



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

**Legislative Council Office Sydney 25 June 2003**

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

Act No. 11, 2003 - An Act to apply the *Gene Technology Act 2000* and the *Gene Technology (Licence Charges) Act 2000* of the Commonwealth as a law of this State; and for other purposes. [**Gene Technology (New South Wales) Act 2003**]

Act No. 12, 2003 - An Act to enable a moratorium to be imposed on the cultivation of certain genetically modified plants; and for other purposes. [**Gene Technology (GM Crop Moratorium) Act 2003**]

John Evans  
Clerk of the Parliaments

**ACTS OF PARLIAMENT ASSENTED TO****Legislative Assembly Office, Sydney, 30 June 2003**

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

Act No. 13 2003 - An Act to make provision for the operation of the Australian Crime Commission in New South Wales; to repeal the National Crime Authority (State Provisions) Act 1984; and to make consequential amendments to various Acts. [**Australian Crime Commission (New South Wales) Bill**]

Act No. 14 2003 - An Act relating to the constitution, objectives and functions of the Cancer Institute (NSW); to provide for the registration of the New South Wales Cancer Council as a company limited by guarantee and for the repeal of the New South Wales Cancer Council Act 1995; and for other purposes. [**Cancer Institute (NSW) Bill**]

Act No. 15 2003 - An Act to amend the Consumer Credit Administration Act 1995 to make further provision with respect to the regulation of finance broking; to repeal the Credit (Finance Brokers) Act 1984; and for other purposes. [**Consumer Credit Administration Amendment (Finance Brokers) Bill**]

Act No. 16 2003 - An Act to amend the Gaming Machines Act 2001 to make further provision with respect to the requirement to shut down gaming machines in hotels and registered clubs for certain periods. [**Gaming Machines Amendment (Shutdown Periods) Bill**]

Act No. 17 2003 - An Act to dissolve Pacific Power and to constitute the Residual Business Management Corporation to manage the residual assets, rights and liabilities of Pacific Power; to provide for other consequential matters; and for other purposes. [**Pacific Power (Dissolution) Bill**]

Russell D. Grove PSM  
Clerk of the Legislative Assembly

## Proclamations

### Crimes Legislation Amendment Act 2002 No 130—Proclamation

#### Erratum

The Proclamation under the Crimes Legislation Amendment Act 2002 No 130 published in Government Gazette No 104 of 27 June 2003, page 5974 was published in error. The correct Proclamation is published in full below.



## Proclamation

under the

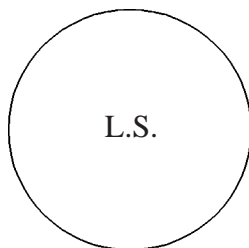
Crimes Legislation Amendment Act 2002 No 130

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Crimes Legislation Amendment Act 2002*, do, by this my Proclamation, appoint 7 July 2003 as the day on which Schedule 6 to that Act commences.

Signed and sealed at Sydney, this 2nd day of July 2003.

By Her Excellency's Command,



BOB DEBUS, M.P.,  
Attorney General

GOD SAVE THE QUEEN!

#### Explanatory note

The object of this Proclamation is to commence uncommenced provisions of the *Crimes Legislation Amendment Act 2002* relating to criminal procedure, as a consequence of the commencement of the *Criminal Procedure Amendment (Justices and Local Courts) Act 2001*.

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## Regulations

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### Coal Mines Amendment Regulation 2003

under the

Coal Mines Regulation Act 1982

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Coal Mines Regulation Act 1982*.

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

#### Explanatory note

The objects of this Regulation are:

- (a) to amend the *Coal Mines (General) Regulation 1999* to clarify existing provisions dealing with mine safety management plans and safety notices for electrical switchgear, and
- (b) to amend the *Coal Mines (Investigation) Regulation 1999* to apply the Regulation to declared plants, to insert an extended definition of the term *inspector* and to make other minor amendments, and
- (c) to amend the *Coal Mines (Open Cut) Regulation 1999* to ensure that the requirement for flexible cables to be referenced to earth applies only to mobile apparatus, and
- (d) to amend the *Coal Mines (Underground) Regulation 1999* to restrict the employment of minors underground at a mine in accordance with ILO Convention No 138 and to clarify the intent of certain other provisions.

The Regulation is made under the *Coal Mines Regulation Act 1982*, including section 174 (the general regulation-making power).

Clause 1 Coal Mines Amendment Regulation 2003

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## Coal Mines Amendment Regulation 2003

### 1 Name of Regulation

This Regulation is the *Coal Mines Amendment Regulation 2003*.

### 2 Commencement

- (1) Subject to subclause (2), this Regulation commences 3 months after it is published in the Gazette.
- (2) Schedule 2 [3] and [4] commence on the day that Schedule 1 [2] to the *Mining Legislation Amendment (Health and Safety) Act 2002* commences.

### 3 Amendment of Coal Mines (General) Regulation 1999

The *Coal Mines (General) Regulation 1999* is amended as set out in Schedule 1.

### 4 Amendment of Coal Mines (Investigation) Regulation 1999

The *Coal Mines (Investigation) Regulation 1999* is amended as set out in Schedule 2.

### 5 Amendment of Coal Mines (Open Cut) Regulation 1999

The *Coal Mines (Open Cut) Regulation 1999* is amended as set out in Schedule 3.

### 6 Amendment of Coal Mines (Underground) Regulation 1999

The *Coal Mines (Underground) Regulation 1999* is amended as set out in Schedule 4.

Coal Mines Amendment Regulation 2003

Amendment of Coal Mines (General) Regulation 1999

Schedule 1

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## **Schedule 1 Amendment of Coal Mines (General) Regulation 1999**

(Clause 3)

### **[1] Clause 7 Mine safety management plans**

Omit “mine managers” from clause 7 (2) (d).  
Insert instead “the mine manager”.

### **[2] Clause 29 Safety notices for electrical switchgear**

Insert at the end of clause 29:

- (2) In subclause (1), fixed electrical switchgear does not include light switches, control switches and belt stop switches.

Coal Mines Amendment Regulation 2003

Schedule 2 Amendment of Coal Mines (Investigation) Regulation 1999

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## Schedule 2 Amendment of Coal Mines (Investigation) Regulation 1999

(Clause 4)

### [1] Clause 3 Application

Omit “and underground mines”.

Insert instead “, underground mines and declared plants”.

### [2] Clause 4 Definitions

Insert in alphabetical order in clause 4 (1):

*declared plant* means a coal preparation plant declared by an order in force under section 145B of the Act to be suitable for management separately from a mine.

*inspector* includes an engineering inspector.

### [3] Clause 8 Participation in investigations by district check inspector and mining company representative

Insert “or the *Occupational Health and Safety Act 2000*” after “exercising functions under the Act” in clause 8 (1).

### [4] Clause 8 (3)

Omit the definition of *inspector*. Insert instead:

*inspector* includes the following:

- (a) a mine safety officer,
- (b) an investigator,
- (c) an inspector appointed under section 47A of the *Occupational Health and Safety Act 2000*,
- (d) an engineering inspector.

Coal Mines Amendment Regulation 2003

Amendment of Coal Mines (Open Cut) Regulation 1999

Schedule 3

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### **Schedule 3    Amendment of Coal Mines (Open Cut) Regulation 1999**

(Clause 5)

#### **Clause 19 Earthing of electrical equipment**

Omit “any connection to earth is” from clause 19 (2).

Insert instead “any mobile apparatus fed via flexible cables at the mine is referenced to earth”.



Coal Mines Amendment Regulation 2003

Schedule 4 Amendment of Coal Mines (Underground) Regulation 1999

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## **Schedule 4 Amendment of Coal Mines (Underground) Regulation 1999**

(Clause 6)

### **[1] Clause 7A**

Insert after clause 7:

#### **7A Age restriction on employment underground at a mine**

- (1) A person must not employ a person under the age of 16 years underground at a mine.
- (2) A person may employ a minor who is at least 16 years old underground at a mine only if the minor is receiving specific instruction or vocational training in relation to working underground at a mine.

### **[2] Clause 34 Notification of dangerous occurrences**

Omit clause 34 (1) (g).

### **[3] Clause 34 (2) and (3)**

Omit the subclauses.

### **[4] Clauses 34A and 34B**

Insert after clause 34:

#### **34A Notifiable incidents**

- (1) For the purposes of this clause, the following incidents are notifiable incidents:
  - (a) an electric shock to a person from a source that is above extra low voltage (as defined in AS/NZS 3000:2000, *Electrical Installations* (known as the Australian/New Zealand Wiring Rules)),
  - (b) an unplanned movement of a vehicle, machine or any item of plant or equipment such as to endanger persons or cause serious property damage,

Coal Mines Amendment Regulation 2003

Amendment of Coal Mines (Underground) Regulation 1999

Schedule 4

- 
- (c) a failure or collapse of any structure such as to endanger persons or property.
  - (2) If a notifiable incident occurs at a mine, the mine manager must ensure that the district inspector and the district check inspector are:
    - (a) notified of the incident immediately (in the form and the manner specified, if any), and
    - (b) given an accurate description of the nature of the incident.
  - (3) The scene of the notifiable incident must be left undisturbed for 24 hours after the incident's occurrence (unless both the district inspector and the district check inspector earlier release the scene).
  - (4) Subclause (3) does not prevent reasonable measures being taken to secure health or safety at the scene of the notifiable incident.
  - (5) As soon as practicable after the notifiable incident's occurrence, the mine manager must ensure that:
    - (a) an investigation is carried out to establish the circumstances and cause of the incident, and
    - (b) a report (in the form and manner specified, if any) on the results of the investigation is submitted to the district inspector and district check inspector.
  - (6) In this clause, *serious property damage* means property damage that, in the opinion of the mine manager concerned, is serious property damage.

**34B Notification of other incidents**

- (1) A mine manager must report the following incidents to the district inspector and district check inspector within 24 hours of the manager's becoming aware of the occurrence of the incident:
  - (a) an event that occurs in a hazardous zone and leaves visible evidence on an electric cable of arcing having occurred,
  - (b) an unplanned fall of roof or sides of a mine that impedes passage or disrupts mine ventilation,

## Coal Mines Amendment Regulation 2003

## Schedule 4

## Amendment of Coal Mines (Underground) Regulation 1999

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- (c) a windblast that results in injuries requiring first-aid treatment,
  - (d) the entrapment of a continuous miner by a fall of roof or sides such that it is unable to be recovered under its own tractive effort,
  - (e) the entrapment of a breaker line support by a fall of roof such that it is unable to be recovered under its own tractive effort,
  - (f) a creep, progressive pillar collapse or significant deviation from predicted surface subsidence,
  - (g) the in-service failure of the explosion protection characteristic of explosion protected apparatus located in a hazardous zone.
- (2) A form may be specified for the purposes of subclause (1) and, if a form is specified, a report must be in that form and contain such details as may be specified.

**[5] Clause 62 Operation of transport**

Omit clause 62 (4) (c). Insert instead:

- (c) for maintenance purposes, and then only for the shortest practicable time.

**[6] Clause 68 Controlling hazards arising from inspecting, maintaining, repairing, refuelling and charging transport**

Omit clause 68 (1). Insert instead:

- (1) A mine manager must ensure that adequate precautions are taken to control hazards that may arise from the inspection, maintenance, repair or refuelling of, or charging of batteries in, transport underground at a mine.
- (1A) Every place that is used for the regular repair, refuelling or charging of transport underground at a mine is a garage for the purposes of this clause.

**[7] Clause 85 Special ventilation required at certain places**

Omit "Part 12" from clause 85 (2). Insert instead "Part 11".

Coal Mines Amendment Regulation 2003

Amendment of Coal Mines (Underground) Regulation 1999

Schedule 4

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**[8] Clause 115 Establishment of fire depots at a mine**

Omit clause 115 (3) (a). Insert instead:

- (a) at least 90 metres of fire hose and appropriate fittings or, if the depot is at or the nearest depot to a working face, sufficient hose and fittings to allow a fire at the face to be effectively fought,

**[9] Clause 115A**

Insert after clause 115:

**115A Protection of belt conveyors**

Sufficient fire hose and appropriate fittings must be available to fight a fire on any part of a belt conveyor.

**[10] Clause 125 Fire resistant fluids**

Insert “filled” after “oil” in clause 125 (b).

**[11] Clause 133 Definitions**

Omit the definition of *portable electrical apparatus* from clause 133 (1).

Insert instead:

*portable electrical apparatus* means electrical apparatus capable of being carried manually while it is being used but does not include a caplamp.

**[12] Clause 139 Explosion protection**

Omit clause 139 (3) (b). Insert instead:

- (b) any electrical explosion protected apparatus used at the mine is designed, installed, commissioned, operated, maintained and decommissioned in a way that ensures the risk of internal electrical faults compromising the explosion protected properties of the apparatus is minimised, and

## Coal Mines Amendment Regulation 2003

Schedule 4 Amendment of Coal Mines (Underground) Regulation 1999

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**[13] Clause 139 (5)**

Omit the subclause. Insert instead:

- (5) Subclause (1) does not apply to:
  - (a) an approved caplamp, or
  - (b) portable electrical apparatus.

**[14] Clause 140 Requirements for electrical apparatus**

Omit “Australian Standard 2595 (*Electrical equipment for coal mines—Electrical requirements for underground mining machines and accessories*)” from clause 140 (2).

Insert instead “AS/NZS 4871.1:2002, *Electrical equipment for coal mines for use underground—General Requirements*, AS/NZS 4871.1:2002, *Electrical equipment for coal mines for use underground, Part 4: Mains powered electrical mobile machines* or AS/NZS 4871.1:2002, *Electrical equipment for coal mines, for use underground, Part 5: Battery powered electrical mobile machines*”.

**[15] Clause 141 Requirements for electric cables**

Insert after clause 141 (2):

- (3) This clause does not apply to or in respect of electric cables used solely for intrinsically safe circuits.

**[16] Clause 142 Earthing of electrical equipment**

Insert “for all mains-fed electrical equipment underground at the mine” after “ensure that” in clause 142 (2).

**[17] Clause 142 (2) (a)**

Omit “connection”. Insert instead “reference”.

**[18] Clause 145 Batteries**

Omit “equipment” from clause 145 (1). Insert instead “transport”.

**[19] Clause 145 (2)**

Omit “a vehicle”. Insert instead “transport underground”.

Coal Mines Amendment Regulation 2003

Amendment of Coal Mines (Underground) Regulation 1999

Schedule 4

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**[20] Clause 145 (3)**

Omit the subclause. Insert instead:

- (3) Without affecting the generality of subclause (2), a mine electrical engineer must ensure that:
- (a) any battery or battery container used on transport in a hazardous zone underground at the mine complies with the requirements of AS/NZS 4871.1:2002, *Electrical equipment for coal mines, for use underground, Part 5: Battery powered electrical mobile machines*, and
  - (b) the container of every battery on transport is lined inside with a layer of insulating material and all material used within the container (including the battery enclosure) is non-flammable, and
  - (c) there is no movement of any battery within its container and every battery container has been designed and is maintained to dissipate expeditiously any hydrogen that may be given off by the battery.

**[21] Clause 145 (4)**

Omit “a vehicle”. Insert instead “transport”.

**[22] Clause 145 (6)**

Omit “battery-charging station at a mine”.

Insert instead “place underground at a mine used for battery-charging”.

**[23] Clause 145 (6)**

Omit “the station”. Insert instead “the place”.

**[24] Clause 146 Facilities for maintenance**

Omit “flexible cable” from clause 146 (1).

Insert instead “trailing, reeling or feeder cable (as defined in AS 1747–1993, *Reeling, trailing and feeder cables used for mining—Repair and testing*)”.

## Coal Mines Amendment Regulation 2003

Schedule 4      Amendment of Coal Mines (Underground) Regulation 1999

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**[25] Clause 177 Reduction of levels of incombustible content of roadway dust in certain circumstances**

Omit “clause 176” from clause 177 (5).

Insert instead “clause 176 (1) (a) or (b)”.

**[26] Clause 180 Explosion barriers and other explosion suppression measures in roadways**

Insert at the end of clause 180:

- (5) For the purposes of this clause, an explosion barrier is taken to have been installed in a part of a roadway if the inbye part of the barrier is in the part of the roadway.



# Home Building Amendment (Insurance) Regulation 2003

under the

Home Building Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Home Building Act 1989*.

JOHN DELLA BOSCA, M.L.C.,  
Minister for Commerce

## Explanatory note

The object of this Regulation is to amend the *Home Building Regulation 1997* to create a temporary exemption (until the end of December 2003) from requirements arising under sections 92B and 93B of the *Home Building Act 1989*. Those sections (which commenced on 30 May 2003) operate to extend the coverage of contracts of insurance with respect to residential building work or kit home supply in certain circumstances.

The exemption will apply to contracts of insurance entered into during the exemption period, and residential building work or the supply of a kit home during the exemption period (no matter when the relevant contract of insurance was entered into).

This Regulation is made under the *Home Building Act 1989*, including section 140 (2) (k) (the power to prescribe exemptions from requirements of the Act) and clause 2 of Schedule 4 (the savings and transitional regulation-making power).



Clause 1 Home Building Amendment (Insurance) Regulation 2003

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## **Home Building Amendment (Insurance) Regulation 2003**

under the

Home Building Act 1989

### **1 Name of Regulation**

This Regulation is the *Home Building Amendment (Insurance) Regulation 2003*.

### **2 Amendment of Home Building Regulation 1997**

The *Home Building Regulation 1997* is amended as set out in Schedule 1.

Home Building Amendment (Insurance) Regulation 2003

Amendment

Schedule 1

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## Schedule 1 Amendment

(Clause 2)

### Clause 57BB

Insert after clause 57BA:

#### **57BB Temporary exemption from section 92B and 93B requirements**

- (1) A contract of insurance is exempt from a requirement arising under section 92B of the Act that the operation of the contract be extended to residential building work done at the address stated in the certificate of insurance, but this exemption applies only in respect of:
  - (a) a contract of insurance entered into in the period commencing on the commencement of this clause and ending at the end of December 2003, and
  - (b) residential building work done or to be done in the period commencing on the commencement of this clause and ending at the end of December 2003 (no matter when the contract of insurance concerned was entered into).
- (2) A contract of insurance is exempt from a requirement arising under section 93B of the Act that the operation of the contract be extended to the supply of any kit home at the address stated in the certificate of insurance, but the exemption applies only in respect of:
  - (a) a contract of insurance entered into in the period commencing on the commencement of this clause and ending at the end of December 2003, and
  - (b) the supply of a kit home during the period commencing on the commencement of this clause and ending at the end of December 2003 (no matter when the contract of insurance concerned was entered into).



# Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2003

under the

Local Government Act 1993

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

ANTHONY BERNARD KELLY, M.L.C.,  
Minister for Local Government

## Explanatory note

The object of this Regulation is to amend the *Local Government (Rates and Charges) Regulation 1999* to increase, from \$319 to \$342, the maximum amount that a council may determine to be the minimum amount of an ordinary rate without obtaining special Ministerial approval.

This Regulation is made under the *Local Government Act 1993*, including sections 548 (3) (a) and 748 (the general power to make regulations).

Clause 1            Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2003

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## **Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2003**

under the

Local Government Act 1993

### **1 Name of Regulation**

This Regulation is the *Local Government (Rates and Charges) Amendment (Minimum Amounts of Rates) Regulation 2003*.

### **2 Amendment of Local Government (Rates and Charges) Regulation 1999**

The *Local Government (Rates and Charges) Regulation 1999* is amended by omitting “\$319” from clause 10 and inserting instead “\$342”.



## Status of Children Regulation 2003

under the

Status of Children Act 1996

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

BOB DEBUS, M.P.,  
Attorney General

### Explanatory note

The object of this Regulation is to remake, without changes in substance, the provisions of the *Status of Children Regulation 1998*, which is to be repealed under the *Subordinate Legislation Act 1989* on 1 September 2003.

This Regulation contains provisions relating to the following:

- (a) parentage testing procedures and reports on such procedures (Part 2),
- (b) the form in which an acknowledgment of paternity is to be made and the persons who may witness such an acknowledgment (clause 19),
- (c) the persons (in addition to those specified in section 21 (1) of the Act) who can apply to the Supreme Court for declarations of parentage (clause 20),
- (d) matters of a savings and transitional nature.

This Regulation is made under the *Status of Children Act 1996*, including sections 3 (1), 19 (1) (a) and (b), 21 (1) (e), 33 (2) (c) and 36 (the general regulation-making power).

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

Status of Children Regulation 2003

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Status of Children Regulation 2003

Clause 1

Preliminary

Part 1

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## Status of Children Regulation 2003

under the

Status of Children Act 1996

### Part 1 Preliminary

#### 1 Name of Regulation

This Regulation is the *Status of Children Regulation 2003*.

#### 2 Commencement

This Regulation commences on 1 September 2003.

**Note.** This Regulation replaces the *Status of Children Regulation 1998* which is repealed on 1 September 2003 under section 10 (2) of the *Subordinate Legislation Act 1989*.

#### 3 Definitions

(1) In this Regulation:

***accredited laboratory*** means a laboratory accredited by NATA to carry out parentage testing procedures.

***court registrar***, in relation to proceedings for a parentage testing order, means the registrar of the Division of the Supreme Court in which the proceedings were heard.

***donor*** means the person required to provide a bodily sample for the purposes of a parentage testing procedure.

***HLA*** means human leucocyte antigen.

***NATA*** means the National Association of Testing Authorities, Australia.

***nominated reporter*** means the person nominated by an accredited laboratory to prepare a report relating to the information obtained as a result of carrying out a parentage testing procedure.

***putative parent*** means a person who claims to be, or whom another person claims is, a parent of a child.

Clause 3 Status of Children Regulation 2003

Part 1 Preliminary

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**report** means a report prepared in accordance with clause 18.

**representative** means, subject to subclause (4):

- (a) in relation to a donor under the age of 18 years—a parent or guardian of the donor, or
- (b) in relation to a donor who has a disability:
  - (i) a trustee or manager in relation to the donor under a law of the State or Territory whose laws apply to that person, or
  - (ii) a person who is legally responsible for the care, welfare and development of the donor.

**sample** means a sample taken from a donor for the purposes of a parentage testing procedure.

**sampler** means a person who takes (or proposes to take) a bodily sample from a donor for the purposes of a parentage testing procedure.

**testing** means the implementation, or any part of the implementation, of a parentage testing procedure.

**the Act** means the *Status of Children Act 1996*.

- (2) In relation to any requirement of this Regulation imposed on or in relation to a donor, a reference to a donor who is suffering from a disability is a reference to a donor who has a disability described in section 5 (1) of the *Disability Services Act 1993*:
  - (a) that results in the donor lacking the legal capacity to comply with or consent to the requirement (as the case may be), or
  - (b) that otherwise prevents the donor from being able to comply with the requirement or consent to it being carried out (as the case may be).
- (3) In this Regulation, a reference to a Form is a reference to a form set out in Schedule 1.
- (4) The Supreme Court may appoint a person to be the representative of a donor for the purposes of this Regulation in relation to a particular matter if the Court is satisfied that there is no other representative who is available or who is suitable in the circumstances.
- (5) Notes included in this Regulation do not form part of this Regulation.



Status of Children Regulation 2003

Clause 4

Parentage testing procedures and reports

Part 2

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## **Part 2 Parentage testing procedures and reports**

### **Division 1 General**

#### **4 Application of Part**

This Part applies to a parentage testing procedure that is required to be carried out on a person under a parentage testing order.

#### **5 Parentage testing procedures**

For the purposes of the definition of *parentage testing procedure* in section 3 (1) of the Act, the following medical procedures are prescribed:

- (a) a red cell antigen blood grouping,
- (b) a red cell enzyme blood grouping,
- (c) HLA tissue typing,
- (d) testing for serum markers,
- (e) DNA typing.

#### **6 Compliance with this Regulation**

A parentage testing procedure is taken to be carried out in accordance with this Regulation only if:

- (a) it is carried out:
  - (i) in compliance with Divisions 2 and 3, and
  - (ii) at an accredited laboratory, and
  - (iii) in accordance with the standards of practice that entitle a laboratory to be accredited by NATA, and
- (b) if a bodily sample is taken as part of the procedure—the sample is taken by a qualified person within the meaning of section 33 of the Act, and
- (c) it is supplemented by a report under Division 4.

### **Division 2 Preliminary notices to be sent**

#### **7 Parties to notify court of authorised sampler**

Unless the Supreme Court gives a direction nominating a particular sampler, the parties to proceedings in which the Court has made a parentage testing order must notify the court registrar, within the

Clause 8 Status of Children Regulation 2003

Part 2 Parentage testing procedures and reports

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period and in the manner specified by the Court, of the name and address of the sampler who is to take the bodily samples for the purpose of giving effect to the Court's order.

### **8 Court to notify accredited laboratory of certain matters**

- (1) On receiving a notice under clause 7, the court registrar:
  - (a) must decide which accredited laboratory the bodily samples are to be sent to, and
  - (b) must notify the person in charge of the accredited laboratory of the decision.
- (2) The notice referred to in subclause (1) (b) must contain the following information:
  - (a) the number of the proceedings in the Supreme Court,
  - (b) the name of the donor to whom the parentage testing order relates,
  - (c) the purpose of the testing,
  - (d) the name and business or work address of the sampler,
  - (e) the qualifications of the sampler, in terms of section 33 (2) of the Act, to be a sampler,
  - (f) the date the order was made,
  - (g) the period within which the bodily samples are to be taken,
  - (h) the name of the donor's representative if the donor is under the age of 18 years or is suffering from a disability.

### **9 Laboratory to notify sampler of certain matters**

- (1) On receiving a notice under clause 8, the person in charge of the laboratory must notify the sampler of the following matters:
  - (a) the number of the proceedings in the Supreme Court,
  - (b) the name of the donor to whom the parentage testing order relates,
  - (c) the purpose of the testing,
  - (d) the date the order was made,
  - (e) the period within which the bodily samples are to be taken,
  - (f) the address to which the bodily samples are to be sent,
  - (g) the name of the donor's representative if the donor is under the age of 18 years or is suffering from a disability.

Status of Children Regulation 2003

Clause 10

Parentage testing procedures and reports

Part 2

- 
- (2) The person in charge of the laboratory must also send to the sampler:
- (a) instructions for taking the bodily samples, and
  - (b) sufficient disposable containers and sufficient insulated packages for storing and transporting the bodily samples, and
  - (c) a label for each container and package.
- (3) The person in charge of the laboratory must ensure that all containers referred to in subclause (2) (b) are:
- (a) pre-sterilised, and
  - (b) capable of being sealed in such a manner that, if opened after being sealed, that fact would be evident on inspecting the container.
- (4) The person in charge of the laboratory need not comply with the requirements of subclauses (2) and (3) if the person is reasonably satisfied that:
- (a) the sampler has the requisite instructions, disposable containers, insulated packages and labels referred to in subclause (2) (a)–(c) to use in relation to the sample, and
  - (b) the disposable containers to be used by the sampler are:
    - (i) pre-sterilised, and
    - (ii) capable of being sealed in such a manner that, if opened after being sealed, that fact would be evident on inspecting the container.

### **Division 3      Collection, storage and testing of samples**

#### **10    Provision of information by donor or representative—Forms 1–4**

- (1) A sampler must not take a bodily sample from a donor unless the donor has:
- (a) completed an affidavit in accordance with Form 1, and
  - (b) either:
    - (i) provided to the sampler a recent photograph of the donor, measuring approximately 45 millimetres by 35 millimetres, that shows a full face view of the donor's head and the donor's shoulders against a plain background, or
    - (ii) made a written arrangement with the sampler for a photograph of that kind to be taken.

Clause 11 Status of Children Regulation 2003

Part 2 Parentage testing procedures and reports

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- (2) Immediately before the sampler takes a bodily sample from the donor, the donor must complete a declaration in accordance with Form 2.
- (3) An affidavit, declaration or written arrangement referred to in this clause:
  - (a) if the donor is under the age of 18 years—may be completed by the person's representative, or
  - (b) if the donor is a person who is suffering from a disability—must be completed by the person's representative.
- (4) If the donor's representative completes:
  - (a) an affidavit referred to in this clause, the affidavit must be completed in accordance with Form 3, or
  - (b) a declaration referred to in this clause, the declaration must be completed in accordance with Form 4.

#### **11 Collection of blood samples**

- (1) A sampler may take a sample of blood from a donor only with a needle or syringe that:
  - (a) has not been used, and
  - (b) is sterile, and
  - (c) is disposable.
- (2) Before taking a sample of blood from a donor, the sampler must ensure that the area of the donor's skin into which the needle is to be inserted to withdraw the blood has been cleaned with an antiseptic.

#### **12 Restrictions on taking of blood samples**

A sampler must not take a sample of blood from a donor:

- (a) if a declaration has not been completed in accordance with clause 10, or
- (b) if the sampler believes that the donor has, within the previous 6 months, been transfused with blood or a blood product that may have affected the constitution of the donor's blood with regard to inheritable components, or
- (c) if, in the sampler's opinion, blood tests on a blood sample taken at the time proposed for the taking of the sample could not effectively be carried out for the purposes of the parentage testing order, or

Status of Children Regulation 2003

Clause 13

Parentage testing procedures and reports

Part 2

- 
- (d) if, in the sampler's opinion, the taking of a blood sample at the time proposed for the taking of the sample might have an adverse effect on the health of the donor.

### **13 Collection of bodily samples for DNA typing**

- (1) This clause applies to the taking of a bodily sample (other than a blood sample) from a donor for the purposes of a parentage testing procedure that is DNA typing.
- (2) A sampler must not take a bodily sample from a donor with a swab unless the swab:
- (a) has not been used for any purpose, and
  - (b) is sterile.
- (3) A sampler must not take a bodily sample from a donor that is a skin scraping or hair root unless the implement used by the sampler to take the sample is sterile.

### **14 Container to be sealed and labelled**

- (1) If a bodily sample is taken from a donor, the sampler must ensure that:
- (a) the sample is placed in a container:
    - (i) immediately after it is taken, and
    - (ii) in the presence of the donor, and
  - (b) the container has not previously been used for any purpose, and
  - (c) the container is sealed in a way that, if it were opened after being sealed, that fact would be evident on inspection of the container, and
  - (d) the container is labelled in a way that:
    - (i) if the label, or part of the label, were removed, or
    - (ii) if the writing on the label were impaired by alteration or erasure,the removal of the label or the impairment would be evident on inspection of the container, and
  - (e) the particulars on the label are inscribed in ink and include:
    - (i) the full name of the donor, and
    - (ii) the date of birth and sex of the donor, and
    - (iii) the date and time at which the sample was taken, and

Clause 15 Status of Children Regulation 2003

Part 2 Parentage testing procedures and reports

---

- (f) the label inscribed with the particulars referred to in paragraph (e) is signed in ink by the sampler and the donor.
- (2) If the donor is a person under the age of 18 years, the procedure specified in subclause (1) (a) and (f) may be completed in the presence of the person's representative.
- (3) If the donor is a person who is suffering from a disability:
  - (a) the procedure specified in subclause (1) (a) must be completed in the presence of the person's representative, and
  - (b) the procedure specified in subclause (1) (f) is taken to have been complied with only if the label is signed by the person's representative.

#### **15 Statement by sampler—Form 5**

- (1) After taking a bodily sample from a donor, the sampler must:
  - (a) complete a statement in accordance with Form 5, and
  - (b) affix the photograph of the donor referred to in clause 10 to that statement, and
  - (c) sign his or her name partly on the photograph and partly on the statement in a way that, if the photograph were later removed from the statement, the removal would be evident from inspection of the statement.
- (2) The sampler must send the statement referred to in subclause (1) to the laboratory that is to test the sample at the same time as the sample.
- (3) A sampler who does not or is unable to take a bodily sample from a donor:
  - (a) must forward written reasons for not doing so to the court registrar, and
  - (b) must notify the accredited laboratory selected by the court registrar under clause 8 (1) that the sample was not taken.

#### **16 Packing and storage requirement**

- (1) A bodily sample is to be packed, stored and transported to a laboratory for testing in a manner that:
  - (a) will preserve the integrity of the sample, and

Status of Children Regulation 2003

Clause 17

Parentage testing procedures and reports

Part 2

- 
- (b) ensures that the testing of the sample will produce the same results as would have been obtained if the sample had been tested immediately after collection.
  - (2) The sampler must ensure that the following documents are sent to the laboratory with the sample:
    - (a) the affidavit completed under clause 10,
    - (b) the declaration completed under clause 10,
    - (c) the statement completed under clause 15 (1).

#### **17 Testing of bodily samples**

- (1) A laboratory to which a bodily sample has been sent for testing must ensure that the testing is completed:
  - (a) if the proposed testing procedure is red cell antigen blood grouping, red cell enzyme blood grouping or testing for serum markers—within 6 days after the sample is taken, or
  - (b) if the proposed testing procedure is HLA tissue typing—within 3 days after the sample is taken, or
  - (c) if the proposed testing procedure is DNA typing—within a reasonable time after the sample is taken.
- (2) If the proposed parentage testing procedure is red cell enzyme blood grouping or testing for serum markers, subclause (1) (a) is complied with if a dried sample of the bodily sample to be tested is prepared within 6 days after the sample is taken from the donor.

### **Division 4 Reports**

#### **18 Reports—Form 6**

- (1) A report must be prepared in accordance with this clause relating to the information obtained as a result of carrying out a parentage testing procedure.
- (2) The report must be in accordance with Form 6.
- (3) Part 1 of the report must be completed by the nominated reporter identified in the report.
- (4) Part 2 of the report must be completed by:
  - (a) the person who carried out the parentage testing procedure, or

Clause 18      Status of Children Regulation 2003

Part 2          Parentage testing procedures and reports

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- (b) the person under whose supervision the parentage testing procedure was carried out.
- (5) A nominated reporter must send the report to the court registrar, together with the documents referred to in clause 16 (2).



Status of Children Regulation 2003

Clause 19

Miscellaneous

Part 3

---

## Part 3 Miscellaneous

### 19 Paternity acknowledgments—Form 7

- (1) For the purposes of section 19 (1) (a) of the Act, the prescribed form of an instrument acknowledging paternity of a child is Form 7.
- (2) For the purposes of section 19 (1) (b) of the Act, the following classes of persons are prescribed:
  - (a) solicitors within the meaning of the *Legal Profession Act 1987*,
  - (b) officers of the Registry of Births, Deaths and Marriages nominated for the time being by the Registrar for the purposes of this paragraph.

### 20 Applications for declarations by the Supreme Court of paternity or maternity

For the purposes of section 21 (1) (e) of the Act, the following persons are prescribed persons:

- (a) the Public Trustee,
- (b) private trustee companies,
- (c) an executor, trustee or administrator of an estate.

### 21 Persons prescribed as “qualified persons” under section 33 of the Act

For the purposes of section 33 (2) (c) of the Act, persons employed by a hospital, pathology practice, parentage testing practice or a medical practitioner for the purpose of taking a bodily sample from a donor are prescribed as qualified persons.

### 22 Savings

Any act, matter or thing that had effect under the *Status of Children Regulation 1998* immediately before the commencement of this Regulation is taken to have effect under this Regulation.

## Status of Children Regulation 2003

## Schedule 1 Forms

**Schedule 1 Forms**

(Clauses 10, 15, 18 and 19)

**Form 1 Parentage testing procedure affidavit by donor**

(Status of Children Act 1996)

(Clause 10 (1) (a))

(This form is to be completed if the deponent is the donor)

Name of child whose parentage is in issue: .....

- 1 I, (*name*), of (*address*), (*occupation*) \*make oath and say/\*affirm:
- 2 My racial background is (*give details*).
- 3 In the last 2 years:
  - (a) I \*have/\*have not suffered from leukaemia.
  - (b) I \*have/\*have not received a bone marrow transplant.
- \*4 The particulars of the \*leukaemia/\*bone marrow transplant are as follows: (*give particulars*)
- 5 I \*have/\*have not received a transfusion of blood or a blood product within the last 6 months.
- \*6 The particulars of the transfusion of blood or blood product are as follows: (*give particulars*)

\*SWORN/\*AFFIRMED by the

deponent at

on 20 .

.....

*(Signature of deponent)*

Before me:

.....

*(Signature of person before whom the affidavit is sworn or affirmed)*

\*Delete if not applicable.

**Form 2 Parentage testing procedure declaration by donor**

(Status of Children Act 1996)

(Clause 10 (2))

(This form is to be completed if the person making the declaration is the donor)

I, (*name*), of (*address*), (*occupation*), declare that I \*have/have not received a transfusion of blood or a blood product since I signed the affidavit required by clause 10 (1) (a) of the *Status of Children Regulation 2003* in respect of the parentage testing procedure.

Status of Children Regulation 2003

Forms

Schedule 1

Dated 20 .

.....  
(Signature of person completing declaration)

*\*Delete if not applicable.*

**Form 3 Parentage testing procedure affidavit by representative of donor**

(Status of Children Act 1996)

(Clause 10 (4) (a))

(This form is to be completed if the deponent is the representative of the donor)

Name of child whose parentage is in issue: .....

- 1 I, (name), of (address), (occupation) \*make oath and say/\*affirm:
- 2 I am the (state relationship or other status in relation to the donor) of (name of donor) who was born on (date of birth of donor).
- 3 (Name of donor) is a person whose racial background is (give details).
- 4 In the last 2 years:
  - (a) the donor \*has/\*has not suffered from leukaemia.
  - (b) the donor \*has/\*has not received a bone marrow transplant.
- \*5 The particulars of the \*leukaemia/\*bone marrow transplant are as follows: (give particulars)
- 6 The donor \*has/\*has not received a transfusion of blood or a blood product within the last 6 months.
- \*7 The particulars of the transfusion of blood or blood product are as follows: (give particulars)

\*SWORN/\*AFFIRMED by the

deponent at

on 20 .

.....

(Signature of deponent)

Before me:

.....

(Signature of person before whom the affidavit is sworn or affirmed)

*\*Delete if not applicable.*

## Status of Children Regulation 2003

## Schedule 1 Forms

**Form 4 Parentage testing procedure declaration by representative of donor**

(Status of Children Act 1996)

(Clause 10 (4) (b))

(This form is to be completed if the person making the declaration is the representative of the donor)

I, *(name)*, of *(address)*, *(occupation)*, declare that:

- (a) I am the *(state relationship or other status in relation to the donor)* of *(name of donor)* who was born on *(date of birth of donor)*, and
- (b) the donor *\*has/has not received a transfusion of blood or a blood product since \*I/ (name of person who signed the affidavit) signed the affidavit required by clause 10 (4) (a) of the Status of Children Regulation 2003 in respect of the parentage testing procedure.*

Dated 20 .

.....

*(Signature of person completing declaration)*

*\*Delete if not applicable.*

**Form 5 Parentage testing procedure collection of bodily sample statement by sampler**

(Status of Children Act 1996)

(Clause 15)

Name of child whose parentage is in issue: .....

- 1 I, *(name of sampler)*, of *(professional address)*, *(occupation)*, took the bodily *\*sample/samples* specified below at *(time) \*am/pm* on *(date)* at *(place of collection)* from the following *\*person/persons*:
  - (a) *(name of person and type of bodily sample stated and person's photograph affixed)*,
  - \*(b) (name of person and type of bodily sample stated and person's photograph affixed)*,
  - \*(c) (name of person and type of bodily sample stated and person's photograph affixed)*,
  - \*(d) (name of person and type of bodily sample stated and person's photograph affixed)*.
- 2 When I took the bodily *\*sample/samples* specified above, I strictly observed the procedures provided under the *Status of Children Regulation 2003*.
- 3 I placed the *\*bodily sample/each of the bodily samples* specified above in a container that was immediately sealed and then labelled in accordance with clause 14 of the *Status of Children Regulation 2003*.

Status of Children Regulation 2003

Forms

Schedule 1

Dated 20 .

.....  
(Signature of sampler)

\*Delete if not applicable.

## Form 6 Report

(Status of Children Act 1996)

(Clause 18)

Name of child whose parentage is in issue:

### Part 1

- 1 I, (*name of nominated reporter*), of (*address*), am a person nominated by the laboratory specified below to prepare a report in accordance with clause 18 of the *Status of Children Regulation 2003*.
- 2 I report that \*a parentage testing \*procedure/procedures, being:
  - \*(a) red cell antigen blood grouping,
  - \*(b) red cell enzyme blood grouping,
  - \*(c) testing for serum markers,
  - \*(d) HLA tissue typing,
  - \*(e) DNA typing,

\*has/have been carried out on the bodily \*sample/samples contained in the sealed \*container/containers bearing the \*name/names of the following \*donor/donors:

  - (a) (*donor's name, date of birth and relationship to the child whose parentage is in issue*),
  - \*(b) (*donor's name, date of birth and relationship to the child whose parentage is in issue*),
  - \*(c) (*donor's name, date of birth and relationship to the child whose parentage is in issue*),
  - \*(d) (*donor's name, date of birth and relationship to the child whose parentage is in issue*).
- 3 Each bodily sample referred to in item 2 is the same bodily sample as the bodily sample specified in the statement completed on (*date*) by (*name of sampler*) in accordance with clause 15 of the *Status of Children Regulation 2003*.
- 4 The parentage testing \*procedure was/procedures were carried out at (*name of laboratory or laboratories*).
- 5 The results of the parentage testing \*procedure/procedures are set out in Part 2 of this report.
- \*6 I report that the results of the parentage testing \*procedure/procedures carried out on the bodily \*sample/samples of the donors specified above show that (*name of putative parent*) is excluded from identification as the \*father/mother of (*name of child whose parentage is in issue*).

## Status of Children Regulation 2003

## Schedule 1 Forms

---

\*7 I further report that the probability that (*name of putative parent*) is the genetic \*father/mother of the (*name of child whose parentage is in issue*) has been calculated as follows:

\*Paternity/Maternity Index (figure) to 1

Relative chance of \*Paternity/Maternity (percentage) %

\*6 I report that the results of the parentage testing \*procedure/procedures carried out on the bodily \*sample/samples of the donors specified above show that (*name of putative parent*) is not excluded from identification as the \*father/mother of (*name of child whose parentage is in issue*).

\*7 I further report that the exclusion is based on contradictions to the laws of genetic inheritance in (*amount*) of the (*amount*) genetic markers tested. The contradictions occurred in the following genetic markers: (*names of genetic markers and whether the contradictions were of the first or second order*).

\*8 I further report (*if necessary, provide further explanation of results detailed in items 6 and 7*).

Dated 20 .

.....  
(Signature of nominated reporter)

**Part 2**

- 1 The bodily \*sample/samples referred to in Part 1 \*was/were received at (*name of laboratory at which the parentage testing \*procedure was /procedures were carried out*) on 20 .
- 2 The following identification numbers were allocated respectively to the bodily \*sample/samples in the \*container/containers in which the \*procedure was/ \*procedures were carried out:
  - (a) (*name of person and identification number*),
  - \* (b) (*name of person and identification number*),
  - \* (c) (*name of person and identification number*),
  - \* (d) (*name of person and identification number*).
- 3 The results obtained from the parentage testing \*procedure/procedures are as follows: (*set out the results*).
- \*4 The results set out in item 3 refer to the parentage testing \*procedure/procedures carried out \*by me/under my supervision on (*date*). The bodily \*sample was/samples were tested against the same reagents and in parallel with appropriate known controls. Results from controls show that all reagents were of correct specificity and normal potency. I am satisfied that the results obtained are true and that they have been correctly transcribed from the laboratory workbooks.

Status of Children Regulation 2003

Forms

Schedule 1

\_\_\_\_\_

\*4 The results set out in item 3 refer to the parentage testing \*procedure/procedures carried out \*by me/under my supervision on (*date*). The bodily \*sample was/samples were tested with the same probes/primers and in parallel with appropriate known controls. Fragment length and/or hybridisation patterns were in accordance with scientifically accepted standards. I am satisfied that the results obtained have been correctly coded from the fragment and/or hybridisation pattern and that they have been correctly transcribed from the laboratory workbooks.

Dated 20 .

.....

(*Signature of person who carried out parentage testing procedure or person under whose supervision procedure was carried out*)

*\*Delete if not applicable.*

**Form 7 Paternity acknowledgment**

(Status of Children Act 1996, section 19)

(Clause 19 (1))

**Note:**

SIGNATURES MUST BE WITNESSED BY A SOLICITOR OR BY AN OFFICER OF THE REGISTRY OF BIRTHS, DEATHS AND MARRIAGES NOMINATED BY THE REGISTRAR.

IF A PARTY IS UNAVAILABLE TO SIGN THIS FORM, THE LAST KNOWN ADDRESS OF THE PERSON SHOULD BE PROVIDED IN THE APPROPRIATE SECTION IMMEDIATELY BELOW.

I .....  
(*full name of mother*)

I .....  
(*full name of father*)

of .....  
.....

of .....  
.....

Postcode: ..... Ph: .....

Postcode: ..... Ph: .....

hereby acknowledge that we are the natural mother and father of the child named below. We request that the Registrar include details of the father (as stated below) on the birth record of the child.

Status of Children Regulation 2003

Forms

Schedule 1

**CHILD'S PARTICULARS**

..... Sex: .....

*(given names)*                      *(family name)*

born on .... /.... /....              at ....., New South Wales.

**FATHER'S PARTICULARS (at time of child's birth)**

..... Occupation: .....

*(given names)*                      *(family name)*

born on .... /.... /....              at .....

This acknowledgment is made believing that the information provided is true to the best of our knowledge and belief.

..... <i>(mother's signature)</i>	..... <i>(father's signature)</i>
Signed at .....	Signed at .....
on .....	on .....
Witnessed by .....	Witnessed by .....
Qualification .....	Qualification .....
<i>(solicitor/Registry officer)</i>	<i>(solicitor/Registry officer)</i>
..... <i>(name, address and telephone no of witness)</i>	..... <i>(name, address and telephone no of witness)</i>



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# Rules

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New South Wales

## Local Courts (Criminal and Applications Procedure) Amendment Rule 2003

under the

Local Courts Act 1982

The Local Court Rule Committee made the following rule of court under the *Local Courts Act 1982* on 30 June 2003.

Stephen Olischlager

Secretary of the Rule Committee

### Explanatory note

The objects of this Rule are to:

- (a) provide for an endorsement for a written witness statement that is appropriate for children and adults with impaired intellectual functioning, and
- (b) update a reference to the Scale of Allowances Paid to Witnesses published by the Attorney General, for the purpose of setting allowances payable for complying with subpoenas in Local Court criminal and application proceedings.

Clause 1            Local Courts (Criminal and Applications Procedure) Amendment Rule 2003

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## **Local Courts (Criminal and Applications Procedure) Amendment Rule 2003**

under the

Local Courts Act 1982

### **1 Name of Rule**

This Rule is the *Local Courts (Criminal and Applications Procedure) Amendment Rule 2003*.

### **2 Amendment of Local Courts (Criminal and Applications Procedure) Rule 2003**

The *Local Courts (Criminal and Applications Procedure) Rule 2003* is amended as set out in Schedule 1.

Local Courts (Criminal and Applications Procedure) Amendment Rule 2003

Amendments

Schedule 1

---

## Schedule 1 Amendments

(Clause 2)

### [1] Clause 11 Endorsement of written statements

Insert “, if the statement is made by a person other than an adult who suffers from an appreciably below average general intelligence function or a child” after “form”.

### [2] Clause 11 (2)

Insert at the end of clause 11:

- (2) For the purposes of section 79 (3) of the Act, an endorsement on a statement of a person who is an adult who suffers from an appreciably below average general intelligence function or who is a child is to be in the following form:

I have not told any lies in this statement.

### [3] Clause 45 Conduct money

Omit “Government Gazette No 106 of 28 June 2002, at pages 4995 and 4996”.

Insert instead “Government Gazette No 104 of 27 June 2003, at pages 6408 and 6409”.

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## Orders

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# Fisheries Management Amendment (Threatened Species Conservation) Order (No 1) 2003

under the

Fisheries Management Act 1994

I, the Minister for Fisheries, on the recommendation of the Fisheries Scientific Committee, make the following Order under section 220D of the *Fisheries Management Act 1994*.

Dated, this 4th day of July 2003.

IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries

### Explanatory note

The object of this Order is to list the aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River as an endangered ecological community in Part 3 of Schedule 4 to the *Fisheries Management Act 1994* (*the Act*), following the recommendation to do so by the Fisheries Scientific Committee.

The effect of the listing of the community in Part 3 of Schedule 4 is to make the community subject to the controls of Part 7A of the Act, relating to the conservation of threatened species, populations and ecological communities of fish and marine vegetation.

The Committee has recommended this listing because it considers that the community is likely to become extinct in nature unless the circumstances and factors threatening its survival cease to operate.

The Committee's recommendation is available for inspection at all NSW Fisheries Offices and on the Fisheries Scientific Committee website at [www.fisheries.nsw.gov.au/fsc/recomend.htm](http://www.fisheries.nsw.gov.au/fsc/recomend.htm).

Clause 1 Fisheries Management Amendment (Threatened Species Conservation)  
Order (No 1) 2003

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## **Fisheries Management Amendment (Threatened Species Conservation) Order (No 1) 2003**

under the

Fisheries Management Act 1994

### **1 Name of Order**

This Order is the *Fisheries Management Amendment (Threatened Species Conservation) Order (No 1) 2003*.

### **2 Commencement**

This Order commences on the date that it is published in the Gazette.

### **3 Amendment of Fisheries Management Act 1994—Schedule 4, Part 3 Endangered ecological communities**

The *Fisheries Management Act 1994* is amended by inserting at the end of Part 3 of Schedule 4 to that Act:

Aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River (described in the recommendation of the Fisheries Scientific Committee to list that aquatic ecological community, as the area covered by that recommendation)



New South Wales

## Fisheries Management (Continuation of Activities in the Lowland Darling River Catchment) Interim Order 2003

under the

Fisheries Management Act 1994

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

Dated, this 4th day of July 2003.

IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries

### Explanatory note

The object of this Order is to enable certain recreational and commercial fishing activities in the aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River to continue for 6 months, following the listing of that ecological community as an endangered ecological community under the *Fisheries Management Act 1994* (*the Act*).

One of the effects of listing the ecological community as an endangered ecological community is that it is an offence against Division 4 of Part 7A of the Act to harm any fish or marine vegetation of that ecological community, or to do anything that causes damage to habitat of that ecological community (*a Part 7A offence*). However, under section 220ZF of the Act, it is a defence to a prosecution for such an offence if the act constituting the offence was authorised by, and was done in accordance with, an interim order under section 221IG.

The authorisation of recreational and commercial fishing activities by this Order is subject to the condition that the fisher concerned comply with any other applicable provisions under the Act (such as those relating to bag limits and fishing closures). Accordingly, a fisher who in carrying out an activity authorised by this Order, commits a Part 7A offence, will not be able to rely on the defence that this Order would otherwise provide, if the fisher fails to comply with those other provisions.

Fisheries Management (Continuation of Activities in the Lowland Darling River Catchment)  
Interim Order 2003

Explanatory note

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The recommendation of the Fisheries Scientific Committee referred to in this Order is available for inspection at all NSW Fisheries Offices and on the Fisheries Scientific Committee website at [www.fisheries.nsw.gov.au/fsc/recomend.htm](http://www.fisheries.nsw.gov.au/fsc/recomend.htm).

Fisheries Management (Continuation of Activities in the Lowland Darling River Catchment) Interim Order 2003

Clause 1

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## **Fisheries Management (Continuation of Activities in the Lowland Darling River Catchment) Interim Order 2003**

under the

Fisheries Management Act 1994

### **1 Name of Order**

This Order is the *Fisheries Management (Continuation of Activities in the Lowland Darling River Catchment) Interim Order 2003*.

### **2 Commencement and duration**

This Order:

- (a) takes effect on the day that it is published in the Gazette, and
- (b) ceases to have effect 6 months after that day.

### **3 Continuation of existing activities**

- (1) The activities referred to in subclauses (2) and (3) may continue in the Lowland Darling River Catchment subject to compliance with any applicable fishing regulatory controls.
- (2) A recreational fisher may take from the Lowland Darling River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland Darling River Catchment, or may carry out any routine activity in connection with any such taking or possession:
  - (a) *Paratya australiensis* (freshwater shrimp),
  - (b) *Macrobrachium australiense* (freshwater prawn),
  - (c) *Caridina mccullochi* (freshwater shrimp),
  - (d) *Cherax destructor* (yabby),
  - (e) *Tandanus tandanus* (freshwater catfish),
  - (f) *Gadopsis marmoratus* (river blackfish),
  - (g) *Maccullochella peelii peelii* (Murray cod),
  - (h) *Macquaria ambigua* (golden perch),
  - (i) *Bidyanus bidyanus* (silver perch),
  - (j) *Nematalosa erebi* (bony bream),



Clause 3 Fisheries Management (Continuation of Activities in the Lowland Darling River Catchment) Interim Order 2003

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- (k) *Lelopotherapon unicolor* (spangled perch).
- (3) A person holding a commercial fishing licence that has a Class A: Yabby and carp endorsement (transferable) in the inland restricted fishery may:
- (a) take *Cherax destructor* (yabby) from the Lowland Darling River Catchment, or
  - (b) possess or sell yabby taken from the Lowland Darling River Catchment, or
  - (c) carry out any routine activities in connection with any such taking, possession or sale.

- (4) In this clause:

***applicable fishing regulatory controls*** means requirements imposed by or under the *Fisheries Management Act 1994* that apply to or in respect of the activities concerned.

***inland restricted fishery*** has the same meaning as in the *Fisheries Management (General) Regulation 2002*.

***Lowland Darling River Catchment*** means the aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River (described in the recommendation of the Fisheries Scientific Committee to list that aquatic ecological community, as the area covered by that recommendation).

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## Other Legislation

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### 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, as a consequence, to omit reference to the Warrumbungles population of it as an endangered population and omit reference to it as a vulnerable species:

- (a) Schedule 1 to that Act is amended by inserting in Part 1 in alphabetical order under the headings “Animals”, “Vertebrates”, “Mammals” and “Macropodidae”:

<i>*Petrogale penicillata</i> (Gray, 1825)	Brush-tailed Rock-wallaby
--	------------------------------

- (b) Schedule 1 to that Act is amended by omitting from the matter relating to Macropodidae under the heading “Animals”, “Vertebrates” and “Mammals” in Part 2:

<i>Petrogale penicillata</i> (Gray, 1852)	Brush-tailed Rock-Wallaby, Warrumbungles population
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Notice of Final Determination

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- (c) Schedule 2 to that Act is amended by omitting from the matter relating to Macropodidae under the heading “Animals”, “Vertebrates” and “Mammals” in Part 1:

*\*Petrogale penicillata* (Gray, 1825)

Brush-tailed  
Rock-wallaby

Dated, this        day of

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/- National Parks and Wildlife Service, 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 an endangered species under that Act and, as a consequence, to omit reference to it as a vulnerable species and, accordingly:

- (a) Schedule 1 to that Act is amended by inserting in Part 1 in alphabetical order under the headings “Plants” and “Gentianaceae”:

*\*Gentiana bredboensis* L. Adams

- (b) Schedule 2 to that Act is amended by omitting from the matter relating to Gentianaceae under the heading “Plants” in Part 1:

*\*Gentiana bredboensis* L. Adams

Dated, this 24th day of June 2003.

Associate Professor Paul Adam  
Chairperson of the Scientific Committee

Notice of Final Determination

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### **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/- National Parks and Wildlife Service, 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 species as an endangered species under that Act and, as a consequence, to omit reference to it as a species presumed extinct and, accordingly:

- (a) Schedule 1 to that Act is amended by inserting in Part 1 in alphabetical order under the heading "Plants":

Lobeliaceae

\**Hypsela sessiliflora* F. Wimmer

- (b) Schedule 1 to that Act is amended by omitting from the matter relating to Plants in Part 4:

Lobeliaceae

†\* *Hypsela sessiliflora* F. Wimmer

Dated, this 24th day of June 2003.

Associate Professor Paul Adam  
Chairperson of the Scientific Committee

Notice of Final Determination

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### **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/- National Parks and Wildlife Service, 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.

# OFFICIAL NOTICES

## Appointments

### BAIL ACT 1978

Appointment of Authorised Justices

I, ROBERT JOHN DEBUS, Attorney General, in pursuance of paragraph (b) of the definition of "authorised justice" in section 4(1) of the Bail Act 1978, declare that the occupants of the following positions are authorised officers on and from 7 July 2003:

All officers employed within Attorney General's Department holding a position of clerical officer or clerk within a court registry.

BOB DEBUS,  
Attorney General

The Cabinet Office, Sydney  
25 June 2003

### CONSTITUTION ACT, 1902

Ministerial arrangements during the absence of the Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable RJ Debus, MP, Attorney General, and Minister for the Environment, to act for and on behalf of the Minister for Education and Training, and Minister for Aboriginal Affairs, as on and from 4 July, 2003, with a view to him performing the duties of the Honourable AJ Refshauge, MP, during his absence from duty.

BOB CARR,  
Premier

The Cabinet Office, Sydney  
25 June, 2003

### CONSTITUTION ACT, 1902

Ministerial arrangements during the absence of the Minister for Roads and Minister for Housing

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable R J Debus, MP, Attorney General, and Minister for the Environment, to act for and on behalf of the Minister for Roads, and Minister for Housing, as on and from 5 July 2003, with a view to him performing the duties of the Honourable P C Scully, MP, during his absence from duty.

BOB CARR,  
Premier

The Cabinet Office, Sydney  
25 June 2003

### CONSTITUTION ACT, 1902

Ministerial arrangements during the absence from the State of the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable AB Kelly MLC, Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister Assisting the Minister for Natural Resources (Lands), to act for and on behalf of the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth from 8 July 2003 with a view to him performing the duties of the Honourable CM Tebbutt MLC, during her absence from the State.

BOB CARR,  
Premier

The Cabinet Office, Sydney  
25 June 2003

### CONSTITUTION ACT, 1902

Ministerial arrangements during the absence of the Minister for Juvenile Justice, Minister for Western Sydney, and Minister assisting the Minister for Infrastructure and Planning (Planning Administration)

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable AB Kelly MLC, Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister Assisting the Minister for Natural Resources (Lands), to act for and on behalf of the Minister for Juvenile Justice, as on and from 5 July 2003, with a view to him performing the duties of the Honourable D Beamer MP, during her absence from duty.

BOB CARR,  
Premier

The Cabinet Office, Sydney  
25 June 2003

### CONSTITUTION ACT, 1902

Ministerial arrangements during the absence of the Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable CJ Knowles MP, Minister for Infrastructure and Planning, and Minister for Natural Resources, to act for and on behalf of the Minister



for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), from 5 July to 11 July 2003, with a view to him performing the duties of the Honourable D Beamer MP, during her absence from duty.

BOB CARR,  
Premier

The Cabinet Office, Sydney  
25 June 2003

#### CONSTITUTION ACT, 1902

Ministerial arrangements during the absence of the Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable AB Kelly MLC, Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister Assisting the Minister for Natural Resources (Lands), to act for and on behalf of the Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), from 12 July to 21 July 2003, with a view to him performing the duties of the Honourable D Beamer MP, during her absence from duty.

BOB CARR,  
Premier

The Cabinet Office, Sydney  
25 June 2003

#### CONSTITUTION ACT, 1902

Ministerial Arrangements during the absence of the Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

PURSUANT to section 36 of the Constitution Act, 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable CJ Knowles MP, Minister for Infrastructure and Planning, and Minister for Natural Resources, to act for and on behalf of the Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), as on and from 22 July 2003, with a view to him performing the duties of the Honourable D Beamer MP, during her absence from duty.

BOB CARR,  
Premier

#### CRIMINAL PROCEDURE ACT 1986

##### Appointment of Authorised Officers

I, ROBERT JOHN DEBUS, Attorney General, in pursuance of paragraph (b) of the definition of "authorised officer" in section 3(1) of the Criminal Procedure Act 1986, authorise the occupants of the following positions as authorised officers on and from 7 July 2003:

All officers employed within the Attorney General's Department holding a position of clerk grade 3/4 and above within a court registry.

BOB DEBUS  
Attorney General

#### LOCAL COURTS ACT 1982

##### Appointment of Deputy Registrars

HER Excellency the Governor, with the advice of the Executive Council, pursuant to the provisions of section 10A of the Local Courts Act 1982, appoints the following persons as Deputy Registrars of the Local Court on and from 7 July 2003:

1. A person who, immediately before the commencement of the Justices Legislation Repeal and Amendment Act 2001, held office as an Assistant Clerk of a Local Court, and
2. A person who, immediately before the commencement of the Justices Legislation Repeal and Amendment Act 2001, held office as a Chamber Magistrate of a Local Court.

BOB DEBUS, M.P.,  
Attorney General

#### SEARCH WARRANTS ACT 1985

##### Appointment of Authorised Justices

I, ROBERT JOHN DEBUS, Attorney General, in pursuance of paragraph (c) of the definition of "authorised justice" in section 3 of the Search Warrants Act 1985, declare that the occupants of the following positions are authorised justices on and from 7 July 2003:

All officers employed within the Attorney General's Department holding a position of clerk grade 5/6 and above within a court registry.

BOB DEBUS,  
Attorney General

## NSW Agriculture

### STOCK DISEASES ACT 1923

Notification No. 1763 – OJD

“Firbank and Bellevue” Quarantine Area – Walbundrie

I, IAN MACDONALD, M.L.C., Minister for Agriculture and Fisheries, pursuant to section 10 of the Stock Diseases Act 1923 (‘the Act’), declare the land described in the Schedule to be a quarantine area on account of the presence or suspected presence of Johne’s disease in sheep, goats, and deer (other than fallow deer) (“the stock”).

Note: It is an offence under section 20 (1) (c) of the Act to move any of the stock or cause or permit any of the stock to be moved out of a quarantine area, unless they are moved in accordance with a permit under section 7 (6) or an order under section 8 (1) (b) or when all of the conditions set out in section 20C (3) are satisfied.

The course of action to be taken by the owner or occupier of the land in the quarantine area or the owner or person in charge of the stock in the quarantine area shall be as ordered by an inspector.

#### SCHEDULE

Land: Lots 18, 62, 63, 66, 67 in DP 753726.

Owner: J L RALSTON PTY LTD.

Land: Lots 50, 51 and 61 in DP 753726.

Owner: James Lewis RALSTON.

Shire: Culcairn.

County: Urana.

Parish: Bulgandry.

Dated this 25th day of June 2003.

IAN MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries

### SUBORDINATE LEGISLATION ACT 1989

#### NOXIOUS WEEDS ACT 1993

NOTICE is given, in accordance with section 5 of the Subordinate Legislation Act 1989, of the intention to make a statutory rule under the Noxious Weeds Act 1993.

The existing Noxious Weeds Regulation 1993, will be automatically repealed on 1 September 2003, by the operation of the Subordinate Legislation Act 1989, unless it is remade. The aim of the Noxious Weeds Regulation 2003, is to replace the Noxious Weeds Regulation 1993, without substantial amendment.

The proposed Regulation:

- Prescribes the manner in which certain agricultural machines that are brought into NSW from Queensland must be cleaned. These cleaning provisions are designed to reduce the risk of introducing W1 noxious weed seeds, in particular, parthenium weed into NSW.
- Deals with the extent of the cleaning procedure to be carried out and the class of machinery that must stop for inspection.

- Specifies details of the traffic signs installed at checkpoints and the signatories for certificates authorising inspectors at checkpoints.
- Provides for the issuing of penalty notices for offences committed under the Act.

Copies of the Regulatory Impact Statement and the draft Noxious Weeds Regulation 2003, may be inspected or obtained by contacting:

Robert Trounce,  
NSW Agriculture,  
Locked Bag 21,  
Orange, NSW 2800.  
Telephone: (02) 6391 3156.  
Facsimile: (02) 6391 3206.  
E-mail: bob.trounce@agric.nsw.gov.au

Comments or submissions on the proposed statutory rule are invited and should be received at the above address **no later than 5.00 p.m. on 31 July 2003.**

### SUBORDINATE LEGISLATION ACT 1989

#### EXOTIC DISEASES OF ANIMALS ACT 1991

NOTICE is given, in accordance with section 5 of the Subordinate Legislation Act 1989, of the intention to make a statutory rule under the Exotic Diseases of Animals Act 1991.

The existing Exotic Diseases of Animals Regulation 1998, will be automatically repealed on 1 September 2003, by the operation of the Subordinate Legislation Act 1989, unless it is remade. The aim of the Exotic Diseases of Animals Regulation 2003, is to replace the Exotic Diseases of Animals Regulation 1998, without substantial amendment.

The aim of the proposed Regulation is to prescribe:

- what people may be permitted to do with an exotic disease agent when they are authorised by the Chief Veterinary Officer to be possession of that agent;
- prescribe the particulars that must be furnished in a claim for compensation under the Act in respect of animals or other property destroyed pursuant to the Act; and
- prescribe a list of officers to whom the Minister may delegate the Minister’s powers under the Act to respond to an emergency outbreak of an exotic disease.

Copies of the Regulatory Impact Statement and the draft Exotic Diseases of Animals Regulation 2003, may be inspected or obtained by contacting:

Mr Maurice Ryan,  
NSW Agriculture,  
Locked Bag 21,  
ORANGE, NSW 2800.  
Telephone: (02) 6391 3542.  
Facsimile: (02) 6361 9976.  
E-mail: maurice.ryan@agric.nsw.gov.au

Comments or submissions on the proposed statutory rule are invited and should be received at the above address **no later than 5.00 p.m. on 31 July 2003.**

**STOCK DISEASES ACT 1923**

Notification No. 1770

## Footrot Protected and Protected (Control) Areas

I, IAN MACDONALD, M.L.C., Minister for Agriculture and Fisheries, pursuant to section 11A of the Stock Diseases Act 1923 (“the Act”):

- (a) revoke Stock Diseases Notification No. 1761, published in *Government Gazette* No. 39 of 7 February 2003 at pages 863-864, and any other previous Notifications declaring lands as footrot protected areas or protected (control) areas.
- (b) declare the lands described in Schedule A to be protected areas as regards the disease footrot in sheep and goats. (Those lands are referred to as “NSW Footrot Protected Areas”, and are represented generally on the map titled “New South Wales Footrot Areas.”)
- (c) declare the lands in Schedule B to be protected (control) areas as regards the disease footrot in sheep and goats. (Those lands are referred to as “NSW Footrot Protected (Control) Areas”, and are represented generally on the map titled “New South Wales Footrot Areas.”)
- (d) prohibit a person from moving sheep or goats into any protected area or protected (control) area referred to in paragraphs (b) and (c), unless:
  - (i) the sheep or goats are moved in accordance with a permit under section 7(6) of the Act; or
  - (ii) the sheep or goats are moved in accordance with an order under section 8(1)(b) of the Act; or
  - (iii) all the requirements of section 20C(3) of the Act have been satisfied; or
  - (iv) the sheep or goats are not infected with footrot and one or more of the following conditions are satisfied:
    - the sheep or goats are transported in a vehicle from any protected area referred to in paragraph (b) directly to any other protected area referred to in paragraph (b);
    - the sheep or goats are transported in a vehicle from any protected (control) area referred to in paragraph (c) directly to any other protected (control) area referred to in paragraph (c); and
    - the sheep or goats are accompanied by a completed Owner/Vendor Declaration of Footrot Freedom form, as approved by the Chief, Division of Animal Industries (“the declaration”), and that declaration is given to the person to whom the sheep or goats are delivered.
- (e) Unless otherwise specified, in this Notification a reference to a Rural Lands Protection District includes all land in that district, and a reference to a Division or part of a Division of a Rural Lands Protection District includes all land in that Division or part of a Division. Rural Lands Protection Districts are established under the Rural Lands Protection Act 1998.

**SCHEDULE A**

NSW Footrot Protected Areas

**North East Footrot Protected Area**

The Rural Lands Protection Districts of Casino, Grafton, Kempsey and Tweed/Lismore.

**New England Footrot Protected Area**

Divisions A, B, C, D, I, and J of the Northern New England Rural Lands Protection District.

**North West Footrot Protected Area**

The Rural Lands Protection Districts of Moree, Narrabri, Northern Slopes, and Tamworth.

**Orana Footrot Protected Area**

The Rural Lands Protection Districts of Coonabarabran, Coonamble, Dubbo, Mudgee/Merriwa, Nyngan and Walgett.

**Central West Footrot Protected Area**

The Rural Lands Protection Districts of Condobolin, Forbes, Molong, and Division A of the Central Tablelands Rural Lands Protection District.

**Hunter Footrot Protected Area**

The Rural Lands Protection Districts of Gloucester, Hunter, and Maitland.

**South East Footrot Protected Area**

The Rural Lands Protection Districts of Bombala, Cooma, Moss Vale, South Coast, and Division D of the Goulburn Rural Lands Protection District.

**Riverina Footrot Protected Area**

The Rural Lands Protection Districts of Hay, Riverina, and Narrandera, and Divisions A, B and C of the Murray Rural Lands Protection District, and Divisions A and B of the Wagga Wagga Rural Lands Protection District, and Division A, and the parts of Divisions C and D that are within the Kosciuszko National Park, of the Gundagai Rural Lands Protection District, and the part of Division F that is within the Kosciuszko National Park, of the Hume Rural Lands Protection Board.

**Western Division Footrot Protected Area**

The Rural Lands Protection Districts of Balranald, Bourke, Brewarrina, Broken Hill, Cobar, Hillston, Milparinka, Wanaaring, Wentworth and Wilcannia.

**SCHEDULE B**

NSW Footrot Protected (Control) Areas

**New England Footrot Protected (Control) Area**

The Armidale Rural Lands Protection District, and Divisions E, F, G, and H of the Northern New England Rural Lands Protection District.

**Central West Footrot Protected (Control) Area**

The Young Rural Lands Protection District, and Divisions B, C, D, E, F, G and H of Central Tablelands Rural Lands Protection District.

### South East Footrot Protected (Control) Area

The Rural Lands Protection Districts of Braidwood, Yass, and Divisions A, B and C of the Goulburn Rural Lands Protection District.

### Riverina Footrot Protected (Control) Area

Division D of the Murray Rural Lands Protection District, Divisions C and D of the Wagga Wagga Rural Lands Protection District, Division B, and the parts of Divisions C and D that are not within the Kosciuszko National Park, of the Gundagai Rural Lands Protection District, and Divisions A, B, C, D, E, G and H, and the part of Division F that is not within the Kosciuszko National Park, of the Hume Rural Lands Protection District.

### Notes

It is an offence under section 20H(1)(a) to contravene a provision of this Notification.

Maximum penalty for such an offence is \$11,000.

A protected (Control) Area is an area with a moderate prevalence of a disease (section 11A(1) of the Act). This is different to a Protected Area, where there is a lower prevalence of a disease (section 11A(1B) of the Act).

A map of the Protected Area and the Protected (Control) Area with respect to Footrot in Sheep and Goats is published on the NSW Department of Agriculture internet web site at

A person who receives a completed Declaration form is advised to retain it as evidence of compliance with this Notification.

Notification No. 1770 is the NSW Department of Agriculture's reference.

For further information, contact the NSW Department of Agriculture on (02) 6391 3248.

Dated this 29th day of June 2003.

IAN MACDONALD, M.L.C.,  
Minister for Agriculture and Fisheries



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## NSW Fisheries

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**FISHERIES MANAGEMENT ACT 1994****FISHERIES MANAGEMENT (AQUACULTURE)  
REGULATION 2002**Section 177(c) — Notice of Aquaculture Lease  
Cancellation

THE Minister has cancelled the following aquaculture leases:

OL67/011 within the estuary of Wagonga Inlet, having an area of 11.34 hectares formerly leased by Mr Bruce CUNNINGHAM.

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## Clause 39 (4) — Notice of Aquaculture Lease Renewal

THE Minister has renewed the following class 1 Aquaculture Lease:

OL73/218 within the estuary of the Macleay River, having an area of 0.4679 hectares to John Robert BARNETT of Kempsey, NSW, for a term of 15 years expiring on 15 April 2018.

OL73/207 within the estuary of Wapengo Lake, having an area of 1.6041 hectares to Terrence John WILLIAMS and Gabrielle WILLIAMS of Bega, NSW, for a term of 15 years expiring on 18 March 2018.

OL73/210 within the estuary of Wapengo Lake, having an area of 1.2870 hectares to Terrence John WILLIAMS and Gabrielle WILLIAMS of Bega, NSW, for a term of 15 years expiring on 17 April 2018.

## Clause 49 (8) — Notice of Aquaculture Lease Subdivision

THE Minister has subdivided the following aquaculture leases:

OL75/024 within the estuary of Merimbula Lake has been subdivided into 5 oyster leases referred to as:

AL02/027 having an area of 1.6310 ha

AL02/028 having an area of 1.1642 ha

AL02/029 having an area of 1.2057 ha

AL02/030 having an area of 1.2051 ha

AL02/031 having an area of 1.1920 ha

for Nicole Louise CORONE, Kellie Maree KNIGHT, Judith Diane HANSEN and Mervyn Lewis HANSEN of Pambula, NSW, 2549.

The subdivided leases will expire on 23 January 2005.

STEVE DUNN,  
Director,  
NSW Fisheries.

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## Department of Lands

### BOARD OF SURVEYING AND SPATIAL INFORMATION

#### Department of Lands

**Panorama Avenue (PO Box 143), Bathurst, NSW 2795**

**Phone: (02) 6332 8238 Fax: (02) 6332 8240**

#### SURVEYING ACT 2002

Board Appointments for 2003 – 2004

THE Minister Assisting the Minister for Natural Resources (Lands) approved that the undermentioned persons be appointed as Members of the Board of Surveying and Spatial Information from 25 June 2003 until 31 December 2004 in terms of section 27 of the Surveying Act 2002.

Warwick WATKINS, Surveyor General.

Paul Raymond HARCOMBE, Chief Surveyor, Department of Lands.

Andrew Hugh CAMPBELL, Land Surveyor in Private Practice.

Colin James WEATHERBY, Land Surveyor in Private Practice.

Mark Thomas GORDON, Survey Services Manager, Roads and Traffic Authority.

Philip Marten ORR, Chief Surveyor, Ulan Coal Mines Limited.

Colin Richard MITFORD, Executive Manager, Spatial Information, Department of Lands.

David Lawrence BRUCE, Spatial Information Management Company Director.

Richard John BARTHOLOMEW, Engineering Surveyor and Environmental Land Manager in Private Practice.

John Graham FRYER, Professor, Department of Civil Engineering and Surveying, University of Newcastle.

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

#### SURVEYORS ACT 1929

Registration of Surveyors

PURSUANT to the provisions of section 8 and 10 (2) (b) of the Surveyors Act 1929, the undermentioned person has been Registered as a Surveyor in New South Wales from the date shown.

Name	Address	Effective Date
Glen Brian CAHILL.	40 York Street, Gosford, NSW 2250.	12 May 2003.

W. A. WATKINS,  
President.

G. K. A. LEATHERLAND,  
Registrar.

#### SURVEYORS ACT 1929

Restoration to the Register of Surveyors

PURSUANT to the provisions of section 9B of the Surveyors Act 1929, the undermentioned person has been restored to the Register of Surveyors with the effective date of restoration as shown.

Name	Address	Effective Date of Restoration	Original Date of Registration
Mark Charles TOMKINSON.	Suite 20, 255 Drummond Street, Carlton, VIC 3053.	1 July 2003.	18 September 1980.
Reginald Arthur WALTERS.	3 Kuru Court, Brinkin, NT 0810.	23 June 2003.	1 April 1974.

W. A. WATKINS,  
President.

G. K. A. LEATHERLAND,  
Registrar.

**SURVEYORS ACT 1929**

## Superintendent of a Practice

PURSUANT to the provisions of section 28 of the Surveyors Act 1929, the undermentioned Surveyor has been approved as Superintendent of a practice.

<b>Name of Surveyor</b>	<b>Name of Deceased Surveyor</b>
Richard Anthony HOGAN.	John Selwyn McDONALD, deceased 14 June 2003.

W. A. WATKINS,  
President.

G. K. A. LEATHERLAND,  
Registrar.

**SURVEYORS ACT 1929**

## Removal of Name from the Register of Surveyors

PURSUANT to the provisions of section 9 of the Surveyors Act 1929, the undermentioned Surveyors have been removed from the Register of Surveyors for the reasons shown.

<b>Name</b>	<b>Date of Removal</b>	<b>Reason</b>	<b>Original Registration Date</b>
Robert Edward CANTY.	1 July 2003.	at own request.	4 October 1966.
John Selwyn McDONALD.	14 June 2003.	deceased.	8 April 1969.
Douglas Alan PEARSON.	1 July 2003.	at own request.	5 April 1951.
David Hugh WOLFF.	1 July 2003.	at own request.	29 September 1969.

W. A. WATKINS,  
President.

G. K. A. LEATHERLAND,  
Registrar.

**SURVEYORS (GENERAL) REGULATION 1999**

## Granting of Emeritus Status

PURSUANT to the provisions of Clause 32 (1) of the Surveyors (General) Regulation 1999, the undermentioned Surveyors have been granted Emeritus Status in recognition of their long service and contribution to the surveying profession in New South Wales, with effect 1 July 2003.

<b>Name</b>	<b>Date of Original Registration</b>	<b>Removed from Register</b>
Robert Edward CANTY.	4 October 1966.	1 July 2003.
Douglas Alan PEARSON.	5 April 1951.	1 July 2003.
David Hugh WOLFF.	29 September 1969.	1 July 2003.

W. A. WATKINS,  
President.

G. K. A. LEATHERLAND,  
Registrar.

**DUBBO OFFICE**  
**Department of Lands**  
**142 Brisbane Street (PO Box 865), Dubbo, NSW 2830**  
**Phone: (02) 6841 5200      Fax: (02) 6841 5231**

**DECLARATION OF A PUBLIC PURPOSE**

IT is hereby notified pursuant to section 3 of the Crown Lands Act 1989, that the following are declared to be public purposes for the purposes of section 80 of that Act:

Preservation of Aboriginal Cultural Heritage and  
Aboriginal Burial Ground.

IT is hereby notified pursuant to section 3 of the Crown Lands Act 1989, that the following are declared to be public purposes for the purposes of section 87 of that Act:

Preservation of Aboriginal Cultural Heritage and  
Aboriginal Burial Ground.

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

**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

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Nyngan. Local Government Area: Bogan Shire Council. Locality: Wharfdale. Reserve No.: 95136. Public Purpose: Future public requirements. Notified: 5 June 1981. File No.: DB03 H 238/1. Note: Conversion.	The whole being Lot 10, DP No. 752915, Parish Wharfdale, County Flinders, of an area of 799.6 hectares.



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

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

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

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

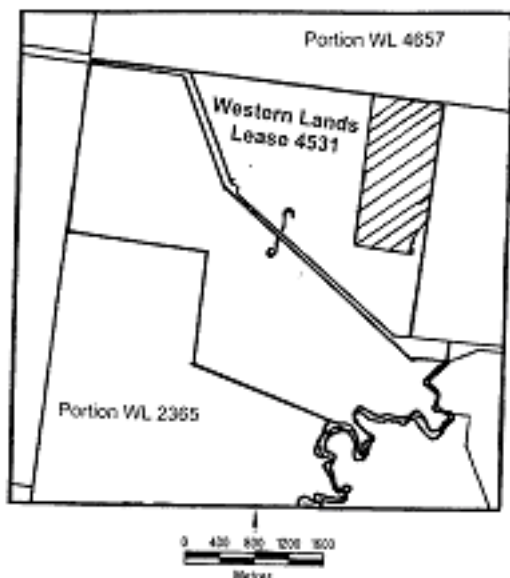
—  
*Administrative District – Hillston North;*  
*Shire – Carrathool;*  
*Parish – Merv; County – Franklin.*

The purpose of Western Lands Lease 4531, being the land contained within Folio Identifier 2366/764329 has been altered from "Grazing" to "Grazing and Cultivation" effective from 24 June 2003.

Annual rental and lease conditions remain unaltered as a consequence of the change of purpose except for the addition of those special conditions following effective from 24 June 2003.

—  
 Special Conditions Attached to Western Lands  
 Lease 4531

1. The lessee shall not cultivate outside the area indicated by hatching on the diagram hereunder of an area of 110 hectares.



2. The change of purpose of the lease to include "cultivation" does not confer any greater right to the exclusive occupation of the land than was conferred by the original grant of the lease.
3. The lessee shall ensure that any drainage from the irrigation is captured within the area for irrigated agriculture.

4. The lessee shall, on direction of the Minister, monitor surface water including supply and drainage.
5. The lessee shall obtain consent from the Commissioner before retiring country from irrigation practices.
6. The lessee shall ensure that cultivation does not interfere with any road formation within the allowable area.
7. The lessee shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the local bushfire authority.
8. The lessee shall ensure that cultivation and cropping do not alter the natural flooding regime and that crops are not protected by levees. The consent of the Western Lands Commissioner is required prior to the protection of any agricultural infrastructure with levee banks.
9. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivation areas.
10. The lessee shall comply with the provisions of the National Parks and Wildlife Act 1974, relating to the protection of, interference with and the damaging or destruction of Aboriginal sites or relics.  
  
Operations shall cease immediately any Aboriginal site or relic is encountered and the Local Aboriginal Land Council and the National Parks and Wildlife Service are to be contacted.
11. The lessee shall ensure that stubble is retained on the soil surface and shall not be burnt, except with the approval of the Commissioner or his delegate. Where such approval is granted and stubble burning is carried out, a 6-metre firebreak must be prepared around all the areas to be burnt.

**ALTERATION OF CONDITIONS OF A WESTERN  
LANDS LEASE**

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

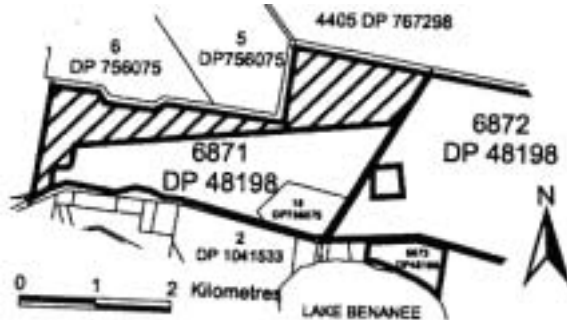
CRAIG JOHN KNOWLES, M.P.,  
 Minister for Infrastructure and Planning,  
 Minister for Natural Resources

—  
*Administrative District and Shire – Balranald;*  
*Parish – Benanee; County – Taila.*

The conditions of Western Lands Lease 2128 being the land contained within Folio Identifiers 6871/48198, 6872/48198, 6873/48198 and 360/761060 have been altered effective from 25 June 2003, by the inclusion of the special conditions following. The conservation area indicated in the special conditions comprises 300 hectares.

Special Conditions Attached to Western Lands  
Lease 2128

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



#### SURRENDER OF WESTERN LANDS LEASES

IT is hereby notified for public information that in pursuance of Section 33A of the Western Lands Act 1901, the Western Lands Leases particularised hereunder have been surrendered.

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

Western Lands Lease No.:	1227.
Name of Lessee:	National Parks and Wildlife Service.
Area Surrendered:	Lot 6926, DP 1029750 of 44690 hectares.
Date of Surrender:	19 June 2003.
Administrative District:	Wentworth.
Shire:	Wentworth.

Western Lands Lease No.:	2999.
Name of Lessee:	National Parks and Wildlife Service
Area Surrendered:	Lot 1029, DP 762244 of 14360 hectares.
Date of Surrender:	19 June 2003.
Administrative District:	Balranald.
Shire:	Balranald.

Western Lands Lease No.:	3219.
Name of Lessee:	National Parks and Wildlife Service.
Area Surrendered:	Lot 6737, DP 822060 of 17110 hectares.
Date of Surrender:	19 June 2003.
Administrative District:	Wilcannia.
Shire:	Central Darling.

Western Lands Lease No.:	5417.
Name of Lessee:	National Parks and Wildlife Service.
Area Surrendered:	Lot 5845, DP 768743; Lot 5846, DP 768744; Lot 5847, DP 768745, of 9874 hectares.
Date of Surrender:	19 June 2003.
Administrative District:	Wilcannia.
Shire:	Central Darling.

Western Lands Lease No.:	14317.
Name of Lessee:	National Parks and Wildlife Service.
Area Surrendered:	Lot 6123, DP 48783 of 1096 hectares.
Date of Surrender:	19 June 2003.
Administrative District:	Wentworth.
Shire:	Wentworth.

Western Lands Lease No.:	14318.
Name of Lessee:	National Parks and Wildlife Service.
Area Surrendered:	Lot 6118, DP 48784 of 203.3 hectares.
Date of Surrender:	19 June 2003.
Administrative District:	Wentworth.
Shire:	Wentworth.

#### ESTABLISHMENT OF A 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)

#### SCHEDULE

COLUMN 1	COLUMN 2
Euston Wharf Reserve Trust.	Reserve No.: 23416. Public Purpose: Wharf. Notified: 14 December 1895. File No.: WL94 R 2/1.

#### APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

#### SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Balranald Shire Council.	Euston Wharf Reserve Trust.	Reserve No.: 23416. Public Purpose: Wharf. Notified: 14 December 1895. File No.: WL94 R 2/1.

For a term commencing this day.

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

**NOTIFICATION OF CLOSING OF A ROAD**

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

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

Description

*Parish – Jeir; County – Murray;*  
*Land District – Yass; Council – Yass.*

Lots 1, 2, 3 and 4, DP 1051606.

File No.: GB02 H 281:MB.

Note: On closing the land in Lots 1, 2, 3 and 4, DP 1051606, remains land vested in the Crown as Crown Land.

**HAY OFFICE**  
**Department of Lands**  
**126 Lachlan Street (PO Box 182), Hay, NSW 2711**  
**Phone: (02) 6993 1306      Fax: (02) 6993 1135**

**NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

*Land District – Deniliquin; Council – Berrigan.*

Lot 247 in DP 1053153, Parish of Ulupna, County of Denison (not being land under the Real Property Act).

File No.: HY02 H 22.

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

**MAITLAND OFFICE**  
**Department of Lands**  
**Newcastle Road (PO Box 6), East Maitland, NSW 2323**  
**Phone: (02) 4937 9300 Fax: (02) 4934 2252**

**ROADS ACT 1993**

Repeal of Order

IN pursuance of the provisions of section 43 of the Interpretations Act 1987, the Order under section 151 of the Roads Act 1993, appearing in the *Government Gazette* of 4 April 2003, at Folios 4353 and 4354, is hereby repealed.

The Order referred to the public roads, Mount Royal Road and Cassels Road (in the Parishes of Liebeg and Mount Royal, County of Durham), from the southern corner of Part Lot 68, DP 752471, northerly along Mount Royal Road and Cassels Road to Mount Royal National Park. The public roads remain Crown roads.

Note: Lots 1 and 3, DP 256766 and Lots 130 and 131, DP 720691 are closed road where freehold title has issued and should not have been included in the Order of 4 April 2003.

File No.: MD89 H 991.

Singleton Council's Reference: RD00116.

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 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 – Darlington; County – Durham;*  
*Land District – Singleton;*  
*Local Government Area – Singleton.*

Road Closed: Lot 1, DP 1053491 at The Retreat.

File No.: MD02 H 265.

Note: On closing, the land within Lot 1, DP 1053491 will remain land vested in the Crown as Crown Land.

**ROADS ACT 1993**

ORDER

Transfer of a Crown Road to a Council

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

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

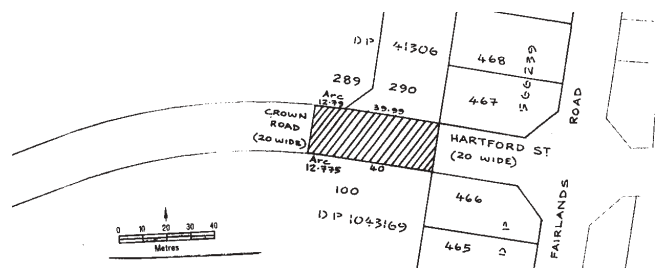
SCHEDULE 1

*Parish – Sutton; County – Gloucester;*  
*Land District – Newcastle;*  
*Local Government Area – Port Stephens.*

The Crown road being Lot 284, DP 39893 at Tanilba Bay (Lot 284, DP39893 was formerly held under Special Lease 104211).

The Crown road being the extension of Pershing Place at Tanilba Bay, 20 wide extending generally easterly from a line being the northerly prolongation of the eastern boundary line of Lot 433, DP 10716 to a line being the northerly prolongation of the eastern boundary line of Lot 357, DP726250.

The Crown road being the extension of Hartford Street at Tanilba Bay, 20 wide shown by hatching on the diagram hereunder:



SCHEDULE 2

Roads Authority: Port Stephens Council.

File No.: MD02 H 378 and MD79 H 609.

Council's Reference: E5425-004.

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

**NOTIFICATION OF CLOSING OF ROADS**

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

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

*Land District – Moree;*  
*Council – Moree Plains Shire Council.*

Lots 1 and 2 in DP 1051098, Parishes Combadello and Peacumboul, County Courallie (not being land under the Real Property Act).

File No.: ME02 H 89.

Note: Upon closure, the land vests in the Crown as Crown Land.

—  
 Descriptions

*Land District – Moree;*  
*Council – Moree Plains Shire Council.*

Lot 1 in DP 1053637, Parish Yarouah, County Benarba (not being land under the Real Property Act).

File No.: ME02 H 14.

Note: Upon closure, the land vests in the Crown as Crown Land.

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

**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)

**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	COLUMN 2
Carrington Falls Recreation Reserve Trust.	Reserve No.: 4994. Public Purpose: Public recreation. Notified: 17 December 1887.  Reserve No.: 78178. Public Purpose: Preservation of Native Flora and Fauna. Notified: 16 December 1955. File No.: NA80 R 411.

—  
 SCHEDULE

COLUMN 1	COLUMN 2
Land District: Moss Vale. Local Government Area: Wingecarribee Shire Council. Locality: Carrington Falls. Reserve No.: 4994. Public Purpose: Public recreation. Notified: 17 December 1887. File No.: NA79 R 104/1.	The whole being Lot 82, DP No. 1051718, Parish Yarrowa, County Camden, of an area of 4849 square metres.

**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 – Blayney; Shire – Blayney.*

Road Closed: Lot 1, DP 1038649, Parish Hampton, County Bathurst.

File No.: OE01 H 200.

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

**TAREE OFFICE**  
**Department of Lands**  
**98 Victoria Street (PO Box 440), Taree, NSW 2430**  
**Phone: (02) 6552 2788      Fax: (02) 6552 2816**

**NOTIFICATION OF CLOSING OF ROADS**

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

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

Description

*Parish – Forster; County – Gloucester;*  
*Land District – Taree;*  
*Local Government Area – Great Lakes.*

Road being Lot 4, DP 1002755 (not under the Real Property Act).

File No.: TE98 H 125.

Note: On closing, the land within the former road remains vested in Great Lakes Council as operational land.

**WAGGA WAGGA DISTRICT OFFICE****Department of Lands****Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650****Phone: (02) 6921 2503 Fax: (02) 6921 1851****REVOCATION OF DEDICATION OF CROWN LAND FOR A PUBLIC PURPOSE**

PURSUANT to section 84 of the Crown Lands Act 1989, the dedication of Crown Land specified in Column 1 of the Schedule hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

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

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**SCHEDULE**
**COLUMN 1**

Land District: Corowa.  
Local Government Area:  
Corowa Shire Council.  
Locality: Mulwala.  
Dedication No.: 620160.  
Public Purpose: Public  
School purposes.  
Notified: 17 April 1953.  
File No.: WA94 H 81/1.

**COLUMN 2**

The whole being Lot 394, DP No.  
820577, Parish Mulwala, County  
Denison; Lot 393, DP No.  
820577, Parish Mulwala, County  
Denison; Lot 395, DP No.  
820577, Parish Mulwala, County  
Denison, of an area of 7547 square  
metres.

Note: It is intended to sell the land.

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

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

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

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**SCHEDULE**
**COLUMN 1**

Corowa Shire Council  
Crown Reserves Reserve  
Trust.

**COLUMN 2**

Reserve No.: 1004348.  
Public Purpose: Public recreation.  
Notified: This day.  
File No.: WA03 R 4.

**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**
**COLUMN 1**

Land District: Corowa.  
Local Government Area:  
Corowa Shire Council.  
Locality: Mulwala.  
Lot 399, DP No. 823330,  
Parish Mulwala,  
County Denison.  
Area: 3073 square metres.  
File No.: WA03 R 4.

**COLUMN 2**

Reserve No.: 1004348.  
Public Purpose: Public recreation.

## Department of Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T03-0076)

No. 2118, TAMAS KAPITANY, area of 1 unit, for Group 3, dated 23 June 2003. (Armidale Mining Division).

(T03-0077)

No. 2119, TAMAS KAPITANY, area of 1 unit, for Group 3, dated 23 June 2003. (Armidale Mining Division).

(T03-0078)

No. 2120, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), area of 227 units, for Group 1, dated 20 June 2003. (Cobar Mining Division).

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

NOTICE is given that the following applications have been granted:

### MINERAL CLAIM APPLICATION

(T02-0453)

Broken Hill No. 79, now Mineral Claim No. 292 (Act 1992), DAVID CHARLES PRENDERGAST, Parish of Coonavitra, County of Werunda, area of about 2 hectares, to mine for gypsum, dated 11 June 2003, for a term until 10 June 2008.

### MINING LEASE APPLICATIONS

(T96-1046)

Lightning Ridge No. 60, now Mining Lease No. 1536 (Act 1992), PAUL WILLIAM POWELL, Parish of Finley, County of Finch, Map Sheet (8439-3-S), area of 8.693 hectares, to mine for opal, dated 16 June 2003, for a term until 15 June 2008.

(C02-0171)

Orange No. 206, now Mining Lease No. 1537 (Act 1992), CENTENNIAL SPRINGVALE PTY LIMITED (ACN 052 096 812) and SPRINGVALE SK KORES PTY LIMITED (ACN 051 015 402), Parish of Marrangaroo, County of Cook, Map Sheet (8931-3-S), area of 4.125 hectares, for the purpose of any building or mining plant, any bin, magazine or fuel chute, any reservoir, dam, drain or water race, any cable, conveyor, pipeline, telephone line or signal and any drillhole or shaft for ventilation, drainage, access, dated 16 June 2003, for a term until 15 June 2024.

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

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

(T97-1209)

Exploration Licence No. 5341, MADSEN OPALS PTY LTD (ACN 002 394 005), area of 1 unit. Application for renewal received 24 June 2003.

(C97-0140)

Exploration Licence No. 5599, HENRY WALKER ELTIN GROUP LIMITED (ACN 007 710 483), area of 1204 hectares. Application for renewal received 23 June 2003.

(T02-0353)

Mining Purposes Lease No. 107 (Act 1973), MOLYNEUX RUSH PTY LTD (ACN 003 707 846), area of 6872 square metres. Application for renewal received 6 June 2003.

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

### RENEWAL OF CERTAIN AUTHORITY

NOTICE is given that the following authority has been renewed:

(T00-0185)

Exploration Licence No. 5830, ALKANE EXPLORATION LTD (ACN 000 689 216), County of Narromine, Map Sheet (8532), area of 4 units, for a further term until 4 April 2005. Renewal effective on and from 20 June 2003.

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

### WITHDRAWAL OF APPLICATIONS FOR RENEWAL

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

(T95-1094)

Exploration Licence No. 4964, JERVOIS MINING LIMITED (ACN 007 626 575), County of Macquarie, Map Sheet (9434, 9435), area of 5 units. The authority ceased to have effect on 23 June 2003.

(T96-1053)

Exploration Licence No. 5185, JERVOIS MINING LIMITED (ACN 007 626 575), County of Macquarie, Map Sheet (9434), area of 2 units. The authority ceased to have effect on 23 June 2003.

(T96-1269)

Exploration Licence No. 5315, JERVOIS MINING LIMITED (ACN 007 626 575), County of Macquarie, Map Sheet (9434), area of 1 unit. The authority ceased to have effect on 23 June 2003.

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

### ERRATUM

THE notice appearing in *Government Gazette* No. 104, Folio No. 6366, dated 27 June 2003, in respect of the grant of Mining Lease No. 1535 (Act 1992), should also have stated: As a result of the grant of this title, Exploration Licence No. 4510 has ceased to have effect and Exploration Licence No. 2865 has partly ceased to have effect on 13 June 2003.

The Honourable Kerry Hickey, M.P.,  
Minister for Mineral Resources



**ERRATUM**

THE notice appearing in *Government Gazette* No. 101, Folio No. 5817, dated 20 June 2003, stating that Mineral Claim Nos. 111 and 112 (Act 1992) had expired is hereby withdrawn. Valid applications for renewal were in fact lodged and the claims remain in force.

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

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**DELEGATION UNDER SECTION 8H OF THE  
PETROLEUM (SUBMERGED LANDS) ACT 1967  
(COMMONWEALTH)**

THE Joint Authority in respect of the adjacent area in respect of the State of New South Wales hereby revokes all existing delegations made pursuant to section 8H of the Act and delegates all its powers under the Act (other than the power of delegation), or under an Act that incorporates the Act, to the following two persons together:

- \* the person from time to time performing the duties of General Manager, Offshore Resources Branch, Resources Division, Commonwealth Department of Industry, Tourism and Resources, as the person representing Commonwealth Minister, and
- \* the person from time to time holding, occupying, or performing the duties of the office of Director Resource Planning and Development, Department of Mineral Resources of the State of New South Wales, as the person representing the State Minister.

Dated this 23rd day of April 2003.

IAN ELGIN MACFARLANE,  
Minister for Industry,  
Tourism and Resources

Dated this 20th day of June 2003.

KERRY ARTHUR HICKEY,  
Minister for Mineral Resources

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## Department of Sustainable Natural Resources

### WATER MANAGEMENT ACT 2000

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Compulsory Acquisition  
Fish River Water Supply

THE Minister for Land and Water Conservation, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for an authorised work.

On publication of this notice in the *Government Gazette* the land is vested in the Minister for Land and Water Conservation on behalf of the Water Administration Ministerial Corporation as Constructing Authority under section 375 of the Water Management Act 2000.

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

#### SCHEDULE

Land

Lot 101 in Deposited Plan 1045983.  
DPWS Reference: 183.

### 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 reduced to zero percent (0%) for the water year commencing 1 July 2003, until further notice.

Dated this day 2nd day of July 2003.

Signed for the Water Administration Ministerial Corporation

DAVID HARRISS,  
Regional Director,  
Murray Region,  
Department of Infrastructure, Planning  
and Natural Resources  
(by delegation).

### Water Act 1912

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

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

#### *Barwon/Darling River Valley*

Roderick Campbell BAIRD and Alice Anne BAIRD for 2 pumps on the Great Darling Ana-Branch, Lot 12/756168 and Lot 13/756168, Parish of Moorna, County of Tara, for

irrigation of 39.5 hectares (replacement licence — due to a permanent transfer of water entitlement) (Reference: 60SL085424) (GA2:512568).

SUNMAR INVESTMENTS PTY LTD for 1 pump on the Darling River, Lot 3/563683, Parish of Wentworth, County of Wentworth, for irrigation of 26.50 hectares (replacement licence — due to a permanent transfer of water entitlement — no increase in commitment to Murray River storages) (Reference: 60SL085425) (GA2:512569).

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,  
32 Enterprise Way (PO Box 363), Buronga, NSW 2739.  
Telephone: (03) 5021 9400.

### WATER ACT 1912

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

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

#### *Lachlan River Valley*

Kingsley James GREEN, Mark Kingsley GREEN and Robert James GREEN for 2 pumps on the Lachlan River on Lot 6/626336, Lot A/407543, Parish of Waayourigong, County of Forbes, for water supply for stock purposes and irrigation of 208.5 hectares (new licence — increase in allocation — combining existing entitlement with additional entitlement obtained by way of permanent transfer scheme.) (Reference: 70SL090906) (GA2:512504).

John Edward NAUGHTON for a pump on the Lachlan River on Lot 5/752995, Parish of Thononga, County of Franklin and a pump on Torrigan Creek on Lot 22/752995, Parish of Thononga, County of Franklin, for water supply for domestic and stock purposes and irrigation of 78.66 hectares (new licence — allocation — splitting existing entitlement) (Reference: 70SL090907) (GA2:512550).

John William NAUGHTON for a pump on the Lachlan River on Lot 3/752995, Parish of Thononga, County of Franklin, for water supply for domestic and stock purposes and irrigation of 162 hectares (new licence — allocation — splitting existing entitlement) (Reference: 70SL090908) (GA2:512550).

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

An application for a licence under section 13A of Part 2 of the Water Act 1912, has been received as follows:

*Lachlan River Valley*

Wayne Murray BARTHOLOMEW and Patricia Margaret BARTHOLOMEW for a pump on Lachlan River on Lot 2/1041337, Parish of Back Whoey, County of Blaxland, for water supply for irrigation of 24.5 hectares (pasture) (new licence — allocation obtained by way of Permanent Transfer Scheme) (Reference: 70SL090905) (GA2:512505).

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

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

*Lachlan River Valley*

R. F. and N. F. HATCH, R. L. SMITH, D. H., R. W. and C. R. DUNLOP, D. H., J. W. and C. J. DUNLOP, J. C. and P. J. LAWSON and A. J. and A. M. BOWEN for a pump and pipeline on Lachlan River on Lots 2, DP 1003353, Parish of Cudgelong, County of Forbes, for water supply for domestic and stock purposes (new authority) (Reference: 70SA009597) (GA2:512502).

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

DAVID THOMAS,  
Senior Natural Resource Officer,  
Central West Region.

Department of Infrastructure, Planning  
and Natural Resources,  
PO Box 136, Forbes, NSW 2871.  
Telephone: (02) 6852 1222.

**WATER ACT 1912**

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

*Murrumbidgee Valley*

Stuart Ernest Charles WALTON for a bore on Lot 2, DP 835029, Parish of Wilkie, County of Harden, for irrigation of 42 hectares (cherries) (application to convert existing Test Bore Licence (Constructed) (Reference: 40BL189544).

Michael Ernest BATINICH for a bore on Lot 142, DP 753632, Parish of Wilkie, County of Harden, for irrigation of 108 hectares (orchard) (application to convert existing Test Bore Licence (Constructed) (Reference: 40BL189543).

Panayiotis Peter ARTEMIOU, Jill Maree ARTEMIOU and GALEMIST PTY LIMITED for a bore on Lot B, DP 397723, Parish of Gumly, County of Wynyard, for industrial purposes (new licence — this application conforms with the current groundwater embargo) (Reference: 40BL189525).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 1 August 2003, as prescribed by the Act.

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

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

*Murrumbidgee Valley*

Wayne DURNAN for a pump on Colombo Creek, Lot 108, DP 756432, being Reserve Number 12265, Parish of Morundah South, County of Urana, for a water supply for stock and domestic purposes and irrigation of 50.67 hectares (replacement licence — increase in stock allocation and supply of stock water to neighbouring properties) (Reference: 40SL70868).

Richard SEDGWICK for 2 pumps on Hindmarsh Creek, Lot 202, DP 757234, and an earthen bywash dam and a pump on an unnamed watercourse, Lot 149, DP 757234, all Parish of Hindmarsh, County of Wynyard, for a water supply for stock and domestic purposes, farming purposes and irrigation of 24 hectares (apples) (replacement licence — increase in dam capacity in accordance with volumetric allocation) (Reference: 40SL70897).

OLD GOODNIGHT PTD LIMITED for a pump on the Murrumbidgee River, PT 8, DP 751203, Parish of Mamanga, County of Caira, for a water supply for stock and domestic purposes (new licence) (Reference: 40SL70902).

Tony John RUTTER and Deanna Dawn RUTTER for a pump on the Tarcutta Creek, Lot 11, DP 1037622, Parish Mate, County of Wynyard, for a water supply for stock and domestic purposes and irrigation of 3.34 hectares (lucerne and cereals) (new licence — allocation via permanent transfer) (Reference: 40SL70904).

Robert John FIELD and Brenda Joan FIELD for a pump on the Murrumbidgee River, Lot 1, DP 396207, Parish of Kimo, County of Clarendon, for a water supply for stock and domestic purposes and irrigation of 4.17 hectares (lucerne and forage crops) (replacement licence — no increase in allocation) (Reference: 40SL70903).

MILTINA PTY LIMITED for 3 pumps on the Numeralla River, Lot 2A, DP 750551 and Lot 2, DP 231030, Parish of Montagu and Lot 1, DP 577276 and Lot 16, DP 750556, Parish of Rivers, all County of Beresford, for a water supply for irrigation of 43.83 hectares (lucerne and cereals) (replacement licence — increase in allocation via permanent transfer) (Reference: 40SL70899).

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

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

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

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

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### WATER ACT 1912

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

Applications for licences within a proclaimed local area as generally described hereunder have been received as follows:

#### *Gwydir River Valley*

Peter James HARRIS and Jane Maree HARRIS for four (4) pumps on Moomin Creek on Lots 3, 4, 7 and 42, DP 751778, Parish of Minnaminane; Lot 50, DP 751775, Parish of Booramine, all County of Courallie and Lots 24, 30, 9 and 8, DP 750460, Parish of Doorabeeba, County of Benarba, for water supply for 1,296 hectares of existing irrigation and stock and domestic purposes (no change in authorised works or pumphsites) (Reference: 90SL100671).

Malcolm David HARRIS for two (2) pumps on Moomin Creek on Lots 1 and 2, DP 751778, Parish of Minnaminane, County of Courallie, for water supply for 1,134 hectares of existing irrigation and stock and domestic purposes (no change in authorised works or pumphsites) (Reference: 90SL100670).

These applications formally split the existing Authority No. 90SA11664 into separate licences between the holders on the property "Krui".

#### *Namoi River Valley*

Clive Angus SMITH for a pump on Timbumburi Creek, on Lot 2, DP 1048145, Parish of Murroon, County of Parry, for irrigation of 2.5 hectares (lucerne, cereal crops) (new licence — splitting of an existing entitlement due to subdivision of land) (LO Papers: 90SL100691).

Clive Angus SMITH for a pump on Timbumburi Creek, on Lot 1, DP 1048145, Parish of Murroon, County of Parry, for irrigation of 3 hectares (lucerne, cereal crops) (new licence — splitting of an existing entitlement due to subdivision of land) (LO Papers: 90SL100690) (GA2:368379).

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 for a Joint Water Supply Scheme within a proclaimed local area as generally described hereunder has been received as follows:

#### *Gwydir River Valley*

BEELAPTY LTD, Richard Lucas ESTENS, Margaret Lee ESTENS and VITONGA PTY LTD for three (3) pumps on Carole Creek on Lot 20, DP 1005480, Parish of Boolooroo, one (1) pump on the Gwydir River on Lot 8, DP 1005480, Parish of Boolooroo, and three (3) pumps and a diversion channel on Carole Creek on Lot 9, DP 235716 and Lot 1, DP 545457, Parish of Boolooroo, all County of Courallie, for irrigation of 600.5 hectares (cotton) (to amend Authority No. 90SA11686 by the inclusion of 980 megalitres of existing Gwydir River entitlement by way of permanent transfer) (LO Papers: 90SA11700) (GA2:368378).

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

GEOFF CAMERON,  
Manager,  
Resource Access.

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

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## Department of Urban and Transport Planning

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### **Bellingen Local Environmental Plan 2003 (Amendment No 1)**

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*. (G00/00156/PC)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure and  
Planning (Planning Administration)

Clause 1            Bellingen Local Environmental Plan 2003 (Amendment No 1)

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## **Bellingen Local Environmental Plan 2003 (Amendment No 1)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Bellingen Local Environmental Plan 2003 (Amendment No 1)*.

### **2 Aims of plan**

This plan aims to permit the carrying out of development on the land to which this plan applies for the purpose of forestry without requiring development consent from the Bellingen Shire Council.

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

This plan applies to all land within Zones Nos 1 (a1) (the Agricultural Protection Zone) and 1 (a2) (the Secondary Agriculture Zone) under the provisions of *Bellingen Local Environmental Plan 2003*.

### **4 Amendment of Bellingen Local Environmental Plan 2003**

*Bellingen Local Environmental Plan 2003* is amended by omitting from Item 2 (**Without development consent**) in the Table to clause 11 in the matter relating to Zones Nos 1 (a1) and 1 (a2) the words "Development for the purpose of agriculture (not including activities involving the erection of a building or damage to vegetation that are not exempt development)." wherever occurring and by inserting instead the following words:

Development for the purpose of:

agriculture (not including activities involving the erection of a building or damage to vegetation that are not exempt development)

forestry



## **Gosford Local Environmental Plan No 432**

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*. (N91/00543/PC)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure and  
Planning (Planning Administration)

Clause 1 Gosford Local Environmental Plan No 432

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## **Gosford Local Environmental Plan No 432**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Gosford Local Environmental Plan No 432*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to rezone part of the land to which this plan applies from Zone No 2 (b) Residential to Zone No 3 (a) Business (General) under the *Gosford Planning Scheme Ordinance*, and
- (b) to enable the use of the land for, and the erection on the land of, a multi-storey retail/commercial/residential development, and
- (c) to apply height and floor space ratio controls to the land.

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

This plan applies to land bounded by Painters Lane, Terrigal Esplanade and Campbell Crescent, Terrigal, as shown edged heavy black on Sheet 2 of the map marked "Gosford Local Environmental Plan No 432" deposited in the office of Gosford City Council.

### **4 Amendment of Gosford Planning Scheme Ordinance**

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



Gosford Local Environmental Plan No 432

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 3 Interpretation

Insert in appropriate order in the definition of *Scheme map* in clause 3 (1):  
Gosford Local Environmental Plan 432—Sheet 1

### [2] Clause 49DI

Insert in appropriate order:

#### **49DI Floor space ratio and height controls for land at Terrigal**

- (1) This clause applies to land bounded by Painters Lane, Terrigal Esplanade and Campbell Crescent, Terrigal, as shown edged heavy black on Sheet 2 of the map marked “Gosford Local Environmental Plan No 432” deposited in the office of the Council.
- (2) Despite clause 29B, the maximum floor space ratio for any building erected on the land to which this clause applies is 2.2:1.
- (3) A building must not be erected on the land if the height of the building exceeds RL 23.6 metres above Australian Height Datum (AHD).



New South Wales

## **Marrickville Local Environmental Plan 2001 (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*. (S02/02570/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure and  
Planning (Planning Administration)

Clause 1           Marrickville Local Environmental Plan 2001 (Amendment No 16)

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## **Marrickville Local Environmental Plan 2001 (Amendment No 16)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Marrickville Local Environmental Plan 2001 (Amendment No 16)*.

### **2 Aims of plan**

This plan aims:

- (a) to zone the land to which this plan applies from partly General Industrial 4 (A), partly Arterial Road and Arterial Road Widening 9 (C) Reservation and partly unzoned land to Light Industrial 4 (B) under *Marrickville Local Environmental Plan 2001*, and
- (b) to promote the economic use of the land.

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

This plan applies to land situated in the local government area of Marrickville, being Lot 10, DP 1013168 and part of Victoria Street, and known as 1 Albert Street, St Peters, as shown coloured purple with red edging and lettered 4 (B) on the map marked "Marrickville Local Environmental Plan 2001 (Amendment No 16)" deposited in the office of Marrickville Council.

### **4 Amendment of Marrickville Local Environmental Plan 2001**

*Marrickville Local Environmental Plan 2001* is amended by inserting in appropriate order in the definition of *the map* in Schedule 1 the following words:

Marrickville Local Environmental Plan 2001 (Amendment No 16)



New South Wales

## Wyong Local Environmental Plan 1991 (Amendment No 144)

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*. (N03/00015/S69)

DIANE BEAMER, M.P.,  
Minister Assisting the Minister for Infrastructure and  
Planning (Planning Administration)

Clause 1            Wyong Local Environmental Plan 1991 (Amendment No 144)

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## **Wyong Local Environmental Plan 1991 (Amendment No 144)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 144)*.

### **2 Aims of plan**

This plan aims to include the land to which this plan applies as a heritage item of local significance under the provisions of *Wyong Local Environmental Plan 1991*.

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

This plan applies to land situated in the local government area of Wyong, being Lot 101, DP 871404 and Lot 1, DP 823716, and known as 100 Shirley Street, Ourimbah, as shown edged heavy black on the map marked “Wyong Local Environmental Plan 1991—Heritage (Amendment No 144)” deposited in the office of Wyong Shire Council.

### **4 Amendment of Wyong Local Environmental Plan 1991**

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

Wyong Local Environmental Plan 1991 (Amendment No 144)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 7 Definitions

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

Wyong Local Environmental Plan 1991—Heritage  
(Amendment No 144)

### [2] Schedule 1 Heritage items

Insert in alphabetical order of street name in the matter relating to “**Ourimbah**” under the headings “**Street Name**”, “**No**”, “**Item**”, “**Significance**”, “**No**” and “**Map / Sheet**”, respectively:

Shirley Street	100	Dwelling	Local	93	37/4
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**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979  
LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991  
NOTICE OF COMPULSORY ACQUISITION OF LAND IN  
CITY OF SHOALHAVEN**

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

Dated at Sydney this 11th day of June 2003.

MARIE BASHIR

By Her Excellency's Command

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

**SCHEDULE**

All that piece or parcel of land situated in the City of Shoalhaven, Parish of Bherwerre and County of Saint Vincent being Lot 3 DP 810820, Captain Street and Elizabeth Drive, Vincentia and being the whole of the land contained in Folio Identifier 3/ 810820 and said to be in the ownership of Christos and Olga Voukidis and Theodore and Tsambika Baker.

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## Roads and Traffic Authority

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

Notice of Compulsory Acquisition of Land at Ourimbah in the Wyong Shire Council area.

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

D J Lorsch  
Manager, Statutory Processes  
Roads and Traffic Authority of New South Wales

—————  
SCHEDULE

ALL that piece or parcel of land situated in the Wyong Shire Council area, Parish of Ourimbah and County of Northumberland, shown as Lot 1 Deposited Plan 1038970, being part of the land in Certificate of Title Volume 1169 Folio 154.

(RTA Papers FPP 2M4606; RO F3/505.1799)

**ROADS ACT 1993**

## Section 10

Notice of Dedication of Land as Public Road at Kootingal in the Parry Shire Council area

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

D J Lorsch  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales.

—————  
SCHEDULE

All those pieces or parcels of land situated in the Parry Shire Council area, Parish of Moonbi and County of Inglis, shown as Lots 13, 14 and 15 Deposited Plan 1046684.

(RTA Papers: FPP 2M2451; RO 9/364.1282)

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

Notice of Compulsory Acquisition of Land at Boambee in the Coffs Harbour City Council area.

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

D J Lorsch  
Manager, Statutory Processes  
Roads and Traffic Authority of New South Wales

—————  
SCHEDULE

ALL those pieces or parcels of Council public road situated in the Coffs Harbour City Council area, Parish of Bonville and County of Raleigh, shown as:

Lots 6 and 7 Deposited Plan 1049350;

Lot 19 Deposited Plan 861057; and

Lot 3 Deposited Plan 1049224.

(RTA Papers 3M2711; RO 10/110.1757)



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

Notice of Compulsory Acquisition of Land at Kincumber in the Gosford City Council area.

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

D J Lorsch  
Manager, Statutory Processes  
Roads and Traffic Authority of New South Wales

**SCHEDULE**

ALL that piece or parcel of land situated in the Gosford City Council area, Parish of Kincumber and County of Northumberland, shown as Lot 11 Deposited Plan 1053127, being part of the land in Certificate of Title 1/123361.

The land is said to be in the possession of the Minister for Education and Training.

(RTA Papers FPP 3M2629; RO 184.1777)

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

Notice of Compulsory Acquisition of Land at Hoxton Park in the Liverpool City Council area.

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

D J Lorsch  
Manager, Statutory Processes  
Roads and Traffic Authority of New South Wales

**SCHEDULE**

ALL that piece or parcel of land situated in the Liverpool City Council area, Parish of St Luke and County of Cumberland, shown as Lot 6 Deposited Plan 1045029, being part of the land in Certificate of Title 18/2359, excluding from the compulsory acquisition of Lot 6 an easement for transmission line created by Dealing K135418 and shown designated (D) on sheet 2 of Deposited Plan 1045029.

The land is said to be in the possession of the New South Wales Electricity Transmission Authority.

(RTA Papers 3M2790; RO F9/259.11010)

**ROADS ACT 1993**

## Section 10

Notice of Dedication of Land as Public Road at Homebush  
in the Canada Bay City and Strathfield Municipal  
Council areas

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

D J Lorsch  
Manager, Statutory Processes,  
Roads and Traffic Authority of New South Wales.

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**SCHEDULE**

All those pieces or parcels of land situated in the Canada  
Bay City Council area, Parish of Concord and County of  
Cumberland, shown as:

Lot 1 Deposited Plan 325364;  
Lot 1 Deposited Plan 181170; and  
Lot 1 Deposited Plan 320249.

ALSO All those pieces or parcels of land situated in the  
Strathfield Municipal Council area, Parish of Concord and  
County of Cumberland, shown as:

Lot 2 Deposited Plan 319082;  
Lot 1 Deposited Plan 321261;  
Lot 1 Deposited Plan 180904;  
Lot 1 Deposited Plan 319165;  
Lot 1 Deposited Plan 319860;  
Lot 1 Deposited Plan 320114;  
Lot B Deposited Plan 182816;  
Lot 1 Deposited Plan 97304;  
Lots 1, 2 and 3 Deposited Plan 180906;  
Lots 1, 2, 3 and 4 Deposited Plan 180866;  
Lot 1 Deposited Plan 328718;  
Lot 1 Deposited Plan 317195;  
Lot 1 Deposited Plan 178578;  
Lot 4 Deposited Plan 178579;  
Lot 1 Deposited Plan 178577; and  
Lot 1 Deposited Plan 317338.

(RTA Papers: 2M1394).

## Other Notices

### DISTRICT COURT ACT 1973

District Court of New South Wales  
Direction

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

Queanbeyan, 10.00 a.m., 24 November 2003 (2 weeks).

Dated this 27th day of June 2003.

R. O. BLANCH,  
Chief Judge.

### DISTRICT COURT ACT 1973

District Court of New South Wales  
Direction

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Queanbeyan, 10:00 a.m., 15 September 2003 (2 weeks), in lieu of 8 September 2003 (3 weeks).

Dated this 27th day of June 2003.

R. O. BLANCH,  
Chief Judge.

### DISTRICT COURT ACT 1973

District Court Practice Note No. 36  
Commercial List

#### 1. Commencement

1.1 This Practice Note is issued as a direction under section 68A of the District Court Act 1973 and will apply from 1 August 2003 to all proceedings in the Commercial List managed in Sydney including those already commenced. It replaces Practice Note 36 dated 23 August 1996.

#### 2. Objective

- 2.1 Consistent with its published Strategic and Business Plans the Court's objective is to have cases in the Commercial List efficiently prepared so there will be speedy determination of the real issues in dispute between the parties. With this in mind, the Court's aim is for 90% of cases in the Commercial List to be decided within 12 months of commencement and 100% within 2 years.
- 2.2 All matters placed in the Commercial List shall be managed by a Judge having the control of the list.
- 2.3 To ensure efficient progress of actions through the system, compliance by litigants with the timetable ordered by the Court is essential. To that end, the Court expects to receive the assistance of the legal profession in fully informing the litigants of their obligations in complying with the orders of the Court.

#### 3. Entry into the Commercial List

- 3.1 Proceedings may be entered in the Commercial List by:
  - (a) The plaintiff or the defendant endorsing the Statement of Claim or the Notice of Grounds of Defence in accordance with Part 24B Rule 3.
  - (b) The filing of a Consent Order to that effect: Rule 4.
  - (c) Order of the Court on Notice of Motion. Any such motion shall be made returnable before the Judge having the control of the Commercial List: Rule 5.
  - (d) Order of the Court on its own motion: Rule 6.
- 3.2 An action commenced on the basis of a common money count pleading cannot be entered in the Commercial List without the leave of the Court.
- 3.3 An action in which the plaintiff's claim, either liquidated or unliquidated, is for less than \$75,000 cannot be entered in the Commercial List without the leave of the Court.

#### 4. Removal from the Commercial List

- 4.1 (a) Upon an order being made removing proceedings from the List, this Practice Note shall, subject to sub-paragraph (b), not apply to the proceedings from that date.
- (b) The Court may direct that this Practice Note shall continue to apply to the proceedings to the extent stated in the direction.
- (c) The making of an order removing proceedings from the List shall not affect any orders made or directions given prior to such removal.

#### 5. Pleadings

- 5.1 The Court's expectation is that a plaintiff will plead the cause of action sued upon with precision and clarity such that the defendant knows from the beginning what the cause of action relied on is and the case he has to meet. Where possible, the Court's aim is to obviate the necessity for particulars being sought of the pleaded cause of action.
- 5.2 Any defence filed should avoid formality, admit or deny the facts upon which the plaintiff relies and should state the facts upon which the defendant relies so that it will not be necessary for the plaintiff to seek particulars.
- 5.3 All parties to the proceedings must ensure that the issues are clearly spelt out in the pleadings to avoid new issues arising at the trial.
- 5.4 The provisions of this Practice Note, with such changes as the case requires, otherwise shall apply to cross claims.

#### 6. Directions Hearings

- 6.1 The proceedings shall be before the Court for directions on the listing date provided when the statement of claim or notice of grounds of defence is filed or as the Court may otherwise direct.

6.2 Directions hearings usually will be appointed for 9.30 am on each Friday during term. Proceedings may be listed at different times on each Friday and the daily list should be consulted. Where a public holiday falls on a Friday the Thursday preceding will usually be the day in that week for directions.

6.3 At the first directions hearing the Court expects:

- (a) The defendant to inform the Court what, if any, the defence will be; and whether or not cross claims are to be filed and, if so, what is the substance of such cross claims.
- (b) All parties should be in a position to inform the Court whether they consider that the dispute is or will be suitable for reference out to a referee for enquiry or for mediation or other alternative dispute resolution procedure and whether they consent to a referral for such purpose.

6.4 At the first directions hearing orders will be made with a view to the just, quick and efficient disposal of the proceedings. Practitioners are expected to have in legible written form a draft of the orders they will ask the court to make. Such orders or directions will usually relate to:

- (a) the filing of defences and cross claims, including defences thereto;
- (b) if essential, the provision of particulars;
- (d) discovery with respect to specific categories of documents;
- (e) the service of affidavits or statements of evidence;
- (f) exchange of experts' reports;
- (g) a return date for subpoenas.

6.5 Consistent with the Court's view concerning the provision of particulars, so, too, orders for general discovery and the administration of interrogatories will be made only upon demonstrated need being established in a particular case.

## 7. Attendance of Legal Representatives

7.1 Each party not appearing in person shall be represented at any directions hearing by a barrister or a solicitor familiar with the subject matter of the proceedings and with instructions sufficient to enable all appropriate orders and directions to be made.

7.2 Practitioners should have communicated with each other prior to each directions hearing with a view to agreement on directions being sought from the Court.

## 8. Interlocutory Disputes

8.1 The Court will endeavour to deal with interlocutory disputes expeditiously and to that end will not necessarily require the filing of a notice of motion.

8.2 Before bringing an interlocutory dispute before the Court, the legal representatives of the parties should confer with a view to resolving the dispute or, at least, narrowing its compass. If convenient to the Court, it may wish to resolve an interlocutory

dispute at a directions hearing. The parties should be prepared for such an eventuality. Where, however, it is apparent that the issue is one of some complexity the Court will require a formal notice of motion.

8.3 Where it will be necessary to resolve an interlocutory dispute by notice of motion the Court should be informed of any party's intention to file such a notice of motion so that a timetable can be put in place to ensure that the motion is ready to be heard on the allocated date.

## 9. Subpoenas

9.1 Subpoenas should be issued at an early time so that the gathering of documents does not delay the progress of a case.

9.2 A return date for subpoenas can be given at a directions hearing, preferably the first such hearing. Return dates for subpoenas are generally appointed for 11am on each Monday before the Registrar.

## 10. Liberty to Apply

10.1 Parties have general liberty to apply. The party seeking to relist a matter shall do so by sending a written request to the Associate to the Judge having the control of the Commercial List. Copies of such a request are to be served on all other parties to the proceedings.

## 11. Listing for hearing

11.1 A date for hearing may be fixed prior to completion of interlocutory steps. In this regard the parties should inform the Court at the earliest possible date when they become aware that the case is a long matter, that is, likely to be heard over a period exceeding 4 days.

11.2 The fixing of a date for hearing will usually occur at a directions hearing. Upon fixing a date for hearing the Court will normally direct that the usual order for hearing set out in the Schedule shall apply, with or without modification.

## 12. Experts

12.1 Where experts' reports have been or are to be served the Court may direct, upon such terms as it thinks fit, that the parties cause the experts or some of them to confer so they can identify and understand any points of difference between them and the reasons therefor with a view to narrowing any points of differences of opinion.

12.2 The Court may direct, at the same time as or subsequent to directing a conference as referred to in paragraph 12.1, that the parties prepare an agreed statement of the points of agreement, and of differences remaining, between experts, following such conference and the reasons therefor.

## 13. Alternative dispute resolution

13.1 Consideration of the use of alternative dispute resolution (ADR) procedures is encouraged. Apart from the requirement that the parties must inform the Court when proceedings are first listed whether

they consent to referral for mediation, the legal representatives of the parties and the parties should have in mind the use of ADR procedures and the Court will in appropriate cases draw attention to their possible use and require that failure to engage in ADR be explained to the parties.

#### 14. Adjournments

- 14.1 It is the responsibility of the parties' legal advisers to ascertain the availability of their clients and witnesses before a hearing date is allocated. Hearing dates will not be vacated and cases will not be adjourned except for a very good reason.
- 14.2 If there is to be an application for the vacation of a hearing date or adjournment it must be made by notice of motion with affidavit evidence in support. Such application should be made to the Judge who has the control of the Commercial List at the earliest possible opportunity and before the day of hearing.
- 14.3 If a case is not ready to proceed on the allocated hearing date, the party in default may be called upon to show cause why the statement of claim, cross claim or defence should not be dismissed or struck out.
- 14.4 Where appropriate, costs orders will be made in a sum of money payable within a specified time. Legal practitioners may be required to show cause as to why they should not be required to pay personally the amount required to satisfy the costs order.

R. O. Blanch,  
Chief Judge.

Dated: 30 June 2003.

#### SCHEDULE

##### Usual Order for Hearing

1. Where directions have been given for the service of experts' reports, and any party intends to rely on the evidence of an expert witness:
  - (a) at least 14 days before the date fixed for hearing each party shall, by notice in writing to each other party, state whether the party proposes to object to the whole or any part of any report which has been served and the ground for the objection;
  - (b) if the report is not tendered by the party who served it and the expert is not called as a witness, no other party may put the report in evidence without the leave of the Court;
  - (c) if an expert is called as a witness, the party calling the expert may not lead evidence from the expert the substance of which is not included in a report already served in accordance with this paragraph, without the leave of the Court;
  - (d) whether or not the report or any part of it is used in evidence by the party calling the expert, if the expert is called as a witness, any other party may use the report or any part of it in cross examination of the expert unless the Court otherwise orders; and
2. Other than in the case of experts' reports, where directions have been given for the service of affidavits or statements of evidence:
  - (a) a party who fails to comply with an order made for the service of affidavits or statements of evidence may not adduce evidence to which the order applies without the leave of the Court;
  - (b) at least 14 days before the date fixed for hearing each party shall, by notice in writing to each other party, state whether that party proposes to object to the whole or any part of any affidavit or statement of evidence specifying the part or parts and the grounds for the objections;
  - (c) the Court may, on such terms as it thinks fit, direct that the affidavit or statement of evidence served, or part of it, stand as the evidence in chief of the witness, or as part of such evidence;
  - (d) if the affidavit is not read or the maker of a statement of evidence is not called as a witness, no other party may put the affidavit or statement in evidence without the leave of the Court;
  - (e) if an affidavit is read or the maker of a statement is called as a witness, then save in relation to new matters which have arisen in the course of the trial, the party serving the affidavit or statement may not lead evidence from the deponent or the maker of the statement, the substance of which is not included in the affidavit or statement of evidence served, without the leave of the Court;
  - (f) whether or not the affidavit or statement of evidence or any part of it is used in evidence by the party calling the witness, if the deponent or the maker of the statement of evidence is called as a witness any other party may use the affidavit or statement of evidence or any part of it in cross examination of the witness unless the court otherwise orders;
  - (g) nothing in this order shall otherwise deprive any party of any proper objection to the admissibility of evidence.
3. (a) At least 14 days before the date fixed for hearing each party shall, by notice in writing to each other party, specify what documents it proposes to tender at the hearing and, in the event that there has not been inspection, where the documents may be inspected.
  - (b) Within 7 working days thereafter, each party shall notify each other party in writing:
    - (i) which of the specified documents may be tendered by consent;
    - (ii) whether the authenticity of any of the remaining documents, and if so which, is disputed; and
    - (iii) in so far as any document may not be tendered by consent, the grounds for the objection to its tender.

- (c) Each party other than the plaintiff shall, not later than 5.00 pm on the fourth last working day prior to the date fixed for hearing, deliver to the plaintiff's solicitor two copies of all documents intended to be tendered by such party at the hearing which have not been specified in the plaintiff's notice referred to in sub-paragraph (a). The plaintiff shall prepare for the Court by midday on the last working day prior to the date fixed for hearing, duly paginated and indexed, two copies of the bundle of the documents intended to be tendered at the hearing by any party. The index of documents should identify documents the tender of which is agreed and, in relation to the documents as to which there is no agreement, which documents they are and which party proposes tendering them.
4. (a) If any party intends to tender an original document that party shall, at least 7 days before the date fixed for hearing, give notice of that intention to all other parties.
- (b) If any party requires another party to tender an original document that party shall at the time of notification in accordance with sub-paragraph 3(b) give notice of that requirement to the other party.
- (c) The party in possession of any document the subject of a notice in accordance with sub-paragraph (a) or (b) shall make the document available for inspection prior to the date of hearing at the chambers of the barrister or office of the solicitor for that party giving the notice.
5. Where an order has been made for the service of verified lists of documents:
- (a) until the conclusion of the hearing each party shall be under a continuing obligation to disclose any document relevant to any matter in issue with respect to the matters specified in the original order;
- (b) in the event that a party becomes aware that documents which have been in its possession have not been included in its list of documents, whether by reason of oversight or otherwise, that party shall forthwith include, and clearly identify, particulars of those additional documents in a supplementary list and serve an affidavit verifying that list and explaining the reason for the failure to disclose the documents in the original list.
6. No later than 4.30 pm on the last working day before the hearing:
- (a) counsel for the plaintiff shall cause to be served on counsel for the other parties a statement of agreed issues, a chronology of relevant events and, where appropriate, a list of persons relevant to the issues in dispute;
- (b) in the event that there is no agreement, counsel for each of the parties shall serve on counsel for the other parties a statement of the issues which he or she perceives are likely to arise;
- (c) counsel for each of the parties shall cause to be served on counsel for the other parties a list of topics to be covered by submissions, in the order in which they will be taken, and a list of propositions of law relied upon together with the authorities to be cited in support;
- (d) counsel for any party other than the plaintiff may serve a chronology of relevant events and a list of persons relevant to the issues in dispute.
- In the event that a party will be represented at the hearing by a solicitor, this order shall apply to that solicitor.

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**HUNTER WATER ACT 1991**  
**LAND ACQUISITION (JUST TERMS**  
**COMPENSATION) ACT 1991**

Hunter Water Corporation

Notice of Compulsory Acquisition of Land and  
Easements  
Tomago Sandbeds

HUNTER Water Corporation declares, with the approval of Her Excellency the Governor and the Executive Council that the Land and Easements described in the Schedule below are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for water supply purposes under the Hunter water Act 1991.

Dated at Sydney this 11th day of June 2003.

DAVID EVANS,  
Managing Director,  
Hunter Water Corporation.

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SCHEDULE

Land

Lot 20, DP 1044409 (Part Conv. No. 249, Bk. 2018).

Interest in Land

Easement rights being a Right of Carriageway pursuant to section 88B of the Conveyancing Act 1919, over the site shown as:

“© PROPOSED RIGHT OF CARRIAGEWAY AND EASEMENT FOR SERVICES 3 WIDE” in Deposited Plan 1044409 within Lot 21 in Deposited Plan 1044409, being part of the land in Conv. No. 249, Bk. 2018.

Easement rights being an Easement for Services pursuant to section 88B of the Conveyancing Act 1919, over the site shown as:

“© PROPOSED RIGHT OF CARRIAGEWAY AND EASEMENT FOR SERVICES 3 WIDE” in Deposited Plan 1044409 within Lot 21 in Deposited Plan 1044409, being part of the land in Conv. No. 249, Bk. 2018.

(C5/10310)

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**NATIONAL PARKS AND WILDLIFE ACT 1974**

Notice of Reservation of Nature Reserve

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Seaham Swamp Nature Reserve, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 11th day of June 2003.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

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

GODSAVE THE QUEEN!

SCHEDULE

*Land District – Maitland; L.G.A. – Port Stephens.*

County Durham, Parish and Town Seaham, 63.2 square metres, being Lot 2, DP 1036597. NPWS F/4067.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Notice of Reservation of a Nature Reserve

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Billinudgel Nature Reserve, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 11th day of June 2003.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

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

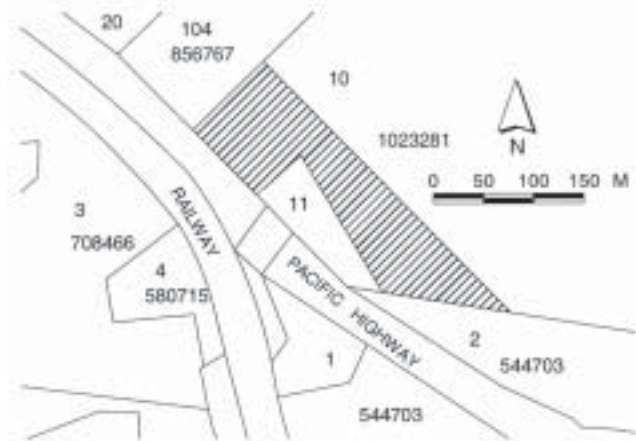
GODSAVE THE QUEEN!

SCHEDULE

*Land District – Murwillumbah; L.G.A. – Byron.*

County Rous, Parish Billinudgel, about 2.28 hectares, being the remainder of Lot 10, DP 1023281, not dedicated as part of Billinudgel Nature Reserve and shown by hatching in the diagram following. NPWS/F/3204.

DIAGRAM



Note: Cadastral data sourced from Land & Property Information, Bathurst.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Notice of Reservation of National Park

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Wadbilliga National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 11th day of June 2003.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

BOB DEBUS, M.P.,  
Minister For The Environment

GODSAVE THE QUEEN!

SCHEDULE

*Land District – Moruya; L.G.A. – Bega Valley.*

County Dampier, Parish Wadbilliga, about 240 hectares, being Lots 6, 13, 16, 19 and 27, DP 752160, the Crown public road within Lots 6, 13 and 16, DP 752160 and the Crown public road separating Lot 6, DP 752160 from Lot 16, DP 752160. NPWS F/1262, F/1735, F/1736 and F/2037.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Notice of Reservation of National Park

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Brisbane Water National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 11th day of June 2003.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

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

GODSAVE THE QUEEN!

SCHEDULE

*Land District – Gosford; L.G.A. – Gosford City.*

County Northumberland, Parish Patonga, about 3.33 hectares, being Lot 21, DP 834012. NPWS F/2839.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Notice of Reservation of National Park

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Yanunubeyan National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 11th day of June 2003.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

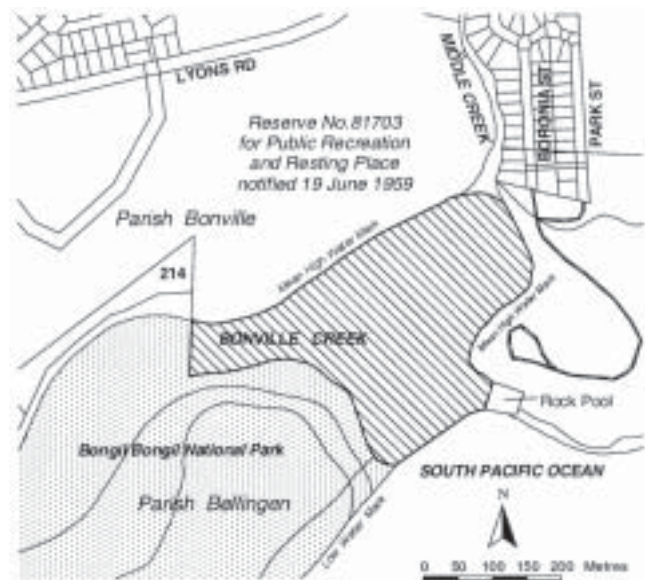
BOB DEBUS, M.P.,  
Minister for the Environment

GODSAVE THE QUEEN!

SCHEDULE

*Land District—Queanbeyan; L.G.A. — Yarrowlumla.*

County Murray, Parish Bullongong and Yanununbeyan,  
32.38 hectares, being Lot 6, DP 754870 and Lot 140, DP  
754920. NPWSA/6947.



**NATIONAL PARKS AND WILDLIFE ACT 1974**

Notice of Reservation of National Park

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Bongil Bongil National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 11th day of June 2003.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

BOB DEBUS,  
Minister for the Environment

GODSAVE THE QUEEN!

SCHEDULE

*Land District—Bellingen;  
L.G.A. — Coffs Harbour City and Bellingen.*

County Raleigh, Parish Bonville, about 361 hectares, being Lots 403 and 408, DP 1010978, Lots 3, 4 and 5, DP 815436, Lot 32, DP 837012, Lot 101, DP 839551, Lots 11 and 12, DP 815434, Lot 4, DP 866745, Lot 172, DP 755536, Lot 80, DP 1031233, Lot 10 and 11, DP 1031235, Water Reserve No. 2702, the bed of Bonville Creek separating Lot 5, DP 815436 from Lot 172, DP 755536 and Lot 4, DP 866745, Crown public road separating Portion 27 from Portion 38 (now DP 815436), Crown public road east of Water Reserve No. 2702 and within Lot 5, DP 815436, Crown public roads within Lot 172, DP 755536 (Portion 172) and Lot 4, DP 866745 (Portion 45); inclusive of Railway Trial Line Reserve within Lots 4 and 5, DP 815436 and Lot 403, DP 1010978; exclusive of Council Public road within Lots 3 and 5, DP 815436. NPWS/F/1022 and F/2278.

County Raleigh, Parish Bellingen, at Sawtell, about 9.4 hectares, that part of the bed of Bonville Creek shown by hatching in the diagram following. NPWS/F/525.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

PROCLAMATION

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of National Parks and Wildlife, by this my Proclamation declare the lands described hereunder to be a wildlife refuge for the purposes of the abovementioned Act.

To be known as "Rainridge Wildlife Refuge".

Signed and sealed at Sydney this 25th day of June 2003.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

BOB DEBUS,  
Minister for the Environment

GODSAVE THE QUEEN!

Description

*Land District—Gosford; L.G.A. — Gosford.*

County Northumberland, Parish Kincumber, 4.189 hectares, being Lot 1421, DP 873463. NPWS 03/02377.

**SUBORDINATE LEGISLATION ACT 1989**

Proposed Disability Services Regulation 2003

Regulatory Impact Statement

Invitation for Public Comment

THE Department of Ageing, Disability and Home Care has prepared a Regulatory Impact Statement in relation to the proposed Disability Services Regulation 2003. The Statement has been prepared in accordance with the provisions of the Subordinate Legislation Act 1989.



The proposed Disability Services Regulation is to be made under the authority of the Disability Services Act 1993. It will replace the Disability Services Regulation 1993, which will expire on 1 September 2003.

The objective of the proposed Regulation is to prescribe the definition of designated services for the purposes of the Disability Services Act 1993. A Regulatory Impact Statement has been prepared to elaborate on this objective. It includes the proposed Regulation.

Comments and submissions on the proposed Regulation are invited from any member of the public.

Copies of the Regulatory Impact Statement and the proposed Regulation may be obtained:

- from the Department's website, [www.dadhc.nsw.gov.au](http://www.dadhc.nsw.gov.au);
- from the Department:  
Level 13, 83 Clarence Street, Sydney 2000;
- by writing to  
Legal Services Branch  
Department of Ageing, Disability and Home Care  
Level 13, 83 Clarence Street, Sydney 2000; or
- by telephoning (02) 8270 2320,  
facsimile (02) 8270 2495.

Submissions and comments should be delivered or posted to the Director General, Department of Ageing, Disability and Home Care, Level 13, 83 Clarence Street, Sydney 2000, Attention: Corporate Counsel, or may be faxed to (02) 8270 2495.

The closing date for submissions is Monday, 28 July 2003.

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#### **SUBORDINATE LEGISLATION ACT 1989**

Department of Infrastructure, Planning and Natural Resources

NOTICE is given under the Subordinate Legislation Act 1989, of the Department's intention to make a Regulation under the Western Lands Act 1901. The proposed Western

Lands Regulation 2003, will repeal and remake with some changes the Western Lands Regulation 1997. The objectives are to:

- (a) Enable a consistent and equitable basis for the assessment of the annual rent payable on Western Lands leases;
- (b) Enable fair fees, interest and other charges to be levied for consents and other actions affecting Western Lands leases;
- (c) Provide for the efficient implementation of the Minister's and the Commissioner's powers in relation to Western Lands leases; and
- (d) Provide efficient procedures for the operation of Local Land Boards in the Western Division.

Copies of the draft Regulation and the Regulatory Impact Statement may be obtained from Mr Andrew Bell, 45 Wingewarra Street, Dubbo NSW, Telephone (02) 6883 3007, Fax (02) 6883 3099 or website <http://www.dlwc.nsw.gov.au/>

Comments or submissions are invited and should be sent to the contact officer by 3 August 2003, at the above address or to [adbell@dlwc.nsw.gov.au](mailto:adbell@dlwc.nsw.gov.au)

GEOFF WISE,  
Western Lands Commissioner.

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#### **SYDNEY CATCHMENT AUTHORITY**

Environmental and Ecologically Sustainable  
Development (ESD) Indicators

I, BOB DEBUS, Minister for the Environment, give notice that the Sydney Catchment Authority's Environmental and Ecologically Sustainable Development (ESD) Indicators, as published in the *Government Gazette* of 20 April 2001, are modified by the deletion of "Change in shareholder value added" from the list of ESD Indicators under the heading "Economic".

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

## Co-operative Housing and Starr-Bowkett Societies Act 1998 Notice under Section 194

TAKE NOTICE that the Standards Committee constituted under s191 of the Co-operative Housing and Starr-Bowkett Societies Act 1993 (the Act) proposes to pass a resolution after sixty (60) days from the publication of this notice. The resolution will make standards with respect to the business and affairs of Co-operative Housing Societies.

### PURPOSE OF THE STANDARDS

The Co-operative Housing and Starr-Bowkett Societies Act 1998 was proclaimed on 1 September 2000. Section 191 of the Act provides for the establishment of a Standards Committee for the making of standards for co-operative housing bodies and other matters. That Committee has been established by the Registrar as required by the Act.

The Standards Committee has determined to make standards relating to Risk Management, Disclosure and other matters. The aim of the Standards is to address practical issues in the supervision and conduct of Co-operative Housing Societies (CHSs), as specified in the Act.

Standards made by the Standards Committee take effect from the day that the resolution of the Standards Committee is published in the Gazette or on such later day as is specified in the resolution. All CHSs must comply with applicable Standards by virtue of s219 of the Act.

It is the responsibility of directors and management of CHSs to ensure that their organisation complies with these Standards, as their application is mandatory.

Each board retains the responsibility for ensuring that the procedures developed will give effect to the policies adopted and by review and examination, that the policies and procedures adopted are being faithfully employed in the operations of the entity.

### THE STANDARDS

The proposed standards broadly address issues of:

- Risk Management covered by the Act.
- Disclosure including reporting to membership, more general public reporting, and reporting to the Registrar.
- And other issues including the operation of management contracts, and requirements for reserves and provisioning.

## **STANDARDS OF CO-OPERATIVE HOUSING SOCIETIES**

These Standards are made pursuant to Part 8 of the Co-operative Housing and Starr-Bowkett Societies Act 1998 (the Act) and Co-operative Housing and Starr-Bowkett Societies Regulation 2000.

CHSs must comply with the Act, the Regulation, the Standards, Rules, the Consumer Credit Code and the law in general.

The primary responsibility for prudent management of each body rests with the board of directors and management of the society.

Management is responsible for ensuring that the activities of the society are conducted within the framework of approved policies and procedures. Each Society must have appropriate documented policies and procedures in place to manage identified risks.

### **1. Management Reserves**

- 1.1 Subject to 1.2 and 1.3 below, each CHS must hold a minimum level of management reserves equal in value to 0.75% of on-balance sheet loans outstanding and 0.25% of off-balance sheet loans outstanding. Where a Society can demonstrate to the Registrar that its effective risk in off-balance sheet lending is less than 0.25%, then the reserve requirement can be reduced to the demonstrated level.
- 1.2 In calculating minimum reserve levels, loans advanced since the beginning of the preceding financial year will be disregarded in determining the balance of the loans outstanding at the time that the reserve calculation is being undertaken.
- 1.3 In the case of a CHS not engaged in the provision of new loans the minimum level of management reserve that must be held may, with the written approval of the Registrar, be the dollar value of the management reserve held by the CHS on 30 June 2002 where this is less than that which would apply under 1.1.
- 1.4 A CHS engaged in the provision of new loans may make application to the Registrar under transitional arrangements to achieve compliance with 1.1 by 30 June 2004.
- 1.5 Each CHS must report to the Registrar each quarter on the level of management reserves and loans held by the CHS.

## 2. Provisions for Doubtful Debts

- 2.1 Each CHS shall calculate a provision for doubtful debts covering all on-balance sheet mortgages. Directors should ensure that all loans in default are reviewed regularly and that provisions are appropriate.
- 2.2 The minimum loan provision required must recognise the likelihood and value of any potential loss on sale that might be incurred.
- 2.3 Each Society will therefore determine the extent of such provision as follows:
- i In respect of non Government loans, a provision is to be calculated, based upon the formula in 2.4 below and brought to account by the Society at least half yearly.
  - ii. In respect of all Government sponsored loans (e.g. Home Purchase Assistance Account, Government Guarantee), a provision also based upon the formula in 2.4 below shall be calculated and brought to account at least half yearly. The results of which shall be reported to the Registrar.
- 2.4 Each loan that is six (6) months or more in arrears should be assessed for potential loss and provision made in accordance with the following formula:

- If the value of the property minus 20% **is greater than** the loan balance minus Indemnity (or Mortgage Insurance) no provision is required. Eg:

Property Value	\$125,000	Loan Balance	\$102,000
Less 20%	\$ 25,000	Less: Indemnity	\$ 5,000
	<u>\$100,000</u>		<u>\$ 97,000</u>

- If the value of the property minus 20% **is less than** the loan balance minus Indemnity (or Mortgage Insurance) a provision is required for a minimum of the difference. Eg:

Property Value	\$120,000	Loan Balance	\$102,000
Less 20%	\$ 24,000	Less: Indemnity	\$ 5,000
	<u>\$96,000</u>		<u>\$ 97,000</u>

Minimum Provision = \$97,000 - \$96,000 = \$1,000

- 2.5 A determination of market value not more than twelve (12) months old is required for all loans six (6) months or more in arrears.
- 2.6 No provision is required for a loan that is secured by a registered first mortgage and is Mortgage Insured or Indemnified for 100% of the outstanding balance.

**3. Insurance**

Each CHS must be covered by current insurance policies for fidelity risk; fire and other like peril; director's and officer's liability (minimum \$500,000); public liability; and professional indemnity (minimum \$1,000,000) liability.

**4. Approval of new loans**

Each CHS must have a clearly documented loan approval policy, which will include:

1. loan approval process
2. limits of authority
3. delegations

All loans must comply with the written policy.

**5. Security of documents**

Each CHS must provide safe custody of key documents and the off-site storage of back-up data of Society records.

**6. Management Contracts**

Management contracts entered into by CHS must be legally binding and signed by all parties. The contract must clearly define the responsibilities covered by the agreement, including requirements for insurance to be held by the contractor.

The terms of the agreement must be clearly documented.

Contracts are to be entered into on terms and conditions no more favourable than those which it is reasonable to expect the Society would agree to if it were dealing at arm's length for the procuring of the same services and in the same circumstances. There must be a documented system for awarding, review and renewal of the agreements. Contracts must be clear in that there must be no conflict of interest with directors, officers of the society or related parties and the contractor.

Management contracts must not diminish control of the Society by the board or diminish the Registrar's supervision of the Society.

To avoid the establishment of unreasonable contingent liabilities, and to protect board control, contract periods must not exceed ten years or where contracts do not specify time limits, notice of termination by either the Society or the manager must not exceed 12 months.

Details, including fees and significant terms and conditions, of all management contracts must be fully disclosed to members in the Society's annual report.

**7. Variation of Standards**

Each of these Standards is subject to the provisions of Section 21 of the Act.

PROCEDURES FOR MAKING OF STANDARDS

Written suggestions on the proposed resolution are invited from interested persons or bodies and should be forwarded to the Committee within 30 days after publication of this notice.

Alana Eslick, Secretary Standards Committee  
PO Box 22  
BATHURST NSW 2795  
Fax: (02) 6333 1444  
E-mail: [aeslick@fairtrading.nsw.gov.au](mailto:aeslick@fairtrading.nsw.gov.au)

Copies of any written suggestions will be available for inspection and purchase at \$10 per copy from Alana Eslick Secretary, Standards Committee, at the Registry of Co-operatives and Associations, Telephone: 1800502042.

Comments on the written suggestions referred to above may be made by any interested person within 21 days after the end of the 30 day period and should be forwarded to the Committee.

Alana Eslick, Secretary Standards Committee  
PO Box 22  
BATHURST NSW 2795  
Fax: (02) 6333 1444  
E-mail: [aeslick@fairtrading.nsw.gov.au](mailto:aeslick@fairtrading.nsw.gov.au)

The Standards Committee will consider all suggestions and comments before passing the resolution, and may alter the terms of the proposed resolution to take account of suggestions and comments.

Dated 1 July 2003

(Published by the  
Department of Commerce,  
Office of Fair Trading,  
Registry of Co-operatives & Associations)

## Protection of the Environment Operations (General) Regulation 1998 - Load Calculation Protocol Variation Number One

### Title

1. This is Load Calculation Protocol Variation Number One.

### Application

2. This Protocol applies in respect of the licence fee period commencing on 22 August 2001.

### Authority

3. This Protocol is made pursuant to clause 18 of the *Protection of the Environment Operations (General) Regulation 1998* and gives effect to an agreement made with the relevant licence holder and the Environment Protection Authority.

### Variation

4. The Load Calculation Protocol gazetted on 10 May 2002 is amended by omitting the matter contained in tables (b) and (c) of item 7.9 "A27 Coke production (non recovery and recovery)" and inserting instead the following matter:

(b) Recovery process	Assessable pollutants—AIR							
	Benzene	Benzo(a) pyrene (equiv.)	Coarse partic.	Fine partic.	H <sub>2</sub> S	NO <sub>x</sub>	SO <sub>x</sub>	VOCs
6. Gas flares – inter works	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G
7. Coal crushing (hammer mills)	–	–	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	–	–	–	–
8. Coke screening	–	–	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	–	–	–	–
9. Oven charging and pushing (combined No. 7 battery)	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G
10. Standpipe emissions	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G



Table A27 (continued)

<i>Component or activity</i>	<i>Benzene</i>	<i>Benzo(a) pyrene (equiv.)</i>	<i>Coarse partic.</i>	<i>Fine partic.</i>	<i>H<sub>2</sub>S</i>	<i>NO<sub>x</sub></i>	<i>SO<sub>x</sub></i>	<i>VOCs</i>
11. Fugitive emissions	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	—	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G
12. Oven pushing (No.s 4, 5 and 6 batteries)	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G
13. Quenching	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G
14. Combustion stacks	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G
15. Sulfate plant	—	—	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	—	—	—	—
16. Gas processing emissions	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G
17. Gas processing fugitive emissions	SM—PM EF—PEMS, SS, G	SM—PM EF—PEMS, SS, G	—	—	SM—PM EF—PEMS, SS, G	—	—	SM—PM EF—PEMS, SS, G
<b>TOTAL actual load (kg)</b>								

SM—source monitoring (PM—periodic monitoring); EF—emission factor (G—generic; SS—site specific; PEMS—predictive emission monitoring system)

Note: Where EF—G is shown without a numerical value, no adequate data is available for Australian conditions at this time and an EF—PEMS or EF—SS may be developed by the licensee.

<b>(c) Recovery process</b>	<i>Assessable pollutants—WATER</i>			
<i>Component or activity</i>	<i>Oil &amp; grease</i>	<i>Total suspended solids</i>	<i>Total PAHs</i>	<i>Total phenolics</i>
18. Wastewater – point source	SM—PM, CEMS	SM—PM, CEMS	SM—PM, CEMS	SM—PM, CEMS
<b>TOTAL actual load (kg)</b>				

SM—source monitoring (PM—periodic monitoring; CEMS—continuous emission monitoring system)

# **Guidelines for the Burning of Bio-material**

## **Record Keeping and Reporting Requirements for Electricity Generating Facilities**

**June 2003**

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## INTRODUCTION

The Premier announced the NSW Government's policy on the 'Use of Forest Bio-material for Electricity Generation' in August 2002. The policy aims to ensure that native forest bio-material is not burned for electricity generation.

This objective is to be achieved through three means:

- prohibiting the development of stand-alone native forest bio-material power plants
- prohibiting the harvest of native forests solely to supply bio-material for power generation
- restricting the co-firing of native forest bio-material in power plants to certain sources such as plantation or sawmill waste.

The policy also undertakes to establish an independent certification process to ensure that power plants comply.

To implement this policy the Protection of the Environment Operations (General) Amendment (Burning of Bio-material) Regulation 2003 was gazetted on 10 January 2003.

The Regulation has three components. These are:

- prohibit the burning of native forest bio-material for electricity generation
- require record-keeping from electricity generators that burn any kind of bio-material
- require reporting from electricity generators that burn forest bio-material
- require generators to have their reports independently certified.

Clause 57Q of the Regulation states: 'the EPA may, by order published in the Gazette, establish guidelines as to the keeping of records, and the preparation and auditing of reports'.

These Guidelines are made under the Regulation.

The EPA will be the Appropriate Regulatory Authority for the Regulation and will be responsible for ensuring that the electricity generating works comply with the Regulation. This will be achieved through:

- reports received from electricity generating works indicating the amounts of bio-material used in a given year
- independent auditing and certification of these documents
- extending the EPA's existing compliance audit framework to include this Regulation.

## RECORD-KEEPING, REPORTING AND INDEPENDENT AUDIT REQUIREMENTS

The Protection of the Environment Operations (General) Amendment (Burning of Bio-material) Regulation 2003 ('the Regulation') requires the occupier of any premises on which bio-material is burnt in an electricity-generating works to keep certain records and, if this bio-material includes forest bio-material, to submit reports certified by an independent auditor. The EPA's requirements for record-keeping, reporting and auditing are set out in these Guidelines.

### Who is affected by these requirements?

The occupier of the premises is subject to the record-keeping requirements under the Regulation if:

- there is an electricity generating works (as defined in the Regulation) on the premises and
- bio-material of any kind is burnt in the electricity generating works.

The occupier of the premises is subject to the reporting and independent audit requirements under the Regulation if:

- there is an electricity generating works (as defined in the Regulation) on the premises, and
- forest bio-material (as defined in the Regulation) is burnt in the electricity generating works.

These terms are defined in the Regulation as follows:

**Electricity generating works:** means a work (including associated facilities) that supplies, or is capable of supplying, more than 200 kilowatts of electricity. The electricity generating works may be the principal activity on the premises or may be incidental to other activities. The electricity generating work may generate electricity for sale to the grid or for use on site.

**Forest bio-material:** means the bio-material comprised in trees.

**Native forest bio-material:** means the bio-material comprised in Australian native trees, other than:

(a) bio-material obtained from:

- (i) an authorised plantation within the meaning of the *Plantations and Reafforestation Act 1999*, or
- (ii) an existing plantation within the meaning of section 9 of the *Plantations and Reafforestation Act 1999*, or
- (iii) land on which exempt farm forestry (within the meaning of the *Plantations and Reafforestation Act 1999*) is being carried out, or
- (iv) land on which ancillary plantation operations (within the meaning of section 9 of the *Plantations and Reafforestation Act 1999*) are being carried out, or

(b) sawdust or other sawmill waste, or

(c) waste arising from wood processing or the manufacture of wooden products, other than waste arising from activities (such as woodchipping or the manufacture of railway sleepers) carried out at the location from which the Australian native trees are harvested.

### Interpretation of these Guidelines

There is a range of non-native sources of forest bio-material, including plantation bio-material, sawdust and sawmill waste, and waste arising from wood processing. There are also non-forest sources of bio-material, for example bagasse, exotic woody weeds and non-woody energy crops.

In these Guidelines, a reference to 'bio-material' includes forest bio-material, native forest bio-material and all other sources of bio-material listed in the paragraph above.

'Burning' includes the use of pyrolysis and gasification, which involve the heating of bio-material to produce combustible products, where such products are subsequently burnt for electricity generation.

## RECORD-KEEPING

Under clause 57N(1) of the Regulation the ‘occupier of any premises who causes or allows bio-material of any kind to be burned in any electricity generating works in or on those premises during a reporting period must keep records’. The requirements and definition of a reporting period are contained under the heading ‘When must this information be submitted?’ later in these Guidelines.

### What records must be kept?

The records need to show the amount of bio-material used as a fuel to produce electricity by the premises over the reporting period. The following information must be recorded and kept:

- documentation for the supply of bio-material, including:
  - the name of the supplier from whom the bio-material was purchased/obtained
  - the date of supply of the biomaterial
  - the type of bio-material
  - the location where the bio-material was harvested or sourced from
  - the amount of bio-material in tonnes dry weight.
- the amount of electricity (in kilowatt hours) produced from the bio-material supplied during the reporting period
- the total amount of electricity (in kilowatt hours) produced by the electricity generating works during the reporting period.

### When do I have to start keeping records?

Records must be kept from 1 July 2003 if the requirements apply to your premises.

### How long must these records be kept?

Records must be kept for at least 4 years after the end of the reporting period to which they relate.

### Who may inspect these records?

An independent auditor may inspect these records, in the course of auditing your Annual Bio-material Report to the EPA. These Guidelines set out procedures for independent auditor certification under the heading ‘Requirements for Independent Auditors’.

You are required to make these records available to any authorised EPA officer on request.

### How must these records be kept?

Records must be kept in the following manner:

**A running summary ledger.** This must contain the following information:

- at the beginning of the reporting period, the opening balance of all materials on the premises that are to be used for the generation of electricity
- the date on which all materials used for the generation of electricity enter or leave the premises, together with their source, record type and amount (tonnes dry weight)
- at the end of the reporting period, the closing balance of all materials on the premises that are to be used for the generation of electricity.

If the material is bio-material, the ledger must indicate which of the following categories the bio-material belongs to:

- bagasse
- exotic woody weeds
- non-woody energy crops
- other bio-material
- plantation bio-material
- sawdust and sawmill waste
- waste arising from wood processing
- woody planted energy crops.

**Full supporting records.** These records must be kept in English and in a manner that allows the summary information for a reporting period to be verified by an authorised EPA officer or an independent auditor.

### **Descriptions of bio-material for reporting purposes**

For the purpose of reporting use of bio-material to the EPA, the following definitions are to be used:

**Bagasse:** defined as ‘the residue after juice is extracted from sugar cane in the sugar cane milling process or from grapes after the juice has been extracted’.

**Exotic woody weed:** defined as ‘a plant having stout stems consisting of lignin or woody material that occurs opportunistically on land that has been disturbed by human activity or on cultivated land, where it competes for nutrients, water, sunlight or other resources with cultivated plants. Under different circumstances the plant may itself be cultivated (e.g. it may grow from seed or propagate vegetatively from the residue of a previous crop).’

**Non-woody energy crops:** defined having regard to Regulation 9 ‘Special Requirements – energy crops’ of the Renewable Energy (Electricity) Regulations 2001 of the Commonwealth as –

‘an energy crop that does not have a woody trunk or stems, including an agricultural or horticultural crop and its biomass by-products, grown as an energy source for the primary purpose of energy production’.

**Other:** defined as any bio-material (other than the bio-materials listed in this section) that has been used for the purpose of electricity generation.

**Plantation bio-material:** defined in clause 57L of the Protection of the Environment Operations (General) Regulation 1998 as:

‘biomaterial obtained from:

- an authorised plantation within the meaning of the *Plantations and Reafforestations Act 1999*; or
- an existing plantation within the meaning of section 9 of the *Plantations and Reafforestations Act 1999*; or
- land on which exempt farm forestry (within the meaning of the *Plantations and Reafforestations Act 1999*) is being carried out; or
- land on which ancillary plantation operations (within the meaning of section 9 of the *Plantations and Reafforestations Act 1999*) are being carried out’.

**Sawdust and sawmill waste:** defined as the dust or residues produced in the process of sawing wood into planks, boards or other timber products.

**Waste arising from wood processing:** defined in clause 57L of the Protection of the Environment Operations (General) Regulation 1998 as:

‘waste arising from wood processing or the manufacture of wooden products, other than waste arising from activities (such as woodchipping or the manufacture of railway sleepers) carried out at the location from which the Australian native trees are harvested’.

It is intended that this would include:

- Primary wood waste from urban sources, that is, wood waste from landfill, and transfer stations (for example, from urban and roadside tree lopping and removals from urban areas).
- secondary wood waste, that is, products in the later stages of the wood product cycle. This could include second-hand or recycled timber or timber products or waste products (for example, from the construction of buildings), including timber off-cuts and timber from demolished buildings.

**Woody planted energy crops:** defined having regard to Regulation 9 ‘Special Requirements – energy crops’ of the Renewable Energy (Electricity) Regulations 2001 of the Commonwealth as:

‘an energy crop being either a tree or a shrub, including an agricultural or horticultural crop and its biomass by-products, grown as an energy source for the primary purpose of energy production’.

## REPORTING TO THE EPA

Clause 57N(2) of the Regulation states that 60 days after the end of each reporting period a report must be prepared in relation to the amount of electricity generated by the electricity generating work and the amount of forest bio-material used as fuel in the electricity generating work. Under the Regulation it is not necessary for electricity generating works to provide a report if they did not use any forest bio-material as fuel in the premises during the reporting period.

### When must this information be submitted?

The Annual Bio-material Report must be completed and submitted to the EPA for any yearly period in which forest bio-material is used by the facility to generate electricity for any length of time within that reporting period. The following reporting periods apply:

**For licensed premises or scheduled activities:** For premises that hold an Environment Protection Licence under the *Protection of the Environment Operations Act 1997*, the Annual Bio-material Report must be completed and submitted to the EPA within 60 days after the end of the licensee's licence fee period (or anniversary date). That is, the Report is due to be received by the EPA at the same time as the licensee's Annual Return and payment of administrative fees. This report will be necessary only if forest bio-material has been used at the premises during the licence fee period.

#### *Example:*

Your premises have a licence anniversary date of 1 September 2003. If your premises have burned any forest bio-material, as specified in the Regulation, between 1 September 2003 and 31 August 2004, you will be required to provide the EPA with an Annual Bio-material Report by 31 October 2004.

**For non-licensed premises or non-scheduled activities:** For non-licensed premises the first reporting period will be from 1 July 2003 to 30 June 2004. This means that if the premises use any forest bio-material between these dates a Report must be completed and submitted to the EPA by 29 August 2004. The reporting period applies if forest bio-material is used on the premises at any time during the reporting period.

#### *Example:*

Your premises first use forest bio-material on 1 March 2004. The Report will still need to contain all requested information for the period 1 July 2003 until 30 June 2004.

### What information does the EPA require for this report?

An Annual Bio-material Report must be submitted to the EPA in the form set out in the Appendix. An electronic version of this form can be found at [www.epa.nsw.gov.au/legal/notices.htm](http://www.epa.nsw.gov.au/legal/notices.htm). This Report is to provide the EPA with a summary of the bio-material used by the facility over the reporting period. Although the EPA requires only a summary of the information, complete records must be kept and made available on the request of an authorised EPA officer. In addition, the completed records must be made available to the independent auditor to certify the information provided in Part B of the Report. Parts A, B and C must be completed by the occupier of the electricity generating work<sup>1</sup>. Part D must be completed by an independent auditor who is responsible for verifying Part B of the Report.

**Part A** requires general information such as:

- the common name of the premises
- the address of the premises (including Lot and DP number)
- the Environment Protection Licence Number (if the facility is licensed by the EPA)
- name of the occupier of the premises. (This will be the name of the company or the individual who occupies the premises.)
- whether the occupier of the premises occupied the premises during the reporting period
- a declaration to be made that no native forest bio-material was burnt at the premises during the reporting period.

<sup>1</sup> 'Electricity generating works' is defined earlier in these Guidelines under the heading 'Who is affected by these requirements?'



**Part B** requires:

- the total amount of electricity (in kilowatt hours) generated at the electricity generating works during the reporting period
- the total amount of electricity (in kilowatt hours) generated at the electricity generating works that was produced by burning bio-material during the reporting period
- the total amount (in tonnes dry weight) of bio-material used during the reporting period.

**Part C** is the signature component of the Report, in which the occupier of the premises where an electricity generating works is located provides an undertaking that the information contained in the report as a whole is true and accurate.

Acceptable signatories for the report are as follows:

- If the occupier of the premises is an individual, then the individual must sign.
- If the occupier of the premises is a company then either:
  - by fixing the common seal in accordance with the *Corporations Act 2001*, or
  - by two directors, or
  - by a director and a company secretary, or
  - if the proprietary company has a sole director who is also the sole company secretary, by that director, or
  - otherwise in accordance with the *Corporations Act 2001*, or
  - by a person approved by the EPA, in writing, to sign on the company's behalf.
- If the occupier of the premises is a public authority, then the public authority must sign in accordance with its legislation.
- If the occupier of the premises is a local council, then the council must sign in accordance with s. 377 of the *Local Government Act 1993* or by affixing the seal of the council in a manner authorised by that Act.

**Part D** must be completed by an independent auditor who has viewed the records of the facility and certifies as to the accuracy of the information provided in Part B. The independent auditor must follow the requirements set out in the section of these Guidelines entitled 'Requirements for independent auditors'.

## REQUIREMENTS FOR INDEPENDENT AUDITORS

### Qualifications

The independent auditor must be:

- a registered auditor under Part 9.2 of the *Corporations Act 2001*, and/or
- an Environmental Auditor as accredited by the Quality Society of Australasia.

### Independence of auditor

The auditor chosen by the facility must not have an interest, pecuniary or otherwise, in the business of the facility, being an interest that could conflict with the proper performance of the auditor's functions as an auditor of the records of that facility.

### Requirements for independent certification of the Report

1. The auditor, as part of the audit, must assess the Annual Bio-material Report for accuracy and check whether compliance has been correctly reported. If this is the case, the Auditor should certify the Annual Bio-material Report.
2. If the auditor is of the opinion that the occupier has not complied with Chapter 3B of the Protection of the Environment Operations (General) Regulation 1998 and these Guidelines and/or does not give a true and accurate representation, then the auditor's report must state the reasons for this belief.
3. The auditor should follow such procedures so as to provide assurance that the Annual Bio-material Report is free of material misstatement. The auditor should provide a brief description of the procedures followed in the course of this audit in an attachment to the Annual Bio-material Report.
4. The scope of the audit must be sufficiently comprehensive to enable an auditor to form an opinion as to whether the occupier of the premises has:
  - complied with the requirements of Chapter 3B of the Protection of the Environment Operations (General) Regulation 1998, and
  - provided a true and accurate representation of:
    - the total amount (in kilowatt hours) of electricity generated by the electricity generating works during the reporting period
    - the amount (in kilowatt hours) of electricity generated by burning bio-material over the reporting period
    - the total amount (in tonnes dry weight) of bio-material used during the reporting period.
5. It is an offence to supply any information in this audit report that is false or misleading in a material respect, or to make a statement that is false or misleading in a material respect. There is a maximum penalty of 200 penalty units<sup>2</sup> for a corporation and 100 penalty units<sup>2</sup> for an individual.

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<sup>2</sup> 'Penalty unit' is defined in section 17 of the *Crimes (Sentencing Procedure) Act 1999*.

**APPENDIX****ANNUAL BIO-MATERIAL REPORT**

*Please note that this form may be amended without notice. Visit the EPA's website at [www.epa.nsw.gov.au/legal/notices.htm](http://www.epa.nsw.gov.au/legal/notices.htm) for the most recent version.*

**PART A: GENERAL INFORMATION**

Premises to which report applies: \_\_\_\_\_

Common name of premises (if different from above): \_\_\_\_\_

Environment Protection Licence No. (if applicable): \_\_\_\_\_

Address of premises (including Lot and DP number): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Name of occupier of premises: \_\_\_\_\_

Reporting period: \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_  
                          DD   MM   YY           DD   MM   YY

The Annual Bio-material Report ('the Report') must be completed after the end of the reporting period and lodged with the EPA within 60 days of the end of the reporting period. Penalties will apply if the Report is not received within this time. The maximum penalties are:

- 200 penalty units<sup>3</sup> in the case of a corporation
- 100 penalty units<sup>3</sup> in the case of an individual

**How to complete your Annual Bio-material Report**

You will need to:

- complete the Declaration below
- complete Parts A, B and C of this form
- have an independent auditor certify the information contained in the Report and complete Part D of this form.

<sup>3</sup> 'Penalty unit' is defined in section 17 of the *Crimes (Sentencing Procedure) Act 1999*.

**PART B: REPORTING REQUIREMENTS****For the reporting period in Part A:**

1. Provide the amount of electricity generated (in kilowatt hours) at the electricity generating works during the reporting period:

Total amount of electricity generated: \_\_\_\_\_

2. Provide the amount of electricity generated (in kilowatt hours) at the electricity generating works by burning bio-material of any kind during the reporting period:

Total amount of electricity generated from bio-material of any kind: \_\_\_\_\_

3. Provide the total amount (in tonnes dry weight) of bio-material of any kind used during the reporting period:

Total amount of bio-material of any kind used: \_\_\_\_\_

**PART C: SIGNATURE**

The Annual Bio-material Report may be signed only by a person or persons with legal authority to sign it as an authorised representative of the company/premises.

The various ways in which, and people by whom, an Annual Bio-material Report may be signed are set out in the categories below. Please tick the box next to the category that describes how this Report is being signed. If you are uncertain about who is entitled to sign, or which category to tick, please phone the EPA Service Centre on 133 372.

If the occupier of the premises is:	The Annual Bio-material Report must be signed and certified in one of these ways:
An individual	<input type="checkbox"/> by the individual
More than one individual	<input type="checkbox"/> by all individuals who occupy the premises
A company	<input type="checkbox"/> by fixing the common seal in accordance with the Corporations Act, or <input type="checkbox"/> by two directors; or <input type="checkbox"/> by a director and a company secretary; or <input type="checkbox"/> if it is a proprietary company that has a sole director who is also the sole company secretary, then by that director; or <input type="checkbox"/> otherwise in accordance with the Corporations Act
A public authority (other than a council)	<input type="checkbox"/> the public authority in accordance with its legislation
A local council	<input type="checkbox"/> by the council in accordance with s. 377 of the Local Government Act; or <input type="checkbox"/> by affixing the seal of the council in a manner authorised under this Act.

It is an offence to supply any information in this form that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect. There is a maximum penalty of 200 penalty units for a corporation or 100 penalty units for an individual<sup>4</sup>.

I/We \_\_\_\_\_ (state name/s), being the occupier of the above premises, declare that:

- the occupier of the premises occupied the premises during the reporting period in which the bio-material was burnt, and
- no native forest bio-material within the meaning of Clause 57L of the Protection of the Environment Operations (General) Regulation 1998 was burnt during the reporting period.

I/We declare that the information in contained in Parts A and B of this Annual Bio-material Report is not false or misleading in a material respect.

SIGNATURE: \_\_\_\_\_

SIGNATURE \_\_\_\_\_

NAME: \_\_\_\_\_

NAME \_\_\_\_\_

(printed)

(printed)

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

(Please ensure that the appropriate box above has been ticked)

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

SEAL:

(if signing under seal)

\_\_\_\_\_

<sup>4</sup> 'Penalty unit' is defined in section 17 of the *Crimes (Sentencing Procedure) Act 1999*.

## PART D: INDEPENDENT AUDIT CERTIFICATION STATEMENT – BURNING OF BIO-MATERIAL

### Details of auditor:

Member of (tick as appropriate):

- Quality Society of Australasia (QSA)
- Certified Practising Accountants (CPA)
- Institute of Chartered Accountants (ICA)
- Accreditation by Australian Securities and Investment Commission (ASIC)

Membership/Accreditation number: \_\_\_\_\_

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

### Details of facility:

Company: \_\_\_\_\_

Premises: \_\_\_\_\_

Environment Protection Licence No. (if licensed): \_\_\_\_\_

This audit was conducted to determine whether Parts A, B and C of the Annual Bio-material Report, required under clause 57N of the Protection of the Environment Operations (General) Amendment (Burning of Bio-material) Regulation 2003 and completed by the occupier of the premises for the above premises, is a true and accurate reflection of:

- the total amount of electricity generated,
- the total amount of electricity generated from bio-material, and
- the total amount (in tonnes dry weight) of bio-material used by the electricity generating works during the reporting period.

In my opinion,<sup>5</sup> the Annual Bio-material Report of \_\_\_\_\_ (occupier of premises) does present/does not present<sup>6</sup> (delete as appropriate) a true and fair representation of:

- compliance with Chapter 3B of the Protection of the Environment Operations (General) Regulation 1998, and
- compliance with the requirements of the EPA's *Guidelines for the Burning of Bio-material*.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_

Please send completed form to:

Senior Project Officer, Burning of Bio-material Operational Policy Unit

Environment Protection Authority

PO Box A290, Sydney South NSW 1232

\_\_\_\_\_

<sup>5</sup> Please attach a brief description of the procedures followed in the course of the Audit to enable you to reach this opinion.

<sup>6</sup> If the Annual Bio-material Report does not, in your opinion, form a true and fair representation of these matters, please provide reasons in a separate attached statement.

**ORDER****Section 22BA Water Act, 1912.****Wandella Creek and all its tributaries**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for town or village water supply purposes;
3. Water supply for Aboriginal (cultural) purposes;
4. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
5. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.





**ORDER****Section 22BA Water Act, 1912.****Araluen Creek, Burra Creek, Wamban River and all their tributaries**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

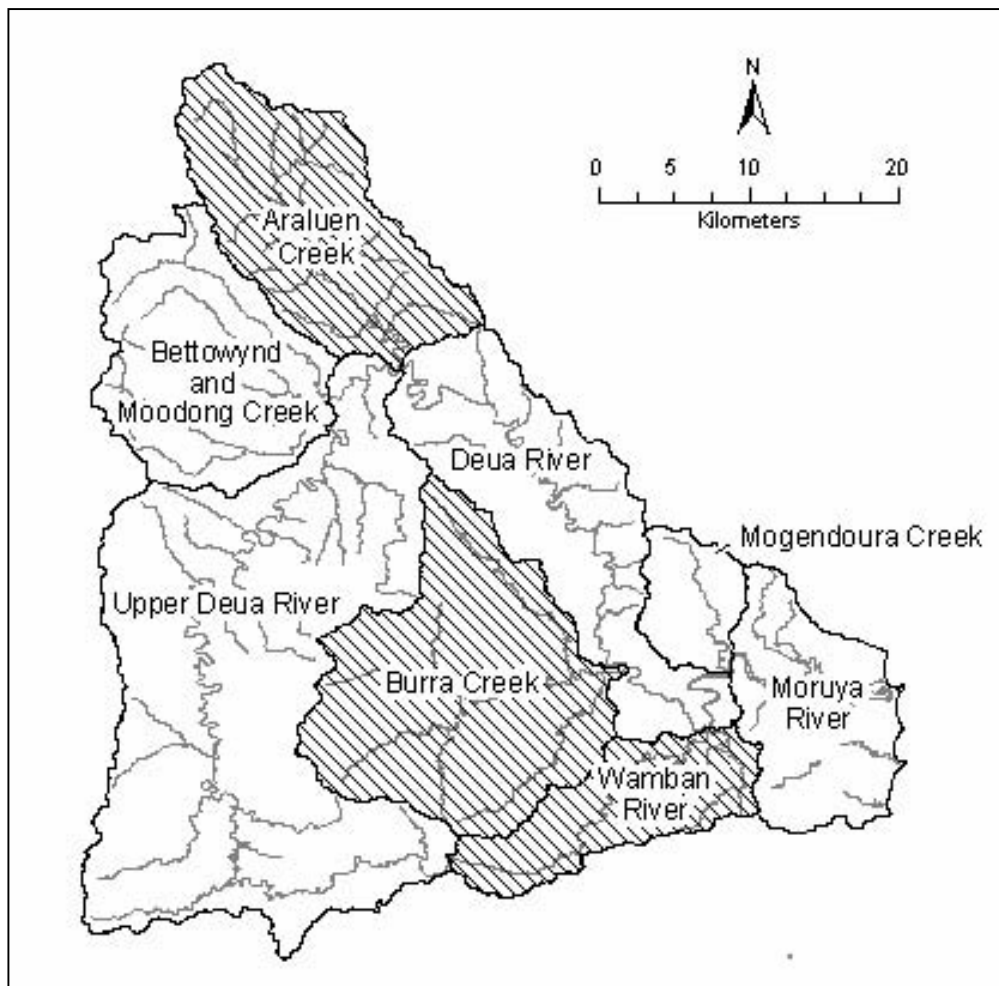
1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.



**ORDER****Section 22BA Water Act, 1912.****Bega River, Bemboka River, Bermagui River, Brogo River, Candelo Creek, Dignams Creek, Narira Creek, Sandy Creek, Tantawangalo Creek, Upper Murrumbidgee River, Wolumla Creek and all their tributaries**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Unregulated Rivers and Watercourses in the hatched area as shown on the diagram hereunder.



**ORDER****Section 22BA Water Act, 1912.****Clyde River catchment and all its sub-catchments**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder:



**ORDER****Section 22BA Water Act, 1912.****Hawkesbury-Nepean Rivers and all their tributaries**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

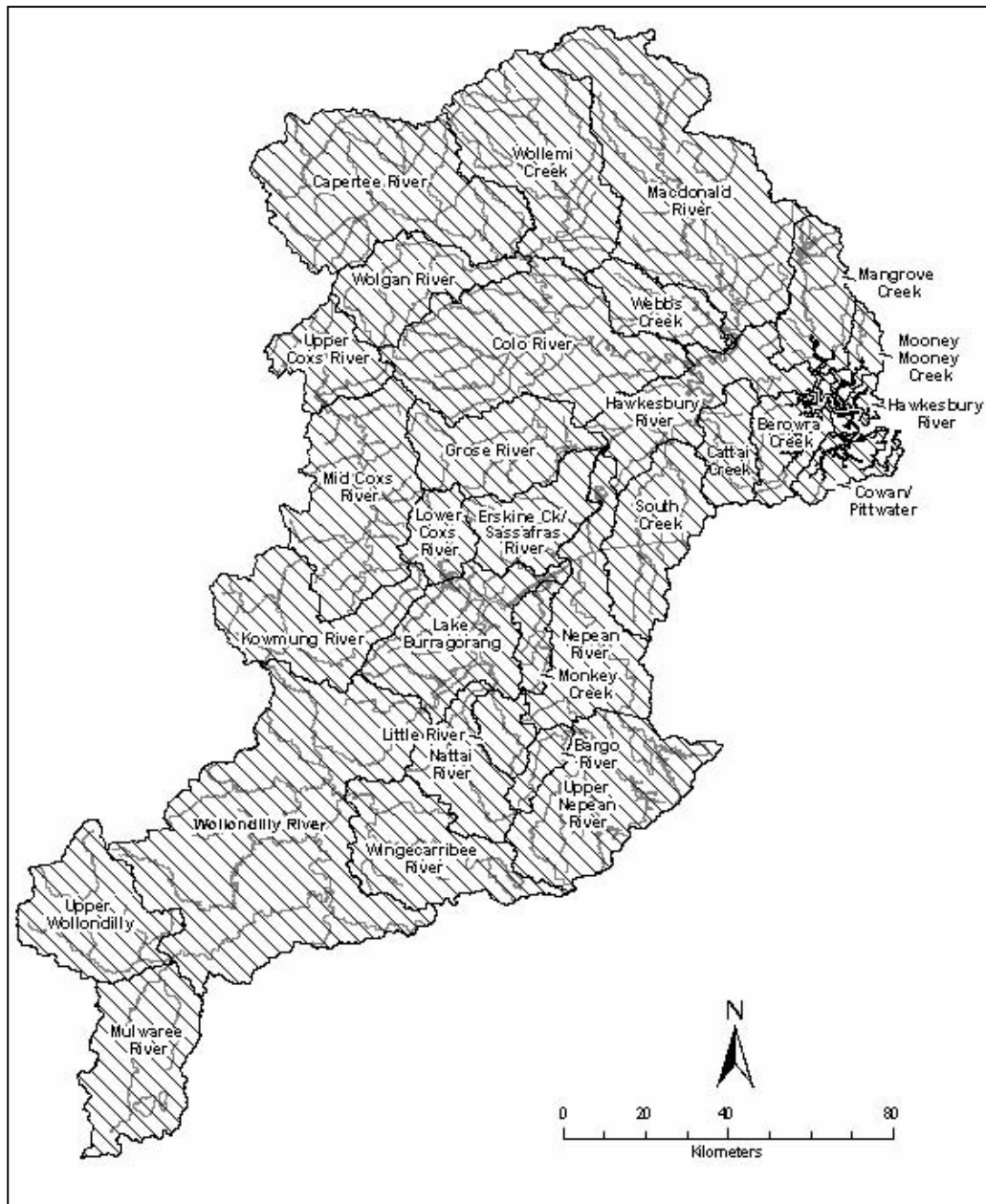
1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
1. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.





**ORDER****Section 22BA Water Act, 1912.****Minnamurra River, Lake Illawarra and Coastal Catchments and their tributaries  
from Port Hacking to Munna Munora Creek**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.



**ORDER****Section 22BA Water Act, 1912.****Kangaroo River upstream of Hampden Bridge**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for Aboriginal (cultural) purposes;
3. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.



**ORDER****Section 22BA Water Act, 1912.****Merimbula Creek, Merimbula Lake, Mataganah Creek,  
Pambula River and all their tributaries**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

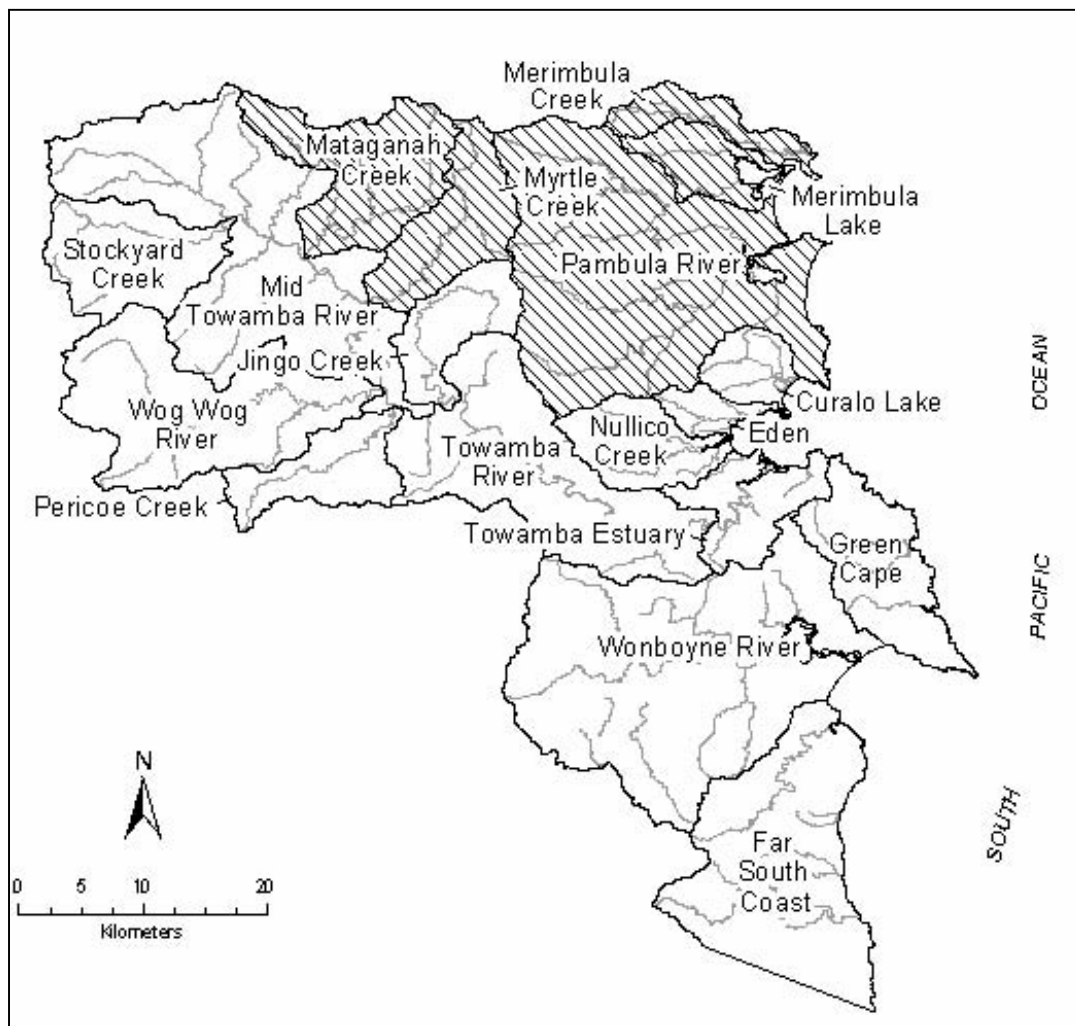
1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.



**ORDER****Section 22BA Water Act, 1912.****Shoalhaven River and all its tributaries,  
excluding Kangaroo River upstream from Hampden Bridge**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.





**ORDER****Section 22BA Water Act, 1912.****The Snowy River and all its tributaries downstream of Jindabyne Dam**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

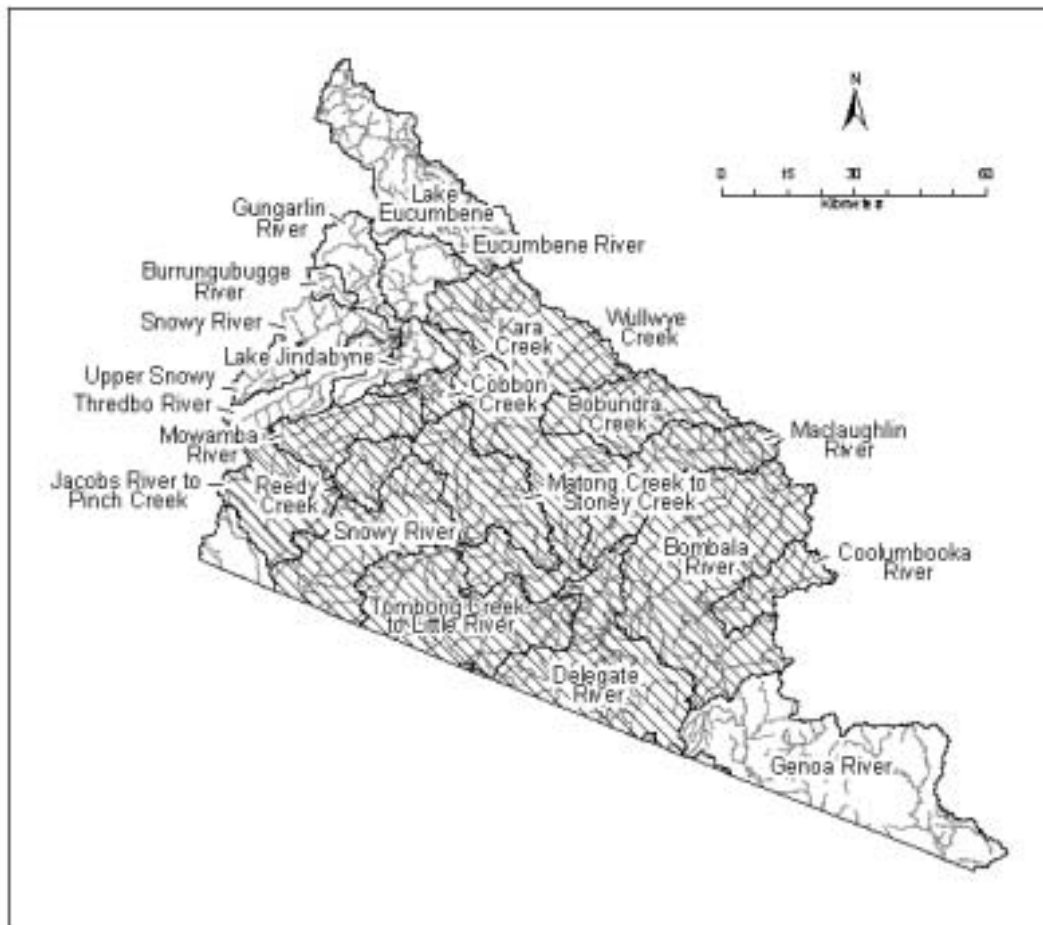
1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
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5. Water supply for Aboriginal (cultural) purposes;
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8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.



**ORDER****Section 22BA Water Act, 1912.****Lower Tuross River sub-catchment**

The Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the Gazette, no application for an entitlement for a work to which Part 2 of the Water Act extends may be made except as specified below until this order is revoked by a subsequent Notice published in the Gazette.

This order relates to all applications for entitlements other than applications for:

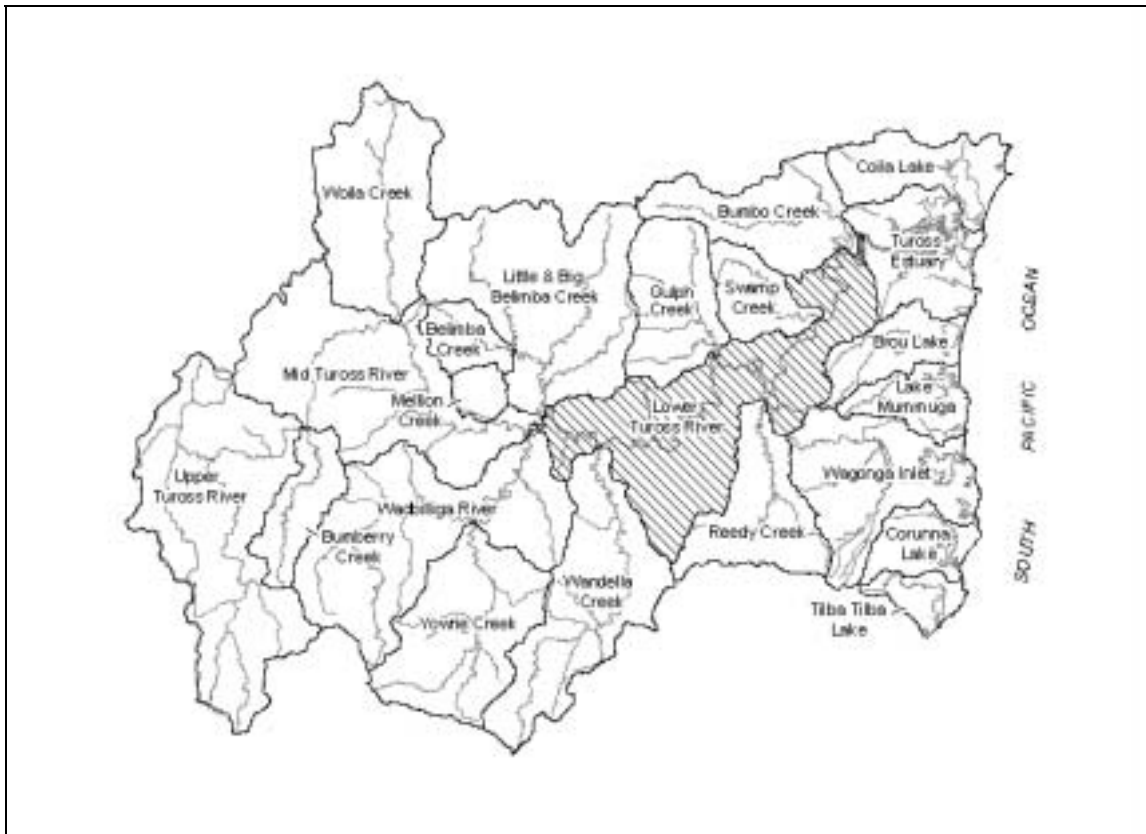
1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for stock;  
*For the purpose of this Clause 'stock' means stock of a number not exceeding the number pastured ordinarily on the land having regard to seasonal fluctuations in the carrying capacity of the land and not held in close concentration for a purpose other than grazing. This excludes feedlots and piggeries, in particular.*
3. Water supply for private domestic purposes;
4. Water supply for town or village water supply purposes;
5. Water supply for Aboriginal (cultural) purposes;
6. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
7. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;
8. Permits to extract water for hydrostatic testing of gas pipelines;
9. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
10. Works referred to in any Order made under Section 5(5) of the Water Act.

Signed for the  
Water Administration Ministerial Corporation

Axel Tennie  
Regional Director  
Sydney/South Coast Region  
Department of Sustainable  
Natural Resources  
Date: 15 May 2003

**SCHEDULE**

All the Rivers and Watercourses in the hatched area as shown on the diagram hereunder.



# TENDERS

## Department of Commerce

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

TENDERS for the undermentioned Period Contracts, Supplies and Services, required for the use of the Public Service, will be received by the Department of Commerce, Level 3, McKell Building, 2-24 Rawson Place, Sydney NSW 2000, until 9.30 am on the dates shown below:

#### 9 July 2003

**0202383** PROVISION OF TOWING SERVICES. DOCUMENTS: \$110.00 PER SET

#### 16 July 2003

**0301029** HAZMAT SUPPORT VEHICLES. DOCUMENTS: \$110.00 PER SET

**IT03/2951** CONTROLLED TELEPHONE SYSTEM . DOCUMENTS: \$220.00 PER SET

**035/265** ELECTROMEDICAL ELECTRODES & ACCESSORIES. DOCUMENTS: \$110.00 PER SET

#### 21 July 2003

**035/3000a** DISPOSABLE DRAPES SUPPLEMENTARY. DOCUMENTS: NO CHARGE

#### 23 July 2003

**036/6036** RECYCLING SERVICES CONTRACT. DOCUMENTS: \$110.00 PER SET

**036/920a** STERILISATION CONSUMABLES. DOCUMENTS: \$110.00 PER SET

#### 29 July 2003

**036/915** OPERATING THEATRE CONSUMABLES. DOCUMENTS: \$110.00 PER SET

#### 7 August 2003

**IT 03/2961** PROVISION OF A HUMAN RESOURCE INFORMATION SYSTEM (HRIS). DOCUMENTS: \$110.00 PER SET

**IT 03/2963** SUSPECT ID SYSTEM- INCORPORATING BIOMETRIC FACIAL RECOGNITION. DOCUMENTS: \$220.00 PER SET

#### TENDER DOCUMENT FEE

Tender documents for inspection and purchase and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Commerce. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further information is available on the internet (<http://www.dpws.nsw.gov.au/tenders>).

**cmSolutions****TENDERS FOR PRINTING**

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer Unit 5 Block V 391 Park Road REGENTS PARK NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted.

**Tender No.38088**

Tenders are invited on behalf of TAFE NSW for the production of the TAFE NSW Enrolment Forms Tender documents will be available the 4th July 2003 at the Government Printing Service. Job consists of 7 different kinds of forms (A4 size) print runs ranging from 1,400,000 to 100,000 copies. Each form is printed on carbonless paper and printed black and 1 pms colour.

For further information contact Gavin Potter 9743 8777.

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**Tender Closing 21<sup>st</sup> July 2003**

Advertised for 2 weeks starting Friday the 4<sup>th</sup> July 2003

Job No: 38090 Tenders are invited for a term contract to produce the NSW Government Gazette. The Government Gazette is published 52 weeks of the year together with 2 Freedom of Information Gazettes (1 in June and 1 in December). Full details are available from Gavin Potter on Ph: 9743 8777.

## PRIVATE ADVERTISEMENTS

### BLACKTOWN CITY COUNCIL

Roads Act 1993, Section 10 (1)

Dedication of Land as Public Road

NOTICE is hereby given by Blacktown City Council that pursuant to Section 10 (1), Division 1, Part 2 of the Roads Act 1993, the land described in the Schedule below is hereby dedicated as Public Road, Dated at Blacktown, 25th June 2003. IAN REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown, NSW 2148.

#### SCHEDULE

Lot 10 in DP 1049472. [0477]

### BLACKTOWN CITY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

BLACKTOWN City Council declares with the approval of Her Excellency the Governor, that the lands described in the Schedule below, excluding any mines or deposits of minerals in those lands and excluding those interests in Schedule 2 below 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. Dated at Blacktown this 25th day of June 2003. IAN REYNOLDS, General Manager, Blacktown City Council, PO Box 63, Blacktown 2148.

#### SCHEDULE 1

Lot 10 in DP 1049472.

#### SCHEDULE 2

Exclusive of the easement for water supply works shown in the title diagram for Lot 2 in DP 832500 and acquisition plan Lot 10 in DP 1049472. [0478]

### COPMANHURST SHIRE COUNCIL

Roads Act 1993

Naming of Roads

NOTICE is hereby given that Council has named the following roads and bridge.

Roads created in Costello Subdivision at Junction Hill (DP 1049444)	Angus Drive Labrador Close Nairn Terrace
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Road off Summerland Way at Lot 101, Warragai Creek	Malah Road
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Bridge over Dome Mountain Creek on Upper Fine Flower Road	Donald Knox Bridge
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GEORGE COWAN, General Manager, Copmanhurst Shire Council, PO Box 434, Grafton, NSW 2460. [0492]

### COUNTRY ENERGY

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Interest in Land

COUNTRY Energy declares, with the approval of Her Excellency the Governor and the Executive Council that the interest in land described in Schedule 1 below is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for electricity purposes under the Electricity Supply Act 1995, the terms of which are set out in Schedule 2 to this Notice. Dated at Port Macquarie this 1st day of July 2003. CRAIG MURRAY, Chief Executive Officer, Country Energy, PO Box 786, Port Macquarie, NSW 2444.

#### SCHEDULE 1

An easement for electricity purposes 10 and 15 wide and variable at Dogwood Road, Bungwahl, in the Local Government Area of Great Lakes, Parish of Foster, County of Gloucester and being the easement shown (E) in Deposited Plan 1032007 said to be in the possession of the Crown.

#### SCHEDULE 2

The Terms of the Easement are set out in Parts A and H in Memorandum No. 3820073, filed at the Land Titles Office, Sydney. [0480]

### EVANS SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that Evans Shire Council, in pursuance of section 10 of the Roads Act 1993, dedicates the land described in the Schedule below as public road. G. TAYLOR, General Manager, Evans Shire Council, 7 Lee Street, Kelso, NSW 2795.

#### SCHEDULE

Lots 2, DP 1054180 and Lots 202 and 203, DP 1017394. [0501]

### KU-RING-GAI COUNCIL

Tree Preservation Order

(As Amended by Resolution of Council  
Dated 3 June 2003)

IN accordance with Council's stewardship of natural heritage and commitment to the principles of Agenda 21 and to ensure the long term survival of Ku-ring-gai's treed landscape, a Tree Preservation Order applies to the whole of the area. The Order is particularly aimed towards the preservation of Ku-ring-gai's indigenous tree canopy. This prohibits the ringbarking, cutting down, topping, lopping, pruning, removing, injuring or wilful destruction of any tree having a height greater than 5.0 metres or a canopy spread of 4.0 metres except with the written

consent of Council unless the tree is exempt from Order. Contravention of the Order can incur a penalty under section 126 of the Environmental Planning and Assessment Act 1979.

The following exemptions to the Order apply:

1. All completely dead trees and dead branches may be removed.
2. All trees of a height less than 5.0 metres and with a canopy spread of less than 4.0 metres.
3. Tree branches which directly overhang the roof of a dwelling, garage or commercial building may be pruned back to the nearest branch junction/collar to clear the roof, providing the owner of the trunk of the tree is in agreement. (Detached garages, detached carports and ancillary buildings are not included within this exemption).
4. All trees within 3.0 metres of an existing dwelling or proposed building with a development consent from Ku-ring-gai Council. This 3.0 metres is measured from the centre of the trunk of the tree to the external wall of the dwelling. To be exempt, both the tree and dwelling must be located within the one property. (Verandahs, detached garages, detached carports and ancillary buildings are not included within this exemption)
5. All trees that are located within the path of roadways, sewerage and drainage works, and works by public authorities which have been approved by Council and inspected by an officer of the Department of Open Space.
6. All branches within 2.0 metres of electric powerlines.
7. All of the following species are exempt:
  - Acer negundo* "Variegatum" (Variegated Box Elder)
  - Acer negundo* (Box Elder)
  - Ailanthus altissima* (Tree of Heaven)
  - Alnus jorullensis* (Evergreen Alder)
  - Cinnamomum camphora* (Camphor Laurel)
  - Eriobotrya japonica* (Loquat)
  - Erythrina x sykesii* (Coral Tree)
  - Ficus elastica* (Rubber Tree)
  - Ligustrum species* (Small and Large Leaved Privet)
  - Liquidambar styraciflua* (Liquidambar) with a height of less than 15.0 metres
  - Olea europaea subsp. africana* (African Olive)
  - Populus nigra* "Italica" (Lombardy Poplar)
  - Robinia pseudoacacia* (Black Locust)
  - Robinia pseudoacacia* "Frisia" (Golden Robinia)
  - Salix species* (all Willows)
  - Schefflera sp.* (Umbrella Tree)
  - Toxicodendron succedaneum* (Rhus Tree)

NOTE:

- Notwithstanding the above exemptions, Ku-ring-gai Council may at times overrule these exemptions in regard to a particular tree, trees or geographical area containing trees.

- An application form will need to be completed for all works required on trees which are not included in the above exemptions.
- The administration fee charged for inspection of trees is detailed on the enclosed application form. This fee is non-refundable.
- A twelve (12) month expiry date applies to consents contained within Tree Preservation Order permits.
- Council will require the planting of replacement trees as a condition to consents issued under the Tree Preservation Order unless sufficient existing trees remain on the property in accordance with Council's Tree Replenishment Policy.
- Consideration of applications will take into account the number of trees currently on the property.

KU-RING-GAI COUNCIL, Locked Bag 1056, Pymble, NSW 2073. [0479]

#### RICHMOND VALLEY COUNCIL

Roads (General) Regulation 2000, Section 9

Notice of Naming of Roads

Council has named the lane adjoining the western boundary of Lots 1-6, DP 12376, Parish of Riley, County of Richmond, as McConnell Lane. B. A. WILKINSON, General Manager, Richmond Valley Council, Locked Bag 10, Casino, NSW 2470. [0476]

#### SHELLHARBOUR CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Shellharbour City Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of a boat harbour, breakwaters and associated works. Dated at Shellharbour City this 1st day of July 2003. BRIAN A. WEIR, General Manager, Shellharbour City Council, PO Box 155, Shellharbour City Centre, NSW 2529.

SCHEDULE

Lots 1 and 2, DP 1022866. [0481]

#### SHOALHAVEN CITY COUNCIL

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement Over Land

THE Shoalhaven City Council declares, with the approval of His Excellency the Lieutenant-Governor, that the easements for sewer mains over lands described in the Schedule below, are acquired by compulsory process in



accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act. Dated at Nowra this 30th day of June 2003. RUSSELL PIGG, General Manager, PO Box 42, Nowra, NSW 2541.

#### SCHEDULE

Easement for sewer main variable widths within Lot 12, DP 808905 and Lot 2, DP 561531 as shown in DP 1046776.  
[0484]

### WYONG SHIRE COUNCIL

Water Management Act 2000

Service Charges for 2003/2004

IN accordance with section 315 and 316 of the Water Management Act 2000, Wyong Shire Council does hereby determine the charges and fees set out in D to H below for the period July 1 2003 to June 30 2004, based on determination of the Authority set out in A, B and C below:

- A** The amount of money estimated by the Authority that is proposed to be raised by way of service charges levied uniformly on all land that is capable of being connected to the Authority's water supply pipes and sewerage service discharge pipes is \$36,140,000 for the period of July 1 2003 to June 30 2004.
- B** All land that is capable of being connected to the Authority's water supply pipes and sewerage service discharge pipes is classified for the purposes of levying service charges on the basis of the following factors:
- i whether the land is residential or non residential; and
  - ii the nature and extent of the water or sewerage services connected to each individual allotment.
- C** Service charges shall be uniformly levied on the following basis:
- i the nominal size of the water service supply pipe supplying water to the land or to which, in the opinion of the Authority, it is reasonably practicable for water to be supplied to the land, expressed as a charge determined by the nominal diameter of the service connection attaching to the Authority's meter;
  - ii by charge following an assessment of the cost of supplying water and sewerage services by the Authority; and
  - iii where water pressure requires larger sizes of service connections a charge as assessed by the Authority.

### D WATER SERVICE CHARGES

Water Service Charges for all land in the area of Wyong Council connected to, or capable of connection to a water main of the Authority:

#### i Water Service Charge - Metered Services

The water service charges for the period July 1 2003 to June 30 2004 be:

Service Connection (nominal diameter)	Service Charge \$
20mm	\$81.68
25mm	\$127.63
40mm	\$326.72
50mm	\$510.50
80mm	\$1,306.88
100mm	\$2,042.00
150mm	\$4,594.50
200mm	\$8,168.00
Greater than 200mm	(Nominal size) <sup>2</sup> x 81.68/400

#### ii Water Fire Service

The water service charges for the period July 1 2003 to June 30 2004 for all properties with fire services (other than residential properties and Community Halls with a 20mm fire service) be:

Service Connection (nominal diameter)	Service Charge \$
20mm	\$40.84
25mm	\$63.82
40mm	\$163.36
50mm	\$255.25
80mm	\$653.44
100mm	\$1,021.00
150mm	\$2,297.25
200mm	\$4,084.00

Unmetered fire service in excess of 200mm, to be charged on the basis of 50% of the comparable nominal pipe charge as per (i) above.

Any property which has a combined fire and ordinary service, be charged for one service only and that charge be the higher of the charges which would apply under either i or ii above.

#### iii Water Service Charges - Vacant Land and Unmetered Services

All properties to which an unmetered water service is supplied or properties not serviced but to which it is reasonably practical for water to be supplied, be charged the water service charge of \$81.68.

#### iv Water Service Charges - Strata Properties with Master Meter Only

Where water usage to a strata titled property is measured through a master meter only, each individual unit be levied a service charge of \$81.68. Water Usage is to be apportioned to the various lots in the Strata Plan in accordance with the schedule of unit entitlement and be charged to the unit owners at the rate of 73.0 cents per kilolitre.

#### v Water Service Charges - Community Title Properties

Where a water meter is attached to service the property, the water service charges for the period July 1 2003 to June 30 2004 be apportioned to the various lots in the community title plan in accordance with the schedule of unit entitlement.

#### vi Water Usage Charge

That all water used be charged at the rate of 73.0 cents per kilolitre.

**vii Minimum Accounts**

That water consumption accounts of less than \$5.00 not be raised.

**E SEWERAGE SERVICE CHARGES**

Sewerage Service Charges be the charges referred to in sub paragraphs i to vii, below for all land in the area of Wyong Council connected to, or capable of connection to a sewer main of the Authority:

**i Sewerage Service Charges - Single Residential Properties**

The sewerage service charge for each single residential property be three hundred and fifty four dollars and twenty nine cents (\$354.29).

**ii Sewerage Service Charges – Residential Strata Properties**

The sewerage service charge for residential strata properties to be the same as the sewerage service charge – single residential properties to be levied on each strata unit owner.

**iii Sewerage Service Charge - Non Strata Titled Units and Retirement Villages**

The sewerage service charge to be the same as the sewerage service charge for non-residential properties.

**iv Sewerage Service Charge - Non Residential Properties**

\* Sewerage Service Charge

The service charges for the period July 1 2003 to June 30 2004 be:

Meter Size	Charge \$
20mm	\$127.63
25mm	\$199.42
40mm	\$510.52
50mm	\$797.69
80mm	\$2,042.08
100mm	\$3,190.75
150mm	\$7,179.19
200mm	\$12,763.00
Greater than 200mm	(Nominal Size) <sup>2</sup> x 127.63/ 400

The above Sewerage Service Charges – Non Residential Properties are multiplied by the discharge factor of water being discharged into Council's sewerage system.

\* Sewerage Usage Charges - Properties other than those classified as Category A or B under Council's Trade Waste Policy.

A sewerage usage charge of sixty two (62) cents per kilolitre calculated on all water consumed multiplied by the discharge factor of water being discharged into Council's sewerage system.

**v Trade Waste Charges**

\* Premises classified as Category A under Council's Trade Waste Policy.

Sewerage Service Charge	In accordance with Normal Premises
Usage Charge	In accordance with Trade Waste Policy

Licence/Inspection Fees In accordance with Trade Waste Policy

**Trade Waste Policy Category A**

Volume	\$0.37	per kilolitre
BOD	\$0.62	per kilogram
SS	\$0.50	per kilogram
Oil and Grease	\$1.26	kilogram
Annual Licence Fee	\$287.00	Includes inspection fee
Re-inspection Fee	\$40.00	

\* Premises classified as Category B under Council's Trade Waste Policy

Sewerage Service Charge	In accordance with Normal Premises
Usage Charge	Sixty two (62) cents per kilolitre
Licence/Inspection Fees	In accordance with Trade Waste Policy

**Trade Waste Policy Category B**

Licence/Inspection Fee	\$40.00	Inspection of Oil Arresters with water consumption less than 2,000 kl/year. (Inspection of premises collection of sample).
Volume	\$0.62	per kilolitre
Excess BOD	\$0.62	per kilogram
Excess SS	\$0.50	per kilogram
Excess Oil and Grease	\$1.26	per kilogram

\* Minimum Charge - Non Residential Properties

The minimum sewer service charge on all non residential properties be three hundred and fifty four dollars and twenty nine cents (\$354.29).

**vi Sewerage Service Charges – Vacant Land**

All properties to which a sewerage service is not supplied but to which it is reasonably practical for sewerage services to be supplied be charged the minimum charge of three hundred and fifty four dollars and twenty nine cents (\$354.29).

**vii Sewerage Service Fee - Exempt Property - Schedule 4 of the Water Management Act 2000**

The charge for sewerage services rendered in respect of exempt properties as described in Schedule 4 of the Water Management Act 2000 shall be \$49.49 per annum for each water closet. In any case where a urinal is installed an additional charge of \$17.53 per annum for each cistern servicing such a urinal may be levied.

**F** In accordance with Section 310(2) of the Water Management Act 2000 No. 92 and Clause 6 of the Water Management (Water Supply Authorities Finance) Regulations 1996, Council determine the following maximum fees for the period July 1 2003 to June 30 2004:

**i Effluent Removal Service**

a Annual Two Weekly Service (Residential)	\$770.00
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- b Each requested special service (Residential) \$32.00
- c Commercial service \$10.20 per K/L

**ii Sludge Removal and Disposal Service**

- a Septic tanks with the capacity up to 2750 litres (per services) \$226.00
- b Septic tanks exceeding 2750 litres or AWTS with one tank (per service) \$294.00 per tank
- c AWTS with more than one tank (per system) \$438.00

**iii Chemical Closet Charges**

- a Annual Two Weekly Service \$1,164.00
- b Each requested weekly special service \$22.68

**G PART YEAR CHARGES**

For those properties that become chargeable or non chargeable for the water and sewerage service charges during the year a proportional charge calculated on a weekly basis be applied.

**H MISCELLANEOUS CHARGES**

In accordance with Section 310(2) of the Water Management Act 2000 No 92 and Clause 6 of the Water Management (Water Supply Authorities Finance) Regulations 1996, Council determine the following maximum fees for the period July 1 2003 to June 30 2004.

- 1 Conveyancing Certificate (Section 360 Water Management Act)  
Statement of Outstanding Charges
  - a) Over the Counter \$15.00
  - b) Electronic N/A
- 2 Property Sewerage Diagram – Up to and including A4 size (where available)  
Diagram showing the location of the house-service line, building and sewer for a property
  - a) Certified \$15.00
  - b) Uncertified
    - i) Over the Counter \$15.00
    - ii) Electronic N/A
- 3 Service Location Diagram  
Location of Sewer and/or Water Mains in relation to a property's boundaries.
  - a) Over the Counter \$15.00
  - b) Electronic N/A
- 4 Special Meter Reading Statement \$45.00
- 5 Billing Record Search Statement – Up to and including 5 Years \$15.00
- 6 Building Over or Adjacent to Sewer Advice  
Statement of approval status for existing building over or adjacent to a sewer. N/A
- 7 Water Reconnection
  - a) During business hours \$30.00

- b) Outside business hours \$125.00
- 8 Workshop Test of Water Meter  
Removal and full mechanical test of the meter by an accredited organisation at the customer's request to determine the accuracy of the water meter. This involves dismantling and inspection of meter components.
  - 20mm \$150.00
  - 25mm \$150.00
  - 32mm \$150.00
  - 40mm \$150.00
  - 50mm \$150.00
  - 60mm \$150.00
  - 80mm \$150.00
  - 100mm N/A
  - 150mm N/A
- 9 Application for Disconnection – All Sizes \$25.00
- 10 Application for Water Service Connection (up to and including 25mm) \$25.00  
This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical connection.
- 11 Application for Water Service Connection (32-65mm) \$25.00  
This covers administration and system capacity analysis as required. There will be a separate charge payable to the utility if they also perform the physical connection.
- 12 Application for Water Service Connection (80mm or greater) \$25.00  
This covers administration and system capacity analysis as required. There will be a separate charge payable to the utility if they also perform the physical connection.
- 13 Application to Assess a Water Main Adjustment N/A  
(Moving a fitting and/or adjusting a section of water main up to and including 25 metres in length).  
This covers preliminary advice as to the feasibility of the project and will result in either:
  1. A rejection of the project in which case the fee covers the associated investigation costs.
  - OR
  2. Connectional approval in which case the fee covers the administrative costs associated with the investigation and record amendment.
- 14 Standpipe Hire
  - Security Bond (25mm) \$309.00
  - Security Bond (63mm) \$595.00
- 15 Standpipe Hire
  - Annual Fee See Note 1
  - Quarterly Fee See Note 1

Monthly Fee (or part thereof)	See Note 1	24 Provision of Water Services	
16 Standpipe Water Usage Fee (All usage)	As per standard water usage charges per kilolitre	Application for water service connection fee is also applicable.	
		Meter Only (20mm)	\$86.00
		Short Service - 20mm	\$521.00
		Long Service – 20mm	\$521.00
17 Backflow Prevention Device Application and Registration Fee	\$52.00	Short Service – 25mm	\$633.00
This fee is for the initial registration of the backflow device		Long Service – 25mm	\$633.00
		Short Service – 40mm	\$1,189.00
18 Backflow Prevention Application Device Annual Administration Fee	N/A	Long Service – 40mm	\$1,541.00
This fee is for the maintenance of records including logging of inspection reports.		Short Service – 50mm	\$1,696.00
		Long Service – 50mm	\$2,091.00
19 Major Works Inspection Fee		Larger Service – provision of live main connection only	\$100 per hour for the first hour or part thereof, then \$25 per ¼ hour or part thereof, thereafter. See Note 2
This fee is for the inspection, for the purpose of approval, of water and sewer mains, constructed by others that are longer than 25 metres and/or greater than 2 metres in depth.			
Rural Development (\$ per metre)	N/A		
Water Mains (\$ per metre)	\$4.50		
Gravity Sewer Mains (\$ per metre)	\$6.00		
Rising Sewer Mains (\$ per metre)	\$4.50		
20 Statement of Available Pressure Flow	\$96.00	25 Relocate Existing Services	
This fee covers all level whether modelling is required or not		Short – 20mm	\$254.00
		Long – 20mm	\$395.00
21 Plumbing and Drainage Inspection		Larger services – provision of live main connection only:	\$100 per hour for the first hour or part thereof, then \$25 per ¼ hour or part thereof, thereafter. See Note 2
Maximum of 2 inspections			
Single dwelling, villas & units, commercial & industrial	\$121.00		
Alterations/Caravan Parks and Mobile Homes for 1 Unit	\$61.00		
Additional Inspections	\$45.00		
22 Billings Record Search – Further Back than 5 Years	\$15 for first 15 minutes or part thereof, then \$10 per 15 minutes or part thereof, thereafter.	26 Alteration from Dual Service to Single Service	
		20mm service only	304.00
		27 Sewerage Drainage Arrestor	
		Approval	\$82.00
		Annual Inspection	\$25.00
23 Relocate Existing Stop Valve or Hydrant	\$100 per hour for the first hour or part thereof, then \$25 per ¼ hour or part thereof, thereafter. See Note 2	28 Sewerage Junction Cut-in (150mm)	\$247.50 (incl GST)
		No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer.	
		29 Sewerage Junction Cut-in (150mm)	\$258.50 (incl GST)
		with sideline less than 3m	
		No excavation, no concrete encasement removal, junction outside property. Excavation provided by customer.	

30 Sewerage Junction Cut-in (225mm)	\$577.50 (incl GST)	39 Water Sample Analysis for Water Quality Testing Private Supplies	\$67.10 (incl GST)
No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer.		40 Rise/Lower/Adjust existing service 20mm (no materials)	\$101.00
31 Sewerage Junction Cut-in (225mm) with sideline less than 3m	\$610.50 (incl GST)	Larger Services	By Quote
No excavation, no concrete encasement removal, junction outside property. Excavation provided by customer.		41 Disconnection of Existing Service	\$99.00
32 Sewerage Junction Cut-in Greater than 225mm or where excavation or removal of concrete encasement required by Council	\$100 per hour for the first hour or part thereof, then \$25 per ¼ hour or part thereof, thereafter plus GST. See Note 2	42 Time Based Fees	
		For works requested by outside organisations for Council to undertake:	
		Professional services	\$110.00 per hour (incl GST)
		Technical/inspection services	\$66.00 per hour (incl GST)
33 Sewer Main Encasement with Concrete Encasement inspection fee	\$83.60 (incl GST)	43 Plan Plotting	
Construction by Council	By Quotation	On Film	
		B1 size	\$42.80 per plot
		A1 size	\$26.00 per plot
		A2 size	\$21.00 per plot
		A3 size	\$21.00 per plot
		A4 size	\$21.00 per plot
		On Vellum	
		B1 size	\$36.60 per plot
		A1 size	\$26.00 per plot
		A2 size	\$16.70 per plot
		A3 size	\$16.70 per plot
		A4 size	\$16.70 per plot
		On 60GSM Paper	
		B1 size	\$26.00 per plot
		A1 size	\$16.70 per plot
		A2 size	\$14.60 per plot
		A3 size	\$14.60 per plot
		A4 size	\$14.60 per plot
34 Sewer Advance Scheme – Administration Charge	\$198.00	NOTES:	
35 Raise and Lower Sewer Manholes		Note 1: As per water service charge based on meter size (pro rata for part of year).	
Raise manhole up to 300mm	Nil	Note 2: Price exclusive of plant hire charges, material costs and traffic control where applicable.	
Raise manhole greater than 300mm	\$76.00 See Note 3	Note 3: Price listed is the manhole adjustment inspection fee. Charges for actual physical adjustment of manhole are contestable.	
36 Provision of Plant Location	No Charge	J. S. DAWSON, General Manager, PO Box 20, Wyong, NSW 2259.	[0502]
37 Council Assist in Physical Location			
Contractor to provide all plant required to expose asset	\$60 per hour for first hour or part thereof, then \$15 per ¼ hour or part thereof; thereafter plus GST		
38 Council Physical Location			
Council to provide all plant and labour to expose asset	\$100 per hour for first hour or part thereof, then \$25 per ¼ hour or part thereof; thereafter plus GST		

### ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DAVID APPERLEY GARNSEY, late of 37 Little Wobby Beach, Hawkesbury, in the State of New South Wales, Contractor, who died on 10th April 2003, must send particulars of his/her claim to the Executors, David John Thompson and Campbell Murdoch, co. Collins & Thompson, Solicitors, 8

Coronation Street, Hornsby, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 24th June 2003. D. J. THOMPSON and C. MURDOCH, co. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby, NSW 2077 (DX 9691, Hornsby), tel.: (02) 9476 2788. [0485]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOAN DOROTHY DOWLING, late of 36 Byron Road, Guildford, in the State of New South Wales, widow, who died on 8th April 2003, must send particulars of his/her claim to the Executors, Geoffrey William Dowling and Lynette Elizabeth White, co. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 6th June 2003. G. W. DOWLING and L. E. WHITE, co. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0491]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ANASTAZIA EXADACTILOS, late of 45 Alfred Street, Rozelle, in the State of New South Wales, pensioner, who died on 14 May 2003, must send particulars of his/her claim to the Executors, Peter Antuch and Annetta Mitrovic, co. Colquhoun & Colquhoun, Solicitors, 588 Darling Street, Rozelle, within one calendar month from publication of this notice. After that time the Executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 23 June 2003. P. ANTUCH and A. MITROVIC, co. Colquhoun & Colquhoun, Solicitors, 588 Darling Street, Rozelle, NSW 2039, tel.: (02) 9818 2666. [0493]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of EDNA JEAN STUART, late of Beverley Park, in the State of New South Wales, widow, who died on 20th April 2003, must send particulars of his/her claim to the Executor, Maree Jeanne Stewart, co. Bennett Stewart & Shirvington, Solicitors, Level 1, 1 York 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 she has notice. Probate was granted in New South Wales on 20th June 2003. M. J. STEWART, co. Bennett Stewart & Shirvington, Solicitors, Level 1, 1 York Street, Sydney, NSW 2000, tel.: (02) 9247 5563. [0494]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of VALDA IRENE ANDERSON, late of 8/270 Pacific Highway, Artarmon, in the State of New South Wales, company director, who died on 30th August 2002, must send particulars of his/

her claim to the Executor, Trevor Michael Anderson, co. Deacons, 1 Alfred 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 they have notice. Probate was granted in New South Wales on 30th May 2003. T. M. ANDERSON, co. Deacons, 1 Alfred Street, Sydney, NSW 2000 (DX 368, Sydney), tel.: (02) 9330 8000. [0495]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of EDWARD WILLIAM BRADBRIDGE, late of 280 Malabar Road, Maroubra, in the State of New South Wales, who died on 16th May 2003, must send particulars of his/her claim to the Executor, Frederick John Bradridge, co. Simpson & Co, Solicitors, 103A Anzac Parade, Kensington, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 18th June 2003. F. J. BRADBRIDGE, co. Simpson & Co, Solicitors, 103A Anzac Parade, Kensington, NSW 2033, tel.: (02) 9662 4381. [0496]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of PETER CHARLES D'EMDEN, late of 30 Point Road, Mooney Mooney, in the State of New South Wales, who died on 13th May 2003, must send particulars of his/her claim to the Executrix, Jill Therese D'Emden, co. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 17th June 2003. J. T. D'EMDEN, co. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby, NSW 2077 (DX 9691, Hornsby), tel.: (02) 9476 2788. [0497]

## COMPANY NOTICES

NOTICE of voluntary liquidation.—LOACHUNG PTY LIMITED A.C.N. 081 769 682.—Notice is given in accordance with section 491 (2) of the Corporations Law that at a special meeting of the members of the abovementioned company, held on 27th June 2003, the following special resolution was passed, "That the company be wound up as a members voluntary liquidation and that the assets of the company be distributed in whole or in part to the members in specie should the liquidator so desire" and Wayne Stanley Morton, Chartered Accountant, c.o. Morton O'Leary, Chartered Accountants, Level 1, 1 McLaren Street, North Sydney, 2060, be appointed liquidator for the purpose of such winding up. Dated at Sydney this 30th day of June 2003. W. S. MORTON, Liquidator, c.o. Morton O'Leary, Chartered Accountants, Level 1, 1 McLaren Street, North Sydney, NSW 2060, tel.: (02) 8920 3722. [0498]

NOTICE of voluntary liquidation.—PICTON CONSTRUCTIONS PTY LIMITED A.C.N. 092 171 821.—Notice is given in accordance with section 491 (2) of the

Corporations Law that at a special meeting of the members of the abovementioned company, held on 27th June 2003, the following special resolution was passed, "That the company be wound up as a members voluntary liquidation and that the assets of the company be distributed in whole or in part to the members in specie should the liquidator so desire" and Wayne Stanley Morton, Chartered Accountant, c.o. Morton O'Leary, Chartered Accountants, Level 1, 1 McLaren Street, North Sydney, 2060, be appointed liquidator for the purpose of such winding up. Dated at Sydney this 30th day of June 2003. W. S. MORTON, Liquidator, c.o. Morton O'Leary, Chartered Accountants, Level 1, 1 McLaren Street, North Sydney, NSW 2060, tel.: (02) 8920 3722. [0499]

NOTICE of voluntary liquidation.—HURRY LAST DAYS PTY LIMITED A.C.N. 002 145 897.—Notice is given in accordance with section 491 (2) of the Corporations Law that at a special meeting of the members of the abovementioned company, held on 27th June 2003, the following special resolution was passed, "That the company be wound up as a members voluntary liquidation and that the assets of the company be distributed in whole or in part to the members in specie should the liquidator so desire" and Wayne Stanley Morton, Chartered Accountant, c.o. Morton O'Leary, Chartered Accountants, Level 1, 1 McLaren Street, North Sydney, 2060, be appointed liquidator for the purpose of such winding up. Dated at Sydney this 30th day of June 2003. W. S. MORTON, Liquidator, c.o. Morton O'Leary, Chartered Accountants, Level 1, 1 McLaren Street, North Sydney, NSW 2060, tel.: (02) 8920 3722. [0482]

NOTICE convening final meeting of members and creditors.—MASZLUCH & LAMBETH PTY LIMITED (In Liquidation), A.C.N. 003 793 897.—Notice is given in accordance with section 509 of the Corporations Law that the final general meeting of the abovenamed company will be held at the office of Lower, Russell & Farr, 1st Floor, 81 Henry Street, Penrith, on the 21st July 2003, at 10.00 a.m., for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and of hearing any explanations that may be given by the liquidator. Persons claiming to be creditors are required to prove their debt by no later than 4.00 o'clock of the previous day. In default they will be excluded from the benefit of the dividend. Dated this 30th day of June 2003. STEPHEN HENRY LOWER, Liquidator, c.o. Lower, Russell & Farr, Chartered Accountants, 1st Floor, 81 Henry Street (PO Box 459), Penrith, NSW 2751, tel.: (02) 4732 3033. [0483]

NOTICE of voluntary winding up.—NYLAMA PTY LIMITED (In Voluntary Liquidation), A.C.N. 010 204 609.—Notice is hereby given that at an extraordinary general meeting of the abovenamed company, duly convened and held at the offices of Messrs. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, on 12th June 2003, the following special resolution was duly passed: "That the company be wound up voluntarily". On the same day pursuant to section 495 (1), it was resolved that Kevin John Pike of Messrs. Roberts & Morrow, Chartered Accountants, 137 Beardy

Street, Armidale, be appointed liquidator of the company for the purposes of winding up the affairs and distributing the assets of the company. Dated this 26th day of June 2003. K. J. PIKE, Liquidator, co. Roberts & Morrow, Chartered Accountants, PO Box 112, Armidale, NSW 2250, tel.: (02) 6774 8400. [0486]

NOTICE of voluntary winding up.—STRATIX CORPORATION PTY LIMITED (In Voluntary Liquidation), A.C.N. 085 012 531.—Notice is given in accordance with section 491 (2) of the Corporations Law that at an extraordinary general meeting of the abovenamed company held at Suite 102, 1-9 Chandos Street, St Leonards, NSW 2065, on 27th June 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 this 27th day of June 2003. TOM YORK, Liquidator, co. York Lipson Bryan & Co Pty Ltd, Accountants, Level 1, 34 Spring Street, Bondi Junction, NSW 2022, tel.: (02) 9389 6088. [0487]

NOTICE of voluntary winding up.—JETODAM PTY LIMITED (In Voluntary Liquidation), A.C.N. 002 714 623.—Notice is given in accordance with section 491 (2) of the Corporations Law that at an extraordinary general meeting of the abovenamed company held at 12 New South Head Road, Vaucluse, NSW 2030, on 27th June 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 this 27th day of June 2003. TOM YORK, Liquidator, co. York Lipson Bryan & Co Pty Ltd, Accountants, Level 1, 34 Spring Street, Bondi Junction, NSW 2022, tel.: (02) 9389 6088. [0488]

NOTICE of voluntary winding up.—MARINARO PTY LIMITED (In Voluntary Liquidation), A.C.N. 002 815 830.—Notice is given in accordance with section 491 (2) of the Corporations Law that at an extraordinary general meeting of the abovenamed company held at 157 O'Sullivan Road, Bellevue Hill, NSW 2028, on 27th June 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 this 27th day of June 2003. TOM YORK, Liquidator, co. York Lipson Bryan & Co Pty Ltd, Accountants, Level 1, 34 Spring Street, Bondi Junction, NSW 2022, tel.: (02) 9389 6088. [0489]

NOTICE of winding up.—HUMBLEY BROS PTY LIMITED A.C.N. 000 145 988.—On 27th June 2003, a members' resolution was passed that the company be wound up voluntarily and that Paul de Maria be appointed liquidator. P. R. DE MARIA, Liquidator, co. Hales Redden & Partners Pty Ltd, Chartered Accountants, 24 Bay Street, Rockdale, NSW 2216, tel.: (02) 9567 0545. [0490]

NOTICE of special resolution.—COOPER & MOORE PROPERTIES PTY LIMITED A.C.N. 001 951 726.—On 30th June 2003, the members of Cooper & Moore Properties Pty Limited resolved that the company be wound up

voluntarily. JAMES M. RYAN, Liquidator, co. James M. Ryan Pty Ltd, Chartered Accountants, Suite 4, 125 Donnison Street, Gosford, NSW 2250, tel.: (02) 4322 2986. [0500]

NOTICE of winding up.—TERRITORY AIRPORT PTY LIMITED (In Voluntary Liquidation) A.C.N. 077 201 024.—Notice is hereby given that the general meeting of members of the company will be held at 9.00 a.m., on Thursday, 31st July 2003, at Level 5, 14 Martin Place, Sydney. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 26th day of June 2003. By Order of the Board. S. B. HUMPHRYS, Liquidator, co. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0503]

NOTICE of winding up.—ACUBA PTY LIMITED (In Voluntary Liquidation) A.C.N. 003 401 689.—Notice is hereby given that the general meeting of members of the

company will be held at 9.15 a.m., on Thursday, 31st July 2003, at Level 5, 14 Martin Place, Sydney. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 26th day of June 2003. By Order of the Board. S. B. HUMPHRYS, Liquidator, co. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0504]

NOTICE of winding up.—TUPAK (AUST) PTY LIMITED (In Voluntary Liquidation) A.C.N. 001 252 964.—Notice is hereby given that the general meeting of members of the company will be held at 10.30 a.m., on 5th August 2003, at Level 5, 14 Martin Place, Sydney. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 1st day of July 2003. By Order of the Board. S. B. HUMPHRYS, Liquidator, co. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0505]

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