 6018/768875 and 5145/768944 has been altered from Grazing/Pastoral Purposes to Grazing/Pastoral Purposes, Farm Tourism, Recreational Hunting and Film Making effective from 30 May 2002.

The annual rental will remain unaltered as a consequence of the alteration of purpose. Conditions previously annexed to such leases will also remain unaltered except for the addition of those special conditions published in *Government Gazette* of 8 March 2002, Folios 1478-1482.

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.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Hillston North	Reserve No. 1003628
Local Government Area:	Public Purpose:
Cobar Shire Council	Public Recreation
Locality: Euabalong	
Lot Sec. D.P.No. Parish County	
1 44 758393 Euabalong Blaxland	
Area: 1.088ha	
File Reference: WL02R18	

Notes: THIS NOTICE HEREBY REVOKES RESERVE 15961 FOR PUBLIC SCHOOL PURPOSES

ESTABLISHMENT OF RESERVE TRUST

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Gladstone Park Reserve Trust	Dedication No. 1003428
	Public Purpose: Public Recreation
	Notified: 8 October 1898
	File Reference: WL01R16
COLUMN 1	COLUMN 2
Euabalong Recreation Reserve Trust	Dedication No. 1003628
	Public Purpose: Public Recreation
	Notified: This Day
	File Reference: WL02R18

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.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Broken Hill City Council	Gladstone Park Reserve Trust	Dedication No. 1003428
		Public Purpose:
		Public Recreation
		Notified: 8 October 1898
		File Reference: WL01R16

For a term commencing the date of this notice.

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Jill Robertson Denney (re-appointment)	Berrima Court House Trust	Reserve No. 180006 Public Purpose: Preservation Of Historical Sites And Buildings
Trevor James Weekes (re-appointment)		Notified: 26 September 1986
Damien Michael Miller (new member)		File Reference: GB91R29/4
Geoffrey John McLean (new member)		

For a term commencing the date of this notice and
 expiring 20 June 2007.

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

ROADS ACT 1993**ORDER**

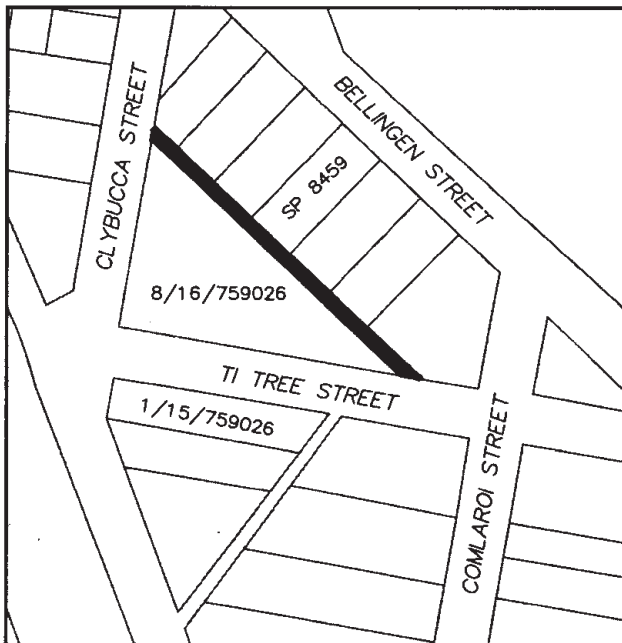
Transfer of a Crown road to a Council

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

JOHN AQUILINA, M.P.,
 Minister for Fair Trading
 and Minister for Land and Water Conservation

SCHEDULE 1

The Crown public roads shown by black colour on the diagram hereunder at Urunga, Parish Newry, County Raleigh.



Not to scale
 Diagrammatic representation only

SCHEDULE 2

Roads Authority: Bellingen Shire Council
 Papers: GF97 H 270.
 Councils Ref: LA.9710.

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Tait Graeme Bedlington (re-appointment) Aidan Kent Ricketts (re-appointment) Tessalie Wynne Parker (re-appointment) Jennifer Anne Strever (re-appointment)	Toonumbar Public Recreation Reserve Trust	Reserve No. 87153 Public Purpose: Public Recreation Notified: 24 April 1969 File Reference: GF81R354

For a term commencing the date of this notice and expiring 08 May 2007.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

JOHN AQUILINA, M.P.,
 Minister for Fair Trading
 and Minister for Land and Water Conservation

Description

*Land District – Casino;
 Local Government – Richmond River*

Road closed: Lot 1, DP 1038506, at Coraki, Parish West Coraki, County Richmond (not being land under the Real Property Act).

File No: GF00 H 313.

Note: On closing, the land within lot 1 becomes vested in the State of New South Wales as Crown land.

Council's Reference: Rds:11/3 MI:HB (99:329).

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

NOTIFICATION OF CLOSING OF A ROAD

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

JOHN ACQUILINA M.P.,
Minister for Land and Water Conservation

Description

Land District – Yanco; Local Government Area – Leeton

Lot 1 DP 1029691, Parish Yarangery, County Cooper
(not being land under the Real Property Act).

Note: On closing, the land remains vested in Leeton Shire Council as operational land for the purposes of the Local Government Act 1993.

File: GH 01H 181 Councils Ref: 99/488.

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

NOTIFICATION OF CLOSING OF ROAD

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

JOHN AQUILINA, M.P.,
Minister for Fair Trading and
Minister for Land and Water Conservation

Description

Parish – Dora; County – Northumberland;
Land District – Newcastle;
Local Government Area – Lake Macquarie

Road Closed: Lots 1 and 2 DP 1035571 at Cooranbong
(not being land under the Real Property Act)

File Reference: MD 00 H 272

Note: On closing, the land within Lots 1 and 2 DP 1035571 will remain land vested in the Crown as Crown land.

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 ROADS

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.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

Description

Land District – Moree; Council – Moree Plains

Lots 9, 10, 11, 12 and 13 in D.P. 1037673, Parish Goorara, County Stapylton (not being land under the Real Property Act). File References: ME97H257, ME99H74 and ME99H326.

Note: Upon closure, the land vests 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.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation
 and Minister for Fair Trading

Land District – Moruya; LGA – Eurobodalla

Lot 1 DP 1041050 at Corunna, Parish Narooma and County Dampier (not being land under the Real Property Act). NA00 H 198.

Note: On closing, the land remains vested in the Crown as Crown land.

ERRATUM

IN the *Government Gazette* of 17th May, 2002, folio 2963 under the heading of “NOTIFICATION UNDER THE ROADS ACT 1993, ...” for the Opening and Closing of a road in the Parish of Bimmil and County of Auckland at Nethercote, the description is in error. Wherever it states “Lot 1” it should read “Lot 2” and wherever it shows “Lot 2” it should read “Lot 1”.

File Ref: NA.94 H 38.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation
 and Minister for Fair Trading

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
Level 12, Macquarie Tower 10 Valentine Avenue, Parramatta NSW 2124
(PO Box 3935, Parramatta NSW 2124
Phone: (02) 9895 7657 Fax: (02) 9895 6227

RESERVATION OF CROWN LAND

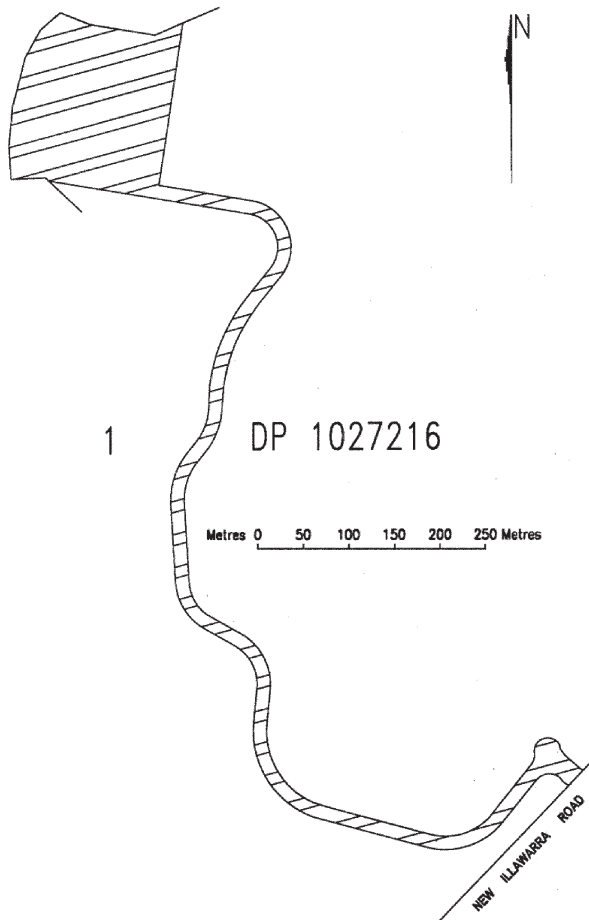
PURSUANT to section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Metropolitan	Reserve No. 1003608
Local Government Area: Sutherland Shire Council	Public Purpose: Public Recreation
Locality: Lucas Heights	
Lot Sec. D.P. No.	
PT 1 1027216	
Parish: Holsworthy	
County: Cumberland	
Area: 7.903ha	
File Reference: MN96R100	

Notes: Shown by hatching on the diagram hereunder.



ESTABLISHMENT OF RESERVE TRUST

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Lucas Heights (R1003608) Reserve Trust	Reserve No. 1003608 Public Purpose: Public Recreation Notified: This Day File Reference: MN96R100

**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.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Sutherland Shire Council	Lucas Heights (R1003608) Reserve Trust	Reserve No. 1003608 Public Purpose: Public Recreation Notified: This Day File Reference: MN96R100

ASSIGNMENT OF NAME TO A RESERVE TRUST

PURSUANT to Section 4(3) of Schedule 8 of 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.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Epping Scouts (R88658) Reserve Trust	Reserve No. 88658 Public Purpose: Boy Scouts Notified: 14 July 1972 File Ref.: MN84R195/2

APPOINTMENT OF A 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 in that Column, 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.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Gerald Anthony COMMERFORD	Hawkesbury Racecourse (D500000) Reserve Trust	Dedication No. 500000 for the purpose of Racecourse dedicated 19 May 1868

Term of Office

For a term commencing from the date of gazette to 5 February, 2005.

File No.: MN84R17/2

Water Conservation

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

John Lawrence GAFFEY for a pump on the Murrumbidgee River, Lots 111 and 112, DP 713644, Parish of Hay South, County of Waradgery for a water supply for stock and domestic purposes and irrigation of 31 Ha (pasture) (replacement licence only - no increase in area or allocation) (Reference:40SL70790).

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's Regional Director at Leeton within the twenty-eight (28) days as fixed by the Act.

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

Department of Land & Water Conservation
PO Box 156 LEETON NSW 2705

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

Brett UPJOHN and Kate Ann BUTLER for a pump on the Murrumbidgee River, Lot 17, DP 882016, Parish of Kimo, County of Clarendon for 2 Ha (vines) (replacement licence only - no increase in area or allocation) (Reference: 40SL70797).

Thomas John ROBERTSON for a pump on the Murrumbidgee River, Lot 22, DP 1021989, Parish of Kimo, County of Clarendon for 3 Ha (vines) (replacement licence only - no increase in area or allocation) (Reference: 40SL70798).

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's Regional Director at Leeton within the twenty-eight (28) days as fixed by the Act.

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

Department of Land & Water Conservation
PO Box 156 LEETON NSW 2705

WATER ACT 1912

AN APPLICATION for an Authority under the section 20 of Part 2 of the Water Act 1912, as amended, has been received as follows:

Joseph, Sam and Charles MUSCAT and others for a pump on the Hawkesbury River, part Crown Land fronting 5/245687, Parish of Currency, County of Cook for the irrigation of 20 hectares (turf) (Replacement Authority – no increase in area) (Not subject to the 1995 Hawkesbury-Nepean Embargo) (Ref:10SA2528) (GA2:462911).

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

G. A. & S. W. COMMERFORD PTY LIMITED for a pump on the Hawkesbury River, Part Road fronting Part35/752032, Parish of Ham Common, County of Cumberland for the irrigation of 12 hectares (Tree Plantation) (New Licence) (Ref:10SL56048) (GA2:462911) (Ref:10SL56048) (Existing Works) (Lodged under the 1998 NSW Water Amnesty).

Malcolm and Rhondda HUBBARD for an earthen dam and pump on an unnamed watercourse being 1/787227, Parish of Termeil, County of St Vincent for the conservation of water and water supply for industrial (wholesale nursery) purposes. (New licence)(Ref:10SL56363) (GA2:493039)(In excess of the MHRDC).

Any inquiries regarding the above should be directed to the undersigned (Ph: 9895 7780).

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.

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

Department of Land and Water Conservation
PO Box 3935 PARRAMATTA NSW 2124

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATION

(T02-0093)

No. 1931, CARPENTARIA GOLD PTY LTD (ACN 010706966), area of 13 units, for Group 1, dated 14 June, 2002. (Armidale Mining Division).

MINING LEASE APPLICATION

(C02-0309)

No. 208, COALEX PTY LTD (ACN 000 694 315), area of about 2712 hectares, to mine for coal, dated 31 May, 2002. (Orange Mining Division).

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following application has been granted:

MINING LEASE APPLICATION

(T01-0209)

Broken Hill No. 191, now Mining Lease No. 1512 (Act 1992), LARMON PTY LTD (ACN 006 612 997), Parish of Gol Gol, County of Wentworth; and Parish of Millie, County of Wentworth, Map Sheet (7329-4-N), area of 53.81 hectares, to mine for halite (including solar salt) and magnesium salts, dated 10 May, 2002, for a term until 9 May, 2023.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

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

(T00-0047)

Exploration Licence No. 5754, TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 30 units. Application for renewal received 13 June, 2002.

(T00-0048)

Exploration Licence No. 5755, TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 76 units. Application for renewal received 13 June, 2002.

(T00-0049)

Exploration Licence No. 5756, TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 13 units. Application for renewal received 13 June, 2002.

(T00-0050)

Exploration Licence No. 5757, TRIAKO RESOURCES LIMITED (ACN 008 498 119) and MOUNT CONQUEROR MINERALS N.L. (ACN 003 312 721), area of 5 units. Application for renewal received 13 June, 2002.

(T01-0457)

Private Lands Lease No. 584 (Act 1924), EROLPO PTY LIMITED (ACN 003 774 365), area of 15.5 hectares. Application for renewal received 13 June, 2002.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

PART CANCELLATIONS

NOTICE is given that the following authorities have been cancelled in part:

(T01-0668)

Consolidated Mining Lease No. 10 (Act 1973), PASMINGO BROKEN HILL MINE PTY LTD (ACN 000 005 774), Parish of Alma, County of Yancowinna; Parish of Nadbuck, County of Yancowinna; Parish of Picton, County of Yancowinna; and Parish of Soudan, County of Yancowinna, Map Sheet (7133-1-N, 7134-2-S).

Description of area cancelled:

An area of about 49 hectares to a depth of 76.2 metres as shown on Plan No. D6190R catalogued in the Department of Mineral Resources. For further information contact Titles Branch.

Part cancellation took effect on 30 May, 2002.

(C01-0697)

Consolidated Mining Lease No. 1 (Act 1992), COALAND ALLIED OPERATIONS PTY LIMITED (ACN 000 023 656), Parish of Cessnock, County of Northumberland; Parish of Mulbring, County of Northumberland; Parish of Quorrobolong, County of Northumberland; and Parish of Stanford, County of Northumberland, Map Sheet (9132-2-N, 9132-2-S).

Description of area cancelled:

An area of 4982.1 hectares. For further information contact Titles Branch.

Part cancellation took effect on 4 June, 2002.

The authority now embraces an area of 57.9 hectares.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Exia 10227**
ISSUE : **A2586-00**
DATE : **23 May 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved Item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate standards or requirements, and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 71 of the Coal Mines Regulation (General) Regulation 1999.

This APPROVAL is issued to : **Pepperl + Fuchs Australia Pty Ltd ABN 99 009 059 287**
Address of Approval Holder : **Unit 7, 72-74 Chifley Drive, PRESTON VIC 3072**
Description of Item/s : **Cylindrical Inductive Sensors**
Manufacturer : **Pepperl + Fuchs – Germany or Singapore**
Model/Type : **As listed in the Schedule**
C.M.R.A Regulation : **Coal Mines (Underground) Regulation 1999** Clause : **140 (1)**
Specific Approval Category : **Explosion Protected – Intrinsically Safe**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purpose of the Occupational Health and Safety Act 2000, appended a list of conditions (including drawings, documents, etc.) that are applicable to this approved item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions, in reference to that item is not inferior in any way to the item tested and/or assessed, this includes the supply, installation and continuing use of the approved item.

The Approval Number shall appear in a conspicuous place and in a legible manner on each approved item, unless specifically excluded.

A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the Schedule and in respect to drawings, all drawings as listed in the schedule or those drawings specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

L. R. JEGO,
Accredited Assessing Authority (MDA-A2586)
for Chief Inspector Of Coal Mines

Dept. File No: C02/0284

Page 1 of 4

Approval Holder : Pepperl + Fuchs Australia Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex d 17019 (issue 0)**
FILE No : **C02/0215**
DATE : **30 April 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **CMG Pty Ltd.**
Address of Approval Holder : **19 Corporate Avenue ROWVILLE .VIC. 3178**
Description of Item/s & Variations : **Range of FLP Squirrel Cage Induction Motors**
Manufacturer and model/type : **Nanyang Explosion Protection Group Co Ltd. China
Frame Sizes PPD 80 to PPD 100**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Flameproof (Ex d)**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

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A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

G.L.M. WARING,
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0215**
Doc No :d\wes\appmaster\CMGExd17019priapp.doc
Page 2 of 4
App Holder : CMG Pty Ltd.

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex d 17020 (issue 0)**
 FILE No : **C02/0214**
 DATE : **30 April 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **CMG Pty Ltd.**
 Address of Approval Holder : **19 Corporate Avenue ROWVILLE .VIC. 3178**
 Description of Item/s & Variations : **Range of FLP Squirrel Cage Induction Motors**
 Manufacturer and model/type : **Nanyang Explosion Protection Group Co Ltd. China
 Frame Sizes PPD 112 to PPD 180**
 C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
 Specific Approval Category : **Explosion Protected – Flameproof (Ex d)**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

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Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING,
 Accredited Assessing Authority (MDA A2516)
 FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0214**
 Doc No :d\wes\appmaster\CMGExd17020priapp.doc
 Page 2 of 4
 App Holder : CMG Pty Ltd.

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex d 17021 (issue 0)**
FILE No : **C02/0213**
DATE : **30 April 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **CMG Pty Ltd.**
Address of Approval Holder : **19 Corporate Avenue ROWVILLE .VIC. 3178**
Description of Item/s & Variations : **Range of FLP Squirrel Cage Induction Motors**
Manufacturer and model/type : **Nanyang Explosion Protection Group Co Ltd. China
Frame Sizes PPD 200 to PPD 280**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Flameproof (Ex d)**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

The Approval Number shall appear in a conspicuous place and in a legible manner on each approved item, unless specifically excluded.

A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

G.L.M. WARING,
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0213**
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Page 2 of 4
App Holder : CMG Pty Ltd.

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex ia 17023 (issue 0)**
FILE No : **C02/0251**
DATE : **9 May 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **Austdac Pty Ltd (ABN 31 002 654 695)**
Address of Approval Holder : **1/4 Packard Avenue CASTLE HILL NSW 2154**
Description of Item/s & Variations : **Voltage Reference**
Manufacturer and model/type : **Ausdac Pty Ltd/Type AFVG42**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Intrinsically Safe Ex ia**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

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A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING,
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0251**
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Page 2 of 4
App Holder : Austdac Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex ib 17003 (issue 0)**
FILE No : **C02/0241**
DATE : **2 May 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **Nautitech Mining Services Pty Ltd**
Address of Approval Holder : **Unit 9/6 Anella Avenue CASTLE HILL NSW 2154**
Description of Item/s & Variations : **CAN to CAN Barrier, Communications Barrier NMS 02**
Manufacturer and model/type : **Nautitech Mining Services Pty Ltd.**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Intrinsically Safe Ex ib**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

The Approval Number shall appear in a conspicuous place and in a legible manner on each approved item, unless specifically excluded.

A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING,
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0241**
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Page 2 of 4
App Holder : Nautitech Mining Services Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex ia 17031 (issue 0)**
 FILE No : **C02/0288**
 DATE : **27 May 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **Pacific Data Systems Pty Ltd (ABN 81 010 528 471)**
 Address of Approval Holder : **Unit 2/250 Orange Grove Road, SALISBURY QLD. 4107**
 Description of Item/s & Variations : **Pocket Wind Meter**
 Manufacturer and model/type : **Neilsen-Kellerman Company. CHESTER PA 19013 USA.**
Type Kestral 1000
 C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
 Specific Approval Category : **Explosion Protected – Intrinsically Safe Ex ia**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

The Approval Number shall appear in a conspicuous place and in a legible manner on each approved item, unless specifically excluded.

A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING,
 Accredited Assessing Authority (MDA A2516)
 FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0288**
 Doc No :d\wes\appmaster\PDSExia17031priapp.doc
 Page 2 of 3
 App Holder : Pacific Data Systems Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex ib 17025 (issue 0)**
FILE No : **C02/0218**
DATE : **11 May 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **Forced Potato Pty Ltd**
Address of Approval Holder : **Unit 3/13 Hoyle Avenue CASTLE HILL NSW 2154**
Description of Item/s & Variations : **Intrinsically Safe Control System**
Manufacturer and model/type : **Forced Potato Pty Ltd/Type LOKR**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Intrinsically Safe Ex ib**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

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Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING,
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0218**
Doc No :d\wes\appmaster\FPLOKRExib17025priapp.doc
Page 2 of 4
App Holder : Forced Potato Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex ib 17026 (issue 0)**
FILE No : **C02/0261**
DATE : **11 May 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **Forced Potato Pty Ltd**
Address of Approval Holder : **Unit 3/13 Hoyle Avenue CASTLE HILL NSW 2154**
Description of Item/s & Variations : **Crinum Bolter Control System**
Manufacturer and model/type : **Forced Potato Pty Ltd**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Intrinsically Safe Ex ib**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

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Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING,
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0261**
Doc No :d\wes\appmaster\FPCrinExib17026priapp.doc
Page 2 of 4
App Holder : Forced Potato Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex ib 17018 (issue 0)**
(Alternate Protection) : **MDA Ex m ib 17018 (issue 0)**
FILE No : **C02/0131**
DATE : **13 March 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **Ausdac Pty Ltd (ABN 31 002 654 695)**
Address of Approval Holder : **1/4 Packard Avenue CASTLE HILL NSW 2154**
Description of Item/s & Variations : **Power Supply**
Manufacturer and model/type : **Ausdac Pty Ltd/Type AC30W**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Intrinsically Safe Ex ib**
Alternatively additional Encapsulation Ex m ib

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

The Approval Number shall appear in a conspicuous place and in a legible manner on each approved item, unless specifically excluded.

A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING,
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0131**
Doc No :d\wes\appmaster\AusdacExmib17018priapp.doc
Page 2 of 4
App Holder : Ausdac Pty Ltd

COAL MINES REGULATION ACT 1982

APPROVAL No : **MDA Ex d 17027 (issue 0)**
FILE No : **C02/0262**
DATE : **11 May 2002**

NOTICE OF PRIMARY APPROVAL

IT is hereby notified that the Approved item listed herein has been assessed for compliance with the Coal Mines Regulation Act and appropriate Standards or requirements and is hereby APPROVED in accordance with the requirements of the COAL MINES REGULATION ACT 1982. This approval is issued pursuant to the provisions of Clause 70 and 73 of the Coal Mines (General) Regulation, 1999.

This APPROVAL is issued to : **Waratah Engineering,
ABN 43 001 891 729**
Address of Approval Holder : **Unit 3, 13 Nelson Rd. CARDIFF NSW. 2285**
Description of Item/s & Variations : **Main Controller Enclosure**
Manufacturer and model/type : **Waratah Engineering,
Type BK 2002**
C.M.R.A Regulation : **Electrical Underground Clause 140 (I)**
Specific Approval Category : **Explosion Protected – Flameproof (Ex d)**

This Approval is issued subject to compliance with the requirements of the Occupational Health and Safety Act 2000.

The Authority issuing this Approval has, for the purposes of the Occupational Health and Safety Act 2000, appended a list of conditions/recommendations, (including drawings, documents, etc.) that are applicable to this Approved Item, as identified during test and/or assessment, to assist the Approval Holder and User to comply with the obligations of the Occupational Health and Safety Act 2000. The onus is on the Supplier and/or User to ensure the Approved Item, and any deviation from the list of conditions/recommendations, in reference to that Item is not inferior in any way to the Item tested and/or assessed, this includes the supply, installation and continuing use of the Approved Item.

The Approval Number shall appear in a conspicuous place and in a legible manner on each approved item, unless specifically excluded.

A copy of the Approval Documentation shall be supplied to each user of the approved item and shall comprise the number of pages listed in the footer block together with supplementary documentation as listed in the schedule and in respect to drawings, all drawings as listed in the schedule or those specifically nominated for the purposes of repair and maintenance.

Any Maintenance, Repair or Overhaul of Approved Items shall be carried out in accordance with the requirements of the Coal Mines Regulation Act 1982.

GL.M. WARING
Accredited Assessing Authority (MDA A2516)
FOR CHIEF INSPECTOR OF COAL MINES

Dept File No : **C02/0262**
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Page 2 of 4
App Holder : Waratah Engineering

Department of Planning

Cessnock Local Environmental Plan 1989 (Amendment No 73)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (N01/00009/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 73)

Cessnock Local Environmental Plan 1989 (Amendment No 73)

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 73)*.

2 Aims of plan

This plan aims to incorporate provisions within *Cessnock Local Environmental Plan 1989* which will require the preparation of site specific development control plans and contribution plans for major tourist development.

3 Land to which plan applies

This plan applies to all land situated in the City of Cessnock, which is zoned for the purpose of permitting (with development consent) tourist recreation facilities and integrated tourist development.

4 Amendment of Cessnock Local Environmental Plan 1989

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

Cessnock Local Environmental Plan 1989 (Amendment No 73)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Clause 61

Insert after clause 60:

61 Major tourist development

- (1) This clause applies to development for the purpose of tourist recreation facilities or integrated tourist development if, in each case, it is valued by the consent authority to cost in excess of \$20 million.
- (2) Consent must not be granted for development to which this clause applies unless, after the development application is lodged:
 - (a) a development control plan is approved for the land that is the subject of the proposed development, and
 - (b) a contributions plan is approved for that land supporting the imposition of conditions under Division 6 of Part 4 of the Act because the development will, or is likely to, require the provision of, or increase demand for, public amenities and public services in the area with respect to any (but not necessarily all) of the following:
 - (i) public open space and improvements to public open space,
 - (ii) bridge construction,
 - (iii) upgrading and construction of roads,
 - (iv) traffic management facilities,
 - (v) stormwater drainage facilities,
 - (vi) bushfire mitigation facilities,
 - (vii) tourist information laybys,
 - (viii) Cessnock Aerodrome updating.
- (3) A development control plan required by this clause must address (but is not limited to) the following issues:
 - (a) site density,
 - (b) building design and energy efficiency,

Page 3

Cessnock Local Environmental Plan 1989 (Amendment No 73)

Schedule 1 Amendment

-
- (c) landscaping,
 - (d) visual impacts,
 - (e) biodiversity conservation,
 - (f) stormwater and flooding management,
 - (g) water sensitive design and water conservation,
 - (h) erosion and sediment control,
 - (i) pedestrian management,
 - (j) traffic and parking management,
 - (k) waste disposal,
 - (l) utility services,
 - (m) bushfire management,
 - (n) contaminated land,
 - (o) Aboriginal heritage,
 - (p) European heritage,
 - (q) staging of development.
- (4) If a development control plan required by subclause (2) has not been approved within 6 months after the development application was lodged, then the development application may be granted consent despite subclause (2).
- (5) If a contributions plan required by this subclause (2) has not been approved within 6 months after the development application was lodged, then the development application may be granted consent despite subclause (2).
- (6) A development application may be determined without a development control plan or a contributions plan required by subclause (2) being approved after the development application was lodged if the consent authority is satisfied that the proposal is consistent with a development control plan or contributions plan, as the case may require, approved before the development application was lodged.
- (7) This clause does not apply to development applications lodged with the consent authority before the date on which the certificate under section 65 of the Act was issued for draft *Cessnock Local Environmental Plan 1989 (Amendment No 73)* which plan inserted this clause into this plan.

Cessnock Local Environmental Plan 1989 (Amendment No 88)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (N02/00005/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 88)

Cessnock Local Environmental Plan 1989 (Amendment No 88)

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 88)*.

2 Aims of plan

This plan aims to allow, with the consent of Cessnock City Council, the use of the land to which this plan applies for a fast food take-away restaurant (incorporating a drive through facility).

3 Land to which plan applies

This plan applies to land situated in the City of Cessnock, being Lots 3 and 4, Section B, DP 5091 and Lot 19, DP 48151, Allandale Road, Cessnock, as shown edged heavy black on the map marked “Cessnock Local Environmental Plan 1989 (Amendment No 88)” deposited in the office of Cessnock City Council.

4 Amendment of Cessnock Local Environmental Plan 1989

Cessnock Local Environmental Plan 1989 is amended by inserting, in appropriate order, in Schedule 5 the following item:

- 17 Lots 3 and 4, Section B, DP 5091 and Lot 19, DP 48151, Allandale Road, Cessnock—fast food take-away restaurant (incorporating a drive through facility).

Drummoyne Local Environmental Plan 1986 (Amendment No 52)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/00360/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Drummoyne Local Environmental Plan 1986 (Amendment No 52)

Drummoyne Local Environmental Plan 1986 (Amendment No 52)

1 Name of plan

This plan is *Drummoyne Local Environmental Plan 1986 (Amendment No 52)*.

2 Aims of plan

This plan aims:

- (a) to allow, with the consent of the City of Canada Bay Council, the carrying out of development on the land to which this plan applies for commercial purposes, and
- (b) to increase the floor space ratio of development on the land.

3 Land to which plan applies

This plan applies to land situated in the local government area of Canada Bay, being Lot 1, DP 607226 and Lot 1, DP 738950 and known as 49–51 Queens Road, Five Dock.

4 Amendment of Drummoyne Local Environmental Plan 1986

Drummoyne Local Environmental Plan 1986 is amended as set out in Schedule 1.

Drummoyne Local Environmental Plan 1986 (Amendment No 52)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Schedule 7 Development for certain addition purposes

Insert at the end of the Schedule:

Lot 1, DP 607226 and Lot 1, DP 738950 and known as 49–51
Queens Road, Five Dock—commercial purposes.

[2] Schedule 8 Floor space ratio for certain sites

Insert at the end of the Schedule:

Lot 1, DP 607226 and Lot 1, DP 738950 and known as 49–51
Queens Road, Five Dock—1.0:1.

Grafton Local Environmental Plan 1988 (Amendment No 31)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G01/00035/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Grafton Local Environmental Plan 1988 (Amendment No 31)

Grafton Local Environmental Plan 1988 (Amendment No 31)

1 Name of plan

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 31)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 1 (c) (the Rural/Residential Zone) to Zone No 2 (a) (the Living Area Zone) under *Grafton Local Environmental Plan 1988*.

3 Land to which plan applies

This plan applies to part of Lot 52, DP 1014762, Fairway Drive, South Grafton, as shown coloured light scarlet with heavy black edging and lettered "2 (a)" on the map marked "Grafton Local Environmental Plan 1988 (Amendment No 31)" deposited in the office of Grafton City Council.

4 Amendment of Grafton Local Environmental Plan 1988

Grafton Local Environmental Plan 1988 is amended by inserting in appropriate order in the definition of *the map* in clause 5 the following words:

Grafton Local Environmental Plan 1988 (Amendment No 31)

Grafton Local Environmental Plan 1988 (Amendment No 34)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G01/00172/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Grafton Local Environmental Plan 1988 (Amendment No 34)

Grafton Local Environmental Plan 1988 (Amendment No 34)

1 Name of plan

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 34)*.

2 Aims of plan

This plan aims:

- (a) to establish criteria where development consent is sought on land subject to flooding in order to minimise the adverse effect of ponding and flooding on the community and new development, and
- (b) to establish assessment criteria for development on flood liable land that recognises suitable economic use of land, and
- (c) to provide a basis for development control plans to supplement the broad controls in *Grafton Local Environmental Plan 1988 (the 1988 plan)* with more detailed local planning policies and other provisions that provide guidance for future development and land management of flood liable land, and
- (d) to remove hatching (that related to flood liable land) from the zoning map supporting the 1988 plan which is no longer applicable.

3 Land to which plan applies

This plan applies to all land within the local government area of the City of Grafton under *Grafton Local Environmental Plan 1988*.

4 Amendment of Grafton Local Environmental Plan 1988

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

Grafton Local Environmental Plan 1988 (Amendment No 34)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Grafton Local Environmental Plan 1988 (Amendment No 34)

[2] Clause 9 Zone objectives and development control table

Omit "Dwelling-houses (other than those located in areas shown hatched black on the map)." from item 2 in the matter relating to Zone No 2 (a) in the Table to the clause.

Insert instead "Nil."

[3] Clause 9, Table, Zone No 2 (a), item 3

Omit "2 or".

[4] Clause 9, Table, Zone No 3 (b), item 1

Omit "general objectives". Insert instead "objectives".

[5] Clause 9, Table, Zone No 3 (b), item 1

Omit:

The further objectives of this zone in areas hatched black on the map are:

- (d) to provide diverse opportunities for development of residentially used land to encourage the relocation of those residential uses from flood prone areas without significant financial loss to owners,
- (e) to provide for the conversion of existing dwellings to make them compatible with flood hazard conditions,
- (f) to provide for the establishment of residential type uses compatible with the flood hazard conditions of the particular site having regard to the likely future occupants of the residentially used land, and

Grafton Local Environmental Plan 1988 (Amendment No 34)

Schedule 1 Amendments

- (g) to adopt development standards that have regard to existing flood conditions but recognising the need for review of those standards upon implementation of further flood control works.

[6] Clause 21

Omit the clause. Insert instead:

21 Flooding

- (1) The objectives of this clause are:
 - (a) to minimise future potential flood damage by ensuring that only flood compatible development occurs on flood liable land, and
 - (b) to minimise the adverse effect of flooding on the community.
- (2) The Council must not grant consent to development on land that, in the Council's opinion, is likely to be subject to flooding unless it has considered the following matters:
 - (a) the extent and nature of the flooding hazard affecting the land,
 - (b) whether the development would increase the risk or severity of flooding of other land in the vicinity,
 - (c) whether the risk of severity of flooding affecting the development could be reasonably mitigated,
 - (d) the impact of the development on emergency services associated with a flood emergency,
 - (e) the provisions of *Development Control Plan No 9—Development Controls in Flood Liable Land*, and any other relevant development control plan containing provisions affecting development on flood liable land, approved by the Council.

Hastings Local Environmental Plan 2001 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (G02/00040/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 8)

Hastings Local Environmental Plan 2001 (Amendment No 8)

1 Name of plan

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 8)*.

2 Aims of plan

This plan aims to update the references to the adoption date of *Hastings Development Control Plan No 36—Exempt and Complying Development*.

3 Land to which plan applies

This plan applies to all land within the local government area of Hastings under *Hastings Local Environmental Plan 2001* and *Hastings Local Environmental Plan 1987*.

4 Amendment of Hastings Local Environmental Plan 2001

Hastings Local Environmental Plan 2001 is amended as set out in Schedule 1.

5 Amendment of Hastings Local Environmental Plan 1987

Hastings Local Environmental Plan 1987 is amended as set out in Schedule 2.

Hastings Local Environmental Plan 2001 (Amendment No 8)

Amendment of Hasting Local Environmental Plan 2001

Schedule 1

Schedule 1 Amendment of Hasting Local Environmental Plan 2001

(Clause 4)

[1] Clauses 7 and 8

Omit "*Hastings Development Control Plan No 36—Exempt and Complying Development*, as adopted by the Council on 13 December 1999," wherever occurring in clauses 7 (1) and 8 (1) and (2).

Insert instead "*Hastings DCP No 36*".

[2] Dictionary

Insert in alphabetical order:

Hastings DCP No 36 means *Hastings Development Control Plan No 36—Exempt and Complying Development*, as adopted by the Council on 12 November 2001.

Hastings Local Environmental Plan 2001 (Amendment No 8)

Schedule 2 Amendment of Hasting Local Environmental Plan 1987

Schedule 2 Amendment of Hasting Local Environmental Plan 1987

(Clause 5)

[1] Clause 8 Interpretation

Insert in alphabetical order in clause 8 (1):

Hastings DCP No 36 means *Hastings Development Control Plan No 36—Exempt and Complying Development*, as adopted by the Council on 12 November 2001.

[2] Clauses 8A and 8B

Omit “Hastings Development Control Plan (DCP) No. 36 Exempt and Complying Development, as adopted by the Council on 13 December 1999,” wherever occurring in clauses 8A and 8B (2) (a).

Insert instead “*Hastings DCP No 36*”.

[3] Clause 8B (1)

Omit “Hastings Development Control Plan (DCP) No. 36 Exempt and Complying Development as adopted by Council on 13 December 1999,”.

Insert instead “*Hastings DCP No 36*”.

Hawkesbury Local Environmental Plan 1989 (Amendment No 124)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (P93/00340/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Hawkesbury Local Environmental Plan 1989 (Amendment No 124)

Hawkesbury Local Environmental Plan 1989 (Amendment No 124)

1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 124)*.

2 Aims of plan

This plan aims to alter the zoning of the land currently used for waste disposal to allow additional uses required for modern disposal techniques.

3 Land to which plan applies

This plan applies to Lot 194, DP 823986 and Lot 192, DP 729625, The Driftway, South Windsor, as shown edged in red and lettered "5 (a) Waste Management" on the map marked "Hawkesbury Local Environmental Plan 1989 (Amendment No 124)" deposited in the offices of the Council of the City of Hawkesbury.

4 Amendment of Hawkesbury Local Environmental Plan 1989

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

Hawkesbury Local Environmental Plan 1989 (Amendment No 124)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Hawkesbury Local Environmental Plan 1989 (Amendment No 124)

[2] Schedule 3 Development for certain additional purposes

Insert at the end of the Schedule:

Lot 194, DP 823986 and Lot 192, DP 729625, The Driftway, South Windsor, as shown edged in red and lettered “5 (a) Waste Management” on the map marked “Hawkesbury Local Environmental Plan 1989 (Amendment No 124)” —extractive industries, industries, junk yards, rural industries and waste management facilities.

Manly Local Environmental Plan 1988 (Amendment No 56)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S02/00006/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Manly Local Environmental Plan 1988 (Amendment No 56)

Manly Local Environmental Plan 1988 (Amendment No 56)

1 Name of plan

This plan is *Manly Local Environmental Plan 1988 (Amendment No 56)*.

2 Aims of plan

This plan aims to add a building on the land to which this plan applies as an item of the environmental heritage in Schedule 4 to *Manly Local Environmental Plan 1988*.

3 Land to which plan applies

This plan applies to Lots A, B and C, DP 441575, being Nos 46, 47 and 48 East Esplanade, Manly, as shown coloured brown and edged heavy black on the map marked "Manly Local Environmental Plan 1988 (Amendment No 56)" deposited in the office of Manly Council.

4 Amendment of Manly Local Environmental Plan 1988

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

Manly Local Environmental Plan 1988 (Amendment No 56)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Interpretation

Insert in appropriate order at the end of the definition of *item of the environmental heritage* in clause 7 (1):

Manly Local Environmental Plan 1988 (Amendment No 56)

[2] Schedule 4 Items of the environmental heritage

Insert in alphabetical order of street name under the headings *Architectural and Archaeological Items* and (A) **Alphabetical Entry by Street** in the Schedule the following item:

Terraced building

46, 47 and 48 East Esplanade, Manly
(Lots A, B and C, DP 441575)

Mudgee Local Environmental Plan 1998 (Amendment No 3)—Exempt and Complying Development

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S00/00426/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Mudgee Local Environmental Plan 1998 (Amendment No 3)—Exempt and Complying Development

Mudgee Local Environmental Plan 1998 (Amendment No 3)—Exempt and Complying Development

1 Name of plan

This plan is *Mudgee Local Environmental Plan 1998 (Amendment No 3)—Exempt and Complying Development*.

2 Aims of plan

The aims of this plan are:

- (a) to provide for exempt and complying development in the local government area of Mudgee, and
- (b) to except that local government area from the application of *State Environmental Planning Policy No 60—Exempt and Complying Development* while continuing its exception from clauses 6–10 of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development*.

3 Land to which this plan applies

This plan applies to all land within the local government area of Mudgee.

4 Amendment of other environmental planning instruments

- (1) This plan amends *Mudgee Local Environmental Plan 1998* as set out in Schedule 1.
- (2) This plan amends *State Environmental Planning Policy No 60—Exempt and Complying Development* by deleting from Part 2 of Schedule 1 the following:

Mudgee

Mudgee Local Environmental Plan 1998 (Amendment No 3)—Exempt and Complying Development

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4 (1))

[1] Clause 6 Interpretation

Insert the following definition in alphabetical order in clause 6 (1):

home child care means the provision, in a dwelling, of care for up to seven children (who may include the care giver's own children) on the premises where the care giver resides.

[2] Part 2 General restrictions on development

Omit "dwellings;" from item 2 of the matter relating to Zones Nos 1 (a), 1 (c1), 1 (c2), 2 (a) and 2 (c) in the Table to Part 2.

[3] Part 2, Table

Omit "community markets;" from item 2 of the matter relating to Zone No 6 (a).

[4] Clause 29A

Insert before clause 30:

29A Exempt and complying development

- (1) Development of minimal environmental impact listed as exempt development in *Development Control Plan No 18* as adopted by the Council on 6 May 2002 is **exempt development**, despite any other provision of this plan.
- (2) Development listed as complying development in *Development Control Plan No 18* as adopted by the Council on 6 May 2002 is **complying development** if:
 - (a) it is local development of a kind that can be carried out with consent on land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.

Mudgee Local Environmental Plan 1998 (Amendment No 3)—Exempt and
Complying Development

Schedule 1 Amendments

- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Development Control Plan No 18* as adopted by the Council on 6 May 2002.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Development Control Plan No 18* adopted by Council, as in force when the certificate is issued.

Muswellbrook Local Environmental Plan 1985 (Amendment No 88)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (N01/00282/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Muswellbrook Local Environmental Plan 1985 (Amendment No 88)

Muswellbrook Local Environmental Plan 1985 (Amendment No 88)

1 Name of plan

This plan is *Muswellbrook Local Environmental Plan 1985 (Amendment No 88)*.

2 Aims of plan

This plan aims to allow, with the consent of Muswellbrook Shire Council, the carrying out of development on the land to which this plan applies for the purpose of coal mining.

3 Land to which plan applies

This plan applies to Lots 11, 15 and 16, DP 701496, Lot 16, DP 247944, Lot 1, DP 774681 and Lot 4, DP 774679 in the Parish of Savoy, as shown edged heavy black on the map marked “Muswellbrook Local Environmental Plan 1985 (Amendment No 88)” deposited in the office of Muswellbrook Shire Council.

4 Amendment of Muswellbrook Local Environmental Plan 1985

Muswellbrook Local Environmental Plan 1985 is amended by inserting at the end of Schedule 3 the following matter:

Lots 11, 15 and 16, DP 701496, Lot 16, DP 247944, Lot 1, DP 774681 and Lot 4, DP 774679 in the Parish of Savoy, as shown edged heavy black on the map marked “Muswellbrook Local Environmental Plan 1985 (Amendment No 88)”—coal mining.

Penrith Local Environmental Plan No 188 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (P00/00361/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Penrith Local Environmental Plan No 188 (Amendment No 5)

Penrith Local Environmental Plan No 188 (Amendment No 5)

1 Name of plan

This plan is *Penrith Local Environmental Plan No 188 (Amendment No 5)*.

2 Aims of plan

This plan aims:

- (a) to protect identified remnant endangered vegetation and to enhance its biodiversity function by establishing an Environmental Protection Zone, and
- (b) to rezone certain land that previously had a deferred status to Zone No 2 (Urban Zone) or Zone No 7 (a) (Environmental Protection Zone) under *Penrith Local Environmental Plan No 188*, and
- (c) to control the siting of new dwellings so as to ensure that appropriate standards of residential amenity, privacy, private open space and landscape buffers between dwellings are maintained.

3 Land to which plan applies

This plan applies to land within the City of Penrith, being land shown edged heavy black on the map marked “Penrith Local Environmental Plan No 188 (Amendment No 5)” deposited in the office of the Council of the City of Penrith.

4 Amendment of Interim Development Order No 93—Penrith

Interim Development Order No 93—Penrith is amended by omitting from clause 1A the words “Land shown edged heavy black on the map marked ‘Penrith Local Environmental Plan No 188’ deposited in the office of the council” and by inserting instead “Land to which Penrith Local Environmental Plan No 188 applies”.

Penrith Local Environmental Plan No 188 (Amendment No 5)

Clause 5

5 Amendment of Penrith Local Environmental Plan No 188

Penrith Local Environmental Plan No 188 is amended as set out in Schedule 1.

Penrith Local Environmental Plan No 188 (Amendment No 5)

Schedule 1 Amendment of Penrith Local Environmental Plan No 188

Schedule 1 Amendment of Penrith Local Environmental Plan No 188

(Clause 5)

[1] Clause 6 Interpretation

Insert in alphabetical order in clause 6 (1):

bushfire hazard reduction means a reduction or modification (by controlled burning or by mechanical or manual means) of material that constitutes a bushfire hazard.

bush regeneration means the rehabilitation of native vegetation from a weed-infested or other degraded plant community to a healthy community composed of native species:

- (a) by natural regeneration, (which relies on natural germination and resprouting of plants and focuses on weed removal, management of disturbance and the maintenance of natural processes and does not normally include replanting of vegetation), or
- (b) by assisted regeneration (which includes intervention actions such as site replanting with locally indigenous seed or plant material derived from the locality, or other similar plant communities to that occurring on the site, or controlled management of disturbance), or
- (c) by both natural regeneration or assisted regeneration.

community signage means signs providing directional, educative or community information, but does not include any form of commercial advertising.

native vegetation means any of the following types of indigenous vegetation:

- (a) a tree,
- (b) a shrub,
- (c) understorey plants,
- (d) groundcover,
- (e) plants occurring in a wetland.

Penrith Local Environmental Plan No 188 (Amendment No 5)

Amendment of Penrith Local Environmental Plan No 188

Schedule 1

plant community means a group of organisms living together in a definable region or habitat defined by the vegetation.

[2] Clause 6 (1), definition of “the map”

Insert at the end of the definition:

Penrith Local Environmental Plan No 188 (Amendment No 5)

[3] Clause 8 Zones indicated on the map

Insert at the end of the clause:

Zone No 7 (a) (Environmental Protection Zone) - edged black and lettered 7 (a)

[4] Clause 9 Zone objectives and development control table

Insert in the Table to clause 9 after the matter relating to Zone No 2r1 (Rural Residential Zone):

Zone No 7 (a) (ENVIRONMENTAL PROTECTION ZONE)

1 Objectives of zone

The objectives of this zone are:

- (a) to reserve land for the protection and preservation of native vegetation and places of natural ecological significance, and
- (b) to ensure that places of Aboriginal significance are conserved, and
- (c) to improve the condition of existing native vegetation and encourage the revegetation and rehabilitation of land with appropriate native vegetation management, and
- (d) to maintain flora and fauna corridors between remnant areas of native vegetation, and
- (e) to allow for low impact passive recreational and ancillary land uses that are consistent with the retention of the natural ecological significance.

Penrith Local Environmental Plan No 188 (Amendment No 5)

Schedule 1 Amendment of Penrith Local Environmental Plan No 188

2 Without development consent

Bushfire hazard reduction; bush regeneration.

3 Only with development consent

Cycleways or pedestrian pathways; community signage; drainage; purposes specifically permitted by a plan of management for the land prepared pursuant to the *Local Government Act 1993*, which are under the care, control and management of the Council.

4 Prohibited

Any purpose other than a purpose included in Item 2 or 3.

[5] Clause 11

Omit the clause. Insert instead:

11 Advertised development to which section 79A of the Act applies

- (1) Development of land that is inconsistent with any development control plan applying to the land is identified as advertised development for the purposes of the Act.
- (2) Subclause (1) does not apply so as to identify the residential development of land in Zone No 2 (Urban Zone) that is shown hatched on the map if that development involves the erection of a garage on a side lot boundary and that boundary abuts an adjoining residential lot.

[6] Clause 16

Insert after clause 15:

16 Site controls for dwellings in Zone No 2 (Urban Zone)

- (1) The council must not consent to the erection of a dwelling on land in Zone No 2 (Urban Zone) that is shown hatched on the map unless:
 - (a) a rear building setback of 4 metres minimum is achieved—in the case of a single storey dwelling, and
 - (b) a rear building setback of 6 metres minimum is achieved—in the case of a two-storey dwelling, and

Penrith Local Environmental Plan No 188 (Amendment No 5)

Amendment of Penrith Local Environmental Plan No 188

Schedule 1

- (c) a restriction on the use of the land is created that specifies:
 - (i) the rear building setbacks referred to in paragraphs (a) and (b), and
 - (ii) the resultant area of the lot on which a dwelling may be erected, and
 - (d) all the provisions of the *Glenmore Park Eastern Hamlets Development Control Plan* are complied with.
- (2) In this clause:
storey means a floor or level of a building which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Randwick Local Environmental Plan 1998 (Amendment No 25)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S99/00613/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Randwick Local Environmental Plan 1998 (Amendment No 25)

Randwick Local Environmental Plan 1998 (Amendment No 25)

1 Name of plan

This plan is *Randwick Local Environmental Plan 1998 (Amendment No 25)*.

2 Aims of plan

This plan aims to further provide for exempt and complying development in the City of Randwick.

3 Land to which plan applies

This plan applies to all land in the City of Randwick under *Randwick Local Environmental Plan 1998*.

4 Amendment of Randwick Local Environmental Plan 1998

Randwick Local Environmental Plan 1998 is amended:

- (a) by omitting from clause 26 (1)–(3) the matter “1 February 2000” wherever occurring and by inserting instead the matter “14 May 2002”,
- (b) by omitting from clause 26 (2) the matter “Table B” and by inserting instead the matter “Tables B, C and D”.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**REVOCATION OF NOTIFICATION PLACING LAND UNDER THE CARE,
CONTROL AND MANAGEMENT OF THE COUNCIL OF BLACKTOWN****ERRATUM**

THE Schedule to the Revocation of Notification Placing Land under the Care, Control and Management of land within Blacktown City Council published on page 4425 in Government Gazette No. 98 of 14 June 2002 should have read and shall always be taken to have read as follows:

SCHEDULE

All those pieces or parcels of land situated in the Blacktown Local Government area, Parishes of Gidley and Prospect and County of Cumberland land in Certificates of Title Folio Identifier 2/598154, 1/596896 and part of land in 4/420086.

G PRATTLEY
Executive Director
Metropolitan Planning
Department of Planning

PlanningNSW File No. P91/01137/001

Roads and Traffic Authority

Roads Act 1993

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

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

PAUL HENRY
General Manager
Inverell Shire Council
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the **Inverell Shire Council B-Double Notice No 2002/01**.

2. Commencement

This Notice takes effect from date of gazettal.

3. Effect

This Notice remains in force until it is amended or repealed.

4. Application

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

5. Routes

B-Double routes within the Inverell Shire Council

Type	Road No	Road Name	Starting point	Finishing point	Conditions
25m	SR249	Dodds Lane	Gwydir Highway (SH12)	Elsmore - Paradise Road	1. 80km/hr speed limit. 2. Outside school bus times.
25m	SR247	Elsmore - Paradise Road	Dodds Lane	Newstead South Road	1. 80km/hr speed limit. 2. Outside school bus times.
25m	SR247	Newstead South Road	Elsmore-Paradise Road	Limit of Public Road	1. 80km/hr speed limit. 2. Outside school bus times.

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Windmill Corner, McLeods Creek, Tumbulgum, Condong, South Murwillumbah, Murwillumbah, Fernvale, Burringbah and Crabbes Creek in the Tweed 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 Lorsch
 Manager, Statutory Processes,
 Roads and Traffic Authority of New South Wales.

 SCHEDULE

All those pieces or parcels of land situated in the Tweed Shire Council area, Parishes of Condong, Cudgen, Murwillumbah, Mooball and County of Rous, shown as:

Lots 2 and 3 Deposited Plan 208132;
 Lot 11 Deposited Plan 546292;
 Lot 3 Deposited Plan 539354;
 Lot 2 Deposited Plan 237082;
 Lots 34 to 38 inclusive and Lots 70 and 71 Deposited Plan 240589;
 Lot 3 Deposited Plan 619311;
 Lots 1 to 5 inclusive Deposited Plan 237494;
 Lots 1, 2 and 3 Deposited Plan 531814;
 Lots 1 to 4 inclusive Deposited Plan 446205;
 Lots 4 to 13 inclusive and 19 to 22 inclusive Deposited Plan 240942;
 Lot 28 Deposited Plan 540492;
 Lots 1, 2 and 3 Deposited Plan 779859;
 Lot 1 Deposited Plan 957684;
 Lot A Deposited Plan 930665;
 Lot 7 Deposited Plan 608840;
 Lots 5 and 6 Deposited Plan 621019;
 Lot 14 Deposited Plan 866170;
 Lot 211 Deposited Plan 755721; and
 Lots 14 and 15 Deposited Plan 627446.

(RTA Papers: 10/438.1313).

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Howlong in the Hume 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 Lorsch
 Manager, Statutory Processes,
 Roads and Traffic Authority of New South Wales.

 SCHEDULE

All those pieces or parcels of land situated in the Hume Shire Council area, Parish of Howlong and County of Hume, shown as Lots 3 to 8 inclusive, Deposited Plan 869432.

(RTA Papers: FPP 96M1804; RO 202.1185).

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Kiama in the Council of the Municipality of Kiama 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 Lorsch
 Manager, Statutory Processes,
 Roads and Traffic Authority of New South Wales.

 SCHEDULE

All that piece or parcel of land situated in the Council of the Municipality of Kiama area, Parish of Kiama and County of Camden, shown as Lot 20 Deposited Plan 638594.

(RTA Papers: 1/236.1216).

Roads Act 1993

Notice under Clause 17 of the Roads Transport (Mass, Loading and Access) Regulation 1996

Holbrook Council in pursuance of Division 2 of Part 3 of the Roads Transport (Mass, Loading and Access) Regulation 1996, by this notice, specify the routes and areas on or in which B-doubles may be used subject to any requirements or conditions set out in the Schedule.

Peter Brasier
Manager Engineering Services
Holbrook Shire Council
(by delegation from the Minister for Roads)

1. Citation

This notice may be cited as the Holbrook Shire Council B-Doubles Notice No.1/2002.

2. Commencement

This notice takes effect from the date of gazettal.

3. Effect

This notice remains in effect until 1/1/2005 unless it is amended or repealed earlier

4. Application

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

5. Routes

Part 2 – B-Double Routes within the Holbrook Shire

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Annandale Road	MR 331	'Annandale South' – 2.7 km South	No B-Double movements from 7.30 – 8.45 a.m. and 3.30 – 5.00 p.m. on School Days
25	000	Ralvona Lane	MR 331	6.7km North of MR 331.	No B-Double movements from 7.30 – 8.30 a.m. and 3.30 – 5.00 p.m. on School Days
25	000	Yarra Yarra Lane	SH 2	"Yarra Yarra" 5.75 km East.	No B-Double movements from 7.30 – 8.30 a.m. and 3.30 – 5.00 p.m. on School Days

ROADS ACT 1993
Notice under Clause 17 of the Roads Transport (Mass, Loading and Access)
Regulation, 1996

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

Pintara Lay

28May 2002

Traffic & Road Safety Manager

Rockdale City Council

(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Rockdale City Council B-Double Notice No 1/ 2002.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 1 July 2007 unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Rockdale City Council

Type	Road	Starting point	Finishing point
25	West Botany St	Princes Hwy	Marsh St

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.

CITY OF LIVERPOOL, AT WARWICK FARM: Contract Number 967304S5, Project Number 3001393. Sewer line 1, inclusive and its appurtenant junctions, serving VISCOUNT PLACE.

CITY OF LIVERPOOL, AT LIVERPOOL: Contract Number 973650S1, Project Number 3002994. Property connection sewer line 1 inclusive and its appurtenant junctions, serving GILL AVENUE and REILLY 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.

Dated: 21 June 2002.

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 OF CAMPBELLTOWN, AT BLAIR ATHOL: Contract Number 12722, Project Number 12722WW. Property connection sewer lines 1, inclusive and its appurtenant junctions, serving KEIGHRAN MILL DRIVE.

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.

KEVIN ADAMS,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 21 June 2002.

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 practicable for sewerage to be discharged.

CITY/MUNICIPALITY OF HORNSBY, AT BEECROFT. Contract Number 951496S7, Project Number 352932. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving WANDEEN AVENUE.

CITY/MUNICIPALITY OF HORNSBY, AT BEROWRA. Contract Number 975789S3, Project Number 3002605. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving YALLAMBEE ROAD.

CITY/MUNICIPALITY OF HORNSBY, AT WAHROONGA. Contract Number 965815SB, Project Number 3003024. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving RUSSELL AVENUE.

CITY/MUNICIPALITY OF HORNSBY, AT NORMANHURST. Contract Number 978433S6, Project Number 3003001. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving STUART AVENUE.

CITY/MUNICIPALITY OF WILLOUGHBY, AT CHATSWOOD. Contract Number 972626S5, Project Number 3002631. Line 1 to line 2, inclusive and their appurtenant junctions, sidelines and inlets serving VICTORIA AVENUE and HELP STREET.

CITY/MUNICIPALITY OF KU-RING-GAI, AT NORTH TURRAMURRA. Contract Number 978349SB, Project Number 3002952. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving MIOWERA ROAD.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being the identified properties on the plans will be liable for payment of sewerage charges on and from the date of this publication of this notice.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 21 June 2002.

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.

BAULKHAM HILLS SHIRE OF: AT WEST PENNANT HILLS; Contract No 974989S9, Project No 3002658, Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving BROOKPINE PLACE.

AT KELLYVILLE; Contract No 974415S8, Project No 3002618, Lines 1 to 11 inclusive and their appurtenant junctions, sidelines and inlets serving CONRAD ROAD, BRAEMONT AVENUE, TULLANE PLACE, RANLEIGH CIRCUIT AND HAZELTON AVENUE.

AT ROUSE HILL; Contract No 977741S9, Project No 3002884, Lines 1 inclusive and its appurtenant junctions, sidelines and inlets serving ADELPHI STREET AND MILE END ROAD.

AT KELLYVILLE; Contract No 975078S3, Project No 3002875, Lines 1 to 2 inclusive and their appurtenant junctions, sidelines and inlets serving FLINT PLACE, ACRES ROAD AND WINDSOR ROAD.

HOLROYD CITY OF: AT MERRYLANDS; Contract No 962269S7, Project No 3002538, Lines 1 to 2 and Property Connection sewer 1 inclusive and their appurtenant junctions, sidelines and inlets serving WALKER STREET, YORK STREET AND ST ANN 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.

VICKI MAWBY,
Developer Activity Officer,
Blacktown.

Dated: 21 June 2002.

SYDNEY WATER

Sewer Mains
ERRATUM

THE following appeared in Government Gazette for the 7th June 2002:

CITY/MUNICIPALITY OF HORNSBY, AT CHERRYBROOK. Contract Number 974246S5, Project Number 3002482. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving off ROBERT ROAD.

This should have read:

CITY/MUNICIPALITY OF HORNSBY, AT CHERRYBROOK. Contract Number 974246S5, Project Number 3002482. Line 1 to line 2, inclusive and their appurtenant junctions, sidelines and inlets serving off ROBERT ROAD.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 21 June 2002.

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 PENRITH, AT GLENMORE PARK: Contract Number 974627W6, Project Number 1001055. Water mains are now laid and capable of serving identified properties in BLUE HILLS DRIVE and BRIGADOON 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.

ROBERT ROACH,
Developer Activity Officer,
Blacktown Commercial Centre.

Dated: 21 June 2002.

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.

HOLROYD CITY OF: AT WENTWORTHVILLE; Contract No 958090W9, Project No 1001308 water mains are now laid and capable of serving identified properties at GREAT WESTERN HIGHWAY.

BAULKHAM HILLS SHIRE OF: AT CASTLE HILL; Contract No 974407W4, Project No 1001109, water mains are now laid and capable of serving identified properties at PRIVATE ROAD OFF FRANCIS STREET AND PRIVATE ROAD OFF CHURCH 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.

VICKI MAWBY,
Developer Activity Officer,
Blacktown.

Dated: 21 June 2002.

SYDNEY WATER

Watermains

NOTICE is hereby given that watermains as described below and shown on plans which may be inspected at the Regional 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 practicable for water to be supplied.

CITY/ MUNICIPALITY OF ROCKDALE, AT ROCKDALE. Contract Number 962776W1 and 973009W2, Project Number 1000877. Water mains are now laid and capable of serving identified properties in BRYANT STREET and MARKET STREET.

Subject to the provisions of the Sydney Water Act 1994 the owners of all lands being the identified properties on the plans will become liable for payment of water charges on and from the date of publication of this notice.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 21 June 2002.

SYDNEY WATER ACT, 1994

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land and Easement at Katoomba and Blackheath in the Local Government Area of the City of Blue Mountains

Sydney Water Corporation declares, with the approval of Her Excellency, the Governor, that the land described in the First Schedule hereto is acquired and that the interest in land described in the Second Schedule hereto is acquired over the land described in the Third, Fourth, Fifth and Sixth Schedule hereto and the interest in land described in the Seventh Schedule hereto is acquired over the land described in the Eighth Schedule hereto and the interest in land described in the Ninth Schedule hereto is acquired over the land described in the Tenth, Eleventh, Twelfth, Thirteenth and Fourteenth Schedule hereto by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 for the purpose of the Sydney Water Act 1994.

Dated at Sydney this 19th day of June 2002.

Signed for Sydney Water Corporation by its Attorneys:

Warren Fredrick Watkins
Jeffrey Francis Colenso

who hereby state at the time of executing this instrument have no notice of the revocation of the Power of Attorney Registered No. 687 Book 4296 under the Authority of which this instrument has been executed.

SCHEDULE 1

All that piece or parcel of land in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being Lot 2 Deposited Plan 1041345, having an area of 5.89 ha.

SCHEDULE 2

Easement for Water Supply Purposes more fully described in Memorandum 7158329B lodged at the Office of Land and Property Information NSW, Sydney

SCHEDULE 3

All that piece or parcel of land having an area of 5903 m² in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041345 as "(A) PROPOSED EASEMENT FOR ACCESS & WATER SUPPLY PURPOSES 6 WIDE".

SCHEDULE 4

All that piece or parcel of land having an area of 1.506 ha in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041345 as "(B) PROPOSED EASEMENT FOR ACCESS & WATER SUPPLY PURPOSES VARIABLE WIDTH".

SCHEDULE 5

All that piece or parcel of land having an area of 1.185 ha in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041808 as "(A) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 4.5 WIDE".

SCHEDULE 6

All that piece or parcel of land having an area of 1247 m² in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041810 as "(D) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 3 WIDE".

SCHEDULE 7

Easement for Sewerage Purposes more fully described in Memorandum 7158328D lodged at the Office of Land and Property Information NSW, Sydney.

SCHEDULE 8

All that piece or parcel of land having an area of 5379 m² in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041345 as "(C) PROPOSED EASEMENT FOR SEWERAGE PURPOSES 6 WIDE".

SCHEDULE 9

Easement for Access, Electricity Purposes, Sewerage Purposes, Telecommunications Purposes and Water Supply Purposes more fully described in Memorandum 7158335G lodged at the Office of Land and Property Information NSW, Sydney.

SCHEDULE 10

All that piece or parcel of land having an area of 6049 m² in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041345 as "(D) PROPOSED EASEMENT FOR ACCESS & SERVICES 13 WIDE".

SCHEDULE 11

All that piece or parcel of land having an area of 1.07 ha in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041810 as *(A) PROPOSED EASEMENT FOR ELECTRICITY PURPOSES 9 WIDE*.

SCHEDULE 12

All that piece or parcel of land having an area of 1.21 ha in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041810 as *“(B) PROPOSED EASEMENT FOR ACCESS & SERVICES 10 WIDE & VARIABLE”*.

SCHEDULE 13

All that piece or parcel of land having an area of 2.04 ha in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041810 as *“(C) PROPOSED EASEMENT FOR SERVICES, ACCESS & ELECTRICITY PURPOSES 20 WIDE & VARIABLE”*.

SCHEDULE 14

All that piece or parcel of land having an area of 789 m² in the Local Government Area of the City of Blue Mountains, Parish of Blackheath, County of Cook, and State of New South Wales, being the land shown on Deposited Plan 1041810 as *“(E) PROPOSED EASEMENT FOR ACCESS VARIABLE WIDTH”*.

Other Notices

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation pursuant to section 55A(3)

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to Section 55A(3) of the Associations Incorporation Act 1984 and the cancellation is effective on 21 June 2002.

1. Y2197610 Bellingen Shire Beach Vehicle Users Association Inc
2. Y1053012 Woodbridge Cup Inc
3. Y1209200 City of Wollongong Services Band Inc
4. Y1395710 Great Lakes Neighbour Aid Inc
5. Y1750721 Movement for Democracy & Human Rights in Fiji Inc
6. Y0879834 Australasian Native Orchid Society Newcastle Group Inc
7. Y2933508 Ewingar Social Club Incorporated
8. Y1320802 Hospitality Sales And Marketing Association Australia (NSW Chapter) Inc
9. Y1131903 Eden Meals on Wheels Inc
10. Y0947210 The Australian Insurance Institute (New South Wales) Incorporated
11. Y2217441 Broken Hill Boot Scooters Incorporated
12. Y2937937 Bronte Landcare Incorporate

D. B. O'CONNOR,
Director-General
Department of Fair Trading

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

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

CITATION

The order is cited as the Business Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

(i) **Full-time**

Training shall be given for a nominal term of 12 months each for all Certificates II, III and IV in Business except for Certificate IV in Business (Frontline Management) which shall be for a nominal term of 24 months or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) **Part-time**

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

School based traineeships

In the case of school-based part-time traineeships, where the nominal full-time term is twelve (12) months, training shall be for nominal terms up to 30 months within which period(s) trainees shall be required to demonstrate competencies relevant to the Vocational Training Order. Training may extend to 36 months where the Higher School Certificate is being delivered over a three (3) year period.

Students may work full-time during school vacations. They are not required to attend on-the-job or off-the-job training for more than 7.6 hours per week during examination periods or exam preparation periods.

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

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

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Business Competency Standards.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:
Certificate II in Business (BSB20101)

Certificate III in Business (BSB30101)
 Certificate IV in Business (BSB40101)
 Certificate III in E-Business (BSB30601)
 Certificate IV in E-Business (BSB41201)
 Certificate III in Business Administration (BSB30201)
 Certificate IV in Business Administration (BSB40201)
 Certificate III in Business (Sales) (BSB30301)
 Certificate III in Business (Recordkeeping) (BSB30401)
 Certificate IV in Business (Recordkeeping) (BSB40301)
 Certificate III in Business (Frontline Management) (BSB30501)
 Certificate IV in Business (Frontline Management) (BSB41001)
 Certificate III in Business (Legal Administration) (BSA30200)
 Certificate IV in Business (Legal Services) (BSA40200)
 Certificate IV in Business (Small Business Management) (BSB40401)
 Certificate IV in Business Development) (BSB40501)
 Certificate IV in Business (Advertising) (BSB40601)
 Certificate IV in Business (Marketing) (BSB40701)
 Certificate IV in Business (Human Resources) (BSB40801)
 Certificate IV in Business (Governance) (BSB40901)
 Certificate IV in Business Management (BSB41101)

AVAILABILITY FOR INSPECTION

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

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of making of a Vocational Training Order

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

CITATION

The order is cited as the Financial Services Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal period of 12 months each for Certificates II, III and IV or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) Part-time

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

School based traineeships

In the case of school-based part-time traineeships, where the nominal full-time term is twelve (12) months, training shall be for nominal terms up to 30 months within which period(s) trainees shall be required to demonstrate competencies relevant to the Vocational Training Order. Training may extend to 36 months where the Higher School Certificate is being delivered over a three (3) year period.

Students may work full-time during school vacations. They are not required to attend on-the-job or off-the-job training for more than 7.6 hours per week during examination periods or exam preparation periods.

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

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

traineeships.

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competence specified in the Financial Services Training Package FNB99.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Certificate II in Financial Services FNB 20199
 Certificate III in Financial Services FNB 30199
 Certificate III in Financial Services (General Insurance) FNB 30201
 Certificate IV in Financial Services (General Insurance) FNB 40401

Certificate IV in Financial Services (Assessment Services) FNB 40501
 Certificate IV in Financial Services FNB 40199
 Certificate IV in Financial Services (Personal Trust Administration) FNB 40299
 Certificate IV in Financial Services (Credit Management and Mercantile Agents) FNB 40399

AVAILABILITY TO INSPECT

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

ASTHMA FOUNDATION CONSTITUTION

HER Excellency the Governor and the Executive Council have approved the amendment to the Constitution of the Asthma Foundation agreed to at the Foundation's Annual General Meeting of May 2001.

BOB CARR,
 Premier

CATCHMENT MANAGEMENT ACT 1989

Determinations Concerning Catchment Contributions

1 July 2002 to 30 June 2003

THE Hunter Catchment Management Trust in pursuance of section 43 of the Catchment Management Act (1989) and in accordance with the Hunter Catchment Management Trust Regulation 1997, does hereby make the following determination in respect of the year commencing 1 July 2002:

- a. It proposes to raise \$2,642,000 by way of catchment contribution.
- b. The catchment contribution is to be levied on all rateable land within the Trust catchment contribution area as delineated by maps held at the Trust's offices.
- c. The basis of the catchment contribution is a rate based on land values provided by the appropriate local government councils.
- d. The catchment contribution rate for the year commencing 1 July 2002 will be 0.0235 of a cent in the dollar (land value).

DATED at Paterson this thirtieth day of May 2002.

THE COMMON SEAL OF THE)
 HUNTER CATCHMENT) L.S.
 MANAGEMENT TRUST was)
 affixed hereto this thirtieth day) (Sgd) H J Sternbeck AM
 of May 2002 pursuant to a) *Chairman*
 resolution of the Trust in the)
 presence of two Trustees) (Sgd) I F Eather JP
 whose signatures appear) *Trustee*
 opposite hereto.)

CO-OPERATIVES ACT 1992

Notice under Section 601AA of The Corporations Law as applied by section 325 of The Co-Operatives Act 1992

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

NAME OF CO-OPERATIVE

HOLBROOK PRE-SCHOOL CO-OPERATIVE LIMITED

Dated this Seventeenth day of June 2002.

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

CO-OPERATIVES ACT 1992

Notice under section 601AA of The Corporations Law as applied by section 325 of The Co-Operatives Act 1992

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

NAME OF CO-OPERATIVE

DRAKE CO-OPERATIVE TRADING CENTRE LIMITED

Dated this Seventeenth day of June 2002.

C. GOWLAND,
 Delegate of The Registrar of Co-Operatives

DISTRICT COURT OF NEW SOUTH WALES

DIRECTION

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

Scone 10.00 a.m. 2 December 2002 (2 weeks)

Dated this 13th day of June 2002.

R. O. BLANCH,
 Chief Judge

GEOGRAPHICAL NAMES ACT 1966

Notice of Locality Boundary Amendments
 In Tumburumba Shire

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day amended the locality boundaries between Rosewood and Glenroy, increasing the extent of Glenroy and between Maragle and Paddys River, increasing the extent of Paddys River. GNB3808.

W. WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143
 BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

ERRATUM

IN the notice referring to the assignment of the name Omeo Trig. Station, Folio 2491, 9 March 1973, the notice was in error and should read as follows.

Name: Omeo Designation: Trig Station

This notice corrects the above error.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795

GEOGRAPHICAL NAMES ACT 1966

ERRATUM

IN the notice referring to a change of designation for the name and Seven Gods Pinnacles, Folio 3285, 24 May 2002. The notice incorrectly stated the new designation as Pinnalce, the correct designation is Pinnacle, this notice corrects that error.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795

HUNTER WATER ACT 1991

IN pursuance of section 12 of the Hunter Water Act 1991, 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 new operating licence for Hunter Water Corporation Limited has been granted for the period from 1 July 2002 to 30 June 2007.

KIMBERLEY MAXWELL YEADON, M.P.,
Minister for Information Technology,
Minister for Energy, Minister for Forestry
and Minister for Western Sydney

**MOTOR ACCIDENTS COMPENSATION ACT 1999
CLAIMS ASSESSMENT GUIDELINES****EXPLANATORY NOTE**

These Guidelines are made pursuant to section 69(1) of the Motor Accidents Compensation Act 1999 ("the Act"). They apply in respect of a motor accident occurring on or after 5 October 1999.

These Guidelines replace the Claims Assessment Guidelines gazetted on 17 December 1999 and will apply to all new applications received at CARS after 1 August 2002 and all matters current at CARS after that date.

The Guidelines explain the operation of those sections of the Act relating to the Claims Assessment and Resolution Service ("CARS"). CARS has been established by the Motor Accidents Authority ("the MAA") to reduce the need for

injured persons or insurers to commence legal or court proceedings. It is intended this will assist in the reduction of costs for the Motor Accidents Compensation Scheme and will therefore help maintain the affordability of premiums. It is intended that the CARS process will speed up the settlement of claims to the benefit of all parties.

These Guidelines are primarily intended to guide the officers of the MAA, members of the legal profession and the insurance industry. Easy to understand information directed towards claimants who wish to represent themselves will be available from the MAA.

Questions about CARS and these Guidelines should be directed to the Principal Claims Assessor at the Authority.

DAVID BOWEN,
General Manager
Motor Accidents Authority

Dated 21st June 2002.

Chapter 1. INTERPRETATION

1.1 The following abbreviations are used in these Guidelines:

CARS	Claims Assessment and Resolution Service
CAS	Claims Advisory Service
CTP	Compulsory Third Party
The Act	Motor Accidents Compensation Act 1999
The Authority	Motor Accidents Authority (MAA)
MAS	Medical Assessment Service
PCA	Principal Claims Assessor
SCA	Senior Claims Assessor
DX box	Exchange box in the Australian Document Exchange Pty Limited

- 1.2 A reference in these guidelines to the applicant is a reference to the party (either claimant or insurer) lodging an application.
- 1.3 A reference in these guidelines to the respondent is a reference to the party (either claimant or insurer) replying or responding to an application.
- 1.4 A reference to a party in these guidelines includes multiples parties to any application
- 1.5 A reference in these guidelines to a number of days is a reference to a number of working days
- 1.6 A reference in these guidelines to an assessor is a reference to a claims assessor
- 1.7 A reference to an assessor in these guidelines includes the PCA and the SCA, unless otherwise stated.
- 1.8 A reference in these guidelines to an officer of CARS is a reference to an employee of the Authority working in the CARS unit.
- 1.9 A reference in these guidelines to a Senior Assessor is an Assessor from the Senior Assessors Service [see Chapter 4A].

- 1.10 A reference in these guidelines to a service copy of material is a reference to a separate bundle copy of the documents that are attached to and lodged with, or in support of an application or reply form.

Chapter 2. JURISDICTION

- 2.1 An application may be made to CARS for assessment of:
- 2.1.1 Whether a certificate of exemption should be issued pursuant to section 92(1)(a) or (b) (“an application for exemption”).
- 2.1.2 The insurer’s liability for the claim and the amount of damages for that liability and the issue of a certificate pursuant to section 94 (“an application for general assessment”).
- 2.1.3 Further assessment and issue of a new certificate of assessment by application of the parties or further assessment and issue of a new certificate of assessment where the court remits a matter pursuant to section 111 (“an application for further assessment”).
- 2.1.4 Certain disputes between a claimant and an insurer as set out in section 96 (“an application for a special assessment”).
- 2.2 An officer of CARS may reject an application as not duly made if the application does not disclose that it relates to one of the above 4 types of assessments.
- 2.3 An officer of CARS may reject an application for a special assessment if the application does not disclose that it relates to a dispute that is one of the types of disputes set out in section 96.

Chapter 3. REGISTRY

- 3.1. CARS shall establish and maintain a registry.
- 3.1.1. For the purposes of delivery of documents the address of the registry is:
The Principal Claims Assessor
Claims Assessment and Resolution Service
Motor Accidents Authority of NSW
Level 21
580 George Street
Sydney NSW 2000
- 3.1.2. For the purposes of sending of documents the address of the registry is:
The Principal Claims Assessor
Claims Assessment and Resolution Service
Motor Accidents Authority of NSW
Level 22
580 George Street
Sydney NSW 2000
or
DX 1517 SYDNEY
- 3.2. Except on Saturdays, Sundays and other holidays, the registry shall be open to the public for lodgment of documents between 9.30 in the morning and 4.30 in the afternoon.

- 3.3. The registry shall, notwithstanding clause 3.2 above, be kept open to the public for business or closed for business, at such times and on such days as the Principal Claims Assessor shall direct.
- 3.4. It is sufficient notification or service for any document or correspondence directed to the PCA, an assessor or CARS to be left in the DX box of the Authority **DX 1517 Sydney**, or at another DX box for transmission to that exchange box.
- 3.5. The PCA shall arrange for all applications made under these guidelines to be allocated a file number and registered. All correspondence concerning the application is to quote the file number.
- 3.6. All correspondence to and communication with an assessor must, unless the assessor directs otherwise, be directed to the assessor care of the registry
- 3.7. If a legal practitioner or agent represents the claimant:
- 3.7.1. It is sufficient notification for the PCA, an assessor, an officer of CARS or an insurer to send any document required to be sent to the claimant, to the legal practitioner or agent.
- 3.7.2. The PCA, an assessor or an officer of CARS may contact the claimant direct in relation to the assessment conference.
- 3.8. If a legal practitioner or agent represents the insurer, it is sufficient notification for the PCA, an assessor, an officer of CARS or a claimant to send any document required to be sent to the insurer, to the legal practitioner or agent.
- 3.9. If a party, represented by a legal practitioner or agent, requests CARS to do so, the PCA, an assessor, or an officer of CARS is to send any document required to be sent to that party, to the party in addition to the party’s legal representative or agent.
- 3.10. The Authority will provide and maintain a Claims Advisory Service to assist un-represented claimants, solicitors and insurers in respect of their rights and obligations under the Act and these guidelines.

Chapter 3A. PROCEDURAL NON COMPLIANCE

- 3A.1 An officer of CARS may reject any application or reply form that does not substantially comply with these guidelines.
- 3A.2 An officer of CARS shall issue a rejection notice setting out brief reasons for the rejection.
- 3A.3 If documents in support of any application are not listed in accordance with the requirements of the form, an officer of CARS may reject the application.
- 3A.4 If documents in support of any reply form are not listed in accordance with the requirements of the form, an officer of CARS may reject the reply.
- 3A.5 If documents are listed in accordance with the requirements of the form but are not provided, an officer of CARS may:
- 3A.5.1 Reject the application or reply in accordance with clause 3A.1 or

- 3A.5.2 Notify the parties that the documents were not attached and register the application or reply in the absence of the documents 4.9

Chapter 4. EXEMPTION OF MATTERS FROM GENERAL ASSESSMENT

Section 92(1)(a)

- 4.1 For the purpose of section 92(1)(a) the PCA shall issue a certificate of exemption when satisfied that, at the time of assessment, the matter involves one or more of the following circumstances:
- 4.1.1 The insurer denies liability or breach of duty of care for the claim under section 81(1)
- 4.1.2 The insurer admits liability or breach of duty of care for only part of the claim under section 81(2) and makes an allegation of contributory negligence claiming a reduction of damages by more than 25%
- 4.1.3 The insurer makes an allegation that a claim is a false or misleading claim under section 117
- 4.1.4 The claimant lacks legal capacity.
- 4.2 The claimant, the insurer or both may make an application **to the PCA** for a certificate of exemption.
- 4.3 An application for exemption may be made at any time subject to section 91.
- 4.4 An **application by either party** for a certificate of exemption **must:**
- 4.4.1 Be in the form approved by the Authority and
- 4.4.2 Set out or be accompanied by such particulars and information as may be required by that form.
- 4.5 An officer of CARS is to send a copy of the application to the respondent, together with the service copy of material in support of the application provided by the applicant, within 10 days of receipt of the application in the registry.
- 4.6 The respondent must reply to the PCA within 15 days of the date of sending the copy of the application. The PCA may deal with the matter in the absence of a reply.
- 4.7 The **reply by either party**, to an application for exemption **must:**
- 4.7.1 Be in the form approved by the Authority and
- 4.7.2 Set out or be accompanied by such particulars and information as may be required by that form.
- 4.8 An officer of CARS is to send a copy of the reply to the applicant, together with the service copy of material in support of the reply provided by the respondent, within 10 days of receipt of the reply in the registry.

The PCA is to consider the application and make a determination within 10 days of the date that the reply is due (including any revised due date following an extension of time by the PCA). If a matter is to be exempted under section 92(1)(a) the PCA must issue a certificate forthwith.

- 4.10 Once a certificate of exemption is issued, it may not be withdrawn without the consent of all parties.

Section 92(1)(b)

- 4.11 An application for a preliminary determination that a matter is not suitable for assessment can be made to the PCA at any time, subject to section 91.
- 4.12 An application by either party for a preliminary determination that a matter is not suitable for assessment **must:**
- 4.12.1 Be in the form approved by the Authority and
- 4.12.2 To assist the assessor in the exercise of their discretion, set out or be accompanied by such particulars and information as may be required by that form.
- 4.13 An officer of CARS is to send a copy of the application to the respondent together with the service copy of material in support of the application provided by the applicant within 10 days of receipt of the application in the registry.
- 4.14 The respondent must reply to the PCA within 15 days of the date of sending the copy of the application. The PCA may deal with the matter in the absence of a reply.
- 4.15 The **reply by either party**, to an application for a preliminary determination **must:**
- 4.15.1 Be in the form approved by the Authority and
- 4.15.2 Set out or be accompanied by such particulars and information as may be required by that form.
- 4.16 An officer of CARS is to send a copy of the reply to the applicant together with the service copy of material in support of the reply provided by the respondent, within 10 days of receipt of the reply in the registry.
- 4.17 The PCA is to consider the application and make a determination within 10 days of the date that the reply is due (including any revised due date following any extension of time by the PCA). If a matter is determined as unsuitable for assessment under section 92(1)(b) the PCA must issue a certificate of exemption forthwith.
- 4.18 For the purpose of section 92(1)(b) an assessor may, in dealing with an application for general assessment and following a preliminary assessment of the claim, determine that the matter is not suitable for assessment.

- 4.19 An assessor may make a preliminary determination that a claim is not suitable for assessment upon application by the claimant or the insurer or both at any time.
- 4.20 If the assessor determines that the matter is not suitable for assessment, the matter must be returned forthwith to the PCA for approval with a statement of reasons.
- 4.21 If the PCA approves of the preliminary determination under section 92(1)(b) the PCA shall issue a certificate of exemption within 5 days of return of the matter from the assessor.
- 4.22 If the PCA does not approve of the preliminary determination, an officer of CARS is to forward the matter to a different assessor for assessment within 10 days of the return of the matter from the original assessor.
- 4.23 In determining whether a matter is not suitable for assessment an assessor and the PCA shall have regard to the circumstances of the claim at the time of assessment including:
- 4.23.1 The heads of damage claimed by the claimant and the extent of any agreement by the insurer as to the entitlement to those heads of damage
- 4.23.2 Whether the matter involves complex legal issues
- 4.23.3 Whether the matter involves complex factual issues
- 4.23.4 Whether the matter involves complex issues of quantum or complex issues in the assessment of the amount of the claim including but not limited to major or catastrophic, spinal or brain injury claims
- 4.23.5 Whether the claimant has been medically assessed and is entitled to non-economic loss pursuant to section 131 and the matter involves other issues of complexity
- 4.23.6 Whether the matter involves complex issues of causation in respect of the relationship between the accident, the injuries sustained and disabilities arising from it including but not limited to multiple accidents or pre-existing injuries or medical conditions
- 4.23.7 Whether the injuries sustained by the claimant in the accident have not stabilised within 3 years of the date of accident
- 4.23.8 Whether the matter involves issues of indemnity or insurance
- 4.23.9 Whether the insurer is deemed to have denied liability under section 81(3)
- 4.23.10 Whether the claimant or a witness, considered by the assessor to be a material witness, resides outside the jurisdiction
- 4.23.11 Whether the claimant seeks to proceed against one or more non-CTP parties

Note - A party may either seek an exemption under section 92(1)(b) by completing the appropriate form or the assessor can of the assessor's own motion consider the matter unsuitable for assessment at the preliminary assessment stage

- 4.24 Once a certificate is issued stating that a matter is unsuitable for assessment, it may not be withdrawn without the consent of all parties.
- 4.25 An assessor and the PCA may make a request for the production of documents or the furnishing of information during the course of an assessment of an exemption application or an application for determination that the matter is not suitable for assessment.

See Chapter 11 for provisions concerning documentation

Chapter 4A. SENIORASSESSORS SERVICE

- 4A.1 If the parties agree, a matter that is exempted or exemptible under either section 92(1)(a) or (b) may be referred to an assessor for determination of the issues in dispute but such a determination is not binding on either party.
- 4A.2 Any matter so referred may be dealt with by an assessor from the Senior Assessors Service appointed by the Authority.
- 4A.3 The consent of the parties to the referral of the matter to the Senior Assessors Service shall extend to the selection of the Senior Assessor to determine the issues in dispute.

Chapter 5. GENERALASSESSMENT (Section 94)

- 5.1 An **application by either party** for general assessment **must:**
- 5.1.1 Be in the form approved by the Authority and
- 5.1.2 Set out or be accompanied by such particulars and information as may be required by that form.
- 5.2 An application for general assessment may be made by either party at any time subject to the time requirements of section 91.
- 5.3 An officer of CARS is to send a copy of the application to the respondent, together with the service copy of material in support of the application provided by the applicant, within 10 days of receipt of the application in the registry.
- 5.4 The other party must reply to the PCA within 20 days of the date of sending the copy of the application. The PCA, an officer of CARS and an assessor may deal with the matter in the absence of a reply.
- 5.5 The **reply by either party**, to an application for general assessment **must:**
- 5.5.1 Be in the form approved by the Authority and

5.5.2 Set out or be accompanied by such particulars and information as may be required by that form.

5.6 An officer of CARS is to send a copy of the reply to the applicant, together with the service copy material in support of the reply provided by the respondent, within 10 days of receipt of the reply in the registry.

See Chapter 9 and following for assessment procedure

Chapter 6. FURTHER GENERAL ASSESSMENT

(Section 111)

6.1. Where an assessment has been made and a section 94 certificate has been issued and has not been accepted, either party may apply to CARS for a further assessment on the grounds that significant new evidence (within the meaning of section 111(3)) is available that was not made available to the original assessor.

6.2. The application for further assessment **must**:

6.2.1. Be in the form approved by the Authority and

6.2.2. Set out or be accompanied by such particulars and information as may be required by that form.

6.3. An officer of CARS is to send a copy of the application to the respondent, together with the service copy bundle of material in support of the application provided by the applicant within 10 days of receipt of the application in the registry.

6.4. The respondent must reply to the PCA within 20 days of the date of the sending of the copy of the application. The PCA, an officer of CARS and an assessor may deal with the matter in the absence of a reply.

6.5. The reply **must**:

6.5.1. Be in the form approved by the Authority and

6.5.2. Set out or be accompanied by such particulars and information as may be required by that form.

6.6. An officer of CARS is to send a copy of the reply to the applicant together with the service copy bundle of material in support of the reply provided by the respondent within 10 days of receipt of the reply in the Registry.

6.7. The PCA is to consider the application and make a determination within 10 days of the date that the reply is due (including any revised due date following any extension of time by the PCA). In considering an application the PCA is to have regard to the matters set out in section 111 and the consent of the other party.

6.8. If the PCA is satisfied that the test in section 111(3) is met and that there would be no undue hardship or delay to the other party an officer of CARS is to allocate the matter to the original assessor if available or to a different assessor.

6.9. If the PCA is satisfied that the test in section 111(3) is not met, the PCA shall reject the application.

See Chapter 9 and following for assessment procedure

Chapter 7. REFERRAL BY THE COURT

(Section 111)

7.1. Where a matter is remitted by the Court to CARS, under section 111 the party who has introduced the further evidence should apply to CARS for a further assessment.

7.2. The application for a further assessment **must**:

7.2.1. Be in the form approved by the Authority and

7.2.2. Set out or be accompanied by such particulars and information as may be required by that form including:

7.3. An officer of CARS is to send a copy of the application to the respondent together with the service copy of material in support of the application provided by the applicant, within 10 days of receipt of the application in the registry.

7.4. The respondent must reply to the PCA within 20 days of the date of sending the copy of the application. The PCA, an officer of CARS and an assessor may deal with the matter in the absence of a reply.

7.5. The reply to a further assessment **must**:

7.5.1. Be in the form approved by the Authority and

7.5.2. Set out or be accompanied by such particulars and information as may be required by that form including:

7.6. An officer of CARS is to send a copy of the reply to the applicant, together with the service copy of material in support of the reply provided by the respondent within 10 days of receipt of the reply in the Registry.

7.7. An officer of CARS is, within 10 days of the date that the reply is due (including any revised due date following any extension of time by the PCA) to allocate the matter to the original assessor, if available or to a different assessor.

See Chapter 9 and following for assessment procedure

Chapter 8. SPECIAL ASSESSMENT

(Section 96)

8.1. An application for a special assessment **must**:

8.1.1. Be in the form approved by the Authority and

- 8.1.2 Set out or be accompanied by such particulars and information as may be required by that form
- 8.2 An officer of CARS is to send to the respondent, a copy of the application together with the service copy of material in support of the application provided by the applicant within 10 days of receipt of the application in the registry.
- 8.3 The respondent must reply to the PCA within 15 days of the date of sending the copy of the application. The PCA, an officer of MAS and an assessor may deal with the matter in the absence of a reply
- 8.4 The reply to an application for special assessment **must**:
- 8.4.1 Be in the form approved by the Authority and
- 8.4.2 Set out or be accompanied by such particulars and information as may be required by that form.
- 8.5 An officer of CARS is to send a copy of the reply to the applicant together with the service copy of material in support of the reply provided by the respondent within 10 days of receipt of the reply in the Registry.
- See Chapter 9 and following for assessment procedure*
- Chapter 9. ALLOCATION**
- Review**
- 9.1. Within 10 days of the date the reply is due (including any revised due date following any extension of time by the PCA), the PCA or an officer of CARS is to review the file and allocate the matter to an assessor appointed by the Authority. This is referred to as 'the date of allocation'.
- Decline or defer allocation**
- 9.2. The PCA or the SCA may decline to allocate a matter for assessment in the following circumstances:
- 9.2.1. The application is not accompanied by the required documentation or does not contain the required information
- 9.2.2. The issues in dispute involve matters that require a MAS assessment
- 9.2.3. There has not been a genuine attempt by a party to settle the matter and the matter is capable of resolution
- 9.2.4. The claimant's injuries have not stabilised having regard to any medical evidence attached to the application or reply
- 9.2.5. The PCA or the SCA is satisfied there are other good reasons to decline to allocate the matter
- 9.3. If the required documentation/information is not attached to the application the PCA or the SCA may:
- 9.3.1. Reject the application in accordance with clause 3A.1 or
- 9.3.2. Advise the applicant within 10 days of receipt of the application in the registry and allow the applicant a further 10 days to furnish the additional information and/or documentation. If so advised and the applicant fails to do so without good reason, the applicant is taken to have withdrawn the application.
- 9.4. If the required documentation/information is not attached to the reply the PCA or the SCA may:
- 9.4.1. Reject the reply in accordance with clause 3A.1 or
- 9.4.2. Advise the respondent within 10 days of receipt of the reply in the registry and allow a further 10 days to furnish the additional information and/or documentation. If so advised and the respondent fails to do so without good reason, the matter may be assessed in the absence of any or any complete reply.
- 9.5. If no reply is received within the time provided, the PCA or the SCA may allocate the matter in the absence of a reply.
- 9.6. If the PCA or the SCA is of the view that the matter requires a MAS assessment the PCA or the SCA may:
- 9.6.1. Reject the application or;
- 9.6.2. Defer allocating of the matter for assessment for a period of up to 6 months and;
- 9.6.2.1. Request that one of the parties to the assessment make a MAS application or
- 9.6.2.2. Refer the matter for medical assessment, to the Proper Officer of the Authority in accordance with section 60 and the MAS Guidelines.
- 9.7. If the PCA or an officer of CARS is of the view that the matter is capable of resolution by the parties the PCA or an officer of CARS may defer allocating the matter to an assessor for a period not exceeding two months from receipt of the reply in the registry to allow the parties an opportunity to settle the matter. Either party can apply to the PCA to proceed with the assessment at any time, if settlement negotiations fail.
- 9.8. If the PCA is satisfied there are other good reasons to decline to allocate the matter, the PCA may defer allocating the matter to an assessor for a period not exceeding twelve months from receipt of the reply in the registry. Either party can apply to the PCA to proceed with the assessment at any time.
- 9.9. If the allocation of the matter is declined or deferred an officer of CARS must notify the parties forthwith.

Notification of allocation

- 9.10. The PCA or an officer of CARS shall within 10 days of the allocation of the matter:
- 9.10.1. Notify the parties of the name of the assessor allocated and the time and date for the preliminary assessment and preliminary conference and
- 9.10.2. Notify the assessor and provide the assessor with the application form and all documents and material in support of the application, the reply form and all documentation and material in support of the reply.
- 9.11. In allocating a matter the PCA is to have regard to the location, metropolitan or regional, most convenient to the parties and CARS for the assessment to take place.
- 9.12. All correspondence to and communication with an assessor by a party must be directed to the assessor, care of the Registry. A party may not correspond or communicate with an assessor directly except with leave of the assessor.
- 9.13. After the allocation of a matter to an assessor:
- 9.13.1. Any correspondence by a party to an assessor must, at the same time, be copied by that party and sent to any other party to the assessment;
- 9.13.2. Any documents served by or sent by a party to any other party in relation the assessment (but not any offer of settlement) must, at the same time, be copied by that party and sent to the assessor, care of the registry.
- Challenge to allocation**
- 9.14. An assessor to whom a matter has been allocated must not consider the matter if there is any conflict of interest. If the assessor believes that there may be a conflict of interest the matter is to be returned to the PCA for re-allocation within 10 days of initial allocation.
- 9.15. A party may, within 10 days of the date of sending by the PCA of notification of the name of the assessor, apply to the PCA to have the matter re-allocated on the grounds that the assessor to whom the matter has been allocated has a conflict of interest or may not be impartial. Such an application must be made in writing and be accompanied by detailed reasons. The PCA shall make a decision on such an application within 5 days of the receipt of the application for re-allocation in the registry and must re-allocate the matter if of the opinion that there are reasonable grounds for believing that the assessor may have a conflict of interest or may not be impartial.
- the assessor thinks fit, subject to the rules of procedural fairness. In particular the assessor should abide by the following principles:
- 10.1.1 Evidence should be logical and probative
- 10.1.2 Evidence should be relevant to the facts in issue and the issues in dispute
- 10.1.3 Evidence based on speculation or assumptions that are not substantiated must not be accepted
- 10.1.4 Unqualified opinions are not to be accepted.
- 10.2 The assessor is to act with as little formality as the circumstances of the case permit and according to equity, good conscience and the substantial merits of the case. The assessor is to take into account the objects of the Act at all times.
- 10.3 The assessor is to take such measures as are reasonably practicable:
- 10.3.1 To ensure that the parties to the application understand the nature of the application and the implications of any assertion made in the submissions or conference; and
- 10.3.2 To explain to the parties any aspect of the procedure of the assessment, or any decision or ruling made by the Assessor, that relates to the application; and
- 10.3.3 To ensure that the parties have the fullest opportunity practicable to have their submissions considered; and
- 10.3.4 To ensure that the parties have had the opportunity to explore the settlement of the dispute.
- 10.4. The assessor is to ensure that all relevant material is available so as to enable all of the relevant facts in issue to be determined.
- 10.5. The assessor is to act as quickly as is practicable.
- 10.6. The assessor shall determine the way in which an assessment is to proceed and may:
- 10.6.1 Decide the elements of a claim on which oral evidence or oral argument may be submitted, and/or
- 10.6.2 Ask that evidence or argument be presented in writing, and/or
- 10.6.3 Ask that submissions be presented in writing, and/or
- 10.6.4 Determine whether an assessment conference is necessary and the time and place for any assessment conference that is to be held, and/or
- 10.6.5 Determine whether any other conference is necessary, and/or
- 10.6.6 Direct the number and/or type of witnesses who can give evidence at the conference.
- 10.7. The assessor must advise the parties of the way in which the assessment is to proceed. If the assessor intends to conduct an assessment conference, the

Chapter 10. ASSESSMENT PROCEDURE

- 10.1. An assessor is not bound by the rules of evidence and may inquire into any matter in such manner as

- assessor must notify an officer of CARS and the parties in writing within 10 days of the preliminary assessment.
- 10.8. Subject to the location of the assessment conference, the assessor must hold such a conference within 25 days of the preliminary assessment.
- 10.9. If the assessor intends to conduct separate assessment conferences in private with either of the parties or with relevant witnesses or experts, the assessor must inform the parties before any such conference. Any such conference should only occur in exceptional circumstances.
- 10.10. For the purpose of section 104(6) of the Act an assessor may make an assessment without conducting an assessment conference if satisfied that the information before the assessor is sufficient to enable the assessor to make a proper determination of the issues the subject of the assessment. In exercising the discretion not to hold an assessment conference, the assessor must have regard to:
- 10.10.1 The complexity of the claim
- 10.10.2 The likely quantum of the claim
- 10.10.3 Whether the credit of the claimant or any witness is in issue
- 10.10.4 Whether there is an issue concerning legal professional privilege
- 10.10.5 Whether the matter is a general or special assessment
- 10.10.6 Any submission by the parties as to why a conference is required.
- 10.11. The assessor may, at any stage, dismiss an application if the applicant withdraws the application.
- Chapter 11. DOCUMENTATION AND OTHER SUPPORTING MATERIAL**
- General**
- 11.1. In the case of all documents and other material including video-tapes, film or photographs a party seeks to lodge with, or in support of either an application or a reply form, the party lodging the material must also lodge one service copy of the material for each other party to the application.
- 11.2. In the case of video surveillance film, any investigator or loss adjuster's report concerning that video surveillance film must be lodged with the film.
- 11.3. Where the claimant does not have legal representation, only one copy of any material lodged with, or in support of either an application or reply document needs to be lodged.
- 11.4. Only copies of documents are to be lodged at CARS.
- 11.5. An assessor is not to take into consideration, in the course of the assessment, any documentation or information that has not been shared or exchanged between the parties.
- 11.6. If any document or information supplied by a claimant, or an insurer or their legal representatives or agents is subject to a claim for privilege, and the assessor is satisfied that the claim for privilege is reasonable, then the document may be so identified and the assessor shall not provide that document or a copy of it, or the information or details of it to any other person without the prior written consent of the person providing it.
- 11.7. The submission of any document or provision of information by the claimant or an insurer or their legal representatives or agents to the assessor does not in any way waive the claimant's or the insurer's right to claim any privilege, including legal professional privilege in relation to the document or information.
- 11.8. An assessor may use information provided by a claimant, an insurer, their legal representatives or agents to determine the issues in dispute between the parties and make enquiries of the other party in respect of the assessment, but shall:
- 11.8.1 Treat all documentation and information provided as confidential to the assessment; and
- 11.8.2 Notify the claimant; the insurer; their legal representatives or agents forthwith if any document is subpoenaed by any person, or is otherwise required to be produced to any person.
- Section 100**
- 11.9. Pursuant to section 100 and subject to the restrictions in clause 11.10 below, the assessor may make a request for the production of documents or the furnishing of information to the assessor.
- 11.9.1 Any such request must be made in writing by the assessor within 10 days of the preliminary assessment;
- 11.9.2 Any other parties to the assessment must, at the same time, be advised by the assessor of the nature of the request made;
- 11.9.3 Any documents or information requested are to be provided to the assessor within 10 days of the date of sending of the request or as the assessor directs;
- 11.9.4 If documents or information cannot be supplied within that time, the party must as soon as is practicable, apply to the assessor for an extension of time, in which case the assessor may set a further date;
- 11.9.5 Only copies of documents are to be provided to the assessor.
- 11.10. An assessor can only request documents or information from the parties to the assessment.
- 11.11. Pursuant to section 100(4), the following documents or information are exempted from the operation of clause 11.9 above:
- 11.11.1 File notes, internal memoranda and estimates from the file of the insurer or the legal representative or agent of either party; and

- 11.11.2 Legal advice, including Counsel's advice on any matter.
- 11.12 Subject to the restrictions in clauses 11.13 below, the assessor shall give a copy of any documents or information provided under section 100 to the other party.
- 11.13 Pursuant to section 101(2), the following documents or information are exempted from the operation of clause 11.9 above:
- 11.13.1 Material irrelevant to the case of either party and having no adverse effect on either party; and
- 11.13.2 Confidential medical material where the author of the material advises the assessor that the material should not be made available to the claimant.
- 12.6 The assessor must within 10 days of the preliminary conference advise the parties in writing:
- 12.6.1 Of the way in which the assessment is to proceed under clause 10.6; and
- 12.6.2 What further documentation or information is required under clause 11.1; and
- 12.6.3 Of any other decisions made or directions given at the preliminary conference.
- 12.7 During the course of a preliminary assessment the assessor shall not enquire about the amount of any offers made by either party. An assessor shall not be disqualified from assessing a matter because the assessor becomes aware in any manner of the amount of any offer.

Chapter 12. PRELIMINARY ASSESSMENT

- 12.1 The Preliminary Assessment arranged in accordance with clause 9.1 above is to be conducted within 15 days of the date of the letter advising the parties of the allocation (or re-allocation in the case of a conflict) of a matter to an assessor.
- 12.2 At the preliminary assessment, the assessor is to review the file to:
- 12.2.1 Determine whether the matter is suitable for assessment; and
- 12.2.2 Determine whether other documentation or information is required as set out in clause 11.9 above; and
- 12.2.3 Determine the way in which an assessment is to proceed as set out in clause 10.6 above; and
- 12.2.4 Conduct the preliminary conference.
- 12.3 The Preliminary Conference may be conducted by way of:
- 12.3.1 A three-way telephone conversation (teleconference) between the assessor, the claimant (or the claimant's legal representative or agent) and the insurer (or the insurer's legal representative or agent); or
- 12.3.2 A face to face conference between the assessor, the claimant (or the claimant's legal representative or agent) and the insurer (or the insurer's legal representative or agent).
- 12.4 If a party is represented, then the legal representative or agent with day to day conduct of the claim must, as far as is practicable be available for the preliminary conference. In the case of an insurer, the claims officer with day to day conduct of the claim must, as far as is practicable be available for the preliminary conference.
- 12.5 If any party is, without reasonable excuse, unavailable at the time of the preliminary conference then the assessor may conduct the preliminary conference in the absence of the party.

Chapter 13. ASSESSMENT CONFERENCE

- 13.1 Where the assessor notifies the parties of an intention to conduct an assessment conference the parties must advise the assessor and the other party within 10 days of the notification:
- 13.1.1 Whether or not they will be represented by an agent or legal practitioner and as far as is practicable the name of the legal practitioner or agent;
- 13.1.2 If an agent is to represent the party, the extent of the agent's authority;
- 13.1.3 Whether or not an interpreter is required and if so the language; and
- 13.1.4 The names of any witnesses who the party wishes to call to give evidence.
- 13.2 The assessor may require the presentation of the respective cases of the parties to be limited to the periods of time that the assessor determines are reasonably necessary for the fair and adequate presentation of the cases.
- 13.3 The assessor may require the parties to the assessment submit to the assessor and to any other party to the assessment, prior to the assessment conference, a signed statement or statutory declaration detailing the evidence to be given by any witness to be called.
- 13.4 The assessor shall determine the manner in which evidence is presented at an assessment conference, subject to:
- 13.4.1 Each party is to be given an opportunity to address the assessor on any issue in dispute and to put to the assessor any questions that the party seeks that the assessor ask or any areas that the party wants the assessor to explore;
- 13.4.2 The examination of parties and witnesses is by the assessor and questions to other parties or witness may only be put as directed by the assessor;
- 13.4.3 The assessor may, on the application of a party allow the questioning of a witness by that party's legal representative or agent;

13.4.4 The assessor may question any witness to such extent as the assessor thinks proper in order to elicit information relevant to matter; and

13.4.5 The assessor cannot compel any witness to answer any question put in the conference but may have regard to the failure of a witness to answer a question in the determination of the assessment.

13.5 The assessor may adjourn a conference to any time and place on reasonable grounds, including but not limited to allowing the parties to negotiate a settlement.

13.6 The assessor may conclude the conference to give effect to any agreed settlement reached by the parties.

13.7 During the course of an assessment the assessor shall not enquire about the amount of any offers made by either party. An assessor shall not be disqualified from assessing a matter because the assessor becomes aware in any manner of the amount of any offer.

13.8 A party shall not be entitled to call before an assessor oral evidence of a medical practitioner or other expert without the leave of the assessor.

13.9 An assessor (other than a Senior Assessor) may not take into consideration in respect of the case of each party, reports (excluding reports from treating practitioners) from:

13.9.1 More than one medical expert in any specialty (unless there is a substantial issue as to a matter referred to in section 58(1)(c) or (d) of the Act – in which case 2 medical expert reports in any specialty relevant to the injury concerned may be allowed) and

13.9.2 2 experts in the same field of any other kind

13.10 An assessor, including a Senior Assessor, may take into account a greater number of experts reports in the matter but should consider:

13.10.1 The objects of the Act; and

13.10.2 Clause 14(1) and (2) of the Motor Accidents Compensation Regulation (No 2) 1999; and

13.10.3 Fairness to both parties

Chapter 14. SUMMONS

14.1 In accordance with section 102, if a party fails to appear at an assessment conference, the PCA may issue a summons requiring their attendance at the time and date specified in the notice, being a day more than 10 days after the date of the issue of the summons.

14.2 The summons must be in the form approved by the Authority.

Chapter 15. REPRESENTATION.

15.1 In accordance with section 104(2) a party may be represented by a legal practitioner or an agent. A party may not be represented by more than one advocate without the prior approval of the assessor.

15.2 A representative of the claimant and the insurer, each with full authority to settle and give instructions must be present at any preliminary conference or assessment conference.

Chapter 16. CERTIFICATE AND STATEMENT OF REASONS

16.1 Upon completion of the assessment the assessor is to issue a certificate under section 92, 94 or 96.

16.2 A copy of the certificate and any statement of reasons is to be provided to the PCA and each party within 10 days of the conclusion of any assessment conference or in the absence of any assessment conference, within 10 days of the provision by the parties of all information and documentation sought by the assessor at the preliminary conference.

16.3 A certificate under section 92(1)(b), 94 or 96 is to have attached to it a statement of the reasons for the assessment. The statement of reasons is to set out:

16.3.1 The findings on material questions of fact; and

16.3.2 The assessor's understanding of the applicable law; and

16.3.3 A list of any documents tendered or submitted to the assessor at or before the assessment conference but not listed in the application or reply forms; and

16.3.4 A brief description of any oral evidence given; and

16.3.4 The reasoning processes that lead the Assessor to the conclusions made

16.3.5 In the case of an assessment certificate pursuant to section 94, the assessor must specify an amount of damages and the manner of determining an amount of damages.

16.4 The assessor may at any time issue a certificate in accordance with an agreed settlement, provided the terms of the agreed settlement are reduced to writing, signed by or on behalf of the parties and lodged with the assessor, and the assessor is satisfied that the terms of the agreed settlement are matters upon which the assessor has power to make an assessment. In these circumstances the assessor need not provide a statement of reasons.

Chapter 17. CORRECTIONS

17.1 In accordance with section 94(6), if the PCA is satisfied that there is an obvious error in a certificate as to an assessment or in the statement attached to the certificate, the PCA or the assessor may issue a replacement certificate or statement.

- 17.2 If the certificate or statement of reasons is altered, the altered certificate or statement is taken to be the decision of the assessor or the reasons for the decision.
- 17.3 Examples of obvious errors in the certificate or statement of reasons are where:
- 17.3.1 There is an obvious clerical or typographical error in the certificate or statement of reasons, or
- 17.3.2 There is an error arising from an accidental slip or omission, or
- 17.3.3 There is a defect of form, or
- 17.3.4 There is an inconsistency between the decision and the statement of reasons.
- 17.4 If the certificate or statement of reasons is altered, the PCA must provide the parties with a copy of the altered certificate or statement of reasons within 5 days of the PCA making the alteration.

Chapter 18. INTERPRETERS

- 18.1 Only interpreters accredited by NAATI (National Accreditation Authority for Translators and Interpreters) may be used during the course of a claims assessment.

Chapter 19. TIME

- 19.1 Abridgement or extension of time:
- 19.1.1 The PCA or an assessor may, if the circumstances justify, and on terms, abridge or extend any time limit fixed by these guidelines, including any time limit affecting the PCA, the SCA or an officer of CARS or an assessor
- 19.1.2 The PCA or an assessor may extend time under clause 19.1.1 above after the time expires, whether or not an application for the extension is made before the time expires or at all.
- 19.2 Reckoning of time:
- 19.2.1 Any period of time fixed by these guidelines for the doing of any act or in connection with any assessment or directed by the PCA or an assessor shall be reckoned in accordance with this paragraph
- 19.2.2. Where a time of one day or a longer time is to be reckoned by reference to a given day or event, the given day or the day of the given event shall not be counted
- 19.2.3 Where, apart from this sub-clause, the period in question, being a period of five days or less, would include a day on which the registry is closed, that day shall be excluded
- 19.2.4 Where the last day for doing a thing is a day on which the registry is closed, the thing may be done on the next day on which the registry is open.

Chapter 20. SERVICE

- 20.1 Where a claimant or insurer notifies, in any document lodged, an address for service, then leaving a copy at that address shall be taken to be good service on the person.
- 20.2 Sending a copy of any document by pre-paid post addressed to the claimant, insurer or their respective solicitors or agents shall be taken to be good service on a day, five days after the copy is so sent.
- 20.3 Where the address for service of a claimant, an insurer or their respective solicitors includes an exchange box in the Australian Document Exchange Pty Limited, leaving a copy, addressed to that solicitor, in that exchange box or at another exchange box for transmission to that exchange box, shall be taken to be good service on a day two days after the copy is so left.

Chapter 21. COSTS

- 21.1 Pursuant to Division 3 of the Motor Accidents Compensation Cost Regulation 1999 an assessor is, when assessing a claim to make an assessment of the amount of the parties' entitlement to costs.
- 21.2 Costs are to be assessed pursuant to the costs regulations.
- 21.3 An assessment is to include an amount of costs in respect of the legal costs associated with the assessment of any medical disputes.
- 21.4 If a claimant fails, without reasonable excuse, to attend a medical examination arranged by the insurer and as a result a non-attendance fee or cancellation fee is incurred, the insurer is to have credit for any such non-attendance or cancellation fee.
- 21.5 If a claimant cancels at short notice and without reasonable excuse a medical examination arranged by the insurer and as a result a cancellation fee is incurred, the insurer is to have credit for any such cancellation fee.
- 21.6 If a matter would ordinarily be exempted from assessment by the operation of section 92(1)(a) or (1)(b) but the parties proceed to assessment by consent - costs are not to be assessed except with the consent of both parties.
- 21.7 If there is a dispute over the apportionment of costs between two or more firms of solicitors the assessor is to apportion the amount of costs allowed according to the proportion of work undertaken and the stages of work undertaken by the firms.
- 21.8 When assessing the costs of a CARS assessment, the assessor shall have regard to the amount of any written offer of settlement made by either party.
- 21.9 If any CARS assessment is, without reasonable excuse adjourned because of the action of any party, the assessor may require the defaulting party to pay the costs of and the costs thrown away by the adjournment.

21.10 If a matter is withdrawn by operation of clause 9.3 above, and the defaulting party makes a subsequent application, the assessor, when assessing the costs of the subsequent matter, may require the defaulting party to pay the costs of and the costs thrown away by the withdrawal.

**NSW NATIONAL PARKS AND WILDLIFE
SERVICE**

Notice of Exhibition of the Draft *Caladenia arenaria*
Fitzg. Recovery Plan

THE National Parks and Wildlife Service hereby gives notice of the exhibition of the draft *Caladenia arenaria* Fitzg. Recovery Plan. Public submissions are invited from 24 June to 26 July 2002. Exhibition details will be published on 21 June 2002 in the Sydney Morning Herald, Wagga Daily Advertiser, and Leeton Irrigator.

JOSHUA GILROY,
A/Manager, Conservation Programs and Planning
Western Directorate

NATIONAL PARKS AND WILDLIFE ACT 1974

PROCLAMATION

I, Professor MARIE BASHIR A.C., Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 33 (3) of the National Parks and Wildlife Act 1974, do by this my Proclamation, reserve such of the lands described hereunder as are prescribed lands within the meaning of section 33 (1) of the National Parks and Wildlife Act 1974, as part of Lane Cove National Park.

SIGNED and SEALED at Sydney this 14th day of February, 2002.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GODSAVE THE QUEEN!

*Land District: Metropolitan;
LGA: Ryde City*

County Cumberland, Parish Field of Mars, at Marsfield, 2.937 hectares, being lot 2 DP 841477 and lot 4 DP881923; NPWS/F/3980.

POISONS AND THERAPEUTIC GOODS ACT 1966

Authorisation to Supply Restricted Substances on
Medical Authority

PURSUANT to clauses 147 and 148 of the Poisons and Therapeutic Goods Regulation 1994, I, John Lumby, Chief Pharmacist, a duly appointed delegate of the Director-General of the Department of Health, do hereby grant authority to the persons listed in the Schedule hereunder

to supply, for the purposes of clause 56 of that Regulation, a restricted substance to a patient of a public hospital, specified in that Schedule in respect of that authorised person, subject to the following conditions:

- (1) that substance has been prescribed for that patient by a medical practitioner; and
- (2) a person who supplies a restricted substance pursuant to this authority supplies that substance, unopened, in the container in which it was received by that person.

SCHEDULE

A nurse employed as an Aboriginal Health Nurse by the Department of Health, a hospital under the control of an Area Health Service constituted under the Health Services Act 1997 or a hospital listed in Schedule 2 or Schedule 3 to the Health Services Act 1997.

A nurse employed by the Ambulance Service of New South Wales in aerial ambulance duties.

A nurse employed in any of the following centres:

Bermagui Community Health Centre
Carinda Health Outpost
Darlington Point Community Health Centre
Enngonia Health Service
Goodooga Health Service
Hill End Community Health Centre
Ivanhoe Health Service
Lightning Ridge Accident and Emergency and Health Service
Mangrove Mountain Community Health Centre
Menindee Health Service
Merimbula Community Health Centre
Moulamein Community Health Centre
Narrabri/Wee Waa Community Health Centre and stationed in the
Gwabegar/Pilliga area
Perisher Community Health Centre
Pooncarie Outpatients Centre
Quambone Community Health Centre
Smiggin Holes Community Health Centre
Tambar Springs Community Health Centre
Thredbo Community Health Centre
Tibooburra Health Service
Tullibigeal Community Health Centre
Wanaaring Health Service
Weethalle Community Health Centre
Wilcannia Health Service
White Cliffs Health Centre

The previous authorisation to supply restricted substances dated 23 December 1996 and published in the New South Wales Government Gazette No 4 on 10 January 1997 is hereby revoked.

JOHN LUMBY,
Chief Pharmacist.

Department of Health, New South Wales,
Sydney, 14 June 2002.

STATE RECORDS ACT 1998

NOTICE is hereby given, pursuant to section 13 (5) of the State Records Act 1998, that I have approved the following standard for records management:

Standard on Counter Disaster Strategies for Records and Recordkeeping Systems

and the following code of best practice for records management:

Australian Standard AS ISO 15489.1—2002 *Records Management, Part 1: General* and AS ISO 15489.2—2002 *Records Management, Part 2: Guidelines*.

The Standard on Counter Disaster Strategies for Records and Recordkeeping Systems may be downloaded from State Records' Web site at <http://www.records.nsw.gov.au>. For copyright reasons AS ISO 15489 cannot be made available online but can be purchased from Standards Australia.

Copies of both may be consulted at the Sydney Records Centre, 2 Globe Street, The Rocks, Sydney, or at the Western Sydney Records Centre, 143 O'Connell Street, Kingswood, during business hours.

DAVID ROBERTS,
Director

SUBORDINATE LEGISLATION ACT 1989

Department of Gaming and Racing

**PROPOSED LOTTERIES AND ART UNIONS
REGULATION 2002**

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

The proposed Lotteries and Art Unions Regulation is to be made under the authority of the Lotteries and Art Unions Act 1901. It will replace the Lotteries and Art Unions Regulation 1997 which will expire on 1 September 2002.

The objective of the proposed Regulation is to prescribe details that are necessary or incidental to the operation of the Lotteries and Art Unions Act. The Act authorises various lotteries and games of chance including art unions, raffles, no-draw lotteries, sweeps, free-entry lotteries, mini-numbers lotteries, tipping competitions, and housie.

Before this Regulation may be made, a formal process of review must be undertaken. The Department is inviting public comment on the proposed Regulation. A Regulatory Impact Statement (RIS) has been prepared to assist members of the community in making their submissions. The RIS provides an explanation of the various clauses contained in the proposed Regulation and an analysis of their potential costs and benefits.

Copies of the RIS and the proposed Regulation may be obtained:

- from the Department's website:
<http://www.dgr.nsw.gov.au>
- from the Department:
Level 7, 323 Castlereagh Street, SYDNEY 2000

- writing to:
Lotteries and Art Unions Regulation Review
Department of Gaming and Racing
GPO Box 7060, Sydney 2001
- Telephoning (02) 9995 0666, facsimile (02) 9995 0611.

The closing date for submissions is Friday, 19 July 2002.

SUBORDINATE LEGISLATION ACT 1989

Proposed *Electricity Supply (Safety and Network Management) Regulation 2002*

Regulatory Impact Statement

Invitation for Public Comment

THE NSW Ministry of Energy and Utilities has prepared a Regulatory Impact Statement in relation to a proposed *Electricity Supply (Safety and Network Management) Regulation 2002*. The Statement was prepared in accordance with the requirements of the *Subordinate Legislation Act 1989*.

The overarching objective of the proposed Regulation is to ensure that operators of electricity transmission and distribution networks are publicly accountable for the provision of an adequate, reliable and safe supply of electricity of appropriate quality. The proposed Regulation also sets out arrangements that are designed to deliver the following specific objectives:

- to ensure the provision of safe electrical installations for connection to electricity networks and the safe connection of such installations to those networks;
- to ensure the public is warned about the hazards associated with electricity networks;
- to ensure that electricity networks are effectively managed so as to minimize the risk of bush fire.

Further information: A copy of the Regulatory Impact Statement and proposed Regulation may be obtained from the Ministry's website, www.energy.nsw.gov.au/whats_new/index.htm or contact the Industry Performance Branch, NSW Ministry of Energy and Utilities on (02) 9901 8294.

Interested parties are invited to provide a written submission commenting on the information provided in the Regulatory Impact Statement. The Ministry 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 Ministry of Energy and Utilities, Attention: Paul Grant, Manager Electricity Networks, Minerals and Energy House, 29-57 Christie Street, St Leonards NSW 2065, or may be faxed to (02) 9901 8790, or emailed to grantp@energy.nsw.gov.au

Deadline for submissions: Noon, Friday 12 July 2002.

SUBORDINATE LEGISLATION ACT 1989

Proposed Gas Network Safety Management Regulation 2002

Regulatory Impact Statement

Invitation for Public Comment

THE NSW Ministry of Energy and Utilities has prepared a Regulatory Impact Statement in relation to a proposed *Gas*

Network Safety Management Regulation 2002. The Statement was prepared in accordance with the requirements of the *Subordinate Legislation Act 1989*.

The overarching objective of the proposed Regulation is to ensure that operators of gas networks are publicly accountable for the provision of a reliable and safe supply of gas of appropriate quality. The proposed Regulation also sets out arrangements that are designed to deliver the following specific objectives:

- Consolidate regulatory requirements for gas network operators into one “network safety” regulation to simplify compliance obligations;
- Bring the regulation onto a basis that is consistent with the requirements of the proposed *Electricity Supply (Safety and Network Management) Regulation*, the existing *Pipelines Regulation 2000*;
- Where considered appropriate, include aspects of Safety Plan requirements that are in place in other States of Australia;
- Align the Regulation with the latest changes made to the *Gas Supply Act 1996*.

Further information: A copy of the Regulatory Impact Statement and proposed Regulation may be obtained from the Ministry’s website, www.energy.nsw.gov.au/whats_new/index.htm or contact the Industry Performance Branch, NSW Ministry of Energy and Utilities on (02) 9901 8294.

Interested parties are invited to provide a written submission commenting on the information provided in the Regulatory Impact Statement. The Ministry 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 Ministry of Energy and Utilities, Attention: Adrian Amey, Manager Gas Networks & Pipelines, Minerals and Energy House, 29-57 Christie Street, St Leonards NSW 2065, or may be faxed to (02) 9901 8790, or emailed to ameya@energy.nsw.gov.au

Deadline for submissions: Noon, Friday 12 July 2002.

SUBORDINATE LEGISLATION ACT 1989

Independent Pricing and Regulatory Tribunal of
New South Wales

Proposed Regulation under the Independent Pricing and
Regulatory Tribunal Act (Ref: 01/507)

THE Tribunal has a role in the arbitration of disputes regarding negotiations of third party access to public infrastructure assets and gas distribution systems in NSW.

The purpose of the proposed Regulation is to remake, without substantial amendment, the *Independent Pricing and Regulatory Tribunal Regulation 1996*. That Regulation will be repealed on 1 September 2002 under section 10(2) of the *Subordinate Legislation Act 1989*.

The object of the proposed Regulation is to modify the application of the *Commercial Arbitration Act 1984* to the arbitration of a dispute under Part 4A of the *Independent Pricing and Regulatory Tribunal Act 1992*.

A Regulatory Impact Statement has been prepared for the proposed Regulation. Copies of this Statement are available from the address below or can be found on the Tribunal’s website at www.ipart.nsw.gov.au.

Written submissions concerning the Regulation are invited, and should be submitted by Friday, 12 July, 2002.

Once registered by the Tribunal, copies of submissions will be available from the Tribunal’s office or from its website.

Any questions or enquiries regarding the Regulatory Impact Statement or Regulation should be directed to Ray Steinwall, General Counsel, phone (02) 9290 8497 or Julieanne Mahony, phone (02) 9290 8402.

Thomas G Parry <i>Chairman</i> 21 June 2002	Level 2 44 Market Street SYDNEY NSW 2000	PO Box Q290 QVB Post Office NSW 1230
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SUBORDINATE LEGISLATION ACT 1989

Royal Botanic Gardens and Domain Trust

Proposes the making of the
Royal Botanic Gardens & Domain Trust Regulation 2002

THE Royal Botanic Gardens and Domain Trust is proposing to make the Royal Botanic Gardens & Domain Trust Regulation 2002. This regulation would replace the existing Royal Botanic Gardens & Domain Trust Regulation 1997 which is due to expire on 1 September 2002.

The proposed Regulation aims to meet the following objectives:

- to provide for the use, management and protection of the Trust lands generally;
- to provide for the use, management and protection of the Royal Botanic Gardens, the Mt Tomah Botanic Garden, the Mt Tomah Conservation Area and the Mt Annan Botanic Garden;
- to provide for the use, management and protection of the Domain;
- to ensure the preservation or protection of, or prevention of damage to, fauna and living or preserved plant life on the Trust lands;
- to provide for the determination of fees and charges;
- to prescribe penalty notices (‘on-the-spot’ fines); and
- to make other miscellaneous provisions.

Before this regulation may be made, a formal process of review must be undertaken. The Trust is inviting public comment on the proposed Regulation. A Regulatory Impact Statement (RIS) has been prepared to assist members of the community in making their submissions. The RIS provides an explanation of the various clauses contained within the proposed Regulation, and an analysis of their potential costs and benefits.

Copies of the proposed Regulation and RIS are available from Rachel Boberg on (02) 9231 8031 or by writing to the:

Executive Officer
Royal Botanic Gardens & Domain Trust
Mrs Macquaries Rd
Sydney NSW 2000

Both the proposed regulation and the RIS are also available on the Royal Botanic Gardens Sydney’s website: www.rbg Syd.nsw.gov.au

Submissions should be forwarded to the above mailing address.

The closing date for submissions is COB Monday 15 July 2002.

WATER MANAGEMENT ACT 2000

Upper Parramatta River Catchment Trust

River Management Service Charges
(As Defined in section 310(1)(g) of the Water
Management Act 2000)

THE Upper Parramatta River Catchment Trust, in pursuance of section 315 of the Water Management Act 2000, and in accordance with the Water Supply Authorities (Upper Parramatta River Catchment Trust) Regulation 2000, do hereby make the following determination in respect of the Trust's charging year commencing 1 July 2002.

- A. It proposes to raise an amount of \$2,402,000 by way of river management service charges levied on land within its area of operations.
- B. It classifies land for the purposes of levying service charges according to the same factors on which current classifications of each parcel of land are made by, and appear in records of, the Sydney Water Corporation.
- C. It levies river management service charges on the basis of a flat rate for all land of a particular classification except that, in respect of industrial and commercial land larger than 1.000 hectare in area, the river management service charges relate to the area of the land.
- D. It levies service charges at rates set out in the following schedule:
1. Industrial and Commercial Land; being all parcels of land with an industrial, commercial or residential/commercial mixed development superior property type classification in records held by Sydney Water:
The amount in respect of any such land shall be \$73.60 provided that in respect of any land:
 - (a) used as the site of two or more strata units, the amount shall be \$36.80 in respect of each strata unit;
 - (b) between 1.000 hectares and 10.000 hectares in area, the amount shall be \$369.00;
 - (c) between 10.001 hectares and 50.000 hectares in area, the amount shall be \$2,213.60;
 - (d) between 50.001 hectares and 100.000 hectares in area, the amount shall be \$5,083.10;
 - (e) over 100.000 hectares in area, the amount shall be \$7,378.00.

2. Residential Land; being all parcels of land with the residential superior property type classification in records held by the Sydney Water Corporation:
The amount in respect of any such land shall be \$29.60 provided that in respect of any land used as the site of two or more strata units or flats, the amount shall be \$14.80 in respect of each strata unit or flat.

3. Vacant Land; being all parcels of land with a vacant land or occupied land superior property type classification in records held by Sydney Water:
The amount in respect of any such land shall be \$14.80.

PLEASE NOTE that river management service charges will not apply to any land described in Schedule 4 to the Water Management Act 2000.

Dated at Parramatta on this 10th day of May 2002.

The Seal of the Upper Parramatta)	
River Catchment Trust was affixed)	G. WHITEHOUSE
on the above date pursuant)	Member
to a resolution of the Trust in the)	
presence of 2 Members whose)	A. TENNIE
signatures are opposite hereto.)	Member

ANNUAL REPORT AND DETERMINATION OF ADDITIONAL
ENTITLEMENTS FOR MEMBERS OF THE PARLIAMENT OF
NEW SOUTH WALES

by the

PARLIAMENTARY REMUNERATION TRIBUNAL

pursuant to the

Parliamentary Remuneration Act 1989

31 MAY 2002

PARLIAMENTARY REMUNERATION ACT 1989
REPORT PURSUANT TO SECTION 13(1) OF THE ACT

1. INTRODUCTION

Section 11 of the Parliamentary Remuneration Tribunal Act 1989 (“the Act”) prescribes that the Parliamentary Remuneration Tribunal (“the Tribunal”) shall make an annual Determination as to the additional entitlements for Members and Recognised Office Holders (as defined under the Act) on or before 1 June in each year or on such later date as the President of the Industrial Relations Commission of New South Wales determines.

Section 13 (1) of the Act requires that the Tribunal make a report to the President of the Industrial Relations Commission of New South Wales for each Determination made by the Tribunal. The President is then required, as soon as practicable after receipt of the report, to forward it to the Minister (see section 13(2)).

On 15 March 2002 the Tribunal commenced proceedings in relation to the annual Determination required for the year 2002 by writing to all Members and inviting submissions.

The Tribunal received submissions from the Presiding Officers, the major political parties and some individual Members. The Tribunal also met with those Members who specifically requested to meet and discuss their submissions. The meetings proved very useful for the Tribunal in gaining a greater understanding of the matters raised.

Because of the diverse range of matters canvassed in the submissions the Tribunal does not intend to discuss all in their entirety. As has been the previous practice the Tribunal has made changes to the Determination without the need for detailed separate reasons being provided. Such changes reflect, in general, minor wording changes to give greater consistency to the Determination.

In a number of cases the submissions have repeated matters previously raised without providing any additional information for consideration by the Tribunal. Where the Tribunal has dealt with such matters in earlier Reports and Determinations no further consideration has been given in the present review.

The submissions have, however, also raised a number of substantive issues which, in the Tribunal's view, merit further consideration.

2. GENERAL MATTERS RAISED

Record Keeping Requirements

The Tribunal has been advised that the level of detail contained in the Determination coupled with the administrative arrangements to give effect to the Determination has resulted in an unacceptable level of record keeping by Members, way beyond what could reasonably be expected to meet the accountability requirements of the Act and the Determination. In part this has been attributed to the Guidelines the Tribunal includes in each Determination.

The current format of the Determination was first introduced in the Tribunal's 2000 Determination. The reasons for this were state in the 2001 Report (p4)

"...it must be noted that the 2000 Determination does contain a significant amount of detail as to the administration and management of the scheme for additional entitlements. This has been brought about, in part due to the legislative requirements which impose a greater degree of accountability on Members. It has also come about because of specific requests for the Presiding Officers to introduce new rules and guidelines which, on the one hand, are designed to enhance accountability and/or transparency in the use of entitlements by Members and, on the other, seek to have the Tribunal simply resolve a range of what might be described as ordinary administrative issues.

The Tribunal is of the view that it is not its role to determine the minutiae of each entitlement. The Tribunal's role is to determine the rules and guidelines which meet the statutory need and community expectation for accountability and transparency in the use of public funds. It is then a matter for the Presiding Officers to develop the administrative policies which are consistent with those rules. As the Tribunal stated in the 2001 Report (p4):

"In many instances, once the conditions applicable to particular general entitlements and conditions have been determined administrative procedures in relation to these matters should be left to the Presiding Officers who are the administrators of the scheme. For example, the Tribunal has required that Members provide evidence of their attendance in Sydney on parliamentary business to receive the Sydney Allowance. It has, however, left the type of evidence required at the discretion of the Presiding Officers to give effect to this rule."

Members must accept that a higher level of record keeping is now essential to meet the increased accountability standards. The level of detail required to meet those standards was left to the Presiding Officers. If these standards are proving onerous, difficult to manage or are considered by Members to need simplification then it is a matter for discussion with the Presiding Officers in the

first instance. For its part, the Tribunal would be prepared to assist, provided the overall integrity of the entitlements scheme is not compromised.

Interpretations of the Tribunal's Determinations.

Since the making of the 2001 Determination the Presiding Officers have, on occasion, sought interpretations from the Tribunal whether Members can use their Logistic Support Allocation (LSA) for the purchase of particular items which are not contained in the List of items and services contained at page 16 of the 2001 Determination.

In addition the Presiding Officers, as part of their 2002 submission to the Tribunal, provided a list of items and services which they had approved as appropriate expenditure under the LSA. These items included, newspaper and journal purchase, advertisements for staff, company searches, transport and freight charges and photography. The Tribunal agrees that the goods and services itemised on the list submitted by the Presiding Officers are appropriate activities for which the LSA can be used. The Tribunal does not propose to add these items to the List contained in the Determination.

One of the reasons why capped budgets were introduced was to avoid prescriptive lists of goods and services. The Legislative basis of the scheme is that Members are provided with additional entitlements to facilitate the efficient performance of parliamentary duties.

The requirement that Members manage their LSA provides them with greater flexibility to expend their entitlements as is appropriate to their particular electorate or constituent needs. It is up to Members to determine how best to serve their constituents. Because Members' needs are varied, diverse and in some cases exclusive, the compilation of an ever growing list of "approved goods and services" will not serve any useful purpose or meet every Members' needs. For this reason the Tribunal has provided guidelines on the types of items or services for which the LSA can be used and has prepared an indicative list of the types of items and services that may be procured from Members' LSA accounts. The list is not exhaustive but it is not intended to be used as an ever increasing list of approved items.

The Tribunal is of the view that Members should exercise the necessary fiscal discipline to use their entitlements for the purposes which they were intended. There is sufficient oversight of the entitlements scheme and severe sanctions for Members who misuse their entitlements.

Provided Members can satisfy statutory requirements that expenditure was for parliamentary duties and provided they have sufficient funds in their LSA then they should be given the flexibility to decide upon what goods and services they should spend their allocations. The Tribunal will be clarifying this in the Determination.

By adopting this approach, questions such as whether country based Members can use their entitlements to install 1800 numbers or whether Members can use their funds to pay for morning tea for school children visiting Parliament or purchase particular types of software, do not require the approval of the Tribunal. Decisions such as these should be left to Members. It would then be up to the Member to justify the expense as being for parliamentary duties. If there are matters for which Members do require clarification then the Presiding Officers should provide the relevant clarification. The Presiding Officers, for example, are best placed to determine which personal development courses are appropriate for Members to undertake and fund from their LSA.

There are, however, matters that the Tribunal will need to consider in detail. These matters deal with procurement of equipment and, in particular, computer equipment. The Tribunal does not intend to limit the equipment a Member can purchase but rather limit the amount that can be expended on such equipment given the Treasury's requirement on how such items are to be treated for accounting purposes. The Tribunal has been informed that computer purchases of \$5,000 and over are treated as Capital items that require different accounting mechanisms.

The current scheme places the onus on Members to ensure they exercise appropriate financial discipline and manage their affairs within their budgets. A key feature of the scheme is that each Member is provided with an annual budget. Members are given flexibility to expend funds within that budget and also to use their electoral allowance if there is a shortfall. They are also able to carry forward unspent amounts from their LSA to subsequent financial years.

The Tribunal has made very clear that if Members over-expend their entitlements there will be no supplementation. Under no circumstances can Members borrow against future allocations, not only because it is not a sound accounting practice, but because there is no future allocation from which a Member could borrow.

Shadow Ministers

The Tribunal has again received submissions seeking additional staffing resources for Shadow Ministers and additional staff for Legislative Council Members.

The Tribunal determined additional entitlements for Shadow Ministers for the first time in the 2000 Annual Determination. The Tribunal's view at that time was that:

"...Shadow Ministers do serve a critical function in a parliamentary democracy and it is the Tribunal's view that they should be eligible for additional entitlements to carry out the extra workload inherent in such positions."

The Tribunal determined that Shadow Ministers should receive additional Travel and Printing and Stationery entitlements.

For the 2001 annual review submissions regarding Shadow Ministers revolved around additional entitlements and, in particular, additional staff. It was contended that Independent Members had an additional Member of staff whereas Shadow Ministers were not provided with additional resources notwithstanding their additional responsibilities.

The Tribunal considered the submissions but made no changes to entitlements, in part because no quantifiable data was provided to substantiate claims for additional travel warrants or additional Logistic Support Allocations.

In respect of additional staff, however, the Tribunal noted that:

"...In order to assess the submissions made in relation to this matter the Tribunal has examined the duties and obligations of Shadow Ministers when compared with Independent Members. It is apparent, from that review, that, prima facie, an anomaly exists between staffing levels afforded Shadow Ministers and those afforded Independent Members. However, given the relative paucity of submissions received in support of this claim, it is difficult to determine precisely the extent of such anomaly and what specific relief should be given to rectify it."

There are a range of issues which need to be addressed in order for the Tribunal to resolve this issue. The first question which arises is what is the appropriate number of staff to be provided to the Shadow Ministry. Should Shadow Ministers be provided with one staff Member each or a pool of staff (less than a one for one allocation)? In addition, there are related issues such as appropriate remuneration for such staff and a question as to their accommodation. Finally, a question arises as to the appropriate operative date for any staff changes.

In the result the Tribunal it would not seem realistic to make a Determination on this matter in the annual Determination. An alternative course may be to have the matter considered as a special Determination. Should such a special Determination be required the Tribunal will seek submissions at that time. However, whether or not a special Determination is made there is nothing to preclude the Government from providing these additional resources in a manner similar to the approach for Ministers and the Leaders of the Opposition. In any event, the Presiding Officers and Shadow Ministers should discuss the claim in relation to the issues raised above.”

Submissions for the current review have again sought additional staff for Shadow Ministers but again insufficient information has been provided to support a Determination at this time.

In 2001 the Tribunal recommended that a special reference be given to the Tribunal to review this matter thoroughly. Such a reference was not provided. The Tribunal considers that a strong prima facie case exists for the provision of additional staff to Shadow Ministers. Accordingly, the Tribunal will write to the Premier to provide such a reference. In this regard the Tribunal notes that the Presiding Officers have also supported a special reference in regard to additional staff for Shadow Ministers. At the same time the Tribunal could also review the staffing arrangements for Members of the Legislative Council.

While the Tribunal is prepared to undertake such a review, it does reiterate that the Presiding Officers and/or the Government can provide additional resources to Members or Shadow Ministers. Section 15A of the Act provides that:

- (1) *Nothing in this Act is to be construed as preventing Members or recognised office holders from being provided with entitlements apart from this Act, including for example:*
 - (a) *offices and facilities at Parliament House, or*
 - (b) *offices and facilities for Ministers elsewhere, or*
 - (c) *travel by Ministers.*

3. REVIEW OF ADDITIONAL ENTITLEMENTS

Electoral Allowance

The Tribunal received submissions seeking an increase in the Electoral Allowance over and above the normal Consumer Price Index (CPI) movement to compensate for the decrease in the number of electorates. No quantifiable data has been provided to substantiate the level of increase being sought.

The Tribunal reviewed this matter in its 2001 annual Determination and decided that a specific increase to compensate for the smaller number of electorates was unwarranted. The Tribunal noted that it:

“... has also considered submissions dealing with a variety of other matters such as the reconstitution of electorates. However, these considerations need to be balanced against the already substantial averaging undertaken in the assessment of the electoral allowance and the contentions advanced by Members as to potential losses occasioned by any repayment provisions in relation to the electoral allowance.”

The Tribunal concluded that it was prepared to consider, on a case by case basis, any particular circumstances which might warrant an adjustment to electoral allowances for a particular Group or Zone.

Such circumstances would need to be supported by conclusive documentary evidence that the electoral allowance is insufficient for the purposes for which it is provided.

The Tribunal has not received information which would warrant an increase in electoral allowances on this occasion. In future the Tribunal intends to examine closely the use of the electoral allowance and will be seeking from Members details of the types of expenses and amounts to substantiate any future increases.

Sydney Allowance

The Tribunal received a number of submissions from Members in respect of the Sydney Allowance. Some submissions contended that the Sydney Allowance should be increased in recognition of

increased costs and to reflect comparable overnight travelling allowances to Sydney. Suggested rates range from \$210 to \$259.40 for overnight stays.

As noted in the 2000 and 2001 determinations, the Sydney Allowance is set at a rate lower than comparable overnight travelling allowances to Sydney. In those determinations the Tribunal outlined the historical underlying principle governing the determination of this allowance:

“...members will be required to spend a considerable period of time each year in Sydney on parliamentary business, and as such should be making longer term accommodation arrangements. The rate determined is lower than the ad hoc overnight rate (where commercial hotel accommodation is envisaged), because it is expected that Members will find cheaper accommodation when in Sydney.”

In recent determinations, the Tribunal has made adjustments to this allowance based on movements in the CPI. The rate was increased by 2.1 per cent in the initial determination, 3.2 per cent in the 2000 determination and a further 6 per cent in the 2001 determination.

As with previous submissions Members have complained about the inadequacy of this allowance but have provided no details of actual costs incurred to substantiate their claims.

There are approximately 65 Members from both Houses who are eligible to receive the Sydney Allowance, each of whom makes his/her own accommodation arrangements. To ensure the Tribunal has more meaningful data upon which to consider the adequacy of the Sydney Allowance, the Tribunal will, for the 2003 review, seek the assistance of the Presiding Officers to obtain details of the types of accommodation arrangements Members make while staying in Sydney. In the meantime the Tribunal will continue the previous practice and increase the Sydney Allowance by the Consumer Price Index ie 2.9 per cent.

Logistic Support Allocation (LSA)

The Tribunal introduced the LSA in 2000 as a means of grouping a broad range of entitlements formerly available to Members in various forms. To simplify these entitlements the Tribunal determined a monetary value for each entitlement and grouped them into four broad areas of activity. Each Member was allocated an LSA account to which various expenditures incurred under the four broad areas would be debited.

LSA budgets were based on electorate Groupings for the Legislative Assembly and Zones for the Legislative Council. Budgets were based on actual expenditure figures obtained from the Legislature.

Members were given the flexibility to use the LSA to meet their particular needs in the performance of their parliamentary duties. Members are able to carry forward unspent entitlements and may manage the funds as they deem appropriate. Accountability and transparency in the use of the LSA are provided through the rules imposed by the Tribunal including an annual audit requirement.

Assessment of future increases was to be based, in part, on actual expenditure obtained from the Legislature. Figures were not available for the 2001 review hence the Tribunal relied in part on CPI movements in the various LSA categories which resulted in an increase to the LSA of approximately 9 per cent.

For the 2002 annual review the Tribunal received numerous submissions as to various aspects of the LSA. Many of the changes sought by the Presiding Officers and individual Members concerned particular conditions applicable to various components of the LSA. Where the Tribunal has considered such changes do not alter the substance of the Determination the Tribunal has made the changes without further comment.

Submissions were received supporting an increase in travel allowances for Members. The increase sought was to bring Members travel allowance rates in line with those for the NSW public sector.

Members are currently entitled to claim actual meal and accommodation allowances when travelling on parliamentary duties. The Tribunal has set an upper limit of \$203 per night in capital cities and \$131 per night for other areas. This amount is lower than the current public service rates and as such, where a Member travels on official business with a member of his/her staff, the staff member is entitled to claim a higher rate of travel allowance than the Member.

The Tribunal notes that the Premier's Department publishes from time to time travel allowance rates for officers in the public sector and that the rates are higher than those available to Members. The Tribunal considers this a genuine anomaly and will amend the Determination to ensure that the upper limit of travel allowance that can be claimed by the Member is consistent with rates applicable in the NSW public sector.

Submissions to the Tribunal have also sought increases to the quantum of the various components of the LSA. The submissions have provided what the Tribunal can only consider anecdotal evidence to support such claims. No quantifiable data was provided upon which the Tribunal could make a reasoned decision.

At the specific request of the Tribunal, the Legislature was able to provide annual LSA expenditure figures for Members based on Electorate Groups. These figures relate to the 2001 calendar year and all electorate Groups show under-expenditure in the LSA. The same has occurred with the Legislative Council Members.

On the basis of this advice the Tribunal does not consider that an increase in the LSA is warranted. Whilst the Tribunal accepts that with a total of 145 Members there will always be a few for whom the allocation is insufficient, the Tribunal does not consider this as justification to provide a general increase for all Members, particularly when no information has been provided as to the circumstances which have led to such over-expenditure. The Tribunal reminds Members that they may use their electoral allowance to overcome any potential shortfall.

Electorate Mailout Account

Following a special reference from the Premier, the Tribunal determined that Members of the Legislative Assembly should be provided with an Electorate Mailout Account to communicate directly with their constituents biannually.

The Tribunal's Determination included the full year allocation and is included in this Determination. Because of the specific conditions applicable to this entitlement it is inappropriate to include it as part of the LSA. The Electorate Mailout Account will form a separate and new entitlement with its own unique conditions and rules. It will also be subject to the general conditions applicable to Members' entitlements.

Committee Allowance

The purpose of this Allowance is to remunerate Members servings as Chairpersons on Committees for the extra time and effort required to carry out this role. In previous Determinations this allowance has been increased in line with Members' salary increases.

There has been no increase in Members' salaries since 1 July 2001 therefore, in accordance with normal practice the Committee Allowance has not been increased.

Reimbursement of Expenses for Charter Transport for Members of the Legislative Assembly

Electorate charter transport allowances for Members of the Legislative Assembly were reviewed in 1999 and 2000 when the Tribunal provided for increases of 2.1 per cent and 3.2 per cent respectively to reflect general increases in the CPI. This year, in response to submissions received, the Tribunal has undertaken a review of these costs.

As part of this review, the Tribunal has undertaken a survey of fees charged by air charter transport operators. The results of the survey indicate that since 1998, when such a survey was last conducted, fees have increased by approximately 20 per cent. Air charter operators have attributed the large increase to the impact of the GST and increased fuel, insurance and landing costs. The Tribunal also notes the overall decline in rural commercial air services in NSW.

Having regard to the above, including previous increases based on CPI, the Tribunal has determined that an increase of 15 per cent is warranted in the maximum amount reimbursable for charter transport for Members of the Legislative Assembly. Actual amounts and conditions applying in respect of charter transport allowances are specified in the annual Determination.

Travelling allowances for Recognised Office Holders and Shadow Ministers

The Tribunal has undertaken a review of the travelling allowances paid to Recognised Office Holders and Shadow Ministers. The Tribunal's Determination is based on those rates provided to NSW Public Servants and those deemed "reasonable" by the Australian Taxation Office. In accordance with conditions applicable to other NSW public officials, Recognised Office Holders and Shadow Ministers will only be able to claim actual expenditure for absences from Sydney or their usual place of residence where an overnight stay is involved.

For absences that do not involve an overnight stay Recognised Office Holders and Shadow Minister may claim reasonable actual expenses. The Tribunal has provided indicative upper limits for travel expenditure. It is proposed that these allowances will be adjusted annually in line with movements to the public sector rates.

Electorate to Sydney Travel Warrants

The Tribunal has received submissions seeking additional electorate to Sydney travel warrants. The reasons provided centre on the increased Committee work by Members, which requires them to be in Sydney more often than has hitherto been the case. Again, no quantifiable data was provided to the Tribunal to substantiate the need for additional warrants, nor were any details provided as to how many Members were affected.

At the commencement of each financial year the non-metropolitan based Members are provided with 104 single journey air travel warrants for the purposes of travelling to and from Sydney to attend Parliament and for other parliamentary duties. The allocation is sufficient for a Member to make a return trip to Sydney for each week of the year.

The Tribunal has obtained details from the Legislature on the use of electorate to Sydney travel warrants by Members. Based on these figures, which indicate that the vast majority of Members have ample warrants for the rest of the current financial year, the Tribunal sees no reason why the allocation should be increased.

The Tribunal reminds Members that if their warrants are insufficient for their needs then they can use the LSA or their electoral allowance to meet the shortfall.

Under existing arrangements Members can drive from their electorate to Sydney in lieu of using their air travel warrant. Members surrender a travel warrant and receive appropriate mileage rates.

The Presiding Officers have requested that where a Member does drive to or from their electorate (or Zone in the case of Legislative Council Members) the amount that can be reimbursed for such travel should be limited to the cost of the appropriate commercial flight.

The Tribunal has considered this request as reasonable and will be making the appropriate adjustment in the Determination.

4. SUMMARY OF 2002 DETERMINATION

Electoral Allowance	No increase
Sydney Allowance	2.9 percent increase (CPI)
Logistic Support Allocation	No increase
Electorate Mailout Account	No increase
Committee Allowance	No increase
Electorate Charter Allowance	15 per cent increase.
Travel Allowances	Increased generally to Public Sector rates (actual costs only)

Significant Changes to Conditions

- ❖ Cost of travel from electorate to Sydney limited to the value of commercial flight (air warrant).
- ❖ Greater flexibility in types of expenditure allowed under the LSA.
- ❖ Staff travel costs can be met from LSA.
- ❖ Increase in limit for purchase of minor office equipment from \$2,000 to \$2,500.
- ❖ Purchases of Computer hardware limited to \$4,999.

Dated this 31st day of May 2002

The Honourable Justice R Boland

THE PARLIAMENTARY REMUNERATION TRIBUNAL

THE DETERMINATION OF THE PARLIAMENTARY REMUNERATION TRIBUNAL

THE DETERMINATION

Pursuant to section 10 (2) and 11(1) of the *Parliamentary Remuneration Act*, 1989 (the Act), the Tribunal makes the Determination appearing hereunder.

With effect on and from 1 July 2002, and pursuant to section 10 (6) of the Act, all previous Determinations of the Tribunal are revoked. This Determination shall constitute the annual Determination and shall operate on and from 1 July 2002.

DEFINITIONS

Member or *Members* refers to a duly elected Member or Members of the Parliament of New South Wales (referred to hereinafter in this Determination as “*the Parliament*”).

In this Determination the expression *Additional entitlements* is to be understood in the sense used in Part 3 of the Act.

Parliamentary duties has the meaning attributed to it by section 3 of the Act,

“*Electoral groups*” are the groups of electorates specified in Schedule 1.

For the purpose of the Additional Entitlements Account for Members of the Legislative Council “*Zones*” shall be those areas described in Schedule 2A.

“*Shadow Ministers*” are defined as those officers nominated by the Leader of the Opposition who undertake the role of opposition spokesperson on behalf of particular Ministerial portfolios and shall include Leader and Deputy Leader of the Opposition. The minimum number of Shadow Ministers qualifying for additional entitlements shall be equivalent to the number of Ministers in the first Ministry immediately following a State general election or such lesser number of Shadow Ministers as may from time to time be nominated by the Leader of the Opposition. The number of Shadow Ministers shall increase from this number only with comparable increases in the number of Ministers. The Leader of the Opposition is to advise the Tribunal of the Members who will act as Shadow Ministers

and their particular portfolio/s. These Members, as advised to the Tribunal, will, subject to this Determination, be eligible for additional entitlements. Until the declaration of the next State Election and an appointment of the Ministry of Government thereafter, the Shadow Ministry shall (for the purpose of additional entitlements) be treated as consisting of 21 Shadow Ministers (including the Leader and Deputy Leader of the Opposition).

GUIDELINES AND GENERAL CONDITIONS REGARDING ADDITIONAL ENTITLEMENTS FOR MEMBERS IN CONNECTION WITH PARLIAMENTARY DUTIES.

1. Guidelines

Every class of “additional entitlements” described in this Determination is provided pursuant to section 10 (1) (a) of the Act “for the purpose of facilitating the efficient performance of the Parliamentary duties of Members.” The following guidelines shall apply to the receipt, use and operation of additional entitlements.

1. Circumstances upon which the additional entitlements may be used for Parliamentary Duties.
 - 1.1 Additional entitlements are provided to facilitate the efficient performance of the following particular Parliamentary duties of Members as follows:
 - 1.1.1 Activities undertaken in representing the interests of constituents, but excluding activities of a direct electioneering or political campaigning nature.
 - 1.1.2 Performing electorate work for a Member’s electorate and participation in official and community activities to which the Member is invited because of the Member’s status as a Parliamentary representative.
 - 1.1.3 Attending and participating in sessions of Parliament.
 - 1.1.4 Participation in the activities of Parliamentary committees.
 - 1.1.5 Attending Vice-Regal, Parliamentary and State ceremonial functions.
 - 1.1.6 Attending State, Commonwealth and Local Government functions.

- 1.1.7 Attending official functions to which a Member is invited because of the Member's status as a Parliamentary representative, eg. receptions and other community gatherings hosted by Members of the diplomatic corps, educational and religious institutions, community and service organisations, business associations, sporting bodies or other special interest groups.
- 1.1.8 Participation in the activities of recognised political parties, including participation in national, State and regional conferences, branch meetings, electorate council meetings, executive meetings, committee meetings, and meetings of the Members of the Parliamentary political party, its executive and committees.
- 1.1.9 *For a Member elected to the Parliament as an independent, participation in activities that are reasonable alternatives to participation in the activities of recognised political parties.*
- 1.1.10 A Member who is elected to the Parliament as a representative of a recognised political party and who subsequently resigns from that party Membership and thereafter sits as an independent Member, howsoever described, shall continue to receive the same entitlements as they received as a Member of the party prior to resignation and not the additional entitlements provided to elected independents. The Member is also not entitled to the benefit of the rule in Clause 1.1.9 above.
- 1.1.11 Participation within Australia in the activities of the Commonwealth Parliamentary Association as well as activities outside Australia organised by the Commonwealth Parliamentary Association provided such activities arise directly from Membership of the New South Wales Branch and officially endorsed by the Branch (exclusive of air travel).
- 1.1.12 Participation in a Parliamentary Group such as the Asia Pacific Friendship Group; provided that, such group is approved in writing by the President of the Legislative Council and the Speaker of the Legislative Assembly. Such written approval shall be forwarded to the Tribunal.

2. Where any additional entitlement fixed by this Determination is to be used for the purpose of facilitating Members' participation in the activities of recognised political parties, the Tribunal sets out the following guidelines as to the use of that additional entitlement:
 - 2.1 Parties registered under the *Parliamentary Electorates and Elections Act* 1912, and included in the register of parties maintained by the Electoral Commissioner, are to be treated as recognised political parties.
 - 2.2 Additional entitlements should not be used to fund:
 - 2.2.1 activities such as those associated with party Membership drives;
 - 2.2.2 mail distributions for non-electorate or non-Parliamentary activities;
 - 2.2.3 costs associated with election campaigning for an individual Member;
 - 2.2.4 fund raising for other party political Members (such as the purchase of raffle tickets, raffle prizes or tickets to attend functions, etc); and
 - 2.2.5 costs previously borne by political parties which are not principally related to a Member's Parliamentary or electorate duties.
 - 2.3 The electorate office provided for a Member of the Legislative Assembly is not to be used as an election campaign office.
3. The Tribunal sets out the following additional and general guidelines:
 - 3.1 Some intermingling of a Member's Parliamentary duties and private activities is in practical terms not always easily avoided, but the onus is always on the Member to show that any expenditure or any claim for reimbursement relates to Parliamentary duties, or to the Parliamentary duties component of costs incurred for intermingled Parliamentary duties and private purposes.
 - 3.2 *In the case of electorate work, any activities within the electorate, and in respect of which a Member's involvement may reasonably be regarded as deriving from the Member's status as the Parliamentary representative for the electorate, should be treated as Parliamentary duties.*
 - 3.3 *In the case of Parliamentary work, any activities in which a Member's involvement may reasonably be regarded as deriving from the Member's*

responsibilities as a Parliamentary representative should be treated as Parliamentary duties.

- 3.4 In the case of a Member's activities within the broader community outside the Member's electorate, activities that may reasonably be regarded as deriving from the Member's status as a Parliamentary representative should be treated as Parliamentary duties.

2. Conditions

The following general conditions will apply to all additional entitlements determined hereunder. These conditions are in addition to any special conditions attaching to the provision of allowances or other benefits (as specified later in this Determination):

1. All procurement by Members will be in accordance with the Parliament's purchasing policies.
2. Members must ensure that they have sufficient funds to meet the costs associated with their Parliamentary duties.
3. Each Member shall have, in addition to payments of the Electoral and Sydney Allowance, an account entitled the "Logistic Support Allocation" which shall cover expenditure in the areas of transport (excepting for electorate to Sydney travel), communications, printing and stationery.
4. The Logistic Support Allocation shall be established and maintained by the Clerks of the Parliament. Members should be advised by the Clerks each month as to the balance of their Logistic Support Allocation
5. The funds in the Logistic Support Allocation shall only be used by the Member to carry out the purpose for which the allowance is established, but otherwise may, subject to these conditions, manage the funds as he/she thinks appropriate.
6. Nothing shall prevent the use of the Electoral Allowance for legitimate electorate expenses which might also fall within the categories of expenses covered by the Logistic Support Allocation.
7. All accounts and Members' claims must be submitted to the Legislature for payment within 60 days of receipt or occurrence of the expense.
8. All Members' additional entitlements in the nature of fixed allocations and Sydney allowance provided to Members shall be audited annually for compliance. In addition to any internal audit conducted by the Parliament, Members' additional entitlements in the

nature of fixed allocations and the Sydney allowance provided to Members shall be the subject of an external audit conducted by the Auditor-General of NSW. The cost of any audit shall be met by the Parliament. Members should ensure they maintain appropriate records of expenditure for the purpose of any audit.

9. Expenditure is only to be incurred in connection with the Parliamentary duties of Members (and in this respect the Member should refer to the guidelines in this Determination).

10. The various allowances determined here, as well as the Logistic Support Allocation are for the sole use of the Member and are not to be transferred between Members. The Member may use his/her entitlements to meet official costs of the spouse approved relative and/or staff employed by the Parliament when that expenditure is in connection with official Parliamentary duties.

ADDITIONAL ENTITLEMENTS IN THE NATURE OF ALLOWANCES

1. Electoral Allowance

Purpose and Operation of the Provision

The allowance is based upon those factors which have historically been taken into account in assessing the quantum of the allowance (including the additional costs associated with the performance by Members of their Parliamentary duties in their electorates) and such other factors as may be determined from time to time as appropriate to be taken into account by the Tribunal under the Act.

Entitlement

The allowances shall be paid as follows:

- a) Each Member of the Legislative Assembly and the Legislative Council shall receive an electoral allowance. The quantum of that allowance shall be fixed in accordance with the electoral grouping for the electorate of the Member.
- b) The allowance payable for each electorate group shall be as follows:

<u>Electorate Group</u>	<u>Allowance</u>
Group 1	\$32,615
Group 2	\$38,195
Group 3	\$45,015
Group 4	\$49,140
Group 5	\$52,275
Group 6	\$57,300
Group 7	\$60,165
Group 8	\$67,015

- c) The electoral allowance for each Member of the Legislative Council shall be \$38,195.

2. Sydney Allowance

Purpose and Operation of the Provisions

The Sydney allowance is provided to Members who reside in non-metropolitan electorates to compensate for the additional costs including commercial accommodation, meals and incidental costs associated with staying in Sydney to attend sessions of Parliament, meetings of Parliamentary committees or other Parliamentary business.

For the purpose of this allowance the non-metropolitan electorates (Electorate Groups 2-8) have been divided into two categories based on distance from Sydney. Members whose principal place of residence is in either Category 1 or Category 2 electorates, as specified in Schedule 2, are eligible to receive the Sydney allowance.

Entitlement

The daily rate (including the number of overnight stays) and the annual amount for the Sydney allowance for categories 1 and 2 shall be in accordance with Table 1 below. Where a Member elects for a daily rate, he/she shall be entitled to the daily rate for the number of overnight stays per annum specified in that Table, except as provided in conditions 3 and 4.

TABLE 1

	Residence	Daily Rate			Annual amount
		Overnight Stays p.a.	Overnight in Sydney	Overnight in Transit to and from Sydney	
Minister, Speaker, President, Leader of the Opposition (Assembly and Council), Leader of Third Party in Assembly with not less than 10 Members.	Category 1 or 2	140	\$169	\$131	\$23,660
Deputy Speaker, Chairman of Committees in the Legislative Assembly and Chairman of Committees in the Legislative Council.	Category 1 or 2	120	\$169	\$131	\$20,280
Parliamentary Secretary/Shadow Minister	Category 1	90	\$169	\$131	\$15,210
	Category 2	120	\$169	\$131	\$20,280
Other Assembly/Council Members	Category 1	90	\$169	\$131	\$15,210
	Category 2	120	\$169	\$131	\$20,280

The following conditions apply to the Sydney allowance:

1. A Member can choose to receive the Sydney allowance as either an annual fixed allowance or a daily rate.
2. Where a Member chooses to receive the daily rate of allowance the Member shall receive the overnight daily rate as specified in Table 1 at the 'Sydney' or the 'transit to and from Sydney' rate as applicable. The Member is entitled to the number of overnight stays per annum specified in Table 1 without the need to substantiate to the Parliament expenses up to the daily rate.
3. Where the reasonable daily costs exceed the daily rate, full substantiation of daily costs will be required (including tax invoices/receipts).
4. Where the number of overnight stays is exceeded, documentary evidence of each overnight stay will be required.
5. When in receipt of the annual allowance Members are required to certify at the end of the financial year the number of occasions they stayed in Sydney and that on each occasion the stay was for Parliamentary business. Members who nominate to receive the annual allowance cannot claim for additional overnight stays in excess of those specified in Table 1.
6. Members will need to maintain records or other relevant evidence that clearly document the occasions they stayed in Sydney in connection with their Parliamentary duties. Such documentation could include airline boarding passes for arrival and departure from Sydney or any other documentary evidence of having travelled and stayed in Sydney in connection with Parliamentary duties.
7. Members in receipt of the annual amount will be required to return to Parliament the unspent portion of the Allowance for re-credit of the Consolidated Fund.
8. Members are not to claim the Sydney Allowance if they stay in Government owned or funded accommodation including Parliament House.

3. Committee Allowances

Purpose and Operation of the Provision

Committee Allowances are paid to Chairpersons of Joint and Select Committees in recognition of the additional responsibilities of the office. Because of the statutory nature of the Public Accounts Committee and its role in Government activities, an annual rate of allowance is payable to Members of the Public Accounts Committee.

Entitlement

The allowances shall be paid as follows:

- a) Members of the Legislative Council and the Legislative Assembly serving as Chairpersons of Joint Committees, Select Committees and Standing Committees shall be paid the sum of \$125.00 for each day upon which they attend a meeting or an official visit of inspection if that day is one upon which the Legislative Council (so far as a Member of the Council is concerned) or the Legislative Assembly (so far as a Member of the Assembly is concerned) is not sitting. This allowance is not payable to Chairpersons in receipt of a salary of office as specified in Schedule 1 of the Parliamentary Remuneration Act 1989.

- b) Members of the Public Accounts Committee, other than the Chairperson, shall each receive a committee allowance of \$2,845 per annum.

ADDITIONAL ENTITLEMENTS IN THE NATURE OF FIXED ALLOCATIONS**1. Electorate to Sydney Travel**Purpose and Operation of the Provisions

Members of the Legislative Assembly who reside in electorate groups 2 to 8 and Members of the Legislative Council who reside in zones 2 or 3 qualify for return air travel warrants between their electorates/zones and Sydney.

These entitlements are provided for the performance of Parliamentary duties.

All eligible Members shall receive one hundred and four (104) single economy class journeys per annum between electorate/zone and Sydney.

Where eligible, each of the below mentioned recognised office holders shall be entitled to the following additional electorate to Sydney travel entitlements per annum.

Entitlement

Office holder	Electorate to Sydney travel entitlement
Minister of the Crown	32 single journey entitlements
Speaker of the Legislative Assembly	32 single journey entitlements
President of the Legislative Council	32 single journey entitlements
Leader of the Opposition Assembly and Council	32 single journey entitlements
Leader of Party (not less than 10 Members in the Legislative Assembly)	32 single journey entitlements
Chairman of Committees Legislative Assembly and Legislative Council	32 single journey entitlements.
Deputy Speaker	32 single journey entitlements
Deputy Leader of the Opposition Assembly and Council	16 single journey entitlements
Deputy Leader of Party (not less than 10 Members in the Legislative Assembly)	16 single journey entitlements

Conditions

1. All electorate to Sydney travel and return is restricted to economy class.
2. Warrants may be used to meet the cost of using a private motor vehicle or rental vehicle in lieu of electorate to Sydney air travel. The amount to be reimbursed for this purpose is not to exceed the commercial airfare for an equivalent distance flight.
3. A minimum of one warrant is required to be surrendered for each single journey; a return trip will require the surrender of at least two warrants.
4. Warrants are not transferable between Members, spouses or approved relatives, or Members' staff.
5. Where the Determination refers to warrants, the expression is intended to include a reference to the existing system for electorate to Sydney travel used for the Legislative Council.
6. Members may use electorate to Sydney warrants to defray part of the cost of intrastate and interstate Parliamentary travel when such travel is via Sydney.
7. Members may charter a plane in lieu of travelling on commercial flights provided that travel is for electorate and/or Parliamentary business and that sufficient warrants based on the equivalent commercial cost of each person travelling are surrendered. The cost of Member's spouse or approved relative travelling on the charter is to be met from the Member's Logistic Support Allocation. It is a condition of all air transport charters that the Member responsible for organising the charter obtain a passenger manifest from the charter operator and attach it to the invoice when it is sent for payment.
8. A Member's air transport bookings for Parliamentary duties are to be made through the booking agent nominated in the NSW government travel contract, for all types of transport covered by the contract. Should the official NSW government travel booking agent not offer a booking service required by a Member for Parliamentary duties, the

Member's transport bookings for that service may be made directly with the transport provider.

9. Benefits accrued by a Member by way of loyalty/incentive schemes such as frequent flyers, as a consequence of the Member using his or her additional entitlements, are to be used only for Parliamentary duties and not for private purposes. Any outstanding benefits of this nature, when the Member ceases to be a Member, are to be forfeited.
10. Members will need to maintain records or other relevant evidence that clearly document the occasions they travelled to Sydney in connection with their Parliamentary duties. Such documentation could include airline boarding passes for arrival and departure from Sydney or any other documentary evidence of having travelled to Sydney in connection with Parliamentary duties.

2. Logistic Support Allocation

Purpose and Operation of the Provision

The Clerks of the Parliament will establish a Logistic Support Allocation Account for each Member. Each Member's Logistic Support Allocation Account may be applied for the following purposes:

- * All interstate and intrastate transport for Parliamentary business (any mode) excepting electorate to Sydney travel
- * Taxi travel
- * Staff travel costs (training excluded)
- * Airport parking
- * Transport expenses for Members' spouse or other approved relative
- * Home telephone, facsimile and internet call charges for official business
- * Mobile telephone call charges and network access fees
- * Mail distribution and postal delivery services
- * Post Office box rental
- * Fax Post, Express Post and Lettergram services
- * Postage stamps
- * All stationery costs
- * Courier and freight charges for delivery of stationery or equipment to electorate or home office
- * Costs associated with photocopying
- * Printing (both Parliament House and external providers)
- * Publication services at Parliament House
- * Developing and hosting a web page for individual Member
- * Office equipment purchases up to \$2,500 (excluding GST)
- * Any maintenance charges relating to minor equipment purchases
- * Computer software
- * Computer hardware and peripheral devices not exceeding \$4,999

It is intended that the above list be used as a guide as to the types of items Members can spend against their Logistic Support Allocation. The Presiding Officers may exercise their discretion in permitting expenditure for items not on the "List". There must be sufficient funds in the Members Logistic Support Allocation, the items must not duplicate services already provided to Members by the Parliament and the expenditure must be consistent with the guidelines and general conditions in this Determination.

Entitlement

Each Member and Recognised Office Holder of the Legislative Assembly who resides in one of the following electorate groups will be entitled to an annual allocation for the Logistic Support Allocation as follows:

<u>Electorate Group</u>	<u>Entitlement</u>
Group 1	\$25,340
Group 2	\$28,410
Group 3	\$30,410
Group 4	\$30,410
Group 5	\$30,410
Group 6	\$30,410
Group 7	\$32,410
Group 8	\$32,410

Each Member and Recognised Office Holder of the Legislative Council who resides in one of the following zones will be entitled to an annual allocation for the Logistic Support Allocation as follows:

<u>Zone</u>	<u>Entitlement</u>
Group 1	\$17,110
Group 2	\$17,640
Group 3	\$26,320

Recognised Office Holders are entitled to further additional entitlements as specified in Schedule 3.

Shadow Ministers are entitled to further additional entitlements equivalent to a 40 per cent loading on the printing and stationery component of the Logistic Support Allocation.

General Conditions

The following general conditions shall apply to the Logistic Support Allocation Account:

1. Subject to these conditions, each Member shall determine at his/her own discretion the use of the funds within this Account for the purpose and operations specified above.
2. It is the primary responsibility of Members to ensure that they manage their Logistic Support Allocation Account to ensure that they do not over-expend their budgets. No supplementation of this Allocation will be allowed by the Tribunal. However, the Logistic Support Allocation is not intended to restrict the proper use of the electoral allowance, which may be used to meet any expense referred to in the 'purpose and operations' section of this clause.
3. Members may not use their Logistic Support Allocation to procure goods or services to be used for electioneering purposes or political campaigning.
4. Any unused funds remaining in the Member's account at the end of the financial year within the four year Parliamentary term shall be carried over to the following financial year. At the end of each 4 year Parliamentary term or the earlier dissolution of the Legislative Assembly, any balance remaining in the Member's account is to be relinquished to the Consolidated Fund.
5. Accounts will be paid either directly by the Parliament and debited to a Member's account or paid in the first instance by the Member who would then seek reimbursement from the Parliament.
6. Members must personally authorise expenditure from their Logistic Support Allocation.

Whilst, subject to the further conditions, Members may determine at their discretion the use of the funds available for any purpose and operation specified in this clause, the following table outlines the basis upon which the Tribunal has established the quantum of the account for future assessment. The table shall be used for the future assessment of the Allocation and for particular purposes such as the calculation of additional entitlements for Recognised Office Holders and Shadow Ministers.

Electorate Group or Zone	Transport	Communication –electronic	Communication –non-electronic	Printing and Stationery and Office Supplies	Total Logistic Support Allowance
Legislative Assembly					
Group 1	\$4,000	\$3,210	\$11,770	\$6,360	\$25,340
Group 2	\$6,000	\$4,280	\$11,770	\$6,360	\$28,410
Group 3	\$8,000	\$4,280	\$11,770	\$6,360	\$30,410
Group 4	\$8,000	\$4,280	\$11,770	\$6,360	\$30,410
Group 5	\$8,000	\$4,280	\$11,770	\$6,360	\$30,410
Group 6	\$8,000	\$4,280	\$11,770	\$6,360	\$30,410
Group 7	\$10,000	\$4,280	\$11,770	\$6,360	\$32,410
Group 8	\$10,000	\$4,280	\$11,770	\$6,360	\$32,410
Legislative Council					
Zone 1	\$4,000	\$3,750	\$3,000	\$6,360	\$17,110
Zone 2	\$4,000	\$4,280	\$3,000	\$6,360	\$17,640
Zone 3	\$10,000	\$6,960	\$3,000	\$6,360	\$26,320

Particular Conditions.Transport (Other than Electorate or Electorate to Sydney transport)

1. A Member may use any form of transport within Australia subject to the requirement that the transport was used for Parliamentary or electorate duties and that the cost was reasonable.
2. A Member may travel to any place in Australia, subject to the requirement that all such travel must be for Parliamentary duties and that there must be, at the time of the making of the relevant reservation, sufficient funds in that Member's Account to pay for the expenses involved.
3. All transport costs associated with spouse/approved relative or Members' staff travel (excluding travel costs associated with staff training) are to be provided from the Logistic Support Allocation Account. Staff training costs are to be met by the Legislature.
4. Members and their spouses/approved relatives, when travelling in connection with their Parliamentary duties, may claim reasonable actual accommodation and meal expenses from the Members' Logistic Support Allocation. The reimbursement of these expenses may not exceed the travel allowance rates as determined for Group 3 in Table 2 hereunder. Staff employed by the Parliament who travel with a Member for Parliamentary business may be paid travel allowances in accordance with appropriate Public Service Award conditions.
5. A Member and his or her spouse or approved relative may travel together or separately in connection with attendance at a function in the course of Parliamentary duties.
6. A Member, their spouse/approved relative and staff employed by the Parliament may use taxis or hire cars for Parliamentary duties.
7. A Member's air transport bookings for Parliamentary duties are to be made through the booking agent nominated in the NSW government travel contract, for all types of transport covered by the contract. Should the official NSW government travel booking

agent not offer a booking service required by a Member for Parliamentary duties, the Member's transport bookings for that service may be made directly with the transport provider.

8. Benefits accrued by a Member by way of loyalty/incentive schemes such as frequent flyers, as a consequence of the Member using his or her additional entitlements, are to be used only for Parliamentary duties and not for private purposes. Any outstanding benefits of this nature, when the Member ceases to be a Member, are to be forfeited.
9. Members should ensure that records are maintained that clearly document the occasions that staff employed by the Parliament stayed in Sydney or other locations when travelling in connection with the Member's Parliamentary duties. Such documentation may include airline boarding passes for arrival and departure or other documentary evidence of having travelled and stayed in accommodation.
10. A Member may use charter transport in connection with Parliamentary duties, but only within the limits of the Member's individual Logistic Support Allocation. No passenger, except the Member's spouse or an approved relative and staff employed by the Parliament accompanying the Member on Parliamentary duties, may be carried at the cost of the Member's Logistic Support Allocation entitlement. Where more than one Member is travelling on the air charter, the total air charter cost should be covered by arrangement between the Members travelling.
11. It is a condition of all air transport charters that the Member responsible for organising the charter obtain a passenger manifest from the charter operator and attach it to the invoice when it is submitted for payment to the Legislature.

Communication – electronic

1. The Tribunal accepts that there will be some private usage in connection with mobile telephones supplied by the Parliament and electronic communication equipment installed at public expense in a Member's principal place of residence. To ensure the Legislature does not pay Fringe Benefits Tax for the private usage of electronic equipment, the Financial Controller will undertake a survey over an appropriate period

of time to ascertain public/private percentage use of Members' home telephones. Once established Members will be reimbursed the Parliamentary business cost of each home telephone call account and an adjustment shall be made to previous accounts reimbursed from the effective date of this Determination on or from the date of election, whichever is the later.

2. The Parliamentary business use component of the following telecommunication services are eligible for reimbursement:
 - Directory assistance charges (only applies to business lines)
 - Call connect charges (extension of directory assistance)
 - Messagebank
 - Call waiting
 - Call forwarding/diversion
 - Last unanswered call recall
 - Telephone director charges for home telephone listings (which are in addition to standard free entry)

3. The following Recognised Office Holders shall be entitled to 100 per cent reimbursement for electronic-communication costs including overseas calls for Parliamentary business.
 - Ministers
 - Presiding Officers
 - Leader of the Opposition (Assembly and Council)
 - Leader of a Party not less than 10 Members in the Legislative Assembly
 - Chairman of Committees (Assembly and Council)
 - Deputy Speaker
 - Deputy Leader of the Opposition (Assembly and Council)
 - Deputy Leader of a Party not less than 10 Members in the Legislative Assembly
 - Parliamentary Secretaries (Assembly and Council)
 - Government and Opposition Whips (Assembly and Council)
 - Whip of a third party with not less than 10 Members (Legislative Assembly)
 - Deputy Whips (Legislative Assembly)

4. A fax line installed at Legislative Council Members' home offices continue to be reimbursed at the rate of 100 per cent.
5. Call and rental charges pertaining to a data line installed at Legislative Council Members' home offices be reimbursed at the rate of 100 per cent subject to the line being used for Parliamentary duties.
6. Members will be required to meet the cost of all overseas calls, other charged information/service calls, reverse charge calls and home-link Telecard calls.
7. Accounts will be paid either directly by the Parliament and debited to a Member's account or paid in the first instance by the Member who would then seek reimbursement from the Parliament.

Communication - non-electronic

Members are permitted to purchase postage stamps or other mail distribution and delivery services and make arrangements for payment direct by the Parliament or obtain reimbursement by providing substantiation in accordance with the requirements of the Parliament's administration.

Printing, Stationery and Office Supplies

1. Members may only use the printing, stationery and office supplies entitlement for Parliamentary duties.
2. The entitlement may be used to purchase printing, stationery and office supplies from the Parliament or other providers and in accordance with Parliamentary procurement policies and practices.
3. A Member may not use their printing, stationery and office supplies allowances to procure goods or services to be used for electioneering purposes or political campaigning.

4. The purchase of computer software from the Logistic Support Allocation is subject to the following conditions:

- The software will not be supported by the Parliament's I.T. Section.
- The software is required to be removed from the computers supplied by the Parliament if there is any conflict with the Parliament's computer network.
- The software is not to be used for political campaigning or electioneering purposes.

3. Electorate Mailout Account

Each Member of the Legislative Assembly will be provided with an amount as specified in Schedule 4 for the specific purpose of preparing and distributing letters/newsletters to each constituent in his/her electorate. Members are provided with an annual amount to fund the cost of issuing such letters/newsletters on two occasions each year.

Conditions

1. The Electorate Mailout Account shall be established and maintained by the Clerk of the Legislative Assembly. Members should be advised by the Clerk each month as to the balance of their Account.
2. Members are to fund the cost of preparing, printing and posting letters/Newsletters to each constituent in his/her electorate and for no other purpose.
3. All procurement by Members will be in accordance with the Parliament's purchasing policies.
4. No supplementation to the allocation will be considered. Any additional costs are to be met from the Member's Logistic Support Allocation.
5. Unused funds are to be returned to the Consolidated Fund at the end of each financial year.
6. All accounts must be submitted to the Legislature for payment within 60 days of receipt.

4. Electorate Charter Transport for Members of the Legislative Assembly

Purpose and operation of the provision

Members of the largest electorates (Electoral Groups 5-8) shall be provided with an allowance from which are met charter transport costs incurred within their electorates. For the purposes of this allowance “charter transport” means charter transport used with and for the service of the Member’s electorate and includes charter aircraft, drive yourself vehicles and any other mode of charter transport that may be deemed appropriate in the circumstances by the Speaker of the Legislative Assembly.

Entitlement

Members of the Legislative Assembly in the following Electorate Groups shall be entitled to Charter Transport Allowance up to the maximum amount shown below:

<u>Electorates</u>	<u>Entitlement</u>
Group 8	\$19,520
Group 7	\$12,940
Group 6	\$10,560
Group 5	\$6,460

Conditions

The following conditions shall apply in respect of Charter Transport Allowance:

1. This Allowance shall only be used in connection with Parliamentary duties within the Member’s electorate and shall not be used during election campaigns or for other electioneering or party political activities.
2. Only the cost of the Member’s spouse or approved relative or Member of staff accompanying the Member may be met from this Allowance.
3. It is a condition of all air transport charters that the Member responsible for organising the charter obtain a passenger manifest from the charter operator and attach it to the invoice when it is submitted for payment to the Legislature.

4. Members are to meet the cost of the air charter and seek reimbursement from the Financial Controller with appropriate certification as to the purpose of the charter.
5. The charter transport shall only be used within and for the service of the Member's electorate. Where the only source of available charter transport is outside the boundaries of the electorate, the reasonable additional expenses consequently incurred may be included in the reimbursement available under this Determination.
6. These additional entitlements shall be audited annually for compliance. In addition to any internal audit conducted by the Parliament, Members' additional entitlements shall be the subject of an external audit conducted by the Auditor-General of NSW. The cost of any auditing shall be met by the Parliament. Members should ensure they maintain appropriate records of expenditure.

5. Travelling Allowances for Recognised Office Holders and Shadow Ministers

Table 2 – Indicative Upper Limits for Travel Expenditure

Office Holders and Shadow Ministers	Capital Cities		Other Areas	Where no overnight stay is required
	Melbourne, Perth, Brisbane	Adelaide, Canberra, Darwin, Hobart		
Group 1	\$362.00	\$292.00	\$192.00	Actual reasonable meal expenses
Group 2	\$271.00	\$225.00	\$172.00	Actual reasonable meal expenses
Group 3	\$243.00	\$187.00	\$147.00	Actual reasonable meal expenses

Recognised Office Holders and Shadow Ministers are classified into one of the following three groups.

Group 1

Premier

Group 2

Ministers,

President of the Legislative Council and Speaker of the Legislative Assembly,

Leader and Deputy Leader of the Opposition in the Legislative Council,

Leader and Deputy Leader of the Opposition in the Legislative Assembly,

Leader and Deputy Leader of a Recognised Political Party of which not less than ten

Members are Members of the Legislative Assembly,

Chairman of Select, Joint Standing, Standing and Public Accounts Committees.

Group 3

Members of Select, Joint Standing, Standing and Public Accounts Committees,

Shadow Ministers

The following conditions shall apply in respect of this allowance:

1. Recognised Office Holders and Shadow Ministers are eligible to claim reasonable actual travelling expenses for overnight absences from Sydney or their electorate/principal home residence. Where no overnight absence is involved Recognised Office Holders and Shadow Ministers may claim reasonable actual meal expenses. Indicative upper limits for travel expenditure are outlined in Table 2.
2. The payment of actual travelling expenses will be paid subject to the production of tax invoices/receipts relating to accommodation, meal and other incidental expenses by the Recognised Office Holder and Shadow Minister concerned.
3. A Recognised Office Holder or Shadow Minister whose spouse/approved relative accompanies him or her to a State or other official function and who consequently incurs expenses in respect of meals and accommodation exceeding the allowance to which he or she is entitled, shall be entitled to be reimbursed the additional expenses associated with the spouse/approved relative.
4. Those Recognised Office Holders or Shadow Ministers for whom non-Parliamentary funded budgets are provided are to meet travel allowance costs from those budgets and not from the Parliament.

6. Equipment, Services and Facilities

Members of the Legislative Assembly and the Legislative Council shall be provided by the Parliament with the equipment, services and facilities necessary to perform their Parliamentary duties as follows:

1. All Members shall receive at the Parliament House, Sydney, a fitted out, equipped and maintained office, and secretarial services.
2. Each Member of the Legislative Assembly shall receive a fitted out, equipped and maintained Electorate Office to an appropriate standard. The Member for Murray-Darling is to be provided with an additional electorate office.
3. Each Member shall be supplied equipment and ancillary services in the Member's private residence (or if the Member has more than one private residence then in the Member's principal private residence) including a telephone and a facsimile machine, for the performance by the Member of Parliamentary duties.
4. Each Member shall receive portable equipment to supplement the provision of equipment as referred to in clauses 1, 2 and 3 above, except where such equipment is already provided by the Executive Government. This portable equipment shall include, but is not limited to, a mobile telephone and a notebook computer.
5. Each Member of the Legislative Council shall have a separate data line installed in their home office to provide access to the Parliament's secure computer network..
6. The Presiding Officers are to provide administrative support to each Member in accordance with the following:
 - (i) Subject to (ii), each Member of the Legislative Assembly shall have two staff Members employed at each electoral office.
 - (ii) Each Member of the Legislative Assembly elected as an Independent shall have an additional staff Member employed at his/her electoral office.

- (iii) Each Member of the Legislative Council, who is not a Minister, shall be entitled to one staff Member.
- (iv) Each Member of the Legislative Council, who is not a Minister, and who is elected as a cross bench Member shall be entitled to two staff Members.
- (v) Ministers shall receive a reasonable allocation of staff Members.
- (vi) This provision specifies the minimum staffing required in electorate offices. Nothing in this Determination removes from the employer of staff the obligations arising under the Occupational Health and Safety Act 2000.

Dated this 31st of May 2002.

The Honourable Justice R Boland
THE PARLIAMENTARY REMUNERATION TRIBUNAL

ELECTORAL GROUPS

SCHEDULE 1

Group 1 Electorates		
1. Auburn	17. Granville	33. North Shore
2. Bankstown	18. Heffron	34. Parramatta
3. Baulkham Hills	19. Hornsby	35. Penrith
4. Blacktown	20. Kogarah	36. Pittwater
5. Bligh	21. Ku-ring- gai	37. Port Jackson
6. Cabramatta	22. Lakemba	38. Riverstone
7. Campbelltown	23. Lane Cove	39. Rockdale
8. Canterbury	24. Liverpool	40. Ryde
9. Coogee	25. Macquarie Fields	41. Smithfield
10. Cronulla	26. Manly	42. Strathfield
11. Davidson	27. Maroubra	43. The Hills
12. Drummoyne	28. Marrickville	44. Vacluse
13. East Hills	29. Menai	45. Wakehurst
14. Epping	30. Miranda	46. Wentworthville
15. Fairfield	31. Mount Druitt	47. Willoughby
16. Georges River	32. Mulgoa	
Group 2 Electorates		
1. Blue Mountains	7. Illawarra	13. Peats
2. Camden	8. Keira	14. Swansea
3. Charlestown	9. Kiama	15. The Entrance
4. Gosford	10. Lake Macquarie	16. Wallsend
5. Hawkesbury	11. Londonderry	17. Wollongong
6. Heathcote	12. Newcastle	18. Wyong

SCHEDULE 1

Group 3 Electorates		
1. Ballina	5. Myall Lakes	8. South Coast
2. Cessnock	6. Port Macquarie	9. Southern Highlands
3. Coffs Harbour	7. Port Stephens	10. Tweed
4. Maitland		
Group 4 Electorates		
1. Albury	4. Dubbo	7. Oxley
2. Bathurst	5. Lismore	8. Tamworth
3. Bega	6. Orange	9. Wagga Wagga
Group 5 Electorates		
1. Burrinjuck		
2. Clarence		
3. Monaro		
4. Northern Tablelands		
Group 6 Electorates		
1. Lachlan		
2. Murrumbidgee		
3. Upper Hunter		
Group 7 Electorates		
1. Barwon		
Group 8 Electorates		
1. Murray-Darling		

SYDNEY ALLOWANCE GROUPINGS**SCHEDULE 2**

Category 1		
1. Blue Mountains	7. Heathcote	13. Newcastle
2. Camden	8. Illawarra	14. Peats
3. Campbelltown	9. Keira	15. Swansea
4. Charlestown	10. Kiama	16. The Entrance
5. Gosford	11. Lake Macquarie	17. Wallsend
6. Hawkesbury	12. Londonderry	18. Wollongong
		19. Wyong

Category 2		
1. Albury	11. Lachlan	20. Oxley
2. Ballina	12. Lismore	21. Port Macquarie
3. Barwon	13. Maitland	22. Port Stephens
4. Bathurst	14. Monaro	23. South Coast
5. Burrinjuck	15. Murray-Darling	24. Southern Highlands
6. Bega	16. Murrumbidgee	25. Tamworth
7. Cessnock	17. Myall Lakes	26. Tweed
8. Clarence	18. Northern Tablelands	27. Upper Hunter
9. Coffs Harbour	19. Orange	28. Wagga Wagga
10. Dubbo		

LEGISLATIVE COUNCIL ZONES

SCHEDULE 2A

Zone 1 Electorates		
1. Auburn	17. Granville	33. North Shore
2. Bankstown	18. Heffron	34. Parramatta
3. Baulkham Hills	19. Hornsby	35. Penrith
4. Blacktown	20. Kogarah	36. Pittwater
5. Bligh	21. Ku-ring- gai	37. Port Jackson
6. Cabramatta	22. Lakemba	38. Riverstone
7. Campbelltown	23. Lane Cove	39. Rockdale
8. Canterbury	24. Liverpool	40. Ryde
9. Coogee	25. Macquarie Fields	41. Smithfield
10. Cronulla	26. Manly	42. Strathfield
11. Davidson	27. Maroubra	43. The Hills
12. Drummoyne	28. Marrickville	44. Vacluse
13. East Hills	29. Menai	45. Wakehurst
14. Epping	30. Miranda	46. Wentworthville
15. Fairfield	31. Mount Druitt	47. Willoughby
16. Georges River	32. Mulgoa	
Zone 2 Electorates		
1. Blue Mountains	7. Illawarra	13. Peats
2. Camden	8. Keira	14. Swansea
3. Charlestown	9. Kiama	15. The Entrance
4. Gosford	10. Lake Macquarie	16. Wallsend
5. Hawkesbury	11. Londonderry	17. Wollongong
6. Heathcote	12. Newcastle	18. Wyong

LEGISLATIVE COUNCIL ZONES

SCHEDULE 2A

Zone 3 Electorates		
1. Albury	11. Lachlan	21. Port Macquarie
2. Ballina	12. Lismore	22. Port Stephens
3. Barwon	13. Maitland	23. South Coast
4. Bathurst	14. Monaro	24. Southern Highlands
5. Bega	15. Murrumbidgee	25. Tamworth
6. Burrinjuck	16. Murray-Darling	26. Tweed
7. Cessnock	17. Myall Lakes	27. Upper Hunter
8. Clarence	18. Northern Tablelands	28. Wagga Wagga
9. Coffs Harbour	19. Orange	
10. Dubbo	20. Oxley	

**RECOGNISED OFFICE HOLDER AND
OTHER MEMBER ENTITLEMENTS**

SCHEDULE 3

Recognised Office Holder	Transport	Communication (electronic)	Communication (non- electronic)	Printing & Stationery
Presiding Officer	30%		55%(A) 175%(C)	40%
Minister				40%
Deputy Speaker, Chair of Committees				40%
Leader of the Opposition	20%(A)		140%(A) 175%(C)	40%
Deputy Leader of the Opposition			15%(C)	40%
Whips			15%(C)	40%
Party Leader (not less than 10 Members)	15%			20%
Deputy Party Leader (not less than 10 Members)	10%			40%
Leader of the National Party (in Opposition with not less than 10 Members in LA)	15%		15%	40%
Other Recognised Office Holders				40%
Shadow Ministers				40%
Independent Members				20%

- Where entitlements formerly provided for the recognised office holder's spouse these have been included in the allocation.
- Where an entitlement is followed by (A) or (C) it applied only to the office holder in either the Assembly or the Council.

ELECTORATE MAILOUT ACCOUNT

SCHEDULE 4

Electoral District	Current Enrolment (1.3.02) As provided by the State Electoral Office	2002 Annual Entitlement
1. ALBURY	42,836	\$55,687
2. AUBURN	47,075	\$61,198
3. BALLINA	46,112	\$59,946
4. BANKSTOWN	45,665	\$59,365
5. BARWON	42,910	\$55,783
6. BATHURST	44,026	\$57,234
7. BAULKHAM HILLS	45,556	\$59,223
8. BEGA	47,305	\$61,497
9. BLACKTOWN	47,094	\$61,222
10. BLIGH	49,113	\$63,847
11. BLUE MOUNTAINS	46,403	\$60,324
12. BURRINJUCK	43,989	\$57,186
13. CABRAMATTA	43,674	\$56,776
14. CAMDEN	53,102	\$69,033
15. CAMPBELLTOWN	43,549	\$56,614
16. CANTERBURY	44,876	\$58,339
17. CESSNOCK	44,408	\$57,730
18. CHARLESTOWN	44,484	\$57,829
19. CLARENCE	43,403	\$56,424
20. COFFS HARBOUR	44,834	\$58,284
21. COOGEE	43,696	\$56,805
22. CRONULLA	45,086	\$58,612
23. DAVIDSON	45,457	\$59,094
24. DRUMMOYNE	48,139	\$62,581
25. DUBBO	44,107	\$57,339
26. EAST HILLS	45,128	\$58,666
27. EPPING	45,685	\$59,391
28. FAIRFIELD	44,429	\$57,758
29. GEORGES RIVER	45,976	\$59,769
30. GOSFORD	48,685	\$63,291
31. GRANVILLE	44,235	\$57,506
32. HAWKESBURY	48,530	\$63,089
33. HEATHCOTE	45,419	\$59,045
34. HEFFRON	43,865	\$57,025
35. HORNSBY	46,933	\$61,013
36. ILLAWARRA	45,641	\$59,333
37. KEIRA	44,128	\$57,366
38. KIAMA	47,805	\$62,147
39. KOGARAH	45,498	\$59,147
40. KU-RING-GAI	44,984	\$58,479
41. LACHLAN	44,696	\$58,105
42. LAKE MACQUARIE	46,685	\$60,691

ELECTORATE MAILOUT ACCOUNT

SCHEDULE 4

Electoral District	Current Enrolment (1.3.02) As provided by the State Electoral Office	2002 Annual Entitlement
43. LAKEMBA	43,405	\$56,427
44. LANE COVE	45,298	\$58,887
45. LISMORE	42,416	\$55,141
46. LIVERPOOL	48,245	\$62,719
47. LONDONDERRY	44,837	\$58,288
48. MACQUARIE FIELDS	52,667	\$68,467
49. MAITLAND	48,697	\$63,306
50. MANLY	44,665	\$58,065
51. MAROUBRA	44,728	\$58,146
52. MARRICKVILLE	46,824	\$60,871
53. MENAI	47,888	\$62,254
54. MIRANDA	43,421	\$56,447
55. MONARO	45,913	\$59,687
56. MOUNT DRUITT	45,668	\$59,368
57. MULGOA	48,251	\$62,726
58. MURRAY-DARLING	41,731	\$54,250
59. MURRUMBIDGEE	44,356	\$57,663
60. MYALL LAKES	46,029	\$59,838
61. NEWCASTLE	45,707	\$59,419
62. NORTH SHORE	46,891	\$60,958
63. NORTHERN TABLELANDS	42,918	\$55,793
64. ORANGE	44,160	\$57,408
65. OXLEY	43,773	\$56,905
66. PARRAMATTA	45,948	\$59,732
67. PEATS	45,708	\$59,420
68. PENRITH	44,743	\$58,166
69. PITTWATER	45,822	\$59,569
70. PORT JACKSON	52,511	\$68,264
71. PORT MACQUARIE	46,288	\$60,174
72. PORT STEPHENS	46,725	\$60,743
73. RIVERSTONE	51,387	\$66,803
74. ROCKDALE	44,837	\$58,288
75. RYDE	46,025	\$59,833
76. SMITHFIELD	46,069	\$59,890
77. SOUTH COAST	48,167	\$62,617
78. SOUTHERN HIGHLANDS	46,897	\$60,966
79. STRATHFIELD	46,555	\$60,522
80. SWANSEA	46,967	\$61,057
81. TAMWORTH	44,598	\$57,977
82. THE ENTRANCE	46,251	\$60,126
83. THE HILLS	53,572	\$69,644

ELECTORATE MAILOUT ACCOUNT

SCHEDULE 4

Electoral District	Current Enrolment (1.3.02) As provided by the State Electoral Office	2002 Annual Entitlement
84. TWEED	48,797	\$63,436
85. UPPER HUNTER	42,507	\$55,259
86. VAUCLUSE	44,041	\$57,253
87. WAGGA WAGGA	43,963	\$57,152
88. WAKEHURST	45,233	\$58,803
89. WALLSEND	47,842	\$62,195
90. WENTWORTHVILLE	45,034	\$58,544
91. WILLOUGHBY	47,235	\$61,406
92. WOLLONGONG	43,625	\$56,713
93. WYONG	49,355	\$64,162

Advice of the Secretary of Treasury Pursuant to Section 12(A) of the *Parliamentary Remuneration Act, 1989*

The following comments on the Parliamentary Remuneration Tribunal's 2002 annual determination are made pursuant to Section 12 (A) of the *Parliamentary Remuneration Act, 1989* by the Secretary of the Treasury.

Financial Implications

The 2002 annual determination is fundamentally consistent with the previous determination and the NSW Budget Administration and Policy framework.

The table below shows the variation in entitlements over the 2001 determination.

For the purpose of calculating the financial costs, the estimates are based on the 2001 composition of the Legislative Assembly and the Council membership. It is also assumed that there were no changes to the electorate groupings. Estimates have not been provided where the maximum remuneration limits for the particular allowances are not defined. The Sydney allowance is calculated on the annual amount allocated to members.

ENTITLEMENT	2001 DET.	2002 DET.	CHANGE
Electoral Allowance	\$ 5,225,195	\$ 5,225,195	---
Sydney allowance*	\$ 1,138,599	\$ 1,173,312	\$ 34,713 (3%)
Committee Allowance	\$ 13,700	\$ 13,700	---
Electorate to Sydney Travel**	Not Estimated	Not Estimated	---
Logistic Support Allocation	\$ 3,331,460	\$ 3,331,460	---
Electorate Charter Transport	\$ 78,250	\$ 89,980	\$ 11,730 (15%)
Travelling Allowance for recog. Off. holders	Not Estimated	Not Estimated	Increased***
Travelling Allowance for Shadow Ministers	Not Estimated	Not Estimated	Increased***
Equipment, Services & Facilities	Not defined	Not defined	Not defined
TOTAL MINIMUM EXPENDITURE	\$ 9,787,204	\$ 9,833,647	\$ 46,443 (0.5%)

* Calculated on annual amount allocated to members

** Estimates not provided where maximum remuneration limits are not defined

*** Adjusted in line with movements in public sector rates

Member entitlements have increased by **\$46,443** over the 2001 determination, which represents a rise of less than one percent.

The increase in Sydney Allowance is in line with the **Sydney CPI of 2.9%** for year 2001-02 and a **15%** increase granted to Electorate Charter Allowance reflects an increase of approximately 20% in air charter operation costs due to GST, increased fuel, insurance and landing costs.

Treasury has been advised that the increase will be accommodated through savings realised from under-expenditure by members and projected savings on protected items.

Accountability and Control

Greater flexibility is allowed in the use of LSA funds subject to meeting the accountability and control guidelines set by the Parliamentary Remuneration Tribunal.

John Pierce
Secretary

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, N.S.W. 2000, up til 9.30 am on the dates shown below:

26 June 2002

- S01/00293 (1557)** CLEANING GOSFORD GOVT OFFICES FOR A PERIOD OF UP TO 3 YEARS. DOCUMENTS: \$27.50 PER SET
- S01/00293 (1557)** CLEANING GOSFORD GOVT OFFICES FOR A PERIOD OF UP TO 3 YEARS. DOCUMENTS: \$27.50 PER SET
- S02/00110 (6033)** CLEANING DOCS OFFICES AT CAMPBELLTOWN AND BRADBURY FOR 3 YEARS. CATEGORY D. INSPECTION DATE & TIME: 7/06/2002 @ 2:00 AM SHARP. AREA: 1752 SQ. METERS. DOCUMENTS: \$27.50 PER SET
- 025/7259** NSW SPECTACLES PROGRAM. DOCUMENTS: \$110.00 PER SET

27 June 2002

- 201910** NON-SES SALARY PACKAGING ADMINISTRATION SERVICES. DOCUMENTS: \$0.00 PER SET

3 July 2002

- IT 01/2824** PROVISION AND INSTALLATION OF A LAND INFORMATION SYSTEM. DOCUMENTS: \$220.00 PER SET
- 023/7296** MEDICAL EDUCATION PROGRAM. DOCUMENTS: \$110.00 PER SET

10 July 2002

- 02/2823** RETAINED FIRE FIGHTER (RFF) TELEPHONE ALERTING SERVICE. DOCUMENTS: \$220.00 PER SET

16 July 2002

- 025/367** TYRES AND ANCILLARY SERVICES. DOCUMENTS: \$220.00 PER SET

17 July 2002

- 036/660** RENTAL CARS AND COMMERCIAL VEHICLES. DOCUMENTS: \$110.00 PER SET
- 025/3006** MEDICAL & SURGICAL GLOVES. DOCUMENTS: \$110.00 PER SET
- S02/00062 (6027)** CLEANING OF THE OFFICE OF PROBATION & PAROLE, BLACKTOWN. CATEGORY D. INSPECTION DATE & TIME: 25/06/2002 @ 2:00 PM SHARP. AREA: 923 SQ. METERS. DOCUMENTS: \$27.50 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.

Tender closing Monday 8th July 2002

Advertised for 2 weeks starting Monday 24th June 2002

- Tender No. 23318** Tenders are invited on behalf of Tourism New South Wales for the production and printing of their Stationery. The Tender includes Letterheads, Fact Sheet, With Compliments, Report Covers, Folders, Ticket Wallet, Corporate Invitations and Cards, Envelopes, Business Cards and Labels. Enquiries to Peter Sparks on 9743 8777.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

CABONNE COUNCIL

Roads Act 1993, Section 10

Acquisition of Land by Agreement

NOTICE is given that the land known as Lot 1 in DP 1041703 (being an extension of Mulyan Road through Crown Reserve 91057) is hereby acquired by negotiation under the provision of the Land Acquisition (Just Terms Compensation) Act 1991 and dedicated as public road. G. L. P. FLEMING, General Manager, Cabonne Council, PO Box 17, Molong, NSW 2866.

[0457]

DENILIQVIN COUNCIL

Naming of Public Road – Harvey Court

NOTICE is hereby n that the Council at its meeting on 12th June, 2002 formally resolved to name the internal road within a new subdivision off Ross Street between Hetherington Street and Waring Street being Lots 6 and 7, DP 868865 South Deniliquin. D. G. CAREY, General Manager, Deniliquin Council, Civic Place, Deniliquin, NSW 2710.

[0458]

FAIRFIELD CITY COUNCIL

Roads Act 1993, Section 39

Closure of Temporary Road - Quarry Road to Todd Place, Bossley Park

NOTICE is hereby given that Council has approved the closure of the temporary road between Quarry Road and Todd Place for vehicular traffic. The temporary road will be retained for pedestrian movements. The temporary road is being closed to improve safety and traffic flow. Access to Todd Place and surrounding developments is via Murrumbidgee Street. For further information, please contact Council's Traffic and Road Safety Branch on (02) 9725 0874. A. YOUNG, City Manager, Fairfield City Council, PO Box 21, Fairfield, NSW 1860.

[0459]

INVERELL SHIRE COUNCIL

Notice of Fixing of Levels

NOTICE is hereby given that levels of Herbert Street – Ring Street to Prince Street as shown on plans exhibited at Council's Office and as advertised in the *Inverell Times* on 19th April, 2002 have been duly approved and fixed by the authority delegated to me under section 378 of the Local Government Act 1993, as amended, in accordance with such plans, on 18th June, 2002. P. J. HENRY, General Manager, Inverell Shire Council, Administrative Centre, 144 Otho Street, Inverell, NSW 2360.

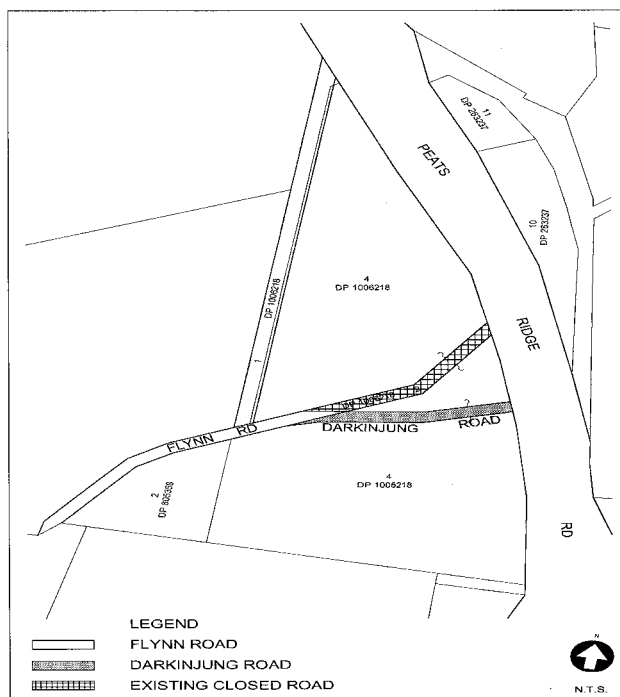
[0461]

GOSFORD CITY COUNCIL

Roads Act 1993

Naming of Public Road - Darkinjung Road

NOTICE is hereby given that Gosford Council has named a public road at Calga, "Darkinjung Road, Calga". Authorised by resolution of Council on 4th June, 2002. P. WILSON, General Manager, Gosford City Council, PO Box 21, Gosford, NSW 2250.



[0460]

KYOGLE COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads – Murray Scrub Road, Masterson Lane, Stringybark Lane and Sugar Glider Road

NOTICE is hereby given that the Kyogle Council, in pursuance of section 162 of the Roads Act 1993 and the Roads (General) Regulation 2000 has resolved to make the road name changes listed below:

Road No./Current Road Name or Description	New Name
284. South Toonumbar Forest Road – off Afterlee Road in a northerly direction, through north-east corner of Lot 2, DP 621291, ending 890m north of Lot 1, DP 621291.	Murray Scrub Road.
285. Unnamed public road off Edenville Road, southerly to Lot 2, DP 612964, then easterly to Lot 1, DP 612964.	Masterson Lane.
286. Unnamed public road off Road No. 284 in a south-easterly direction to Lot 134, DP 853941.	Stringybark Lane.

287. Unnamed public road west off Sugar Glider
Horseshoe Creek Road at chainage Road.
10430m through Lot 1, DP 598292
and crossing Horseshoe Creek then
through Lot 200, DP 859801.

Authorised by Council Resolution Number 180202 (009).
KEN DAVIES, General Manager, Kyogle Council, PO Box
11, Kyogle, NSW 2474.

[0462]

KYOGLE COUNCIL

RICHMOND VALLEY COUNCIL

Roads Act 1993 – Section 162

Naming of Public Roads – Bentley Road

NOTICE is hereby given that the Kyogle Council and
Richmond Valley Council, in pursuance of section 162 of
the Roads Act 1993 and the Roads (General) Regulation
2000 have resolved to make the road name changes listed
below:

<i>Road No./Current Road Name or Description</i>	<i>New Name</i>
MR 544. Lismore/Kyogle Road (Main Road 544).	Bentley Road.

Authorised by Kyogle Council Resolution Number 180202
(009) and Richmond Valley Council Resolution Number
2002-199. KEN DAVIES, General Manager, Kyogle
Council, PO Box 11, Kyogle, NSW 2474. ROSS SCHIPP,
General Manager, Richmond Valley Council, Locked Bag
10, Casino, NSW 2470.

[0463]

ESTATE NOTICES

TRUSTEES ACT 1962 (WA) DECEASED ESTATES

Notice to Creditors and Claimants

CREDITORS and other persons having claims (to which
section 63 of the Trustees Act 1962 (WA) relates) in
respect of the estate of the deceased person are required
by the executor to send particulars of their claim to him
by 20th July, 2002 after which the trustee may convey or
distribute the assets having regard only to the claims of
which he then has notice. PARKER, Grace Mary late of
Foley Village, Collick Street, Hilton, WA, died 24th May,
2001. Dated 11th June, 2002. MR A. J. PARKER, c.o.
Minter Ellison, 152 St Georges Terrace, Perth, WA,
Solicitors for the Executor.

[0464]

NOTICE of intended distribution of estate.-Any person
having any claim upon the estate of BARBARA JOAN
MARCHANT, late of 29 Edna Avenue, Merrylands, in the
State of New South Wales, who died on 24th March,
2002, must send particulars of his claim to the executrix,
Jennifer Chalker, c.o. Maclarens, Solicitors, 232
Merrylands Road, Merrylands, within one (1) calendar
month from publication of this notice. After that time the
executrix may distribute the assets of the estate having
regard only to the claims of which at the time of
distribution she has notice. Probate was granted in New
South Wales on 12th June, 2002. MACLARENS,
Solicitors, 232 Merrylands Road, Merrylands, NSW 2160
(DX 25406, Merrylands), tel.: (02) 9682 3777.

[0465]

NOTICE of intended distribution of estate.-Any person
having any claim upon the estate of CARRIE JONES, late
of 45 Birmingham Street, Merrylands, in the State of New
South Wales, who died on 24th March, 2002, must send
particulars of his claim to the executor, Kenneth Arthur
Jones, c.o. Maclarens, Solicitors, 232 Merrylands Road,
Merrylands, within one (1) calendar month from
publication of this notice. After that time the executor
may distribute the assets of the estate having regard only
to the claims of which at the time of distribution he has
notice. Probate was granted in New South Wales on 12th
June, 2002. MACLARENS, Solicitors, 232 Merrylands
Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.:
(02) 9682 3777.

[0466]

NOTICE of intended distribution of estate.-Any person
having any claim upon the estate of ETHEL HOWMAN,
late of Miller, in the State of New South Wales, who died
on 29th September, 2001, must send particulars of his
claim to the executrix, Kathleen Joyce Johnson, c.o.
Kencalo & Ritchie, Solicitors, 96 Moore Street, Liverpool,
within one (1) calendar month from publication of this
notice. After that time the executrix may distribute the
assets of the estate having regard only to the claims of
which at the time of distribution she has notice. Probate
was granted in New South Wales on 28th March, 2002.
KENCALO & RITCHIE, Solicitors, 96 Moore Street,
Liverpool, NSW 2170 (DX 5003, Liverpool), tel.: (02) 9602
8333.

[0467]

NOTICE of intended distribution of estate.-Any person
having any claim upon the estate of LORNA
MANSFIELD O'CONNELL, late of 7 Kooba Street,
Griffith, in the State of New South Wales, who died on
26th March, 2002, must send particulars of his claim to
the executrices, Anne Walker and Margaret Elaine
Holland, c.o. Olliffe & McRae, Solicitors, PO Box 874,
Griffith, within one (1) calendar month from publication
of this notice. After that time the executrices may
distribute the assets of the estate having regard only to
the claims of which at the time of distribution they have
notice. Probate was granted in New South Wales on 23rd
May, 2002. OLLIFFE & McRAE, Solicitors, PO Box 874,
Griffith, NSW 2680, tel.: (02) 6962 1744.

[0468]

NOTICE of intended distribution of estate.-Any person
having any claim upon the estate of NANCY ANN
THOMPSON, late of Lane Cove, in the State of New
South Wales, who died between 22nd and 23rd
November, 2001, must send particulars of his claim to the
executrix, Gabrielle Burghardt, 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 executrix may distribute
the assets of the estate having regard only to the claims
of which at the time of distribution she has notice.
Probate was granted in New South Wales on 22nd
January, 2002. 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.

0477]

COMPANY NOTICES

NOTICE of winding up.-S. R. T. ENTERPRISES PTY LIMITED (In liquidation), ACN 000 950 952.-It was resolved as a special resolution of members on 14th June, 2002 that S. R. T. Enterprises Pty Limited be wound up voluntarily and that R. J. Huthnance & Co. of 258 Belmore Road, Riverwood be appointed liquidator. JOAN MARGARET THOMPSON, Chairman. R. J. Huthnance & Co., Chartered Accountants, 258 Belmore Road, Riverwood, NSW 2210, tel.: (02) 9522 3777.

[0469]

NOTICE of application relating to NORAK CONSTRUCTIONS PTY LIMITED, ACN 067 686 659.-In respect of proceedings commenced on 13th June, 2002.-Application will be made by Prima Furniture (NSW) Pty Limited, ACN 006 219 549, to the Supreme Court of New South Wales at 11.00 a.m. on 28th June, 2002 at Court 7A, Level 7, Supreme Court for an Order that Norak Constructions Pty Limited be wound up and that a liquidator be appointed. Copies of documents filed may be obtained under the Rules. Any person intending to appear at the hearing must serve a notice in the prescribed form so as to reach the address below no later than 21st June, 2002. N. J. PAPALLO & CO., Solicitors, Level 6, 350 Kent Street, Sydney, NSW 2000 (DX 584, Sydney), tel.: (02) 9279 3711.

[0470]

NOTICE of voluntary winding up.-TAREE ENTERPRISES PTY LIMITED, ACN 001 196 845.-Notice is hereby given that by a special resolution passed at a meeting of shareholders of Taree Enterprises Pty Limited, duly convened and held on 29th May, 2002 it was resolved that the company be wound up voluntarily and that Bruce Walker of Walker Lynch Petersen, PO Box 221, Taree, NSW 2430 be appointed liquidator. Notice is also given that creditors having claim against the company should furnish particulars of that claim to the liquidator within twenty-one (21) days of this date, otherwise distribution of the assets will take place without regard to such claims. Dated this 17th day of June, 2002. B. WALKER, Liquidator, c.o. Walker Lynch Petersen, Chartered Accountants, 140 Victoria Street, Taree, NSW 2430, tel.: (02) 6552 3533.

[0471]

NOTICE of voluntary winding up.-TAREE CENTERPOINT PTY LIMITED, ACN 001 340 290.-Notice is hereby given that by a special resolution passed at a meeting of shareholders of Taree Centerpoint Pty Limited, duly convened and held on 29th May, 2002 it was resolved that the company be wound up voluntarily and that Bruce Walker of Walker Lynch Petersen, PO Box 221, Taree, NSW 2430 be appointed liquidator. Notice is also given that creditors having claim against the company should furnish particulars of that claim to the liquidator within twenty-one (21) days of this date, otherwise distribution of the assets will take place without regard

to such claims. Dated this 17th day of June, 2002. B. WALKER, Liquidator, c.o. Walker Lynch Petersen, Chartered Accountants, 140 Victoria Street, Taree, NSW 2430, tel.: (02) 6552 3533.

[0472]

NOTICE of voluntary winding up.-RAGLAN INVESTMENTS PTY LIMITED (In liquidation), ACN 000 194 178.-Notice is hereby given that by a special resolution passed at a meeting of shareholders of Raglan Investments Pty Limited, duly convened and held on 12th June, 2002 it was resolved that the company be wound up voluntarily and that Bruce Walker of Walker Lynch Petersen, PO Box 221, Taree, NSW 2430 be appointed liquidator. Notice is also given that creditors having claim against the company should furnish particulars of that claim to the liquidator within twenty-one (21) days of this date, otherwise distribution of the assets will take place without regard to such claims. Dated this 17th day of June, 2002. B. WALKER, Liquidator, c.o. Walker Lynch Petersen, Chartered Accountants, 140 Victoria Street, Taree, NSW 2430, tel.: (02) 6552 3533.

[0473]

NOTICE of winding up Order.-J. R. SILVA CONCRETE PTY LIMITED (In liquidation), ACN 080 014 099.-On 11th June, 2002 the Supreme Court of New South Wales, Equity Division made an Order that the company be wound up by the Court and appointed me to be official liquidator. Dated this 13th day of June, 2002. B. R. SILVIA, Official Liquidator, c.o. Ferrier Hodgson, Chartered Accountants, Level 17, 2 Market Street, Sydney, NSW 2000.

[0474]

NOTICE of voluntary liquidation pursuant to section 491 (2) of the Corporations Law.-A. C. A. FOSTER PTY LIMITED, ACN 000 867 863.-At a general meeting of the abovenamed company duly convened and held at 464 Argyle Street, Moss Vale, NSW 2577 on 18th June, 2002 the following special resolution was passed: "That the company be wound up voluntarily". At the abovementioned meeting Ronald William Hornery of 14a Wingecarribee Street, Bowral, NSW 2576 was appointed as liquidator for the purpose of winding up. Notice is also given that after twenty-one (21) days from this date I will proceed to distribute the assets. All creditors having any claim against the company should furnish particulars of same by that date otherwise I shall proceed to distribute the assets without regard to their claim. Dated 18th June, 2002. R. W. HORNERY, Liquidator, c.o. Gillespies, Chartered Accountants, 464 Argyle Street, Moss Vale, NSW 2577, tel.: (02) 4868 1600.

[0475]

NOTICE of application.-Federal Court of Australia, New South Wales District Registry No. N3032 of 2002.-M. D. MANAGEMENT SERVICES PTY LIMITED, ACN 072 841 582.-A proceeding for the winding up of M. D. Management Services Pty Limited was commenced by the plaintiff, Fast Steel Fixes Pty Limited on 13th June, 2002 and will be heard by the Federal Court of Australia, New South Wales District Registry, at the Law Courts Building, Queens Square, Sydney at 9.30 a.m. on 5th July, 2002. Copies of documents filed may be obtained from the

plaintiff's address for service. The plaintiff's address for service is c.o. Giles Payne & Co., 506 Bunnerong Road, Matraville, NSW 2036, tel.: (02) 9661 6044. Any person intending to appear at the hearing must file a notice of appearance, in accordance with the prescribed form, together with any affidavit on which the person intends to rely, and serve a copy of the notice and any affidavit on the plaintiff at the plaintiffs' address for service at least three (3) days before the date fixed for the hearing. Dated 20th June, 2002. Name of plaintiff's legal practitioner: Sylvia Kozlowski. GILES PAYNE & CO., Solicitors, 506 Bunnerong Road, Matraville, NSW 2036, tel.: (02) 9661 6044.

[0476]
