



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Regulations



New South Wales

# Conveyancing (General) Amendment (Easements) Regulation 2003

under the

Conveyancing Act 1919

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Conveyancing Act 1919*.

ANTHONY BERNARD KELLY, M.L.C.,  
Minister Assisting the Minister for Natural Resources (Lands)

### Explanatory note

The object of this Regulation is to prescribe certain utility corporations as prescribed authorities for the purposes of section 88A of the *Conveyancing Act 1919*. Section 88A allows an easement to be created in favour of a prescribed authority without a dominant tenement for the purpose of, or incidental to, the supply of a utility service to the public.

This Regulation is made under the *Conveyancing Act 1919*, including sections 88A (1) and 202 (the general regulation-making power).

Clause 1            Conveyancing (General) Amendment (Easements) Regulation 2003

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## **Conveyancing (General) Amendment (Easements) Regulation 2003**

under the

Conveyancing Act 1919

### **1 Name of Regulation**

This Regulation is the *Conveyancing (General) Amendment (Easements) Regulation 2003*.

### **2 Amendment of Conveyancing (General) Regulation 2003**

The *Conveyancing (General) Regulation 2003* is amended as set out in Schedule 1.

Conveyancing (General) Amendment (Easements) Regulation 2003

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 2)

### Clause 51 Easements in gross

Insert after clause 51 (1) (m):

- (n) Eastern Star Gas Limited (ACN 094 269 780),
- (o) Narrabri Energy Limited (ACN 055 932 315),
- (p) Narrabri Power Limited (ACN 104 570 943).



# Education Teaching Service Amendment Regulation 2003

under the

Teaching Services Act 1980

Her Excellency the Governor, with the advice of the Executive Council, has approved the following Regulation made by the Director-General of the Department of Education and Training under the *Teaching Services Act 1980*.

ANDREW REFSHAUGE, M.P.,  
Minister for Education and Training

## Explanatory note

Under Division 6 of Part 4 of the *Teaching Services Act 1980*, breaches of discipline by officers or temporary employees of the Education Teaching Service may be dealt with by the Director-General of the Department of Education and Training or by a person who is a prescribed officer as referred to in section 82 of the Act. The object of this Regulation is to provide that any member of staff of that Department who is employed for the purposes of exercising functions which include dealing with such breaches of discipline is a prescribed officer for the purposes of that Division.

This Regulation is made under the *Teaching Services Act 1980*, including sections 82 and 100.

Clause 1 Education Teaching Service Amendment Regulation 2003

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## **Education Teaching Service Amendment Regulation 2003**

under the

Teaching Services Act 1980

### **1 Name of Regulation**

This Regulation is the *Education Teaching Service Amendment Regulation 2003*.

### **2 Amendment of Education Teaching Service Regulation 2001**

The *Education Teaching Service Regulation 2001* is amended as set out in Schedule 1.

Education Teaching Service Amendment Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 3 Definitions

Omit the definition of *disciplinary authority* from clause 3 (1).

Insert instead:

*disciplinary authority* means:

- (a) the Director-General, or
- (b) a person who is a prescribed officer as referred to in section 82 of the Act.

### [2] Clause 13 “Prescribed officers” for purposes of Division 6 of Part 4 of the Act

Insert at the end of the clause:

- (2) In accordance with paragraph (b) of the definition of *prescribed officer* in section 82 of the Act, any member of staff of the Department of Education and Training who is employed for the purposes of exercising functions which include dealing with breaches of discipline under Division 6 of Part 4 of the Act is prescribed as an officer for the purposes of that Division in its application to the Education Teaching Service.



New South Wales

# Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003

under the

Superannuation Administration Act 1996

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

MICHAEL EGAN, M.L.C.,  
Treasurer

## Explanatory note

The object of this Regulation is to ensure that persons who become (or have, since 1 October 1999, become) contributors to, or holders of deferred benefits in:

- (a) certain public sector superannuation schemes, or
- (b) the local government superannuation scheme that was established on 1 July 1997,

have the benefit of the provisions for mobility between those schemes that are set out in Part 5 of the *Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Regulation 1997*. At present, those provisions apply only in respect of persons who were such contributors or holders of deferred benefits on 1 October 1999.

This Regulation is made under the *Superannuation Administration Act 1996*, and, in particular, under sections 128A (4) and (6) and 129 (the general regulation-making power).

Clause 1 Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003

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## **Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003**

under the

Superannuation Administration Act 1996

### **1 Name of Regulation**

This Regulation is the *Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003*.

### **2 Amendment of Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Regulation 1997**

The *Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Regulation 1997* is amended as set out in Schedule 1.



Superannuation Administration (Local Government Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 19A

Insert after clause 19:

#### **19A Application of Part**

This Part extends to apply in respect of an employee whose transfer of employment took place at any time after 1 July 1997.

### [2] Clause 21 Eligible employees and contributors

Insert “(or, after the appointed day, became)” after “who, on the appointed day, was” in clause 21 (a) and (b) wherever occurring.

### [3] Clause 21 (c), (d), (e) and (f)

Insert “or after” before “the appointed day” wherever occurring.



New South Wales

# Superannuation Administration (Electricity Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003

under the

Superannuation Administration Act 1996

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

MICHAEL EGAN, M.L.C.,  
Treasurer

## Explanatory note

The object of this Regulation is to ensure that persons who become (or have, since 1 October 1999, become) contributors to, or holders of deferred benefits in:

- (a) certain public sector superannuation schemes, or
- (b) the electricity industry superannuation scheme that was established on 1 July 1997,

have the benefit of the provisions for mobility between those schemes that are set out in Part 5 of the *Superannuation Administration (Electricity Superannuation Scheme Transitional Provisions) Regulation 1997*. At present, those provisions apply only in respect of persons who were such contributors or holders of deferred benefits on 1 October 1999.

This Regulation is made under the *Superannuation Administration Act 1996*, and, in particular, under sections 128A (4) and (6) and 129 (the general regulation-making power).

Clause 1 Superannuation Administration (Electricity Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003

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## **Superannuation Administration (Electricity Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003**

under the

Superannuation Administration Act 1996

### **1 Name of Regulation**

This Regulation is the *Superannuation Administration (Electricity Superannuation Scheme Transitional Provisions) Amendment (Mobility) Regulation 2003*.

### **2 Amendment of Superannuation Administration (Electricity Superannuation Scheme Transitional Provisions) Regulation 1997**

The *Superannuation Administration (Electricity Superannuation Scheme Transitional Provisions) Regulation 1997* is amended as set out in Schedule 1.

Superannuation Administration (Electricity Superannuation Scheme  
Transitional Provisions) Amendment (Mobility) Regulation 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 18A

Insert after clause 18:

#### **18A Application of Part**

This Part extends to apply in respect of an employee whose transfer of employment took place at any time after 1 July 1997.

### [2] Clause 20 Eligible employees and contributors

Insert “(or, after the appointed day, became)” after “who, on the appointed day, was” in clause 20 (a) and (b) wherever occurring.

### [3] Clause 20 (c), (d), (e) and (f)

Insert “or after” before “the appointed day” wherever occurring.

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## Orders

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# Health Services Amendment (Catholic Health Care Services Limited) Order 2003

under the

Health Services Act 1997

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 62 of the *Health Services Act 1997*, make the following Order.

Dated, this 5th day of November 2003.

By Her Excellency's Command,

MORRIS IEMMA, M.P.,  
Minister for Health

### Explanatory note

The object of this Order is to amend Schedule 3 to the *Health Services Act 1997*:

- (a) to replace a reference to Lourdes House (Dubbo) with a reference to Lourdes Hospital and Community Health Service, and
- (b) to replace a reference to St Vincent's Community Hospital (Bathurst) with a reference to St Vincent's Health Service, Bathurst, and
- (c) to transfer responsibility for those establishments from the Trustees of the Roman Catholic Church for the diocese of Bathurst to Catholic Health Care Services Limited.

Clause 1 Health Services Amendment (Catholic Health Care Services Limited)  
Order 2003

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## Health Services Amendment (Catholic Health Care Services Limited) Order 2003

under the

Health Services Act 1997

### 1 Name of Order

This Order is the *Health Services Amendment (Catholic Health Care Services Limited) Order 2003*.

### 2 Amendment of Health Services Act 1997 No 154

Schedule 3 to the *Health Services Act 1997* is amended as follows:

- (a) by inserting in Column 1 and Column 2, respectively (in alphabetical order of name of organisation in Column 1):

Catholic Health Care Services Limited	St Vincent's Health Service, Bathurst. Lourdes Hospital and Community Health Service.
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- (b) by omitting from Column 1 and Column 2, respectively:

The Trustees of the Roman Catholic Church for the diocese of Bathurst	St Vincent's Community Hospital (Bathurst). Lourdes House (Dubbo).
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New South Wales

## Health Services Amendment (St Vincent de Paul) Order 2003

under the

Health Services Act 1997

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 62 (2) of the *Health Services Act 1997*, make the following Order.

Dated, this 5th day of November 2003.

By Her Excellency's Command,

MORRIS IEMMA, M.P.,  
Minister for Health

### Explanatory note

The object of this Order is to remove the reference to "The Trustees of the Daughters of Charity of St Vincent de Paul" from Schedule 3 to the *Health Services Act 1997* so that organisation is no longer an affiliated health organisation for the purposes of the Act.

This Order is made under section 62 (2) of the *Health Services Act 1997*.

Clause 1 Health Services Amendment (St Vincent de Paul) Order 2003

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## **Health Services Amendment (St Vincent de Paul) Order 2003**

under the

Health Services Act 1997

### **1 Name of Order**

This Order is the *Health Services Amendment (St Vincent de Paul) Order 2003*.

### **2 Amendment of Health Services Act 1997**

The *Health Services Act 1997* is amended by omitting the matter relating to “The Trustees of the Daughters of Charity of St Vincent de Paul” from Columns 1 and 2 of Schedule 3.





New South Wales

## Health Services Amendment (The College of Nursing) Order 2003

under the

Health Services Act 1997

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 62 of the *Health Services Act 1997*, make the following Order.

Dated, this 5th day of November 2003.

By Her Excellency's Command,

MORRIS IEMMA, M.P.,  
Minister for Health

### Explanatory note

The object of this Order is to amend Schedule 3 to the *Health Services Act 1997* to reflect the change of name of an affiliated health organisation included in that Schedule from New South Wales College of Nursing to The College of Nursing. This Order also makes an amendment in the nature of law revision.

Clause 1 Health Services Amendment (The College of Nursing) Order 2003

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## **Health Services Amendment (The College of Nursing) Order 2003**

under the

Health Services Act 1997

### **1 Name of Order**

This Order is the *Health Services Amendment (The College of Nursing) Order 2003*.

### **2 Amendment of Health Services Act 1997 No 154**

The *Health Services Act 1997* is amended as set out in Schedule 1.

Health Services Amendment (The College of Nursing) Order 2003

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Schedule 3 Affiliated health organisations

Omit the matter relating to New South Wales College of Nursing.

Insert in alphabetical order:

The College of Nursing

Nursing Education Programs conducted  
under agreement with the NSW  
Department of Health.

### [2] Schedule 3

Reposition the matter relating to Mercy Health Care (Newcastle) Limited  
in alphabetical order.

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## Other Legislation

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New South Wales

### Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following species as an endangered species under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 1 in alphabetical order under the heading “Sapindaceae” (under the heading “Plants”):

*Cupaniopsis serrata* (F. Muell.) Radlk.

Dated, this 25th day of October 2003.

Associate Professor Paul Adam  
Chairperson of the Scientific Committee

#### **Copies of final determination and reasons**

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



New South Wales

## Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following population as an endangered population under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 2 under the heading “Fabaceae” (under the heading “Plants”):

*Dillwynia tenuifolia* Sieber ex D.C.      *Dillwynia tenuifolia* Sieber ex D.C. in  
the Baulkham Hills local  
government area

Dated, this 25th day of October 2003.

Associate Professor Paul Adam  
Chairperson of the Scientific Committee

### Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



## Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following population as an endangered population under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 2 under the heading “Myrtaceae” (under the heading “Plants”):

<i>Eucalyptus parramattensis</i> C. Hall. subsp. <i>parramattensis</i>	<i>Eucalyptus parramattensis</i> C. Hall. subsp. <i>parramattensis</i> in Wyong and Lake Macquarie local government areas
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Dated, this 25th day of October 2003.

Associate Professor Paul Adam  
Chairperson of the Scientific Committee

### Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



New South Wales

## Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following ecological community as an endangered ecological community under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 3 in alphabetical order:

New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

Dated, this 25th day of October 2003.

Associate Professor Paul Adam  
Chairperson of the Scientific Committee

### **Copies of final determination and reasons**

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.

# NSW SCIENTIFIC COMMITTEE

## Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to list the New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion, as an ENDANGERED ECOLOGICAL COMMUNITY in Part 3 of Schedule 1 of the Act. Listing of endangered ecological communities is provided for by Part 2 of the Act.

The Scientific Committee has found that:

1. New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion is the name given to the ecological community characterised by the species assemblage listed in paragraph 2. In NSW all sites are within the New England Tableland Bioregion.
2. New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion is characterised by the following assemblage of species:

<i>Acaena ovina</i>	<i>Acaena novae-zelandiae</i>
<i>Ammobium alatum</i>	<i>Aristida jerichoensis</i> var. <i>subspinulifera</i>
<i>Asperula conferta</i>	<i>Austrodanthonia racemosa</i> var. <i>racemosa</i>
<i>Bothriochloa macra</i>	<i>Bulbine bulbosa</i>
<i>Carex inversa</i>	<i>Cassinia quinquefaria</i>
<i>Chrysocephalum apiculatum</i>	<i>Craspedia variabilis</i>
<i>Crassula sieberiana</i>	<i>Cymbonotus lawsonianus</i>
<i>Cymbopogon refractus</i>	<i>Desmodium varians</i>
<i>Dichelachne micrantha</i>	<i>Dichondra repens</i>
<i>Dichopogon fimbriatus</i>	<i>Drosera peltata</i>
<i>Echinopogon mckieii</i>	<i>Einadia nutans</i>
<i>Elymus scaber</i>	<i>Epilobium billardierianum</i> subsp. <i>cinereum</i>
<i>Eucalyptus blakelyi</i>	<i>Eucalyptus dalrympleana</i> subsp. <i>heptantha</i>
<i>Eucalyptus nova-anglica</i>	<i>Euchiton gymnocephalus</i>
<i>Geranium solanderi</i>	<i>Glycine clandestina</i>
<i>Gonocarpus micranthus</i>	<i>Gonocarpus tetragynus</i>
<i>Haloragis heterophylla</i>	<i>Hibbertia cistoidea</i>
<i>Hybanthus monopetalus</i>	<i>Hydrocotyle laxiflora</i>
<i>Hypericum gramineum</i>	<i>Hypoxis hygrometrica</i> var. <i>splendida</i>
<i>Juncus filicaulis</i>	<i>Juncus subsecundus</i>
<i>Juncus usitatus</i>	<i>Kunzea parviflora</i>
<i>Lachnagrostis aemula</i>	<i>Lachnagrostis filiformis</i>
<i>Leptorhynchus squamatus</i> subsp. <i>A</i>	<i>Lespedeza juncea</i> subsp. <i>sericea</i>
<i>Leucopogon fraseri</i>	<i>Lissanthe strigosa</i>
<i>Lomandra multiflora</i> subsp. <i>multiflora</i>	<i>Luzula densiflora</i>
<i>Melichrus urceolatus</i>	<i>Mentha satuireioides</i>
<i>Microlaena stipoides</i> var. <i>stipoides</i>	<i>Olearia viscidula</i>
<i>Opercularia aspera</i>	<i>Oxalis exilis</i>
<i>Oxalis perennans</i>	<i>Oxalis radicata</i>
<i>Phyllanthus virgatus</i>	<i>Pimelea curviflora</i> var. <i>divergens</i>
<i>Pimelea glauca</i>	<i>Plantago gaudichaudii</i>



# NSW SCIENTIFIC COMMITTEE

<i>Plantago hispida</i>	<i>Poa labillardieri</i>
<i>Poa sieberiana</i>	<i>Poranthera microphylla</i>
<i>Pteridium esculentum</i>	<i>Pultenaea microphylla</i>
<i>Rhodanthe anthemoides</i>	<i>Rubus parvifolius</i>
<i>Rumex brownii</i>	<i>Schoenus apogon</i>
<i>Scleranthus biflorus</i>	<i>Solenogyne dominii</i>
<i>Sorghum leiocladum</i>	<i>Sporobolus creber</i>
<i>Stackhousia monogyna</i>	<i>Stellaria angustifolia</i>
<i>Stylidium graminifolium</i>	<i>Swainsona parviflora</i>
<i>Themeda australis</i>	<i>Veronica calycina</i>
<i>Veronica plebeia</i>	<i>Viola betonicifolia</i>
<i>Vittadinia cuneata</i>	<i>Vittadinia muelleri</i>
<i>Wahlenbergia communis</i>	<i>Wahlenbergia planiflora</i> var. <i>longipila</i>
<i>Wahlenbergia planiflora</i> var. <i>planiflora</i>	<i>Wahlenbergia queenslandica</i>
<i>Wahlenbergia stricta</i> subsp. <i>stricta</i>	

- 3 The total species list of the community is considerably larger than that given above, with many species present in only one or two sites or in very small quantity. The species composition of a site will be influenced by the size of the site, recent rainfall or drought condition and by its disturbance (including fire) history. The number of species, and the above ground relative abundance of species will change with time since fire, and may also change in response to changes in fire regime (including changes in fire frequency). At any one time, above ground individuals of some species may be absent, but the species may be represented below ground in the soil seed banks or as dormant structures such as bulbs, corms, rhizomes, rootstocks or lignotubers. The list of species given above is of vascular plant species; the community also includes micro-organisms, fungi, cryptogamic plants and a diverse fauna, both vertebrate and invertebrate. These components of the community are poorly documented.
- 4 New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion is dominated by trees of *Eucalyptus nova-anglica* and occasionally *E. dalrympleana* subsp. *heptantha*, usually 8-20 metres tall. There are few shrubs present, and none listed as common. Ground cover is usually dense with *Asperula conferta*, *Poa sieberiana*, *Themeda australis*, *Juncus filicaulis*, *Dichondra repens*, *Carex inversa*, *Rumex brownii*, *Acaena ovina* and *Desmodium varians* common. There is some variation in the structure due to different stages of regrowth after clearing or dieback.
- 5 New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion occurs primarily in valley flats subject to cold air drainage. The valley flats are composed of basaltic soils, fine-grained sedimentary and acid volcanic substrates with poorly drained loam-clay soils.
- 6 New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion is described in Benson and Ashby (2000) who list species to provide a guide to identification of the community. Care should be taken in the application and interpretation of indicator plant species because of sampling limitations, the reduction in species diversity in degraded sites, the fact that some species may only be present at a site at some times as a soil seed bank or as dormant bud or tubers.

# NSW SCIENTIFIC COMMITTEE

- 7 New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion is or has been known to occur in the Dumaresq, Guyra, Inverell, Severn and Tenterfield Local Government Areas, but may occur elsewhere in the New England Tableland Bioregion.
- 8 Disturbed New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion remnants are considered to form part of the community including where the vegetation would respond to assisted natural regeneration, such as where the natural soil and associated seedbank is still at least partially intact.
- 9 New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion has been cleared for grazing and agricultural development. For example within the Guyra mapsheet, 2300ha (approx. 11%) of the original distribution remains (Benson and Ashby 2000) and much of this is in poor condition.
- 10 Less than 3% of the remaining area of New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion is thought to occur within conservation reserves. Reserves containing the community include Bolivia Hill, Boorolong, Mount Duval, Yina and Imbota Nature Reserves and Warra National Park.
- 11 Much of the remaining area of New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion has been disturbed by clearing, pasture improvement, grazing and dieback. Continuing threats include further clearing of remnants, grazing of the understorey, dieback, pasture improvement and weed invasion.
- 12 In view of the above the Scientific Committee is of the opinion that New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

Associate Professor Paul Adam  
Chairperson  
Scientific Committee

## Reference

Benson JS, Ashby EM (2000) Vegetation of the Guyra 1:100 000 map sheet New England Bioregion, New South Wales. *Cunninghamia* **6**, 747-872.



New South Wales

## Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following species as a vulnerable species under that Act and, accordingly, Schedule 2 to that Act is amended by inserting in alphabetical order under the heading “Orchidaceae” (under the heading “Plants):”

*Oberonia titania* Lindl.

Dated, this 25th day of October 2003.

Associate Professor Paul Adam

Chairperson of the Scientific Committee

### **Copies of final determination and reasons**

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



New South Wales

## Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following species as endangered species under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 1 in alphabetical order under the heading “Plants”:

Solanaceae

*Solanum amourense* A.R. Bean

*Solanum celatum* A.R. Bean

*Solanum limitare* A.R. Bean

Dated, this 25th day of October 2003.

Associate Professor Paul Adam

Chairperson of the Scientific Committee

### **Copies of final determination and reasons**

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),

Notice of Final Determination

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- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
  - (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



## Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following population as an endangered population under that Act and, as a consequence, to omit the existing reference in that Act to the endangered population of Tadgell's Bluebell and, accordingly, Part 2 of Schedule 1 to that Act is amended:

- (a) by inserting under the heading "Campanulaceae" (under the heading "Plants"):

*Wahlenbergia multicaulis*  
Benth.

Tadgell's Bluebell in the local government areas of Auburn, Bankstown, Baulkham Hills, Canterbury, Hornsby, Parramatta and Strathfield

- (b) by omitting from under that heading:

*Wahlenbergia multicaulis*  
Benth.

Tadgell's Bluebell in the local government areas of Auburn, Bankstown, Strathfield and Canterbury

Notice of Final Determination

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Dated, this 25th day of October 2003.

Associate Professor Paul Adam  
Chairperson of the Scientific Committee

**Copies of final determination and reasons**

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



New South Wales

## Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following species as a vulnerable species under that Act and, accordingly, Schedule 2 to that Act is amended by inserting in alphabetical order under the heading “Plants”

Apiaceae

*Xanthosia scopulicola* J.M. Hart & Henwood

Dated, this 25th day of October 2003.

Associate Professor Paul Adam

Chairperson of the Scientific Committee

### **Copies of final determination and reasons**

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au),
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



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## NSW Agriculture

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### PLANT DISEASES ACT 1924

Section 5A

Order OR72

Order requiring the labelling of citrus and fortunella plants for sale in New South Wales

I, IAN MACDONALD MLC, Minister for Agriculture and Fisheries, pursuant to section 5A of the Plant Diseases Act 1924, for the purpose of lessening the risk of the disease Orange Stem Pitting strain of Tristeza virus, by this Order, require an appropriate person to label all *citrus* and *fortunella* plants offered for sale in New South Wales.

The appropriate person must identify or ensure that all plants of the genera *Citrus* and *Fortunella* (all species) for sale in New South Wales, or introduced into New South Wales, are identified by a label made of durable waterproof material that states in clearly legible indelible printed letters:

- (a) the name, address and postcode of the nursery or place where the plant was propagated;
- (b) the name of the rootstock and scion of the plant by their variety, common or botanical names.

The label must be attached to each plant for sale, and where plants of the same scion and rootstock are sold in a package, the label must be firmly attached to the package and state the number of plants in the package.

#### Definitions:

“appropriate person” means:

- (a) an owner or occupier of land or premises on which there are plants of the genera *Citrus* and *Fortunella* (all species) that are for sale in New South Wales, and
- (b) a person in possession of or who introduces into New South Wales plants of the genera *Citrus* and *Fortunella* (all species) that are for sale in New South Wales.

“sell” includes offering or attempting to sell, exposing for sale, and sending, forwarding, or delivering for sale.

IAN MACDONALD, M.L.C.  
NSW Minister For Agriculture And Fisheries

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# Department of Infrastructure, Planning and Natural Resources

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## Infrastructure and Planning



New South Wales

## **Armidale Local Environmental Plan 1988 (Amendment No 25)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01303/PC)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1            Armidale Local Environmental Plan 1988 (Amendment No 25)

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## **Armidale Local Environmental Plan 1988 (Amendment No 25)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Armidale Local Environmental Plan 1988 (Amendment No 25)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to amend the provisions of *Armidale Local Environmental Plan 1988* that deal with advertisements and building and business identification signs, and
- (b) to insert a definition of **brothel** in that plan, and
- (c) to permit, with the consent of Armidale Dumaresq Council, development for the purposes of high technology industry, medical centres, professional consulting offices and technologists' consulting rooms and offices on Lot 1, DP 826910, Glen Innes Road, Armidale, and
- (d) to rezone Lot 22, DP 250373 and part of Lots 239 and 240, DP 755808 from Zone No 10 (Enterprise) to Zone No 1 (a) (Rural Agriculture) under *Armidale Local Environmental Plan 1988*.

### **3 Land to which plan applies**

This plan applies:

- (a) to the extent that it amends provisions that deal with advertisements and inserts a definition of **brothel**—to all land to which *Armidale Local Environmental Plan 1988* applies, and

Armidale Local Environmental Plan 1988 (Amendment No 25)

Clause 4

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- (b) to the extent that it permits development for the purposes of high technology industry, medical centres, professional consulting offices and technologists' consulting rooms and offices—to Lot 1, DP 826910, Glen Innes Road, Armidale, and
  - (c) to the extent that it rezones land to Zone No 1 (a) (Rural Agriculture)—to Lot 22, DP 250373 and part of Lots 239 and 240, DP 755808, corner of Cluny Road and Kruideniers Road, Armidale, as shown edged heavy black on the map marked "Armidale Local Environmental Plan 1988 (Amendment No 25)" deposited in the office of Armidale Dumaresq Council.

#### **4 Amendment of Armidale Local Environmental Plan 1988**

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

Armidaale Local Environmental Plan 1988 (Amendment No 25)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

**advertisement** means any sign, notice, device or representation that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of that advertisement, but does not include:

- (a) a business identification sign, or
- (b) a building identification sign, or
- (c) signage the display of which is exempt development, or
- (d) a sign on a vehicle, or
- (e) a traffic sign or traffic control facility.

**brothel** means a building or place used for prostitution and includes an escort agency.

**building identification sign** means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business carried on in the building and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services.

**business identification sign** means a sign that indicates no more than the following:

- (a) the name of the person carrying on business at the premises at which the sign is displayed, and no other name,
- (b) the business carried on by the person at the premises at which the sign is displayed,
- (c) the address of the premises,
- (d) a logo or other symbol that identifies the business.

**medical centre** means a building or place used for the purpose of providing professional health services (such as preventative care, diagnosis, medical or surgical treatment, or counselling) to outpatients only, and includes professional consulting offices.

Armidaale Local Environmental Plan 1988 (Amendment No 25)

Amendments

Schedule 1

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*professional consulting office* means a building or place used for the purpose of professional or like activities that do not involve dealing with members of the public on a direct and regular basis or otherwise than by an appointment, except where this is a minor activity ancillary to the main purpose for which the building or place is used.

**[2] Clause 9 Zone objectives and development controls**

Omit “general advertising;” from item 4 of the matter relating to Zone No 1 (a) (Rural Agriculture) in the Table to the clause.

**[3] Clause 9, Table**

Omit “temporary signs;” from item 2 of the matter relating to Zone No 1 (b) (Rural Residential).

**[4] Clause 9, Table**

Omit “general advertising;” from item 4 of the matter relating to Zone No 1 (b) (Rural Residential).

**[5] Clause 9, Table**

Insert “building identification signs;” and “business identification signs;” in alphabetical order in item 3 of the matter relating to Zone No 2 (Residential).

**[6] Clause 9, Table**

Omit “general advertising;” from item 4 of the matter relating to Zone No 4 (Industrial).

**[7] Clause 9, Table**

Omit “advertising;” from item 3 of the matter relating to Zone No 6 (b) (Private Open Space).

**[8] Clause 9, Table**

Insert “building identification signs;” and “business identification signs;” in alphabetical order in item 3 of the matter relating to Zone No 6 (a) (Public Open Space).

## Armidale Local Environmental Plan 1988 (Amendment No 25)

## Schedule 1 Amendments

**[9] Clause 9, Table**

Insert “building identification signs;” and “business identification signs;” in alphabetical order in item 3 of the matter relating to Zone No 6 (b) (Private Open Space).

**[10] Clause 9, Table**

Insert “building identification signs;” and “business identification signs;” in alphabetical order in item 3 of the matter relating to Zone No 7 (Environmental Protection).

**[11] Clause 9, Table**

Omit “advertisement;” from item 3 of the matter relating to Zone No 10 (Enterprise).

Insert instead “advertisements;”.

**[12] Clause 28 Advertising structures**

Omit the clause.

**[13] Schedule 2 Development for certain additional purposes**

Insert after item 8:

<p><u>9 78 Glen Innes Road,</u> <u>Armidale, being Lot 1,</u> <u>DP 826910</u></p>	<p>Development for the purposes of high technology industry, medical centres, professional consulting offices and technologists’ consulting rooms and offices</p>	<p>.....</p>
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New South Wales

## **Blacktown Local Environmental Plan 1988 (Amendment No 184)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P02/00185/S69)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)



Clause 1            Blacktown Local Environmental Plan 1988 (Amendment No 184)

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## **Blacktown Local Environmental Plan 1988 (Amendment No 184)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 184)*.

### **2 Aims of plan**

This plan aims:

- (a) to rezone part of the land to which this plan applies to Zone No 2 (c) (the Residential “C” Zone) under *Blacktown Local Environmental Plan 1988 (the 1988 plan)*, and
- (b) to rezone the remaining land to Zone No 6 (d) (the Recreation—Environmental Protection Zone) under the 1988 plan.

### **3 Land to which plan applies**

This plan applies to Lot 1, DP 853847, Nirimba Drive, Quakers Hill, as shown edged heavy black on the map marked “Blacktown Local Environmental Plan 1988 (Amendment No 184)” deposited in the office of the Council of the City of Blacktown.

### **4 Amendment of Blacktown Local Environmental Plan 1988**

*Blacktown Local Environmental Plan 1988* is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Blacktown Local Environmental Plan 1988 (Amendment No 184)



New South Wales

## **Byron Local Environmental Plan 1988 (Amendment No 101)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G98/00239/PC)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1 Byron Local Environmental Plan 1988 (Amendment No 101)

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## **Byron Local Environmental Plan 1988 (Amendment No 101)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Byron Local Environmental Plan 1988 (Amendment No 101)*.

### **2 Aims of plan**

This plan aims to insert a clause in the *Byron Local Environmental Plan 1988* to:

- (a) provide environmental planning controls that will result in better management of acid sulfate soils in the Byron local government area so as to minimise impacts on natural waterbodies and wetlands and on agricultural, fishing, aquaculture, urban and infrastructure activities, and
- (b) require development consent for works, including some agricultural-related works that would disturb soils or groundwater levels in localities identified as having acid sulfate soils, and
- (c) require special assessment of certain development on land identified as being subject to risks associated with the disturbance of acid sulfate soils, and
- (d) provide exemptions from the need to obtain development consent in the form of a self-regulation regime to enable the farming of sugar cane, endorsed by the Department of Infrastructure, Planning and Natural Resources through its Memorandum of Understanding with the New South Wales Sugar Milling Co-operative Limited, and
- (e) provide exemptions for the Council, county councils and public authorities from the need to obtain development consent for minor works in specific circumstances.

Byron Local Environmental Plan 1988 (Amendment No 101)

Clause 3

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**3 Land to which plan applies**

This plan applies to land within the local government area of Byron classified as Class 1, 2, 3, 4, or 5 on the map marked “Acid Sulfate Soils Planning Map Byron Local Environmental Plan 1988 (Amendment No 101)” deposited in the office of Byron Shire Council.

**4 Amendment of Byron Local Environmental Plan 1988**

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

Byron Local Environmental Plan 1988 (Amendment No 101)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

### Clause 63

Insert after clause 62:

#### 63 Development on land identified on the Acid Sulfate Soils Planning Map

(1) In this clause:

*acid sulfate soils* means naturally occurring sediments and soils containing iron sulfides (principally pyrite) and/or their precursors or oxidation products, the exposure to oxygen of which (for example, by drainage or excavation) leads to the generation of sulfuric acid.

*Acid Sulfate Soils Assessment Guidelines* means the *Acid Sulfate Soils Assessment Guidelines* as published by the NSW Acid Sulfate Soils Management Advisory Committee and adopted for the time being by the Director-General of the Department of Infrastructure, Planning and Natural Resources.

*Acid Sulfate Soils Management Plan* means, in relation to works to which subclause (2) applies, a management plan including a full description of the management procedures to be applied to the works and prepared in accordance with the *Acid Sulfate Soils Manual*.

*Acid Sulfate Soils Manual* means the *Acid Sulfate Soils Manual* published by the NSW Acid Sulfate Soils Management Advisory Committee and adopted for the time being by the Director-General of the Department of Infrastructure, Planning and Natural Resources.

*Acid Sulfate Soils Planning Map* means the map marked "Acid Sulfate Soils Planning Map Byron Local Environmental Plan 1988 (Amendment No 101)" deposited in the office of the Council.

*acid water* includes waters containing oxidation products or other consequences of acid sulfate soils, such as elevated metal concentrations and depressed dissolved oxygen levels.

*AHD* means Australian Height Datum within the meaning of the *Surveying Act 2002*.

Byron Local Environmental Plan 1988 (Amendment No 101)

Amendments

Schedule 1

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**Council's works** means such works as are owned or controlled by the Council.

**county council** has the same meaning as in the *Local Government Act 1993*.

**drain** means artificial depressions, ditches or channels, used to convey water from one area to another.

**emergency work** includes the repair or replacement of any part of the Council's works, of the works of a public authority or of the works of a county council because:

- (a) it has been (or is being) damaged by a natural disaster, an accident, an act of vandalism or a like occurrence, or
- (b) it has ceased to function or suddenly ceased to function adequately, or
- (c) it may be a potential risk to the environment or to public health and safety,

and includes work reasonably necessary to prevent or limit any further such damage, malfunction or risk.

**environmental protection zone** means any of Zones Nos 7 (a), 7 (b), 7 (c), 7 (d), 7 (f1), 7 (f2), 7 (j) or 7 (k).

**flood mitigation works** means structural measures intended to reduce flood damage by either reducing flood levels or the lateral extent or duration of flooding and may include:

- (a) levees, and
- (b) flood mitigation dams, and
- (c) retarding basins, and
- (d) by-pass flood ways, and
- (e) flood gates on drains, and
- (f) channel improvement.

**minor work** means new work carried out by the Council, a public authority or a county council, not being drainage work, that has a value of less than \$20,000.

**public authority** has the same meaning as in the *Environmental Planning and Assessment Act 1979*.

**routine maintenance** means the periodic inspection, cleaning, repair and replacement of the Council's works, the works of a public authority or the works of a county council,

## Byron Local Environmental Plan 1988 (Amendment No 101)

## Schedule 1 Amendments

but does not include work that would result in an increase in the design capacity of any part of those works or necessitate the deepening of an existing works capacity where more than one tonne of soil is disturbed.

**works** means:

- (a) any landform alteration that may result in the disturbance of more than one tonne of soil (including the carrying out of agriculture, land levelling, extractive industry and dredging, the construction of drains (and the maintenance, widening, deepening or extension of existing drains), the construction of artificial waterbodies (including canals, dams or detention basins), the construction of foundations and flood mitigation works), and
- (b) any works that may lower ground water levels.

**works of a county council** means such works as are owned or controlled by a county council.

**works of a public authority** means such works as are owned or controlled by a public authority.

- (2) A person must not, without development consent, carry out works on land shown as being Class 1, 2, 3, 4 or 5 on the Acid Sulfate Soils Planning Map being the works specified for the class of land in the following table:

Class of land as shown on Acid Sulfate Soils Planning Map	Works
1	Any works
2	Works below the natural ground surface Works by which the watertable is likely to be lowered
3	Works beyond 1 metre below the natural ground surface Works by which the watertable is likely to be lowered beyond 1 metre below the natural ground surface

Byron Local Environmental Plan 1988 (Amendment No 101)

Amendments

Schedule 1

**Class of land as  
shown on Acid  
Sulfate Soils  
Planning Map**

**Works**

4	Works beyond 2 metres below the natural ground surface Works by which the watertable is likely to be lowered beyond 2 metres below the natural ground surface
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land below 5 metres AHD likely to lower the watertable below 1 metre AHD on the adjacent Class 1, 2, 3 or 4 land

- (3) This clause does not require development consent for the carrying out of works referred to in subclause (2) if:
- (a) a preliminary assessment has been undertaken by the proponent of the works in accordance with the *Acid Sulfate Soils Assessment Guidelines* and provided to the Council, and
  - (b) the Council has provided written advice to the proponent of the works confirming that the results of the preliminary assessment indicate the works need not be carried out pursuant to an Acid Sulfate Soils Management Plan.
- (4) The consent authority must not grant a consent required by this clause for the carrying out of works unless it has considered:
- (a) the adequacy of an Acid Sulfate Soils Management Plan prepared for the works in accordance with the *Acid Sulfate Soils Assessment Guidelines*, and
  - (b) the likelihood of the works resulting in the discharge of acid water, and
  - (c) any comments received from the Department of Infrastructure, Planning and Natural Resources within 21 days of the consent authority having sent the Department of Infrastructure, Planning and Natural



## Byron Local Environmental Plan 1988 (Amendment No 101)

## Schedule 1 Amendments

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Resources a copy of the development application and the Acid Sulfate Soils Management Plan prepared for the works.

- (5) This clause requires consent for development to be carried out by the Council, county councils, public authorities and private drainage boards despite clause 62 (a), and items 2 and 11 of Schedule 12.
- (6) This clause does not require development consent for the carrying out of works referred to in subclause (2) if:
- (a) the works are ancillary to the purpose of the production of sugar cane as an agricultural activity, and
  - (b) an agreement (including a memorandum of understanding) between the Department of Infrastructure, Planning and Natural Resources and the New South Wales Sugar Milling Co-operative Limited (or its successor) applies to the land the works are carried out on, and
  - (c) a production area entitlement relating to the growing of sugar cane and approved by the New South Wales Sugar Milling Co-operative Limited (or its successor) applied immediately before the amendment of this plan by *Byron Local Environmental Plan 1988 (Amendment No 101)* to the land the works are carried out on and applies to the land the works are carried out on, and
  - (d) the works are in accordance with a drainage management plan lodged with, and endorsed by, the New South Wales Sugar Milling Co-operative Limited (or its successor) and provided to the Council as so endorsed, and
  - (e) the drainage management plan was prepared in accordance with the *NSW Sugar Industry Best Practice Guidelines for Acid Sulfate Soils*, and
  - (f) the *NSW Sugar Industry Best Practice Guidelines for Acid Sulfate Soils* have been approved by the Director-General of the Department of Infrastructure, Planning and Natural Resources in consultation with the NSW Acid Sulfate Soils Management Advisory Committee and the Department of Agriculture and have been adopted by the Council, and

Byron Local Environmental Plan 1988 (Amendment No 101)

Amendments

Schedule 1

- 
- (g) the works are not carried out on land within an environmental protection zone, and
  - (h) the Council has not served a notice under the *Environmental Planning and Assessment Act 1979* on the person carrying out or using the works, or published a notice in a newspaper circulating in the locality of the works, requiring that development consent must be obtained prior to the carrying out or further use of the works.
- (7) Each year, the Council may nominate production area entitlements for the purposes of an annual audit. An audit is to be carried out of drainage management plans and works on land to which a production area entitlement so nominated applies. Such an annual audit is to be undertaken by a suitably qualified auditor on behalf of New South Wales Sugar Mills Co-operative Limited (or its successor). The Council is to be issued with a copy of the results of such an annual audit immediately after it has been carried out.
- (8) Notwithstanding the provisions of subclause (5), the Council, a public authority or a county council may carry out, without development consent, the following types of development:
- (a) development consisting of emergency work,
  - (b) development consisting of routine maintenance,
  - (c) development consisting of minor work,
- and development ancillary to that development, such as the carrying out of excavation work, the construction of accessways and the provision of power supplies.
- (9) Where the Council, a public authority or a county council carries out development described in subclause (8) and encounters, or is reasonably likely to encounter, acid sulfate soils or potential acid sulfate soils, the Council, public authority or county council, as the case may be, shall properly deal with those soils in accordance with the *Acid Sulfate Soils Assessment Guidelines* and the *Acid Sulfate Soils Management Guidelines* in the *Acid Sulfate Soils Manual* so as to minimise the actual or potential impact on the environment arising from the disturbance of the soils.

## Byron Local Environmental Plan 1988 (Amendment No 101)

## Schedule 1 Amendments

- 
- (10) This clause does not require development consent for the carrying out of works on land referred to in subclause (2) if the land has been lawfully filled or is required to be filled in accordance with any condition of a current development consent and the proposed works do not extend beneath the depth of the fill.
- (11) Nothing in this clause prohibits or requires consent for:
- (a) any activity pursuant to Part 5 of the *Environmental Planning and Assessment Act 1979* as it relates to the Byron Bay Sewerage Augmentation Scheme, or
  - (b) any development the subject of an existing development consent granted before the amendment of this plan by *Byron Local Environmental Plan 1988 (Amendment No 101)*.



New South Wales

## Canterbury Local Environmental Plan No 199

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S99/01571/PC)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1 Canterbury Local Environmental Plan No 199

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## Canterbury Local Environmental Plan No 199

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Canterbury Local Environmental Plan No 199*.

### 2 Aims of plan

This plan aims to amend *Canterbury Planning Scheme Ordinance*:

- (a) to rezone certain land to part Zone No 3 (a5) (the General Business (Retail) zone), part Zone No 5 (a) (the Special Uses—Landscaping zone) and part Zone No 5 (a) (the Special Uses—Access, Parking and Landscaping zone), and
- (b) to prohibit development for the purposes of an amusement centre on certain land.

### 3 Land to which plan applies

This plan applies:

- (a) in relation to the aim referred to in clause 2 (a), to the land known as Roselands Shopping Centre, Roselands, being Lot 1, DP 227383, Lot 101, DP 547125, Lot 3, DP 519464, Lot 4, DP 519464, Lot 1, DP 383899, Lot X, DP 389607, Lots B, C and D, DP 383413, Lot B, DP 400333, Lots D and E, DP 14375, Lots 441 and 442, DP 752056, as shown edged heavy black on the map marked “Canterbury Local Environmental Plan 199”, and
- (b) in relation to the aim referred to in clause 2 (b), to all land within Zone No 3 (a5) zone under *Canterbury Planning Scheme Ordinance*.

### 4 Amendment of Canterbury Planning Scheme Ordinance

*Canterbury Planning Scheme Ordinance* is amended as set out in Schedule 1.

Canterbury Local Environmental Plan No 199

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 4 Interpretation

Insert in alphabetical order in clause 4 (1):

*amusement centre* means premises at which more than 2 amusement machines are available for use (whether or not in conjunction with another use).

*amusement machine* means a mechanically or electronically powered machine, appliance or game table (whether coin operated or not) that:

- (a) releases or makes available balls, discs or other items for projection in or on the machine, appliance or game table by the use of springs, flippers, paddles or cues, or that is controlled, or partly controlled, by a computer associated with an electronic screen, and
- (b) is operated by one or more players for amusement or recreation.

### [2] Clause 4 (1), definition of "Scheme map"

Insert in numerical order of plans:

Canterbury Local Environmental Plan No 199

### [3] Clause 22 Erection or use of buildings or works

Insert "amusement centres;" in alphabetical order in Column V of the matter relating to Zone No 3 (a5) in the Table to clause 22.



## **Grafton Local Environmental Plan 1988 (Amendment No 29)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G00/00036/S69)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1            Grafton Local Environmental Plan 1988 (Amendment No 29)

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## **Grafton Local Environmental Plan 1988 (Amendment No 29)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 29)*.

### **2 Aims of plan**

This plan aims to amend *Grafton Local Environmental Plan 1988*:

- (a) to rezone certain land from Zone No 1 (a) (Rural Zone) to Zone No 2 (a) (Living Area Zone), and
- (b) to allow, with consent, development of the land to which this plan applies only if the council is satisfied that the following issues have been dealt with:
  - (i) potential soil contamination issues, and
  - (ii) stormwater management and associated revegetation issues, and
  - (iii) filling and regrading works and impacts on stormwater flooding characteristics issues, and
  - (iv) issues relating to proposed levee relocation.

### **3 Land to which plan applies**

This plan applies to land being Lot 2, DP 1020592, Lot 60, DP 1037049, part of Lot 5, DP 1035702 and parts of Lots 1–4, DP 871488, Clarence and Hoof Streets, Grafton, as shown by distinctive colouring and edged heavy black on the map marked “Grafton Local Environmental Plan 1988 (Amendment No 29)” deposited in the office of the Council of the City of Grafton.

### **4 Amendment of Grafton Local Environmental Plan 1988**

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



Grafton Local Environmental Plan 1988 (Amendment No 29)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Definitions

Insert in alphabetical order:

*stormwater flooding* means inundation resulting from the incapacity of urban stormwater drainage works to handle runoff whether or not flood gates on drains have been closed due to the height of river flooding.

### [2] Clause 5

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

Grafton Local Environmental Plan 1988 (Amendment No 29)

### [3] Clause 43

Insert in appropriate order:

#### 43 Land in Clarence and Hoof Streets, Grafton-restrictions on development

- (1) This clause applies to land being Lot 2, DP 1020592, Lot 60, DP 1037049, part of Lot 5, DP 1035702 and parts of Lots 1–4, DP 871488, Clarence and Hoof Streets, Grafton, as shown by distinctive colouring and edged heavy black on the map marked “Grafton Local Environmental Plan 1988 (Amendment No 29)” deposited in the office of the Council of the City of Grafton.
- (2) Consent must not be granted for development on land to which this clause applies unless:
  - (a) the Council is satisfied that:
    - (i) the land does not contain chemical residues in soil exceeding the acceptable thresholds for residential habitation of that land, and
    - (ii) stormwater generated by residential development on the land will be managed and treated to limit impacts of flow and pollutants on the local and downstream environment to pre-development levels consistent with the Council’s Stormwater Management Plan as adopted in March 2000, and

## Grafton Local Environmental Plan 1988 (Amendment No 29)

## Schedule 1 Amendments

- 
- (iii) arrangements are in place to revegetate land associated with stormwater management with suitable endemic vegetation, and
  - (iv) filling or regrading works do not reduce the area below RL 4.2m AHD available for storage of stormwater flooding as existed during March 1974, and
  - (v) arrangements are in place for any levee relocation work to be completed to the satisfaction of the Clarence River County Council, and
- (b) the Council has considered whether any land required for stormwater management needs to be acquired by the Council by dedication or otherwise.



## **Grafton Local Environmental Plan 1988 (Amendment No 37)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G02/00138/S69)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1            Grafton Local Environmental Plan 1988 (Amendment No 37)

---

## **Grafton Local Environmental Plan 1988 (Amendment No 37)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 37)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Zone No 6 (a) (the Public Recreation Zone) to Zone No 3 (b) (the Special Development Zone) under *Grafton Local Environmental Plan 1988*.

### **3 Land to which plan applies**

This plan applies to Lot 454, DP 820647, Lot 453, DP 820076 and Lot 13, Section 4, DP 758914, being land at the rear of 93–97 Bent Street, South Grafton, as shown distinctively coloured, edged heavy black and lettered “3 (b)” on the map marked “Grafton Local Environmental Plan 1988 (Amendment No 37)” deposited in the office of the Council of the City of Grafton.

### **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 37)



## Port Stephens Local Environmental Plan 2000 (Amendment No 14)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N03/00210/S69)

Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

Clause 1 Port Stephens Local Environmental Plan 2000 (Amendment No 14)

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## **Port Stephens Local Environmental Plan 2000 (Amendment No 14)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Port Stephens Local Environmental Plan 2000 (Amendment No 14)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies from Zone No 6 (c) (the Special Recreation “C” Zone) to Zone No 2 (a) (the Residential “A” Zone) under *Port Stephens Local Environmental Plan 2000*.

### **3 Land to which plan applies**

This plan applies to land situated in the local government area of Port Stephens, being Lot 2, DP 1032393, Fingal Street, Nelson Bay, as shown edged heavy black on the map marked “Port Stephens Local Environmental Plan 2000 (Amendment No 14)” deposited in the office of Port Stephens Council.

### **4 Amendment of Port Stephens Local Environmental Plan 2000**

*Port Stephens Local Environmental Plan 2000* is amended by inserting in appropriate order in the definition of *the map* in the Dictionary the following words:

Port Stephens Local Environmental Plan 2000 (Amendment No 14)



## **Port Stephens Local Environmental Plan 2000 (Amendment No 16)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N03/00217/S69)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1 Port Stephens Local Environmental Plan 2000 (Amendment No 16)

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## **Port Stephens Local Environmental Plan 2000 (Amendment No 16)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Port Stephens Local Environmental Plan 2000 (Amendment No 16)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to rezone part of the land to which this plan applies (being land dedicated to Port Stephens Council for open space) from the Residential "A" Zone to the General Recreation "A" Zone under *Port Stephens Local Environmental Plan 2000 (the 2000 plan)*, and
- (b) to rezone part of the land (being land dedicated to the Council) from the Residential "A" Zone to the Environment Protection "A" Zone under the 2000 plan, and
- (c) to rezone the remaining land from the General Recreation "A" Zone to the Residential "A" Zone under the 2000 plan.

### **3 Land to which plan applies**

- (1) To the extent that this plan rezones land from the Residential "A" Zone to the General Recreation "A" Zone, it applies to Lot 102, DP 1018703, Lots 2337 and 2338, DP 1043252, Lot 1700, DP 1032774, Lot 1542, DP 1023170, Lot 1231, DP 881732, Lot 1831, DP 1014397 and part of Lot 1042, DP 1050068, Salamander Bay, as shown edged heavy black and lettered "6 (a)" on the map marked "Port Stephens Local Environmental Plan 2000 (Amendment No 16)" deposited in the office of Port Stephens Council.
- (2) To the extent that this plan rezones land from the Residential "A" Zone to the Environment Protection "A" Zone, it applies to Lot 2, DP 1026536, Salamander Bay, as shown edged heavy black and lettered "7 (a)" on that map.



Port Stephens Local Environmental Plan 2000 (Amendment No 16)

Clause 4

- 
- (3) To the extent that this plan rezones land from the General Recreation "A" Zone to the Residential "A" Zone, it applies to part of Lot 1042, DP 1050068, Salamander Bay, as shown edged heavy black and lettered "2 (a)" on that map.

**4 Amendment of Port Stephens Local Environmental Plan 2000**

*Port Stephens Local Environmental Plan 2000* is amended by inserting in appropriate order in the definition of *the map* in the Dictionary the following words:

Port Stephens Local Environmental Plan 2000 (Amendment No 16)



## **Wyong Local Environmental Plan 1991 (Amendment No 150)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (C03/00054/S69)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 150)

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## Wyong Local Environmental Plan 1991 (Amendment No 150)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 150)*.

### 2 Aims of plan

This plan aims to update in *Wyong Local Environmental Plan 1991* the references to the date of adoption of *Development Control Plan No 85—Exempt Development* and *Development Control Plan No 86—Complying Development* by Wyong Shire Council (in consequence of amendments recently made to those development control plans).

### 3 Land to which plan applies

This plan applies to land situated in the local government area of Wyong under *Wyong Local Environmental Plan 1991*.

### 4 Amendment of Wyong Local Environmental Plan 1991

*Wyong Local Environmental Plan 1991* is amended by omitting from clause 10A (1)–(3) the matter “13 October 1999” wherever occurring and by inserting instead the matter “13 August 2003”.

## **Yass Local Environmental Plan 1987 (Amendment No 76)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (Q02/00097/S69)

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

\_\_\_\_\_

Clause 1                    Yass Local Environmental Plan 1987 (Amendment No 76)

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## **Yass Local Environmental Plan 1987 (Amendment No 76)**

### **1 Name of plan**

This plan is *Yass Local Environmental Plan 1987 (Amendment No 76)*.

### **2 Aims of plan**

This plan aims to allow, with the consent of Yass Shire Council, the carrying out of development on the land to which this plan applies so that an existing dwelling-house on the land can be used for the purpose of an office.

### **3 Land to which plan applies**

This plan applies to land situated in the local government area of Yass and Parish of Hume, being Lot X, DP 395971, Rossi Street, Yass, as shown edged heavy black on the map marked “Yass Local Environmental Plan 1987 (Amendment No 76)” deposited in the office of the Yass Shire Council.

### **4 Amendment of Yass Local Environmental Plan 1987**

*Yass Local Environmental Plan 1987* is amended by inserting at the end of Schedule 1 the following words:

Lot X, DP 395971, Rossi Street, Yass, as shown edged heavy black on the map marked “Yass Local Environmental Plan 1987 (Amendment No 76)”—development consisting of the use of an existing dwelling-house for the purpose of an office.

## Natural Resources

### WATER ACT 1912

Modification to Order

Order Under Section 20W

THE Water Administration Ministerial Corporation modifies the Order which was published in *Government Gazette* No. 82, Folio 2623 of the 10th June 1893 in respect of the Murrumbidgee River System as shown in the following Schedule effective on and from the date of publication of this order in the *Government Gazette*.

CRAIG KNOWLES, M.P.,  
Minister for Natural Resources  
(Water Administration Ministerial Corporation)

Dated: 28th October 2003

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#### SCHEDULE

*Murrumbidgee River System*

Modified description:

Murrumbidgee River for the purposes of this order is to include the storage of Burrinjuck Dam upstream to the Taemas Bridge crossing and thence downstream to the Murray River.]

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### WATER ACT 1912

Modification to Order

Order Under Section 20Y

THE Water Administration Ministerial Corporation is satisfied that the water source in the Schedule hereunder is unlikely to have more water available than is sufficient to meet the requirements of the persons already authorised by law to take water from the water source (and such other possible requirements for water from the water source as have been determined by the Ministerial Corporation) and now declares that on and from the date of publication of this notice no application may be made for entitlements to take and use water for any purpose other than

1. Stock purposes (not associated with feed lots and piggeries), domestic purposes, town or village supply purposes.
2. Irrigation for experimental, research and/or teaching purpose.

The order published in *Government Gazette* No. 91, Folio 6353 of the 15th August 1997 in respect of the Murrumbidgee River System is amended as per the Schedule hereunder.

JOHN SEARSON,  
Regional Director  
(for Water Administration Ministerial Corporation)

Dated: 30th October 2003

### SCHEDULE

*Murrumbidgee River System*

Description:

Murrumbidgee River for the purposes of this order is to include the storage of Burrinjuck Dam upstream to the western boundaries of Lot 20 DP 669280, Parish of Boambolo, County of Murray and Lot 3 DP 560999, Parish of Cavan, County of Cowley and thence downstream to the Murray River.

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### WATER ACT 1912

Notice Pursuant To Section 20Z

THE Water Administration Ministerial Corporation notifies the holders of entitlements (licences, authorities, irrigation corporations, group licences and rights under Section 38B) used for the taking of General Security water, that water allocations under the Murray River Volumetric Water Allocations Scheme are limited to 41 percent (%) until further notice.

Dated this day 4th November 2003.

Signed for the Water Administration Ministerial Corporation

DAVID HARRISS,  
Regional Director  
Murray/Murrumbidgee Region  
Department of Infrastructure, Planning and  
Natural Resources  
(by Delegation)

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### WATER ACT 1912

Order Under Section 20Y

THE Water Administration Ministerial Corporation is satisfied that the water source in the schedule hereunder is unlikely to have more water available than is sufficient to meet the requirements of the persons already authorised by law to take water from the water source (and such other possible requirements for water from the water source as have been determined by the Corporation) and now declares that on and from the date of publication of this notice no application may be made for entitlements to take and use water for any purpose other than:

1. Stock purposes (not associated with feed lots and piggeries), domestic purposes, town or village supply purposes.
2. Irrigation for experimental, research and/or teaching purposes.

The order published in *Government Gazette* No. 35 on March 9, 1990, in respect of the River Murray System is amended to include the schedule hereunder.

DAVID HARRISS,  
Regional Director  
Water Administration Ministerial Corporation

## SCHEDULE

*Murray River System*

Waddy Creek from Lot Pt 1, DP 14692, Parish of Mellool, County of Wakool and to confluence with the Merran Creek in Lot 2 DP858048, Parish of Willakool, County of Wakool.

**WATER ACT 1912**

## Order Under Section 22C

THE Water Administration Ministerial Corporation declares the flow or supply of water in the section of river as set out in the schedule has been augmented, stabilised or assured by a work of the Crown.

DAVID HARRISS,  
Regional Director  
Water Administration Ministerial Corporation

## SCHEDULE

*Murray River System*

Waddy Creek from Lot Pt 1, DP 14692, Parish of Mellool, County of Wakool and to confluence with the Merran Creek in Lot 2 DP 858048, Parish of Willakool, County of Wakool.

**WATER ACT 1912**

## Order under Section 20W

THE Water Administration Corporation further varies the order published in *Government Gazette* No. 115 on August 14, 1981, in respect of the River Murray System by adding the following schedule.

DAVID HARRISS,  
Regional Director  
Water Administration Ministerial Corporation

## SCHEDULE

*Murray River System*

Waddy Creek from Lot Pt 1, DP 14692, Parish of Mellool, County of Wakool and to confluence with the Merran Creek in Lot 2, DP 858048, Parish of Willakool, County of Wakool.

**WATER ACT 1912**

## Order Under Section 20Y

THE Water Administration Ministerial Corporation is satisfied that the water source in the schedule hereunder is unlikely to have more water available than is sufficient to meet the requirements of the persons already authorised by law to take water from the water source (and such other possible requirements for water from the water source as have been determined by the Corporation) and now declares that on and from the date of publication of this notice no application may be made for entitlements to take and use water for any purpose other than:

1. Stock purposes (not associated with feed lots and piggeries), domestic purposes, town or village supply purposes.
2. Irrigation for experimental, research and/or teaching purposes. The order published in *Government Gazette* No. 35 on March 9, 1990, in respect of the River Murray System is amended to include the schedule hereunder.

DAVID HARRISS,  
Regional Director  
Water Administration Ministerial Corporation

## SCHEDULE

*Murray River System*

Waddy Creek Cutting offtaking from the Murray River in Lot 1, DP 868793, Parish of Willakool, County of Wakool to its confluence with the Waddy Creek in Lot 1, DP 868793, Parish of Mellool, County of Wakool.

**WATER ACT 1912**

## Order Under Section 22C

THE Water Administration Ministerial Corporation declares the flow or supply of water in the section of river as set out in the schedule has been augmented, stabilised or assured by a work of the Crown.

DAVID HARRISS,  
Regional Director  
Water Administration Ministerial Corporation

## SCHEDULE

*Murray River System*

Waddy Creek Cutting offtaking from the Murray River in Lot 1, DP 868793, Parish of Willakool, County of Wakool to its confluence with the Waddy Creek in Lot 1, DP 868793, Parish of Mellool, County of Wakool.

**WATER ACT 1912**

## Order under Section 20W

THE Water Administration Corporation further varies the order published in *Government Gazette* No. 115 on August 14, 1981, in respect of the River Murray System by adding the following schedule.

DAVID HARRISS,  
Regional Director  
Water Administration Ministerial Corporation

## SCHEDULE

*Murray River System*

Waddy Creek Cutting offtaking from the Murray River in Lot 1, DP 868793, Parish of Willakool, County of Wakool to its confluence with the Waddy Creek in Lot 1, DP 868793, Parish of Mellool, County of Wakool.

**WATER ACT 1912**

AN APPLICATION under Part 2 of the Water Act 1912, being within a Proclaimed (declared) Local Area under section 5 (4) of the Act.

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

*Barwon/Darling River Valley*

Andrew Kenneth RIX and Marina RIX for 2 pumps on the Darling River, Lot 2/661987, Parish of Avoca, County of Wentworth, for irrigation of 21 hectares (fresh licence due to permanent transfer of water entitlement – no increase in commitment to Murray River storages) (Ref:60SL085456) (GA2:512592).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed local area and must be lodged within the Department's Natural Resource Project Officer at Buronga within twenty eight (28) days as provided by the Act.

P. WINTON,  
Natural Resource Project Officer  
Murray Region

Department of Infrastructure, Planning and  
Natural Resources  
PO Box 363 (32 Enterprise Way), BURONGA NSW 2739  
Phone: (03) 5021 9400

**WATER ACT 1912**

APPLICATION under Part 2 of the Water Act 1912 being within a proclaimed (declared) local area under Section 5(4) of the Act.

Application for a Licence, under Section 10 of Part 2 of the Water Act 1912 has been received as follows:

*Murray River Valley*

Mary A. CALMAN, Damian C IRELAND and VINMAC PTY LTD for a pump on the Murray River on Lot 5, DP 1000390, Parish of Tocumwal, County of Denison, for water supply for domestic use and irrigation (replacement licence due to a permanent transfer) (GA2:477285) (Ref: 50SL75591).

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

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

L. J. HOLDEN,  
Acting Senior Natural Resource Officer  
Murray Region

Department of Infrastructure, Planning and  
Natural Resources  
PO Box 205, DENILQUIN NSW 2710

**WATER ACT 1912**

Notice of Withdrawal of Pumping Suspensions

Under Section 22b

Findon Creek, Richmond River Between Findon Creek  
Junction and The Risk

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING SUSPENSIONS under section 22B of the Water Act 1912 relating to Findon Creek, Richmond River between Findon Creek and the Risk with respect to the taking of water therefrom hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Water Act that pumping restrictions so imposed are now cancelled. Diversion of water must however be undertaken in accordance with the conditions of individual licenses – see restriction notice of 29 October 2003.

Dated this twenty ninth day of October 2003.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region  
GRAFTON (GA2:467933)

**WATER ACT 1912**

Notice Under Section 22b

Pumping Restrictions

Marshalls Creek, Lacks Creek and Their Tributaries,  
Findon Creek and Richmond River Between Findon Creek  
Junction and The Risk

THE Department of Infrastructure Planning and Natural Resources pursuant to Section 22B of the Water Act 1912, is satisfied that the quantity of water available in Marshalls Creek, Lacks Creek and their tributaries, Findon Creek and Richmond River between Findon Creek Junction and the Risk is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Wednesday 29 October 2003 and until further notice, the right to pump water is **RESTRICTED** to a maximum of six hours in any twenty four hour period between the hours of 5 pm and 8 am.

This restriction excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- a) where the offence was committed by a Corporation – 200 penalty units.
- b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this twenty ninth day of October 2003.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region  
GRAFTON (GA2: 467933)



**WATER ACT 1912**

Notice Under Section 22b  
Pumping Suspensions

Findon Creek, Richmond River Between Findon Creek  
Junction and The Risk

THE Department of Infrastructure, Planning and Natural Resources pursuant to section 22B of the Water Act, 1912, is satisfied that the quantity of water available in Findon Creek, Richmond River between Findon Creek junction and the Risk is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Thursday 6<sup>th</sup> November 2003 and until further notice, the right to pump water is **SUSPENDED**.

This suspension excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:-

- a) where the offence was committed by a Corporation – 200 penalty units.
- b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this fifth day of November 2003.

G. LOLLBACK,  
Resource Access Manager  
North Coast Region  
GRAFTON (GA2:467934)

**WATER ACT 1912**

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

Applications for a license under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

*Murrumbidgee Valley*

BOAMBOLO PTY LTD for a pump on the Murrumbidgee River, Lot 20, DP 669280, Parish of Boambolo, County of Murray for a water supply for irrigation of up to 40 hectares (lucerne). New license – allocation by way of permanent transfer from existing licenses. Reference 40SL70887

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 28 days as fixed by the Act.

S. F. WEBB,  
Resource Access Manager  
Murrumbidgee Region

Department Infrastructure, Planning and  
Natural Resources  
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.

Applications for a license under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

*Murrumbidgee Valley*

Scott John BARON for 2 earth bywash dams on an unnamed watercourse, on Lot 16, DP 788372, Parish of Batlow, County of Wynyard, for conservation of water for irrigation of 5 Hectares (apples, nursery) new license as a result of a property subdivision. (Reference: 40SL70923).

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

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

S. F. WEBB,  
Resource Access Manager  
Murrumbidgee Region

Department Infrastructure, Planning and  
Natural Resources  
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.

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

*Murrumbidgee Valley*

Brian JENSEN and Rodney John & Helen Margaret PIPER for a pump on the Tumut River, on Lot 34, DP 801949, Parish of Killimicat, County of Wynyard, for a water supply for domestic purposes. Authority to replace an existing license to include an additional domestic supply. (Reference: 40SA5615).

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

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

S. F. WEBB,  
Resource Access Manager  
Murrumbidgee Region

Department Infrastructure, Planning and  
Natural Resources  
PO Box 156, LEETON NSW 2705

**WATER ACT, 1912**

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

Perry Lee CATT and Joy Ethel May SMILES for a pump on House Creek, Part Lot 3//809025, Parish of Mumbulla, County of Auckland for water supply for stock and domestic purposes and water supply for domestic purposes to the occupier of 20//1045164. (New Licence) (Ref:10SL56531) (GA2:493376).

Michael John and Margaret Joan NORRIS for a pump on Sandy Creek, 921//1032285, Parish of Bemboka, County of Auckland for the irrigation of 7.5 hectares (fodder, vegetables) (Part replaces licence 10SL27499 – No increase in area or annual entitlement)(Not subject to the 2003 Sandy Creek Embargo) (Ref:10SL56534) (GA2:493377).

Any inquiries regarding the above should be directed to the undersigned (Phone: 9895 7194).

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

W. CONNERS,  
Acting Natural Resource Project Officer  
Sydney/South Coast Region

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

**WATER ACT 1912**

AN APPLICATION under Part 2, being within a proclaimed (declared) local area under section 20E (2) of the Water Act, 1912, as amended.

An application for an Amended Authority within a proclaimed local area as generally described hereunder has been received as follows:

*Macintyre-Dumaresq River Valley*

MEREWAH WATER USERS ASSOCIATION for four (4) pumps on the Macintyre River on Part TS & CR 33868, Parish of Merriwa, County of Staphylton for irrigation of 2,497.5 hectares, an increase of 67.5 hectares permanently transferring from the upstream Dumaresq River (property held in same name) to Gubbagunya Partnership – no increase in area. L.O. Papers 90SA11706. GA2472117.

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

GEOFF CAMERON,  
Manager Resource Access

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

**WATER ACT 1912**

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

*Murrumbidgee Valley*

Barry Wayne WOOLACOTT and Jacqueline Susan WILLIAMS for a bore on Lot 1 DP1039631, Parish of Colinton, County of Beresford for stock, domestic, farming and irrigation purposes (Pastures, oats, orchard – 20 hectares). New License. 40BL189703.

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 9<sup>th</sup> December, 2003 as prescribed by the Act.

S. F. WEBB,  
Resource Access Manager  
Murrumbidgee Region

Department of Infrastructure, Planning  
and Natural Resources  
P.O. Box 156, LEETON NSW 2705

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## Department of Lands

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### ARMIDALE OFFICE

#### Department of Lands

**108 Faulkner Street, Armidale, NSW 2350**

**Phone: (02) 6772 5488      Fax (02) 6771 5348**

#### ESTABLISHMENT OF RESERVE TRUST

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

#### 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.

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

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#### SCHEDULE 1

##### **COLUMN 1**

Elsmore Soldiers  
Memorial Hall Reserve Trust

##### **COLUMN 2**

Reserve No. 1005248  
for the public purpose of  
Community Purposes.  
Notified: This day.  
File No.: AE82R35

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#### SCHEDULE 1

##### **COLUMN 1**

Land District: Inverell  
Local Government Area:  
Inverell Shire Council  
Parish: Anderson  
County: Gough  
Locality: Elsmore  
Lot: 143, D.P. 753258  
Area: 2276 square metres  
File Reference: AE82R35

##### **COLUMN 2**

Reserve No. 1005248  
Public Purpose: Community  
Purposes

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

**NOTIFICATION OF CLOSING OF A ROAD**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

Description

*Parish n̄ Picton & Nadbuck*  
*County n̄ Yancowinna*  
*Land District n̄ Willyama*

*Local Government Area n̄ Broken Hill*

Road being Lot 91 in DP 1056559 at Broken Hill.

File No. : WL03H70

Note: On closing the land within Lot 91 DP 1056559 will vest in the Broken Hill City Council as Operational Land.

**GRANTING OF A WESTERN LANDS LEASE**

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

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

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

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

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

*Administrative District n̄ Broken Hill*  
*Shire n̄ Central Darling*  
*Parish n̄ Wambah; County n̄ Livingstone*

Western lands Lease 14389 granted to Robert Anthony FORAN, Jennifer Mary FORAN and Evelyn Dawn HUGHES, comprising Portion WL 2852 DP 765015 (folio identifier 2852/765015) of 16.19 hectares at Menindee, for the purpose of Grazing for a term in perpetuity commencing 3 November 2003; Annual rental \$100.00; Next assessment date 3 November 2004.

Papers: WLL 14389

**CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14389**

- (1) In the conditions annexed to the lease, the expression ìthe Ministerî means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression ìthe Commissionerî means the Commissioner charged with the administration of the Western Lands Act 1901 (ìthe Actî) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majestyís Heirs and Successors and the Minister.  
 (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holderís use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.  
 (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.  
 (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be as determined by the local land board for each period of 5 years of the term of the lease, except where a rent is bid at auction or tendered under Section 19C(5) of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) ìGSTî means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.

the GST law includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.

- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
  - (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
  - (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
  - (9) The land leased shall be used only for the purpose of grazing.
  - (10) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
  - (11) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
  - (12) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
  - (13) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
  - (14) The lessee shall comply with the provisions of the Water Management Act 2000 and any regulations made in pursuance of that Act.
  - (16) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
  - (17) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
  - (18) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
  - (19) The lessee shall not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
  - (20) The lessee shall erect gates on roads within the land leased when and where directed by the Commissioner for public use and shall maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
  - (21) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee shall not obstruct access or passage by any member of the public to or along the bank.
  - (22) Any part of a reserve for travelling stock, camping or water supply within the land leased shall, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee shall post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing

the land leased, the lessee shall provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities shall be erected and maintained to the satisfaction of the Commissioner. The lessee shall not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.

- (23) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.
- (24) The lessee shall comply with requirements of section 18DB of the Western Lands Act 1901 which provides that, except in the circumstances referred to in subsection (4) of that section, any native vegetation on the land the subject of the lease, and any part of the land that is protected land, must not be cleared except in accordance with the Native Vegetation Conservation Act 1997.
- (25) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Department has first been obtained and any condition to which the consent is subject under sub section (6) is complied with.
- (26) Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing or firewood, carefully preserve all timber, scrub, vegetative cover and any regeneration thereof (except noxious plants and those woody weeds specified in Clause 28(1) and parts 9 and 13 in Schedule 4 of the Regulations) on the following parts of the land leased:
- (a) between the banks of, and within strips at least 20 metres wide along each bank of, any creek or defined watercourse;
  - (b) within strips at least 30 metres wide on each side of the centre line of any depression, the sides of which have slopes in excess of 1 (vertically) in 4 (horizontally), that is, approximately 14 degrees;
  - (c) where the slopes are steeper than 1 (vertically) in 3 (horizontally), that is, approximately 18 degrees;
  - (d) within strips not less than 60 metres wide along the tops of any ranges and main ridges;
  - (e) not in contravention of section 21CA of the Soil Conservation Act 1938.

In addition to the foregoing requirements of this condition, the lessee shall preserve on so much of the land leased as is not the subject of a clearing licence (where possible, in well distributed clumps or strips) not less than an average of 30 established trees per hectare, together with any other timber, vegetative cover or any regeneration thereof which may, from time to time, be determined by the Commissioner to be useful or necessary for soil conservation or erosion mitigation purposes or for shade and shelter.

- (27) The lessee shall not interfere with the timber on any of the land leased which is within a State forest, timber

reserve or flora reserve unless authorisation has been obtained under the provisions of the Forestry Act 1916 and shall not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and shall not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless a clearing licence has been issued pursuant to section 18DB of the Western Lands Act 1901, but the lessee may take such timber as the lessee may reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.

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

the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.

- (36) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997 particularly in relation to disposal of tailwaters or waters, which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.

#### ERRATUM

IN the notification appearing in the *Government Gazette* of 20 May 1988, Folio 2801, under the heading Surrender and Subdivision of Western Lands Lease, (being Western Lands Lease 12248) the lease referred to should have read Western Lands Lease 12448.

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

**ROADS ACT 1993****ORDER****CORRECTION OF DEFECTIVE INSTRUMENT**

IN pursuance of the provisions of the Roads Act 1993, Section 257, the Instrument contained within *Government Gazette* 26 September 2003, Folio 9685 under the heading 'Resumption of Land for Road and Closing of a Road' in the Parish of Bubalahla, County of Georgiana, is hereby amended by the deletion of the words in the first paragraph 'vested in the Crown as a Crown Public Road'. Insert in lieu the words 'vested in the Council as a Council Public Road'. The DP number 10556421 is hereby amended by deleting the last digit. The number should read DP 1055642. (File Ref: GB 02 H 299:jk)

**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 public road and the rights of passage and access that previously existed in relation to the road are extinguished. Upon closing, title to the land comprising the former public road, vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**DESCRIPTION****SCHEDULE 1**

**PARISH:** Mowamba  
**COUNTY:** Wallace  
**LAND DISTRICT:** Cooma  
**LGA:** Snowy River Shire  
**LOTS:** 4, 5 & 6  
**DP:** 1053512 (not being land under the Real Property Act)  
**FILE REFERENCE:** GB 03 H 122.TC

On closing the land in Lots 4, 5 & 6 DP 1053512 vests in the Crown as Crown land in accordance with Section 38 (2)(c), Roads Act 1993.

In accordance with Section 44, Roads Act 1993, the Crown consents to the land in Lots 4, 5 & 6 DP 1053512 being vested in Snowy River Shire Council as operational land, to be given by Council as compensation for other land acquired for the purposes of the Roads Act 1993.

**SCHEDULE 2**

**PARISH:** Hillas  
**COUNTY:** Georgiana  
**LAND DISTRICT:** Crookwell  
**LGA:** Crookwell Shire  
**LOTS:** 4, 5, 6, 7 & 8  
**DP:** 1041358 (not being land under the Real Property Act)  
**FILE REFERENCE:** GB 03 H 147.TC

On closing the land in Lots 4, 5, 6, 7 & 8 DP 1041358 vests in the Crown as Crown land in accordance with Section 38 (2)(c), Roads Act 1993.

In accordance with Section 44, Roads Act 1993, the Crown consents to the land in Lots 4, 5, 6, 7 & 8 DP 1041358 being vested in Crookwell Shire Council as operational land, to be given by Council as compensation for other land acquired for the purposes of the Roads Act 1993.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Norma Jane Rix (new member)	Towrang Community Hall	Reserve No. 130073
Jacqueline Rose Waugh (new member)	Reserve Trust	Public Purpose: Community Purposes Notified: 16 February 1996 File Reference: GB93R50

For a term commencing the date of this notice and expiring 30 January 2008.



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

**REVOCATION OF RESERVATION OF CROWN LAND**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

—————  
 SCHEDULE

**COLUMN 1**

Land District: Murwillumbah  
 Shire: Tweed  
 Parish: Condong  
 County: Rous  
 Locality: Tumbulgum  
 Reserve No: 56146  
 Purpose: From Sale or Lease  
 Generally  
 Date of notification: 11 May 1923  
 File No's.: GF01H371 & GF03H82

**COLUMN 2**

The whole of lot 21 in DP  
 1056640 of 212.4 square  
 metres and lot 22 in DP  
 1056639 of 827 square  
 metres and comprised in  
 torrens title folio  
 identifiers 21/1056640  
 and 22/1056639.

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

—————  
 Description

*Land District ñ Bellingen;  
 LGA ñ Coffs Harbour City Council*

Roads Closed: Lot 1 DP 1057952 at Coffs Harbour, Parish  
 Moonee, County Fitzroy.

File Reference: GF02H231

—————  
 SCHEDULE

On closing, the land within Lot 1 DP 1057952 remains vested in Coffs Harbour City Council as operational land for the purposes of the Local Government Act 1993.

Councils reference: 412968(P/N 99425)

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

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

—————  
 SCHEDULE

**COLUMN 1**

Bronwyn McMillan

**COLUMN 2**

Tabulam Public  
 Hall Reserve Trust

**COLUMN 3**

Reserve No. 54399  
 Public Purpose: Public  
 Hall  
 Notified:  
 28 January 1921  
 File Reference:  
 GF81R328

For a term commencing the date of this notice and expiring  
 06 May 2004.

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

—————  
 Description

*Land District ñ Lismore; LGA ñ Ballina Shire Council*

Roads Closed: Lots 7001, 7002 and 7003 DP 1050245 at  
 Wardell, Parish Bingal, County Rous.

File Reference: GF99H265

—————  
 SCHEDULE

On closing, the land within Lots 7001, 7002 and 7003 DP 1050245 will remain vested in the State of New South Wales as Crown land.

Councils reference: S3-80-160-1

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

\_\_\_\_\_  
Description

*Land District ñBellingen; LGA ñ Bellingen*

Road closed: Lot 100, D.P. 1040084 at North Bellingen,  
Parish North Bellingen, County Raleigh. File Reference: GF01  
H59

\_\_\_\_\_  
SCHEDULE

On closing, the land within Lot 100 remains vested in Bellingen Shire Council as operational land for the purposes of the Local Government Act 1993. Councils' reference: R. 14-33 BF:EM.

**ADDITION TO RESERVED CROWN LAND**

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

\_\_\_\_\_  
SCHEDULE

**COLUMN 1**

Land District: Grafton  
Local Government Area:  
Grafton City Council  
Locality: Grafton  
Lot 12  
D.P. No. 1050767  
Parish: Great Marlow  
County: Clarence  
Area: 294m<sup>2</sup>  
File Reference: GF03R38

**COLUMN 2**

Reserve No. 87682  
Public Purpose: Public Recreation  
Notified: 27 February 1970  
Lots 10 and 11  
D.P. No. 1050767  
Parish: Great Marlow  
County: Clarence  
New Area: 4836m<sup>2</sup>

**MAITLAND OFFICE****Department of Lands**

**Cnr Newcastle Road & Banks Street (PO Box 6), East Maitland, NSW 2323**

**Phone: (02) 4934 2280 Fax: (02) 4934 2252**

**APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST**

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

TONY KELLY, M.L.C.,  
Minister Assisting the Minister for Natural  
Resources (Lands)

\_\_\_\_\_  
SCHEDULE

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Port Stephens Community Arts Centre Incorporated	Port Stephens Community Arts Centre Trust	Reserve No. 170047 Public Purpose: Community Centre Notified: 1 May 1987 File Reference: MD87R43/3

For a term commencing the date of this notice

**NOWRA OFFICE**  
**Department of Lands**  
**5 O'Keefe Avenue (PO Box 309), Nowra, NSW 2541**  
**Phone: (02) 4428 6900 Fax: (02) 4428 6988**

**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.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Metropolitan	Reserve No. 1005068
Local Government Area: Wollongong City Council	Public Purpose: Environmental Protection
Locality: Helensburgh Lot 7072	
D.P. No. 1061194	
Parish: Heathcote	
County: Cumberland Lot 7045	
D.P. No. 1061196	
Parish: Southend	
County: Cumberland	
Area: 13.89ha	
File Reference: NA03R19	

Notes: THE AFFECTED PART OF R.7698 FOR COAL MINING PURPOSES NOTIFIED 17TH OCTOBER, 1888 IS HEREBY AUTO-REVOKED.

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

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Linda Janet BUNCLARK	Helensburgh Public Hall Trust	Reserve No. 87211 Public Purpose: Public Hall Notified: 6 June 1969 Locality: Helensburgh West File No.: NA97 R 25

For a term of up to six months commencing from the date of this gazettal.

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

**NOTIFICATION OF CLOSING OF A ROAD**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

Description

*Land District Weddin; Shire of Bland*

Road closed: Lot 2 DP1060907 Parish Corringle, County Gipps. File Reference: OE95H255.

Note: On closing title to the land comprised in Lot 2 remains vested in the Bland Shire Council as operational land.

**DISSOLUTION OF RESERVE TRUST**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

**COLUMN 1**

Parkes Boy Scouts (R89277)  
 Reserve Trust

**COLUMN 2**

Reserve No. 89277  
 Public Purpose: Boy Scouts  
 Notified: 30 August 1974  
 File Reference: OE83R12/1

**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.

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

**COLUMN 1**

Land District: Forbes & Wyalong  
 Local Government Area: Bland  
 Shire Council  
 Locality: Lake Cowal  
 Lot 2  
 D.P. No. 1059284  
 Parish: Lake & Cowal  
 County: Gipps  
 Area: 123.4ha  
 File Reference: OE83R116/1

**COLUMN 2**

Reserve No. 1005250  
 Public Purpose: Access  
 Environmental Protection

**REVOCATION OF RESERVATION OF CROWN LAND**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

SCHEDULE

**COLUMN 1**

Land District: Parkes  
 Local Government Area: Parkes  
 Shire Council  
 Locality: Parkes  
 Reserve No. 89277  
 Public Purpose: Boy Scouts  
 Notified: 30 August 1974  
 File Reference: OE83R12/1

**COLUMN 2**

The whole being Lot PT 550  
 D.P. No. 750179  
 Parish: Parkes  
 County: Ashburnham  
 of an area of 6.88ha

**SYDNEY METROPOLITAN OFFICE**  
**Department of Lands**  
**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150**  
**(PO Box 3935), Parramatta, NSW 2124**  
**Phone: (02) 9895 7657 Fax: (02) 9895 6227**

**ERRATUM**

IN the notifications appearing in the Government Gazette of the 31 October, 2003, folio 10345 under the heading 'Addition To Reserved Crown Land' and detailing the addition of Lot 7072 D.P. 10603963 in Column 1 of the Schedules delete the word 'D.P. 10603963' and insert the word 'D.P. 1060396' in lieu thereof. MN90R38

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

—————  
 Descriptions

*Land District ñ Penrith  
 L.G.A. ñ Blacktown*

Lot 1, D.P. 1056046 at Emerton, Parish Rooty Hill, County Cumberland.

MN01H282

**Notes:** 1. On closing, title for the land in lot 1 remains vested in Blacktown City Council as community land.

2. The road is closed subject to the easement for overhead power lines 7.7 wide and easement for water supply purposes 5 wide as shown in D.P. 1056046.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

TONY KELLY, M.L.C.,  
 Minister Assisting the Minister for Natural  
 Resources (Lands)

—————  
 SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
<i>Members appointed</i>		
Mark Scott BURNSIDE Maxwell Edmund LOWE Geoffrey Peter VEALE Alfred Alister Menzies FULLER	Field of Mars Cemetery Presbyterian Portion Trust	The Presbyterian portion of the area at Ryde dedicated for the public purpose of general cemetery in the <i>Gazette</i> of 29 April 1884 Dedication No.: D500800
<i>Term of Office</i>		
For a period expiring on 14 October 2008		
File No.: MN84R82		

## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T03-0886)

No. 2205, BANLONA PTY LIMITED (ACN 106 665 767), area of 63 units, for Group 1, dated 28 October, 2003. (Armidale Mining Division).

(T03-0887)

No. 2206, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 35 units, for Group 1, dated 29 October, 2003. (Sydney Mining Division).

(T03-0888)

No. 2207, CHALLENGER GOLD LIMITED (ACN 090 166 528), area of 60 units, for Group 1, dated 30 October, 2003. (Wagga Wagga Mining Division).

(T03-0889)

No. 2208, REDSTONE METALS PTY LTD (ACN 106 360 678) and Kenneth Frank Watson, area of 69 units, for Group 6, dated 31 October, 2003. (Singleton Mining Division).

### MINING LEASE APPLICATION

(T03-0859)

No. 233, TELMINEX NL (ACN 003 309 911), area of about 625 hectares, to mine for tin, dated 3 October, 2003. (Wagga Wagga Mining Division).

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following application has been granted:

### EXPLORATION LICENCE APPLICATION

(T03-0092)

No. 2133, now Exploration Licence No. 6142, NEWCREST OPERATIONS LIMITED (ACN 009 221 505) and AURIONGOLD EXPLORATION PTY LIMITED (ACN 067 813 932), County of Narromine, Map Sheets (8433, 8533), area of 153 units, for Group 1, dated 23 October, 2003, for a term until 22 October, 2005. As a result of the grant of this title, Exploration Licence No. 4873, Exploration Licence No. 4874 and Exploration Licence No. 5188 have ceased to have effect.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

NOTICE is given that the following application has been withdrawn:

### EXPLORATION LICENCE APPLICATION

(T98-1043)

No. 1197, TEOPLACE PTY LIMITED (ACN 081 730 903), County of Auckland, Map Sheets (8823, 8824). Withdrawal took effect on 30 October, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

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

(T00-0154)

Exploration Licence No. 5910, MONTANA RESOURCES PTY LIMITED (ACN 096 532 008), area of 9 units. Application for renewal received 30 October, 2003.

(T03-0910)

Private Lands (Mining Purposes) Lease No. 1811 (Act 1906), BHP STEEL (AIS) PTY. LTD. (ACN 000 019 625), area of 1.2 hectares. Application for renewal received 28 October, 2003.

(T03-0802)

Private Lands Lease No. 201 (Act 1918), BHP STEEL (AIS) PTY. LTD. (ACN 000 019 625), area of 16.19 hectares. Application for renewal received 28 October, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T99-0031)

Exploration Licence No. 5570, YOUNG MINING COMPANY PTY LTD (ACN 004 301 508), Counties of Bland and Monteagle, Map Sheets (8429, 8529), area of 24 units, for a further term until 18 April, 2005. Renewal effective on and from 24 October, 2003.

(T00-0164)

Exploration Licence No. 5857, TAMAS KAPITANY, County of Gough, Map Sheets (9238, 9239), area of 4 units, for a further term until 10 May, 2005. Renewal effective on and from 24 October, 2003.

(T99-0688)

Mining Purposes Lease No. 334 (Act 1906), AUSTRALIAN CEMENT LIMITED (ACN 004 158 972), Parish of Never Never, County of Phillip; and Parish of Ganguddy, County of Roxburgh, Map Sheet (8932-3-N), area of 7.85 hectares, for a further term until 10 September, 2021. Renewal effective on and from 17 October, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**REFUSAL OF APPLICATIONS FOR RENEWAL**

NOTICE is given that the applications for renewal in respect of the following authorities have been refused:

(T00-0031)

Exploration Licence No. 5859, TRI ORIGIN AUSTRALIA NL (ACN 062 002 475), County of Canbelego and County of Robinson, Map Sheets (8134, 8135), area of 22 units. The authority ceased to have effect on 24 October, 2003.

(T01-0101)

Exploration Licence No. 5871, PASMINGO AUSTRALIA LIMITED (ACN 004 074 962), County of Blaxland, Map Sheet (8132), area of 6 units. The authority ceased to have effect on 7 October, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

**CANCELLATION OF AUTHORITY  
AT REQUEST OF HOLDER**

NOTICE is given that the following authority has been cancelled:

(T01-0215)

Exploration Licence No. 5938, JONATHAN CHARLES DOWNES, Counties of Goulburn, Selwyn and Wynyard, Map Sheet (8426), area of 100 units. Cancellation took effect on 29 October, 2003.

KERRY HICKEY, M.P.,  
Minister for Mineral Resources

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## Roads and Traffic Authority

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### Roads Act 1993

#### Notice under the Road Transport (Mass, Loading and Access) Regulation, 1996

Kyogle Council, in pursuance of Divisions 1, 2 and 3 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 those vehicles described in clause 4 may be used subject to any requirements or conditions set out in the Schedule.

Ken Davies  
General Manager  
Kyogle Council  
(by delegation from the Minister for Roads)

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### SCHEDULE

#### *PART 1 — GENERAL*

##### *1. Citation*

This Notice may be cited as the Kyogle Council 4.6 Metre High Vehicle Route Notice No 1, 2003

##### *2. Commencement*

This Notice takes effect on the date of gazettal.

##### *3. Effect*

This Notice remains in force until November 1, 2008 unless it is amended or repealed earlier.

##### *4. Application*

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

##### *5. Limitations*

The conditions or requirements set out in clauses 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '**4.6 Metre High Vehicle Route Notice 1999**' published in NSW Government Gazette No. 22 of 19 February, 1999, as amended by the Notice published in NSW Government Gazette No. 32 of 3 March, 2000, must be duly complied with.

#### *PART 2 — VEHICLE CLASSES*

##### *2.1 Class 1 vehicles*

- a) a special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6 metres, in height;
- b) a vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of a large indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;



**2.2 Class 2 vehicles**

- a) a combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- b) a single motor vehicle, or a combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

**2.3 Class 3 vehicles**

- a) a single motor vehicle, or a combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- b) a single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- c) a single motor vehicle, or a combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- d) a single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height

**PART 3 - ROUTES****5. Routes****4.6 metre high vehicle routes within the Kyogle Council LGA**

<b>Route</b>	<b>Starting point</b>	<b>Finishing point</b>	<b>Conditions</b>
Bentley Road (MR544) Kyogle Council	Summerland Way (MR83)	Richmond Valley Council boundary	
Hillyards Road Kyogle Council	Bentley Road (MR544)	Boorabee Creek Road	

## Roads Act 1993

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

Narromine 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.

Bruce Morris  
Acting **General Manager**  
**Narromine Shire Council**  
(by delegation from the Minister for Roads)

### Schedule

#### 1. Citation

This Notice may be cited as the Narromine Shire Council B-Double Notice No 1, 2003.

#### 2. Commencement

This Notice takes effect on the date of Gazettal.

#### 3. Effect

This Notice remains in force until and including 31 January 2004 unless it is amended or repealed earlier.

#### 4. Application

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

#### 5. Routes

##### B-Double routes within the Narromine Shire Council

Type	Road No	Road Name	Conditions
25	000	Roads between Narromine and Trangie that intersect the Mitchell Hwy and cross the railway line, for that part of them that lie between the Mitchell Hwy and the railway line.  Manildra St, Narromine between the Mitchell Hwy and Derribong St across the railway level crossing at the saleyards.	Routes will operate from 31 October 2003 to 31 January 2004.

## Roads Act 1993

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

Narromine 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 Road Trains may be used subject to any requirements or conditions set out in the Schedule.

Bruce Morris  
Acting **General Manager**  
**Narromine Shire Council**  
(by delegation from the Minister for Roads)

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### Schedule

#### 1. **Citation**

This Notice may be cited as the Narromine Shire Council Road Train Notice No 2, 2003.

#### 2. **Commencement**

This Notice takes effect on the date of Gazettal.

#### 3. **Effect**

This Notice remains in force until and including 31 January 2004 unless it is amended or repealed earlier.

#### 4. **Application**

4.1 This Notice applies to Road Trains 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

### Road Train routes within the Narromine Shire Council

Type	Road No	Road Name	Conditions
RT	000	All local and Regional roads within Narromine Shire Council area that are situated west of the Newell Highway and are not existing Road Train Routes.	<p>Routes will operate from 31 October 2003 to 31 January 2004.</p> <p>Travel not permitted on roads between Narromine and Trangie that intersect the Mitchell Hwy and cross the railway line, for that part of them that lie between the Mitchell Hwy and the railway line.</p> <p>Travel not permitted on roads within the Narromine urban area generally, but is permitted on the following roads:</p> <ul style="list-style-type: none"> <li>• Existing Road Train routes.</li> <li>• Dandaloo St from O'Neill Square to Nellie Vale Rd.</li> <li>• Derribong Ave from Dandaloo St to Fifth Ave.</li> <li>• Cathundril St from Algalah St to A'Beckett St.</li> <li>• Warren Rd from the Mitchell Hwy to the Narromine/Eumungerie Rd.</li> <li>• Mitchell Hwy from O'Neill Square to Manildra St.</li> <li>• Old Backwater Road from Dandaloo Street to Fifth Avenue.</li> </ul> <p>Travel not permitted on roads within the Trangie urban area generally, but is permitted on the following roads:</p> <ul style="list-style-type: none"> <li>• Existing Road Train routes.</li> <li>• Harris St from Campbell St to Bimble Box Lane.</li> <li>• Campbell St from Harris St to Nicholas St.</li> <li>• Trangie Saleyards Rd.</li> <li>• Weemabah St from the Mitchell Hwy to Trangie Rural Traders.</li> </ul> <p>There is no access from local roads to the Newell Highway South of Dubbo.</p>

**Roads Act 1993****Notice under the Road Transport (Mass, Loading and Access) Regulation, 1996**

Ballina Shire Council in pursuance of Divisions 1, 2 and 3 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 those vehicles described in clause 4 may be used subject to any requirements or conditions set out in the Schedule.

Stuart McPherson  
General Manager  
Ballina Shire Council  
(by delegation from the Minister for Roads)

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**SCHEDULE*****PART 1 — GENERAL******1. Citation***

This Notice may be cited as the Ballina Shire Council 4.6 Metre High Vehicle Route Notice No1/2003.

***2. Commencement***

This Notice takes effect on the date of gazettal.

***3. Effect***

This Notice remains in force until 31 December 2008 unless it is amended or repealed earlier.

***4. Application***

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

***5. Limitations***

The conditions or requirements set out in clauses 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '***4.6 Metre High Vehicle Route Notice 1999***' published in NSW Government Gazette No. 22 of 19 February, 1999, as amended by the Notice published in NSW Government Gazette No. 32 of 3 March, 2000, must be duly complied with.

***PART 2 — VEHICLE CLASSES******2.1 Class 1 vehicles***

- a) A special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6 metres, in height;
- b) A vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of a large

indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

## **2.2 Class 2 vehicles**

- a) A combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- b) A single motor vehicle, or a combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

## **2.3 Class 3 vehicles**

- a) A single motor vehicle, or a combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- b) A single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- c) A single motor vehicle, or a combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- d) A single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height

## ***PART 3 - ROUTES***

### **5. Routes**

#### **4.6 metre high vehicle routes within the Ballina Shire Council LGA**

<b>Route</b>	<b>Starting point</b>	<b>Finishing point</b>	<b>Conditions</b>
Tintenbar Road	Pacific Highway (SH10)	Teven Road	
Teven Road	Tintenbar Road	Eltham Road	
Eltham Road	Teven Road	Lismore City Council boundary	

**Roads Act 1993****Notice under the Road Transport (Mass, Loading and Access) Regulation, 1996**

Wollongong City Council, in pursuance of Divisions 1, 2 and 3 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 those vehicles described in clause 4 may be used subject to any requirements or conditions set out in the Schedule.

Rod Oxley  
General Manager  
Wollongong City Council  
(by delegation from the Minister for Roads)

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**SCHEDULE*****PART 1 — GENERAL******1. Citation***

This Notice may be cited as the Wollongong City Council 4.6 Metre High Vehicle Route Notice No 1/2003.

***2. Commencement***

This Notice takes effect from the date of gazettal.

***3. Effect***

This Notice remains in force until 31 December 2008 unless it is amended or repealed earlier.

***4. Application***

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

***5. Limitations***

The conditions or requirements set out in clauses 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '**4.6 Metre High Vehicle Route Notice 1999**' published in NSW Government Gazette No. 22 of 19 February, 1999, as amended by the Notice published in NSW Government Gazette No. 32 of 3 March, 2000, must be duly complied with.

***PART 2 — VEHICLE CLASSES******2.1 Class 1 vehicles***

- a) a special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6 metres, in height;

- b) a vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of a large indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

## 2.2 *Class 2 vehicles*

- a) a combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- b) a single motor vehicle, or a combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

## 2.3 *Class 3 vehicles*

- a) a single motor vehicle, or a combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- b) a single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- c) a single motor vehicle, or a combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- d) a single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height

## *PART 3 - ROUTES*

### 5. *Routes*

#### 4.6 metre high vehicle routes within the City of Wollongong

Route	Starting point	Finishing point	Conditions
Christy Dr, Port Kembla	Old Port Rd (MR295)	No 6 Jetty	Westbound exit from Christy Dr, <b>must turn right</b> at Old Port Rd



## Roads Act 1993

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

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

**Rod Oxley**  
**General Manager**  
**Wollongong City Council**  
 (by delegation from the Minister for Roads)

### Schedule

#### 1. Citation

This Notice may be cited as the Wollongong City Council B-Doubles Notice No 2/2003.

#### 2. Commencement

This Notice takes effect from the date of gazettal.

#### 3. Effect

This Notice remains in force until 31 December 2008 unless it is amended or repealed earlier.

#### 4. Application

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

#### 5. Routes

##### B-Double routes within the Wollongong City Council

Type	Rd No	Road Name	Starting point	Finishing point	Conditions
25	000	Marley Place, Unanderra	Five Islands Rd (MR295)	Entire length	<i>Extension to approved route</i>

## Roads Act 1993

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

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

**Rod Oxley**  
**General Manager**  
**Wollongong City Council**  
(by delegation from the Minister for Roads)

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#### SCHEDULE

##### 1 Citation

This Notice may be cited as the Wollongong City Council B-Doubles Notice No 3/2003.

##### 2 Commencement

This Notice takes effect on the date of gazettal.

##### 3 Effect

This Notice remains in force until 31 December 2003 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

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25	000	Christy Dr, Port Kembla	Old Port Rd (MR295)	No 6 Jetty	

**ROADS ACT 1993**

Order - Sections 46, 49, 54 and 67

Yass Shire Council Area

Dedication of Land as Public Road and Declaration as a  
Controlled Access Road of part of Burley Griffin Way  
at Illalong Creek

I, the Minister for Roads, pursuant to Sections 46, 49, 54 and 67 of the Roads Act, 1993, by this order -

1. dedicate as public road the land described in Schedules 1 and 2 under;
2. declare to be a main road the said public road described in Schedule 2 and the public road described in Schedule 3 under;
3. declare to be a controlled access road the said main road described in Schedules 2 and 3;
4. declare that access to the said controlled access road is restricted; and
5. specify in Schedule 4 under, the points along the controlled access road at which access may be gained to or from other public roads.

**CARL SCULLY, M.P.,  
Minister for Roads**

—————  
SCHEDULE 1

All those pieces or parcels of land situated in the Yass Shire Council area, Parishes of Binalong and Mylora and County of Harden shown as:

Lot 38 Deposited Plan 870125;

Lot 2 Deposited Plan 872428; and

Lots 82, 83 and 84 Deposited Plan 870124.

The above Lots comprise the whole of the land in the correspondingly numbered Certificates of Title and are all shown on RTA Plan 0084 515 AC 0132.

—————  
SCHEDULE 2

All those pieces or parcels of land situated in the Yass Shire Council area, Parishes of Binalong and Mylora and County of Harden shown as:

Lots 23 to 35 inclusive Deposited Plan 870125;

Lots 67 to 74 inclusive, 80 and 81 Deposited Plan 870124;  
and

Lots 99, 103 to 113 inclusive and 116 Deposited Plan 870126.

The above Lots comprise the whole of the land in the correspondingly numbered Certificates of Title and are all shown on RTA Plan 0084 515 AC 0132.

—————  
SCHEDULE 3

All those pieces or parcels of public road situated in the Yass Shire Council area, Parishes of Binalong and Mylora and County of Harden shown as:

Lots 36 and 37 Deposited Plan 870125;

Lots 75 to 79 inclusive Deposited Plan 870124; and

Lots 114, 115 and 117 to 121 inclusive Deposited Plan 870126.

The above Lots are all shown on RTA Plan 0084 515 AC 0132.

—————  
SCHEDULE 4

Between the points A and B,

between the points C and D;

between the points E and F;

between the points G and H; and

between the points I and J all shown on RTA Plan 0084 515 AC 0132.

(RTA Papers 515.1100)

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

Notice of Compulsory Acquisition of Land at  
Nerong in the Great Lakes Council area

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

D J Lorsch  
Manager Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

—————  
SCHEDULE

ALL those pieces or parcels of land situated in the Great Lakes Council area, Parishes of Viney Creek and Nerong and County of Gloucester, shown as Lots 12 to 21 inclusive Deposited Plan 1028474, being the whole of the land revoked from Myall Lakes National Park by the National Parks and Wildlife (Adjustment of Areas) Act 2001 No 49, excluding from the compulsory acquisition of Lots 14, 15, 16 and 18 an easement for transmission line 30.475 wide created by Dealing J892295 and shown designated (W) on sheets 2 and 3 of Deposited Plan 1028474.

The land is said to be in the possession of the Minister for the Environment.

(RTA Papers FPP 3M3582; RO 10/410.1853)

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road  
at Bungendore in the Yarrowlumla Shire Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

D J Lorsch  
Manager, Compulsory Acquisition & Road Dedication,  
Roads and Traffic Authority of New South Wales.

—————  
SCHEDULE

All those pieces or parcels of land situated in the Yarrowlumla Shire Council area, Parish of Currandooly and County of Murray, shown as Lots 5 to 9 inclusive, Deposited Plan 862718.

(RTA Papers: 514.1121)

## Other Notices

### APPRENTICESHIP AND TRAINEESHIP ACT

#### ORDER

I, PAM CHRISTIE, Commissioner for Vocational Training, in pursuance of section 5 of the Apprenticeship and Traineeship Act 2001, make the Order set forth hereunder.

Commissioner for Vocational Training

#### Commencement

1. This Order takes effect from the date of publication in the NSW *Government Gazette*.

#### Amendment

2. The Apprenticeship and Traineeship Orders are amended by:

1.0

inserting in Schedule 2 in appropriate alphabetical order the following vocation which is designated as a recognised traineeship vocation for the purposes of the *Apprenticeship and Traineeship Act 2001*:

#### Furnishing

### 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 Furnishing.

#### CITATION

The order is cited as the Furnishing Order.

#### ORDER

A summary of the Order is given below.

##### (a) Term of Training

###### (i) Full-time

Training shall be given for a nominal term of:

Qualification	Nominal Term
All Certificate II	12 months
Certificate III (trainee holds Certificate II in same qualification)	12 months
Certificate III (direct entry)	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.

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 Furnishing Competency Standards.

##### (c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Certificate II in Blinds and Awning Fabrication Operations  
TAFE NSW Course No. 90827

**Certificate II in Floor Covering and Finishing LMF20102**

**Certificate II in Furniture Finishing LMF20202**

**Certificate II in Furniture Making LMF20302**

**Certificate II in Mattress and Base Making LMF20502**

**Certificate II in Picture Framing LMF20602**

**Certificate II in Soft Furnishing LMF20702**

**Certificate II in Upholstery LMF20802**

**Certificate III in Mattress and Base Making LMF30702**

**Certificate III in Picture Framing LMF30802**

**Certificate III in Soft Furnishing LMF30902**

**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  
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 trade vocation of Floor Covering

**CITATION**

The order is cited as the Floor Covering 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 4 years for a Certificate III or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) **Competency Outcomes**

Apprentices will be trained in and achieve competence in the endorsed National Drafting Competency Standards.

(c) **Courses of Study to be undertaken**

Apprentices will undertake the following courses of study:

**Certificate III in Floor Covering and  
Finishing LMF30102****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  
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 trade vocation of Furniture Polishing.

**CITATION**

The order is cited as the Furniture Polishing 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 4 years for a Certificate III or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) **Competency Outcomes**

Apprentices will be trained in and achieve competence in the endorsed National Drafting Competency Standards.

(c) **Courses of Study to be undertaken**

Apprentices will undertake the following courses of study:

**Certificate III in Furniture Finishing LMF30202****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  
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 trade vocation of Cabinet Making.

**CITATION**

The order is cited as the Cabinet Making 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 4 years for a Certificate III or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) **Competency Outcomes**

Apprentices will be trained in and achieve competence in the endorsed National Drafting Competency Standards.

(c) **Courses of Study to be undertaken**

Apprentices will undertake the following courses of study:

**Certificate III in Furniture Making  
(Cabinet Making) LMF30402****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  
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 trade vocation of Wood Machining.

**CITATION**

The order is cited as the Wood Machining 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 4 years for a Certificate III or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) Competency Outcomes

Apprentices will be trained in and achieve competence in the endorsed National Drafting Competency Standards.

(c) Courses of Study to be undertaken

Apprentices will undertake the following courses of study:

**Certificate III in Furniture Making  
(Wood Machining) LMF30502**

**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  
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 trade vocation of Glass Cutting and Glazing.

**CITATION**

The order is cited as the Glass Cutting and Glazing 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 4 years for a Certificate III for any trainee who commences

under the age of 18 years and 3 years for all trainees aged 18 years or older, or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) Competency Outcomes

Apprentices will be trained in and achieve competence in the endorsed National Drafting Competency Standards.

(c) Courses of Study to be undertaken

Apprentices will undertake the following courses of study:

**Certificate III in Glass and Glazing LMF30602**

**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  
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 trade vocation of Upholstery.

**CITATION**

The order is cited as the Upholstery 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 4 years for a Certificate III or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(b) Competency Outcomes

Apprentices will be trained in and achieve competence in the endorsed National Drafting Competency Standards.

(c) Courses of Study to be undertaken

Apprentices will undertake the following courses of study:

**Certificate III in Upholstery LMF31002**

**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>

**ASSOCIATIONS INCORPORATION ACT 1984**

Cancellation of Incorporation Pursuant to  
Sections 55A and 55B

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to sections 55A and 55B of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

*Canley Heights Soccer Club Incorporated*

*Lawson Autumn Fair Incorporated*

COLIN CROSSLAND,  
General Manager

Registry of Co-operatives & Associations

Office of Fair Trading  
Department of Commerce  
30 October 2003

1984 as "Pump Industry Australia Incorporated" effective 30 October 2003.

LINDA FULLER,  
Delegate of Commissioner  
Office of Fair Trading

13 October 2003

**ASSOCIATIONS INCORPORATION ACT 1984**

Transfer of Incorporation Pursuant to Section 48 (4) (a)

TAKE NOTICE that the company "Gosford Pre-School Limited" formerly registered under the provisions of the Corporations Act 2001 is now incorporated under the Associations Incorporation Act 1984 as "Gosford Pre-School Incorporated" effective 30 October 2003.

LINDA FULLER,  
Delegate of Commissioner  
Office of Fair Trading

**ASSOCIATIONS INCORPORATION ACT 1984**

Cancellation of Incorporation Pursuant to  
Sections 55A and 55B

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to sections 55A and 55B of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

*Glenorie P & C Association Incorporated*

*Grono Point Riverbank Landcare Incorporated*

*Illawarra Environment and Heritage Centre Incorporated*

*Manly Warringah Baseball Umpires Association Incorporated*

*Riverwood Childrens Centre Incorporated*

*St Johns Wood Social Club Incorporated*

*Condobolin District Retirement Village Association Incorporated*

*Hume Riverina Business Connect Incorporated*

*Ridgewood Road Landcare Group Incorporated*

*Upper Tyagong Creek Catchment Group Incorporated*

*Vietnamese Buddhist Society of NSW (Giao Hoi Phat Giao Viet-Nam Thong Nhat Hai-Ngoai Tai NSW) Incorporated*

COLIN CROSSLAND,  
General Manager

Registry of Co-operatives & Associations

Office of Fair Trading  
Department of Commerce  
3 November 2003

The authorisation commences on Monday 15th September 2003 and is up to and including 2nd March 2006.

**Building and Construction Industry Security of Payment Amendment Act 2002**

NSW Section 28

Authorised Nominating Authorities.

Effective from the 15th September 2003

Master Builders Association of New South Wales Pty Ltd  
Business Address: Level 2, 52 Parramatta Road, Forest Lodge, NSW 2037

Postal Address: Private Bag 9, Broadway, NSW 2007

Telephone: 02 8586-3517

Fax: 02 9660-3700

Email: [legal@mbansw.asn.au](mailto:legal@mbansw.asn.au)

Internet: None

**CHARITABLE TRUSTS ACT 1993**

Notice Under Section 15

Variation to an Established Cy Pres Scheme Relating to

The Northern Sydney Area Health Service

BY a Will dated 24 April 1952 the late Gertrude Laura May Byrnes left a portion of her residuary estate to the Fairbridge Farm Schools of New South Wales, predecessor of the Fairbridge Foundation, 'for the purpose...of building brick or stone homes to be named after my late husband and to be known as 'The Charles Ernest Byrnes of Parramatta Homes'.

On 15 December 1982, upon application, the Supreme Court of NSW ordered that the gift to the Fairbridge Foundation, third defendant in the then proceedings, was to be applied cy-pres by the Dalwood Children's Home... 'to construct a brick cottage within the grounds of the Dalwood Children's Home's premises at Seaforth...to house needy children; a plaque to be attached to the cottage stating that it is known as The Charles Ernest Byrnes of Parramatta Homes'.

**ASSOCIATIONS INCORPORATION ACT 1984**

Transfer of Incorporation Pursuant to Section 48 (4) (a)

TAKE NOTICE that the company "Australian Pump Manufacturers Association Ltd" formerly registered under the provisions of the *Corporations Act 2001* is now incorporated under the *Associations Incorporation Act*



Delays resulted in the Manly Hospital and Community Health Services (then administrator of Dalwood Home and later part of the Northern Sydney Area Health Service) formulating a new proposal to be the subject of the cy-pres scheme. By order dated 4 April 1995, the then Attorney General varied the existing cy-pres scheme in favour of the Manly Hospital and Community Health Services to be applied in the 'alterations and the upgrading of the Queenscliff Dalwood Assessment Centre...to be used as short term accommodation for disadvantaged children, such to be called 'The Charles Ernest Byrnes of Parramatta Building incorporating the Queenscliff Dalwood Assessment Centre for Children'.

The Northern Sydney Area Health Service now seeks to vary the cy-pres scheme ordered on 4 April 1995 so that the funds may be applied 'in the construction of a brick cottage with a tiled roof to be known as the 'Charles Ernest Byrnes of Parramatta Building' the said building to operate as a Child Health Early Intervention Program for at-risk pre-school children and their families; and that the Trustee be entitled to its costs of the application out of the fund on an indemnity basis'. The basis for the application is that the existing cy-pres scheme is no longer capable of or has ceased to provide a suitable and effective method of using the trust property, given the changes in approach to the treatment and care of disadvantaged children from a residential to a family-based model.

The Solicitor General, under delegation from the Attorney General in and for the State of New South Wales, has approved a recommendation that the cy pres scheme ordered on 4 April 1995 be varied by order pursuant to section 17 (2) of the Charitable Trusts Act 1993 to enable the construction of a brick cottage with a tiled roof to be known as the 'Charles Ernest Byrnes of Parramatta Building' the said building to operate as a Child Health Early Intervention Program for at-risk pre-school children and their families; and that the costs of the application be paid out of the trust fund on an indemnity basis.

Take note that within one month after the publication of this notice any person may make representations or suggestions, in writing, to the Attorney General in respect of the proposed scheme. Initial inquiries as to the proposed scheme may be directed to (02) 9228 7883.

Laurie Glanfield,  
Director General  
Attorney General's Department

## CONTAMINATED LAND MANAGEMENT ACT 1997, Section 15

Environment Protection Authority

Declaration of investigation area

File No.: HO7035  
Declaration No.: 15026  
Area No. UB 3377

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

### 1. Land to which this declaration applies

The land presently known as:

- 887-893 Bourke Street, Waterloo, NSW, which is Lots A and B in DP438722, and Lot 1 in DP89250, in the South Sydney Local Government Area.

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

Elevated levels of chlorinated hydrocarbons, including tetrachloroethene (PCE), trichloroethene (TCE), dichloroethene (DCE), and vinyl chloride have been detected in the groundwater on the land to which this declaration applies.

### 3. Nature of harm that the substances may cause

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

- Groundwater beneath the site is contaminated with volatile chlorinated compounds (including PCE, TCE, DCE, and vinyl chloride), at concentrations substantially exceeding relevant levels in the ANZECC Guidelines for Fresh and Marine Water Quality ('the guideline'). Vinyl chloride concentrations substantially exceed the guideline levels for drinking purposes. The extent of the on-site plume is not known and requires further investigation.
- Contaminated groundwater may have migrated from the southwestern (down-gradient) boundary of the site and impacted on the adjoining site. The contamination may have migrated (or be migrating) under or onto and from the adjoining site known as Lots 1 and 2 in DP800705 on the corner of McEvoy, Young and Bourke Streets, Waterloo. The extent of the plume is not known and requires further investigation.
- The offsite migration of contaminated groundwater may potentially put the users of groundwater at risk.

On this basis the EPA has determined that it has reason to believe that the land to which this declaration applies is contaminated with substances in such a way as to present a significant risk of harm to human health and the environment. In particular:

- Vinyl chloride is classified by the International Agency for Research on Cancer (IARC) as a Group 1 human carcinogen (known human carcinogen);
- TCE and PCE are classified by IARC as Group 2A (probable human carcinogen); and
- DCE is classified by IARC as Group 2B (possibly carcinogenic to humans).

### 4. Further action under the Act

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

### 5. Submissions invited

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

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



Proposed Name: Olga Robshaw Reserve  
 Designation: Reserve  
 L.G.A.: Blacktown City Council  
 Parish: Prospect  
 County: Cumberland  
 L.P.I. Map: Prospect  
 1:100,000 Map: Penrith 9030  
 Reference: GNB 4958

Proposed Name: Michael Eades Reserve  
 Designation: Reserve  
 L.G.A.: Blue Mountains City Council  
 Parish: Blackheath  
 County: Cook  
 L.P.I. Map: Katoomba  
 1:100,000 Map: Katoomba 8930  
 Reference: GNB 4965

Proposed Name: Forbes Creek Remembrance  
 Walkway  
 Designation: Reserve  
 L.G.A.: Sutherland Shire Council  
 Parish: Sutherland  
 County: Cumberland  
 L.P.I. Map: Port Hacking  
 1:100,000 Map: Port Hacking 9129  
 Reference: GNB 4967

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

WARWICK WATKINS,  
 Chairperson

Geographical Names Board  
 PO Box 143  
 Bathurst NSW 2795

#### PARLIAMENTARY REMUNERATION ACT 1989

Determination Pursuant to Section 14A of the Act.

#### REPORT:

ON 29 October 2003 the Premier, the Honourable Mr Bob Carr MP wrote to the Tribunal regarding proposed amendments to the Parliamentary Contributory Superannuation Act 1971. These amendments are contained in the Superannuation Legislation Amendment (Family Law) Bill 2003.

Pursuant to section 14A (1) of the Parliamentary Remuneration Act 1989 (the Act), the Tribunal is required to determine whether the proposed amendments to the Act are warranted.

Section 14A (2) of the Act requires that in making this determination the Tribunal must have regard to;

- a) *...the Heads of Government Agreement, that commenced on 1 July 1996, relating to the exemption of certain State public sector superannuation schemes...including whether the amendment is consistent with that agreement and*
- b) *must have regard to the effects of any proposed amendment on the present and future liabilities of the Parliamentary Contributory Superannuation Fund, and*

c) *may obtain, and have regard to, actuarial advice relating to the costs and effects of any proposed amendment.*

The Tribunal has examined the proposed amendments carefully and, further, has considered the amendments in light of the provisions of s14A (2) of the Act. In these circumstances, the Tribunal is satisfied that the proposed amendments are warranted.

#### DETERMINATION:

Pursuant to section 14A (1) of the Parliamentary Remuneration Act 1989, I determine that the amendments to the Parliamentary Contributory Superannuation Act 1971, as proposed in the Superannuation Legislation Amendment (Family Law) Bill 2003, are warranted.

The Hon Justice R BOLAND,  
 The Parliamentary Remuneration Tribunal

Dated: 3 November 2003

#### POISONS AND THERAPEUTIC GOODS ACT 1966

Order Under Clause 171(1),

#### POISONS AND THERAPEUTIC GOODS REGULATION 2002.

Withdrawal Of Drug Authority

IN accordance with the provisions of clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on Rohan Nelson HOLLAND of 68 Cleary Street, Hamilton, 2303, prohibiting him until further notice, as a nurse from having possession of and supplying drugs of addiction as authorised by clauses 101 and 103 of the Regulation.

This order is to take effect on and from Friday 7 November 2003.

ROBYN KRUK,  
 Director-General

Department of Health, New South Wales,  
 Sydney, Tuesday 4 November 2003.

**Workplace Injury Management and Workers Compensation  
(Medical Examinations and Reports) Order 2003**

I, Jon Blackwell, the Chief Executive Officer of the WorkCover Authority of New South Wales, under s339 of the *Workplace Injury Management and Workers Compensation Act 1998*, make the following Order.

Dated, this 4<sup>th</sup> day of November 2003.

**JON BLACKWELL**  
**Chief Executive Officer**  
**WorkCover Authority**

## **Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003**

### **Contents**

#### **Part 1 Preliminary**

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

#### **Part 2 Fees for medical assessments**

- 5 Fees for medical assessments
- 6 GST
  
- Schedule 1 Rates for Independent Medical Examination by General Practitioners
- Schedule 2 Rates for Independent Medical Examination by Specialists
- Schedule 3 Rates for Approved Medical Specialists
- Schedule 4 Rates for Approved Medical Specialists on Appeal Panels

## Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003

under the

Workplace Injury Management and Workers Compensation Act 1998

### Part 1 Preliminary

#### 1 Name of Order

This order is the *Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003*.

#### 2 Commencement

This Order commences on gazettal.

#### 3 Definitions

In this order:

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

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

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

**Guidelines** mean the *Guidelines on Independent Medical Examinations and Reports* made by the WorkCover Authority.

#### 4 Application of order

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

## **Part 2 Fees for medical assessments**

### **5 Fees for medical assessments**

For the purposes of section 339 of the Act, the maximum fees for the provision by health service providers in respect of the provision of any report for use in connection with a claim for compensation or work injury damages and an appearance as a witness in proceedings before the Commission or a court in connection with a claim for compensation or work injury damages is as follows:

- a) the rate of fees for an independent medical examination by general practitioners is set out in Schedule 1,
- b) the rate of fees for an independent medical examination by medical specialists is set out in Schedule 2,
- c) the rate of fees for an independent medical examination by approved medical specialists is set out in Schedule 3, and
- d) the rate of fees for an independent medical examination by approved medical specialists on an appeal panel is set out in Schedule 4.

### **6 GST**

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

## Schedule 1

### Rates for Independent Medical Examination by General Practitioners

Service description	Fee
Examination and report in accordance with the Guidelines -standard case (eg cause of injury only)	\$370
Examination conducted with the assistance of an interpreter and report in accordance with Guidelines – standard case (eg cause of injury only)	\$416.25
Examination and report in accordance with the Guidelines -complex case (e.g multiple injuries, multiple questions and reports to be reviewed)	\$555
Examination conducted with the assistance of an interpreter and report in accordance with Guidelines – complex case (e.g multiple injuries, multiple questions and reports to be reviewed)	\$647.50
Non-attendance or cancellation with less than 7 days notice	\$92.50
File review	\$277.50
Supplementary report where additional information is provided and requested	\$185
Update examination and report of worker previously reviewed, where there is no intervening incident	\$231.25



<b>Service description</b>	<b>Fee</b>
Travel	Reimbursed in accordance with the travelling allowances set out in Table 1 (Allowances) to Part B (Monetary Rates) of the <i>Crown Employees (Public Service Conditions of Employment) Award 2002</i>

## Schedule 2

### Rates for Independent Medical Examination by Medical Specialists

Service description	Fee
Examination and report in accordance with the Guidelines - standard case (eg straight forward permanent impairment assessment, cause of injury only)	\$500
Examination conducted with the assistance of an interpreter and report in accordance with Guidelines – standard case (eg straight forward permanent impairment assessment, cause of injury only)	\$625
ENT includes audiological testing	\$500
Examination and report in accordance with the Guidelines - moderate complexity (eg multiple questions and reports to be reviewed, more complex permanent impairment assessment – more than one body system involved)	\$750
Examination conducted with the assistance of an interpreter and report in accordance with Guidelines – moderate complexity (eg multiple questions and reports to be reviewed, more complex permanent impairment assessment – more than one body system involved)	\$875
Examination and report in accordance with Guidelines – complex case (e.g. multiple injuries, severe impairment assessment e.g. spinal cord injury, head injury).	\$1000

Service description	Fee
Examination and report in accordance with Guidelines – complex case (e.g. multiple injuries, severe impairment assessment e.g. spinal cord injury, head injury) with the assistance of an Interpreter.	\$1250
Examination and report in accordance with the Guidelines – psychiatric	\$875
Non-attendance or cancellation with less than 7 days notice or late attendance by worker or interpreter that prevents full examination being conducted	\$125
File review	\$375
Supplementary report where additional information is provided and requested	\$250
Update examination and report of worker previously reviewed, where there is no intervening incident	\$370
Travel	Reimbursed in accordance with the travelling allowances set out in Table 1 (Allowances) to Part B (Monetary Rates) of the <i>Crown Employees (Public Service Conditions of Employment) Award 2002</i>

### Schedule 3

#### Rates for Approved Medical Specialists

<b>Service description</b>	<b>Fee</b>
Examination and report in accordance with Workers Compensation Commission standards – standard case	\$900
Examination and report in accordance with Workers Compensation Commission standards - multiple medical assessments e.g. for permanent impairment and general medical disputes	\$1200
Ear, nose and throat, includes audiological testing	\$1050
Examination and report in accordance with the Workers Compensation Commission standards -Psychiatric	\$1500
Cancellation -less than 7 calendar days notice	\$300
Non-attendance or cancellation with less than 2 working days notice	\$600
Consolidation of medical assessment certificates from multiple specialists	\$300
Re-examination + medical assessment certificate	\$450
Supplementary medical assessment certificate	\$300

<b>Service description</b>	<b>Fee</b>
When interpreter present at examination	plus \$150
Travel	Reimbursed in accordance with the travelling allowances set out in Table 1 (Allowances) to Part B (Monetary Rates) of the <i>Crown Employees (Public Service Conditions of Employment) Award 2002</i>

## Schedule 4

### Rates for Approved Medical Specialists on Appeal Panels

Service description	Fee
Assessment, telephone conference and decision on papers	\$600
Examination of worker and report by AMS	\$450
Assessment, telephone conference, appeal hearing and decision	\$1350
Additional Hearing when convened by arbitrator	\$250 per hour
Travel	Reimbursed in accordance with the travelling allowances set out in Table 1 (Allowances) to Part B (Monetary Rates) of the <i>Crown Employees (Public Service Conditions of Employment) Award 2002</i>

**WORKCOVER AUTHORITY OF NSW****GUIDELINES ON INDEPENDENT MEDICAL EXAMINATIONS AND REPORTS**

I, Jon Blackwell, the Chief Executive Officer of the WorkCover Authority of New South Wales, under s376 and s331 of the *Workplace Injury Management and Workers Compensation Act 1998*, issue the following Guidelines.

Dated, this 4th day of November 2003.

**JON BLACKWELL**

**Chief Executive Officer**

**WorkCover Authority**

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**WORKCOVER AUTHORITY OF NSW****GUIDELINES ON INDEPENDENT MEDICAL EXAMINATIONS AND REPORTS**

This guideline is issued under s376 and s331 of the *Workplace Injury Management and Workers Compensation Act 1998*. The Guideline also sets out WorkCover's policy in respect of medical examinations and disputes. It is intended to provide guidance for all parties, including referrers, examining doctors and injured workers.

This Guideline will come into effect on the date it is made.

## 1. INTRODUCTION

### **Purpose and scope of the guidelines**

The purpose of the guidelines is to provide the basis for a shared understanding of the role of independent medical examinations in the management of compensable claims and injuries, within the NSW workers compensation system.

This document provides agreed standards for the referral, conduct and reporting of independent medical examinations, as well as provision of feedback and complaints management.

This document is intended for use by those who refer injured workers for independent medical examination, those who provide the service and those who use independent medical examination reports in managing claims and injuries. This document is also intended for use by injured workers. Supplementary material in plain English is provided by WorkCover to address the specific needs of injured workers who have been referred for independent medical examinations. (The AMA/Law Society pamphlet "Understanding Medico-Legal Examinations" and the NSW Medical Board "Guidelines for Medico-Legal Consultations and Examinations" are recommended as supplementary material.)

The Workers Compensation Commission has established its own rules and protocols for referral to, and examination by, an Approved Medical Specialist. The referrals addressed in this document cover referrals by insurers and lawyers involved in the workers compensation system.

### **Definition of Independent Medical Examination**

**"Independent medical examination"** means an impartial assessment based on the best available evidence, that is requested by a worker, worker's solicitor or insurer and undertaken by an appropriately qualified and experienced clinician (who is not in a treating relationship with the worker) for the purposes of providing information to advise workers compensation injury and claims management.



## 2. REFERRAL FOR INDEPENDENT MEDICAL EXAMINATION

Referral for an independent medical examination is appropriate when information from the treating practitioners is inadequate, unavailable or inconsistent and where the referrer has been unable to resolve the issues related to the problem directly with the parties. An independent medical examination is appropriate where the information required relates to:

- contribution of work as a cause of the initial or ongoing condition/injury
- the reasonable necessity of proposed/provided treatment
- prognosis and advice on management of the worker's condition/injury
- fitness for work
- the level of permanent impairment (and associated questions)
- the relationship between the current condition and aggravation/recurrence of pre-existing condition.

### Responsibility of Referrer

Insurers, solicitors and employers refer injured workers to doctors for independent medical examination. The referring person or party has a responsibility to ensure that:

- the referral is made to an appropriate medical practitioner
- all parties are informed of the appointment details of the examination
- the injured worker is provided with an explanation of the nature of the examination and the details of the appointment
- the worker's special needs are catered for, e.g., interpreter, disabled access
- the doctor is provided with clear reasons for referral and all the information relevant to the referral questions
- the examining doctor is paid promptly for providing the service at the rate set out in the Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003.

### Selection of an appropriate medical practitioner for the examination

It is important that the doctor who is selected to provide the independent medical examination is appropriately qualified and has the expertise to competently provide an opinion about the nature of that worker's condition and the impact upon their

normal activities, including work. If the referral is regarding a question of causation or treatment, it is expected that the examining doctor will be in current clinical practice.

The location of the doctor's rooms should be as geographically close to the worker's home address as possible or accessible by direct transport routes. The rooms should contain appropriate facilities including access for people with ambulatory difficulties and accommodate the worker's specific physical needs.

The doctor should be able to provide an appointment within a reasonable time, usually 4 weeks, and a report of the examination within 10 working days, unless different arrangements are agreed by the parties.

The doctor should have no conflict of interest, that is, the doctor should not:

- have provided treatment for the worker or any member of their family
- have or had a pecuniary relationship with the worker or a member of their family
- be related to the worker or a member of their family.

Details of the worker are to be provided at time of referral to facilitate this review of records.

Special requirements of the worker relating to gender, culture or language should be accommodated where possible.

If the worker wishes to have an accompanying person with them at the examination, the doctor's agreement to the presence of a companion should be obtained prior to scheduling of the appointment.

Where it is the doctor's routine practice to record the examination, the worker must be informed of this and be in agreement, prior to the examination being scheduled. The worker must provide consent for the recording of the examination at the time of the examination.

#### **Communication with the selected doctor**

The letter of referral to the doctor must provide clear direction about issues to be resolved. For example, if the issue is about return to work, questions might include:

- Is the worker fit for pre-injury duties?
- If not, why not?
- If not, when will the worker be fit for pre-injury duties?
- If the worker will never be able to return to pre-injury duties, what duties will they be able to return to, and when?

### **Documents to be included**

The doctor must be provided with all the available information that is relevant to the issues to be addressed. Documents should include, but are not limited to, treatment notes, medical certificates, treating practitioner reports, radiological reports, rehabilitation reports, workplace assessment reports, functional assessment reports, details of previous compensation settlements (if relevant), job description, periods of employment with different employers if apportionment is in question, other independent medical reports.

These are to be provided to the doctor at least 3, and preferably 10, days prior to the arranged appointment.

### **Notification and explanation to the worker**

The worker is to be notified at least 10 working days in advance of the scheduled appointment, but preferably as soon as the appointment with the doctor is confirmed.

Advice about the appointment should include:

- the reason for the examination
- the likely duration of the examination
- name and qualifications of the doctor
- date, time and location of the appointment and contact details of the doctor's offices and appropriate travel directions
- the need to be punctual
- what to take (e.g. x-rays, reports of investigations/tests, comfortable clothing to enable an appropriate examination to be conducted)
- how costs are to be paid
- the penalty and liability the worker is likely to incur if they do not attend the scheduled examination, without a reasonable excuse

- that the worker may be accompanied by a person other than their legal representative, however, the accompanying person must not participate in the examination and may be required to withdraw from the examination if the doctor requests it
- whether the travel costs for an accompanying person will be met (this usually only applies if the worker requires an attendant as a result of the injury)
- how complaints are to be managed.

A pamphlet on the intent of the referral to an independent medical practitioner is to be provided to the worker.

Referrers should advise particular requirements in relation to gender, culture etc in advance of the appointment.

### **3. CONDUCT OF AN INDEPENDENT MEDICAL EXAMINATION**

The NSW Medical Board "Guidelines for Medico-Legal Consultations and Examinations" provide principles for the doctor's conduct during the examination.

If the worker provides the doctor with any additional information at the time of the examination, the doctor must note that information in their report.

If the injured worker fails to attend the assessment, the doctor must notify the referrer as soon as possible.

### **4. REPORTING AN INDEPENDENT MEDICAL EXAMINATION**

The suggested format for the report is attached as "Attachment A".

The report is to be written in plain English and accepted medical terminology.

The report is to address the referrer's questions and to include other information elicited during the examination that is relevant to those questions.

The report should be provided to the referrer within 10 working days of the examination.

## **5. CORRECTIONS AND UPDATING OF REPORTS**

Where a report contains an obvious error, the referrer may request the doctor to clarify and correct the report, at no extra cost.

Where the referrer requests that the doctor review additional information which was not previously available in order to provide a supplementary report, that report will attract an additional cost.

The Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003 allows for updating a report, where there has been no intervening incident or re-examination and reporting where there has been an intervening incident.

## **6. COMPLAINTS ABOUT INDEPENDENT MEDICAL EXAMINATIONS**

If the worker has concerns about the conduct of the doctor during the examination, they should raise those issues with the doctor at the time of the examination. The doctor should record the complaint and forward this to the referrer with their report and advise the worker to do likewise.

If the worker does not feel confident enough to do this, the worker should raise their concerns with the referring party as soon as possible after the examination. All insurers have in place a complaints management process.

If the complaint is unable to be satisfactorily resolved, the worker may forward their complaint to WorkCover. WorkCover will advise the doctor of the complaint and provide an opportunity for the doctor to respond to the complaint.

WorkCover may refer the matter to the Health Care Complaints Commission, if it meets the criteria for such referral e.g. more than 5 complaints received within a twelve month period and found to be justified about one doctor, or professional misconduct or fraudulent action are alleged.

The worker may at any time make a complaint to WorkCover, to the insurer or to the Workers Compensation Commission.

## 7. COMPLAINTS ABOUT WORKERS

Doctors should report any unreasonably late or non-attendance by a worker to the referring party. Similarly any inappropriate behaviour or behaviour which impeded the examination should likewise be brought to the notice of the referrer.

## 8. FEES AND PAYMENTS

The referrer will be responsible for payment to the examining practitioner within 10 working days of receipt of the report and invoice.

The rates to be paid are those set out in the Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003 which incorporates issues that impact on the time required to conduct a medical examination and provide a comprehensive and succinct report.

The referrer's liability to pay for a report will be contingent on the report containing the information listed in the standard format.

If it involves an assessment of permanent impairment for an injury after 1 January 2002, the assessment must be in accordance with The WorkCover Guides for the Evaluation of Permanent Impairment.

Use of an interpreter, multiple system injuries and more complex matters will attract a surcharge in addition to the basic fees. These are listed in the Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003.

The Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003 classifies the problems to be addressed into Standard, Moderately Complex and Complex. Definitions of these are:

**Standard** – single question posed or simple permanent impairment assessment involving single body system/single injury, e.g. single digit uncomplicated amputation, back injury.

**Moderately complex** – more than one question posed e.g. attribution of current work and prior injury to worker's condition or a permanent impairment

assessment involving two or more body systems or complex method of assessment e.g. amputation of limb with associated sensory deficit, impairment of joints.

**Complex** – several questions posed e.g. causation, apportionment in accordance with employment history, fitness for work or a permanent impairment assessment involving several body systems or complex injuries in one body region e.g. burns, spinal cord or head injury.

The referrer is to indicate the expected level of complexity on referral and the examining doctor should advise the reason for any difference from this level.

Fees for cancellations, non-attendance or late cancellation by the worker or another party such as an interpreter are included in the Workplace Injury Management and Workers Compensation (Medical Examinations and Reports) Order 2003.

Complaints about patterns of late or non-payment by insurers should be referred to WorkCover for investigation.

## ATTACHMENT A

### REPORT FORMAT

- **Worker's details including:-**
  - date of examination
  - worker's name
  - date of birth/age
  - details of who attended the examination (i.e. interpreter, family member or friend)
- **General history including:-**
  - date of injury
  - brief history of the accident
  - job description/work tasks (when relevant)
- **Clinical history including:-**
  - summary of injuries and diagnoses made
  - summary of all treatment provided
  - details and dates of clinical investigations carried out
  - details of any previous or subsequent accidents, injuries, condition or abnormality
- **Examination findings including:-**
  - list of injuries assessed
  - your findings on comprehensive clinical examination, including negative findings
  - your comments on consistency of presentation and, where appropriate, how this compares to the medical reports and other material sighted
- **Conclusions**
  - Your opinion in relation the worker's condition and the rationale for the opinion
- **Responses to specific questions asked in the letter of referral**
- For **permanent impairment questions** regarding maximum medical improvement, whether the condition has resulted in a permanent impairment and whether any deduction for a pre-existing condition must be addressed.
- For **permanent impairment assessment** a summary table (for example Table 1) and a copy of all calculations must be enclosed.



**Table 1- Whole Person Impairment (WPI)**

<b>Body Part or system</b>	<b>Chapter, page and paragraph number in WorkCover Guides</b>	<b>Chapter, page, paragraph, figure and table numbers in AMA5 Guides</b>	<b>% WPI</b>	<b>% WPI deductions pursuant to S323 for pre-existing injury, condition and abnormality</b>	<b>Sub-total/s % WPI (after any deductions in column 5)</b>
1.					
2.					
3.					
<b>Total % WPI (the Combined Table values of all sub-totals)</b>					

# TENDERS

## Department of Commerce

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### ALBURY CITY COUNCIL

#### Road Naming

NOTICE is hereby given that the Albury City Council pursuant to section 162 (1) of the Roads Act has resolved to change the name of the section of road described below. That section of Burrows Road south of Ryan Road, Glenroy & Albury is renamed as Golflinks Terrace. MARK C. HENDERSON, General Manager, Albury City Council, PO Box 323, Albury, NSW 2640. [0817]

### BEGA VALLEY SHIRE COUNCIL

#### Road Naming

North Bega – Mount Pleasant Road  
Kameruka Locality – Moon Way

NOTICE is hereby given that the Bega Valley Shire Council, pursuant to section 162 (1) of the Roads Act 1993 has named of the following section of roads described hereunder: The section of road extending west from Coopers Gully Road North Bega 200 metres from the Princes Highway to be named Mount Pleasant Road for its full length. Authorised by Council Resolution dated 9th September 2003. The section of un-named roadway extending approximately 250 metres in a south easterly direction off Kemps Lane approximately one kilometre west from its intersection with West Kameruka Road be named Moon Way. Authorised by Council Resolution dated 23th September 2003. D. G. JESSON, General Manager, Bega Valley Shire Council. [0825]

### GRAFTON CITY COUNCIL

#### Notice Under Section 7

#### Roads (General) Regulation 1994

NOTICE is hereby given that Council has formally resolved to rename the section of road running from the Pacific Highway to Swallow Road, South Grafton, previously known as "Lilypool Road" as "Old Lilypool Road. The proposal was advertised for public comment in the Daily Examiner newspaper on 30th August 2003 and no comments were received. RAY SMITH, General Manager, Grafton City Council, PO Box 24, Grafton NSW 2460. [0818]

### MERRIWA SHIRE COUNCIL

#### Roads Act 1993, Section 10 (1)

#### Dedication of Land as Public Road

NOTICE is hereby given by Merriwa Shire Council that pursuant to section 10 (1), Division 1, Part 2 of the Roads Act 1993, the land described in the Schedule below is hereby dedicates as Public Road, Dated at Merriwa, 27th August 2003. N. J. BALDWIN, General Manager, Merriwa Shire Council, PO Box 111, Merriwa, NSW 2329.

## SCHEDULE

Lot 9 in DP 251928.

[0819]

### PARKES SHIRE COUNCIL

#### Local Government Act 1993

#### Land Acquisition (Just Terms Compensation) Act 1991

#### Notice of Compulsory Acquisition of Land

THE Parkes Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of ownership of Main Road 233, the facilitation of water mains and the extension of a public reserve. Dated at Parkes this 4th November 2003. The General Manager, Parkes Shire Council, 2 Cecile Street, Parkes NSW 2870, tel.: 02 6861 2333. [0820]

### PARKES SHIRE COUNCIL

#### Roads Act 1993

#### Land Acquisition (Just Terms Compensation) Act 1991

#### Notice of Compulsory Acquisition of Land

THE Parkes Shire Council declares with the approval of Her Excellency the Governor, that the land described in Schedule 1 below, excluding any mines or deposits of minerals in those lands and excepting the interests in Schedule 2 are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993. The General Manager, Parkes Shire Council, 2 Cecile Street, Parkes NSW 2870, tel.: 02 6861 2333. [0824]

### SOUTH SYDNEY CITY COUNCIL

#### ROADS ACT 1993

#### Part 10 Division 2

#### 377-377A Crown Street, Surry Hills

#### Proposed Lease Of Part Of

PUBLIC NOTICE is hereby given that South Sydney City Council has received a request for the lease to Buds and Bowers, for a period of 5 years, part of the footway adjacent to 377-377A Crown Street, Surry Hills. For the purpose of displaying flowers and plants which are for sale in the adjoining shop. Full particulars of the proposal are shown on Plan No S4-130/664 which is available at Council's Administrative Offices at Tower 2, 1 Lawson Square, Redfern. Any objections to the abovementioned proposal may be lodged with Council in writing within thirty days of the date hereof. MICHAEL WHITAKER, General Manager, South Sydney City Council. [0821]

**ESTATE NOTICES**

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LILLIAN MAY VINE, late of Basin View, in the State of New South Wales, married woman, who died on 19th March 2003, must send particulars of his claim to the executors, Arthur Henry Vine, David Leslie Scutts and Robert James Clark, c.o. Truman Hoyle Lawyers, Level 18, 68 Pitt Street, Sydney, 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 the executors have notice. Probate was granted in New South Wales on 24th October 2003. TRUMAN HOYLE LAWYERS, Level 18, 68 Pitt Street, Sydney, NSW 2000 (DX 263 Sydney) (Reference: DLS(SR)3116). [0826]

**COMPANY NOTICES**

NOTICE of final meeting.—HANLOW PTY LIMITED (AC.N. 002 079 825.—Notice is hereby given that pursuant to section 509 (2) of the Corporations Act 1989, the final meeting of the abovementioned company will be held at 10/646 Sandy Bay Road, Sandy Bay, Tasmania 7005 on the 5th December 2003 for the purpose of laying before the meeting the liquidator's final account and report and giving explanation thereof. Dated 30th October 2003. Andrew John Francis Frith, Liquidator. LEENANE TEMPLETON PTY LTD, Chartered Accountant, Suite 3A, Level 1, 239 King Street, Newcastle NSW 2300, tel.: (02) 4926 2300. [0822]

NOTICE of voluntary winding up.—Corporation Law Section 491 (2).—BERNAMONDE PTY LIMITED, A.C.N. 000 623 576.—Notice is hereby given that at an extraordinary general meeting of the above named company held at 30 Victoria Road, Bellevue Hill NSW 2023, on 30th October 2003, the following special resolution was duly passed "That the company be wound up voluntarily and that Tom York be appointed liquidator for the purpose of winding up the company." Dated 30th October 2003. TOM YORK, Liquidator, c.o. York Lipson & Co. Pty Limited, Level 1, 34 Spring Street, Bondi Junction NSW 2022, tel.: (02) 9389 6088/9369 3633. [0823]

NOTICE of member's final meeting.—GEOCAR PTY LIMITED (In liquidation).—Notice is hereby given that in the terms of section 509 of the Corporations Law a final general meeting of the company will be held at the offices of the Liquidator, 154 Elizabeth Street, Sydney on 9th December 2003, at 9:00 a.m. for the purpose of having laid before it by the Liquidator an account showing how the winding-up has been conducted and the property of the company was disposed. COLIN J. WILSON, Liquidator, c.o. Wilson Porter Services Pty, Level 2, 154 Elizabeth Street, Sydney NSW 2000 (DX 11544, Sydney Downtown), tel.: (02) 9283 4333. [0827]

NOTICE of special resolution.—SUNNY RIDGE (CHAROLAIS) PTY LIMITED (A.C.N. 008 477 209).—At a general meeting of members of Sunny Ridge (Charolais) Pty Limited, duly convened and held at Level 8, 10 Spring Street, Sydney on 31st October 2003, the special resolution set out below was duly passed: "That the company be wound up voluntarily and that Mr David Bouchier Dickson of Level 8, 10 Spring Street, Sydney be appointed liquidator for the purposes of such winding up." Dated this 31st day of October 2003. DAVID B. DICKSON, FCA Liquidator, c.o. David B Dickson & Co., Chartered Accountants, Level 8, 10 Spring Street, Sydney NSW 2000, tel.: (02) 9221 7566. [0828]

NOTICE of final meeting.—VICUNA PTY LIMITED (IN LIQUIDATION) AC.N. 002 895 669.—Notice is hereby given that pursuant to section 509 of the Corporations Act 1989, the final meeting of members of the abovementioned company will be held at the offices of Booth Partners, 52 Osborne Street, Nowra on the 9th December 2003 at 10.30 a.m. for the purpose of laying before the meeting the liquidator's final account and report and giving an explanation thereof. Dated 5th November 2003. Bruce Davis, Liquidator. BOOTH PARTNERS, Certified Practising Accountants, 52 Osborne Street, Nowra NSW 2541, tel.: (02) 4421 4344. [0829]

NOTICE of final meeting.—HAIGHS PIONEER HOLDINGS PTY LIMITED (IN LIQUIDATION) AC.N. 001 573 100.—Notice is hereby given that pursuant to section 509 of the Corporations Act 1989, the final meeting of members of the abovementioned company will be held at the offices of Booth Partners, 52 Osborne Street, Nowra on the 9th December 2003 at 10.30 a.m. for the purpose of laying before the meeting the liquidator's final account and report and giving an explanation thereof. Dated 5th November 2003. David Murphy, Liquidator. BOOTH PARTNERS, Certified Practising Accountants, 52 Osborne Street, Nowra NSW 2541, tel.: (02) 4421 4344. [0830]

Authorised to be printed

R. J. MILLIGAN, Government Printer.