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NEW SOUTH WALES

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LEGISLATION

Proclamations



New South Wales

Proclamation

under the

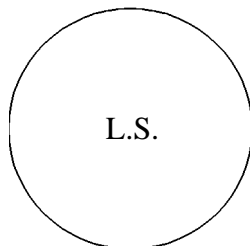
Crimes Amendment (Child Neglect) Act 2004 No 41

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 Amendment (Child Neglect) Act 2004*, do, by this my Proclamation, appoint 22 October 2004 as the day on which that Act commences.

Signed and sealed at Sydney, this 20th day of October 2004.

By Her Excellency's Command,



L.S.

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

Regulations



Fair Trading (General) Amendment (Product Standards) Regulation 2004

under the

Fair Trading Act 1987

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

REBA PAIGE MEAGHER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Fair Trading (General) Regulation 2002* so that provisions relating to certain product standards for children's toys, disposable cigarette lighters and care labelling of certain goods are complementary with the corresponding Commonwealth provisions:

This Regulation:

- (a) prescribes certain provisions of the Australian/New Zealand Standard entitled AS/NZS ISO 8124.1:2002, *Safety of toys, Part 1: Safety aspects related to mechanical and physical properties* (ISO 8124-1:2000, MOD) (*AS/NZS ISO 8124*) (with certain modifications) as the only product safety standard for children's toys for the purposes of the *Fair Trading Act 1987* from 1 July 2005, and
- (b) prescribes a transitional arrangement whereby the product safety standard for children's toys for the purposes of that Act up to and including 30 June 2005 is the current applicable standard, the outdated Australian Standard entitled AS 1647.2—1992, *Children's toys (safety requirements), Part 2: Constructional requirements* (with certain modifications) or AS/NZS ISO 8124 (with certain modifications), and
- (c) amends the definition of children's toys and inserts a note relating to age grades, and
- (d) increases the value up to which a disposable cigarette lighter will be required to comply with the prescribed product safety standard, and
- (e) amends the variation of the product information standard for care labelling of certain goods, and
- (f) provides for cushions that are an integral part of a furniture suite to be exempted from the requirement to have a permanent label, and

Fair Trading (General) Amendment (Product Standards) Regulation 2004

Explanatory note

(g) makes other minor amendments.

This Regulation is made under the *Fair Trading Act 1987*, including sections 26 and 92 (the general regulation-making power).

Fair Trading (General) Amendment (Product Standards) Regulation 2004 Clause 1

Fair Trading (General) Amendment (Product Standards) Regulation 2004

under the

Fair Trading Act 1987

1 Name of Regulation

This Regulation is the *Fair Trading (General) Amendment (Product Standards) Regulation 2004*.

2 Amendment of Fair Trading (General) Regulation 2002

The *Fair Trading (General) Regulation 2002* is amended as set out in Schedule 1.

Fair Trading (General) Amendment (Product Standards) Regulation 2004

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 2)

[1] Clause 30 Definitions

Insert in alphabetical order:

AS/NZS ISO 8124 means the Australian/New Zealand Standard entitled AS/NZS ISO 8124.1:2002, *Safety of toys, Part 1: Safety aspects related to mechanical and physical properties* (ISO 8124-1:2000, MOD) as published jointly by Standards Australia and Standards New Zealand on 16 May 2002.

[2] Clause 30, definition of “children’s toys”

Omit “dummies,” from paragraph (a).

[3] Clause 30, definition of “children’s toys”

Insert after paragraph (g):

(g1) toys with pompoms, and

[4] Clause 30, definition of “children’s toys”

Omit “and gramophone records” from paragraph (j).

Insert instead “, tapes and compact discs”.

[5] Clause 30, definition of “children’s toys”

Insert after paragraph (o):

(o1) pacifiers, or

[6] Clause 30, definition of “children’s toys”

Insert “except toys with pompoms,” after “cheesecloth,” in paragraph (q).

[7] Clause 30

Insert at the end of the clause:

Note. Guidance for establishing age grades within the scope of the consumer product safety standards prescribed in this Division can be found in Annex B of AS/NZS ISO 8124. Guidance is also available in the publication issued by the United States Consumer Product Safety Commission (CPSC) *Age Determination Guidelines*. The most recent edition of this publication is available from the CPSC site on the Internet and can be downloaded free of charge (www.cpsc.gov).

Fair Trading (General) Amendment (Product Standards) Regulation 2004

Amendments

Schedule 1

[8] Clause 31

Omit the clause. Insert instead:

31 Safety standard

- (1) Up to and including 30 June 2005, the product safety standard prescribed for children's toys is that they must comply with:
 - (a) Clauses 7.1, 7.2, 7.10 (d), 7.15.6 (a) (iv), 9.4 and 10 and Appendix A, Appendices D to S inclusive and Appendices U and V of AS 1647.2, or
 - (b) AS/NZS ISO 8124.
- (2) From 1 July 2005, the product safety standard prescribed for children's toys is that they must comply with AS/NZS ISO 8124.
- (3) The definitions in Clause 4.2, 4.3, 4.4, 4.5, 4.9, 4.10, 4.11, 4.12, 4.16, 4.20, 4.21, 4.22, 4.23, 4.24, 4.25 and 4.26 of AS 1647.2 apply for the purposes of subclause (1) (a).

[9] Clause 32A

Insert after clause 32:

32A Variation of AS/NZS ISO 8124

For the purposes of this Division, AS/NZS ISO 8124 is taken to have been amended as follows:

- (a) by omitting clauses 1 and 2,
- (b) by omitting from clause 3.21 the words "or damage to property or the environment",
- (c) by omitting clauses 3.52 and 4.3,
- (d) by omitting from clause 4.4.1 the word "intended" where firstly occurring,
- (e) by omitting the third paragraph of clause 4.4.1,
- (f) by omitting clause 4.4.2,
- (g) by omitting from clause 4.5.1 the word "intended" where firstly occurring,
- (h) by omitting from paragraph (a) of clause 4.5.2 the word "intended",
- (i) by omitting paragraph (b) of clause 4.5.2,
- (j) by omitting from clause 4.5.3 the word "intended",
- (k) by omitting from clause 4.5.4 the word "intended",

Fair Trading (General) Amendment (Product Standards) Regulation 2004

Schedule 1 Amendments

-
- (l) by omitting from clause 4.5.5 the word “intended”,
 - (m) by omitting the note to clause 4.5.5,
 - (n) by omitting clauses 4.5.6–4.24, 4.25 (d), 4.26 and 4.27,
 - (o) by omitting from clause 5.1 the matter “36 months and” and by inserting instead the matter “36 months.”,
 - (p) by omitting from clause 5.1 the following matter:
 - from 37 months up to and including 96 months of age.
 - (q) by omitting from clause 5.1 the words “intended or appropriate for children up to and including 96 months” and by inserting instead the words “appropriate for children up to and including 36 months”,
 - (r) by omitting from clause 5.1 the words “Toys reasonably intended to be assembled by an adult and not intended to be taken apart by a child shall be tested only in the assembled state if the packaging and the assembly instructions prominently indicate that the article is to be assembled only by an adult.”,
 - (s) by omitting from the heading to clause 5.2 the matter “4.3.2, 4.4, 4.18.2” and by inserting instead the matter “4.4”,
 - (t) by omitting from clause 5.2 the words “any orientation” and by inserting instead the words “all possible orientations”,
 - (u) by omitting clauses 5.7–5.19, 5.21 and 5.22,
 - (v) by omitting from clause 5.23 the word “intended”,
 - (w) by omitting note 1 to clause 5.23,
 - (x) by omitting from clause 5.24.1 the words “Unless otherwise stated, these tests are only applicable for toys intended for children up to and including 96 months.”,
 - (y) by omitting from Table 4 to clause 5.24.2 the matter “96” and by inserting instead the matter “36”,
 - (z) by omitting clause 5.24.4,
 - (aa) by omitting from clause 5.24.6.2 the word “beanbags” and by inserting instead the words “beanbag-type toys (ie a toy that contains plastic pellets, beads, polystyrene balls or similar materials)”,
 - (ab) by omitting clause 5.24.6.4,

Fair Trading (General) Amendment (Product Standards) Regulation 2004

Amendments

Schedule 1

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- (ac) by omitting from clause 5.24.7 the words “according to the age group for which the toy is intended”,
 - (ad) by omitting from Table 5 to clause 5.24.7 the row applying to the age category of 37 months up to and including 96 months,
 - (ae) by omitting from clause 5.24.7 the words “required force” and by inserting instead the words “force in Table 5”,
 - (af) by omitting clause 5.24.8,
 - (ag) by omitting Annex A.1, A.2.1 and A.2.2,
 - (ah) by omitting from Annex A.2.3 the words “The batteries shall not be accessible when tested according to 5.7 (accessibility of a part or component).”,
 - (ai) by omitting Annex A.2.4–A.2.10,
 - (aj) by omitting from Annex B.1 the matter “[12]” and by inserting instead the words “the publication issued by the United States Consumer Product Safety Commission (CPSC) *Age Determination Guidelines*”,
 - (ak) by omitting from Annex B.4.1 the words “Age grades are indicators of average development, which does not necessarily reflect suitability for the exceptional child. A parent remains the best judge of whether the child is at the appropriate development stage for safe play with a particular toy.”,
 - (al) by omitting Annexes B.4.4, C and D,
 - (am) by omitting Annex F–Appendix ZZ.

[10] Clause 54 Meaning of “lighter” and types of lighters

Omit “less than the relevant” from clause 54 (3) (b).

Insert instead “not more than the relevant”.

[11] Clause 54 (7)Omit the definition of *relevant amount*. Insert instead:*relevant amount* means:

- (a) for a device imported into Australia, or supplied under an ex works agreement, before 1 August 2003—\$5, or
- (b) for a device imported into Australia, or supplied under an ex works agreement, on or after 1 August 2003—the indexed amount.

Fair Trading (General) Amendment (Product Standards) Regulation 2004

Schedule 1 Amendments

[12] Clause 67 Definitions

Omit “Australian” from the definition of *CPI number*.

[13] Clause 67, definitions of “earlier CPI number” and “July quarter”

Omit the definitions.

[14] Clause 67, definition of “latest CPI number”

Omit “July quarter in 2002”. Insert instead “most recent quarter”.

[15] Clause 67

Insert in alphabetical order:

March 2003 CPI number means the CPI number for the quarter beginning on 1 January 2003.

quarter means the period of 3 months beginning on 1 January, 1 April, 1 July or 1 October in a year.

Statistician has the meaning given by section 3 of the *Australian Bureau of Statistics Act 1975* of the Commonwealth.

[16] Clause 68

Omit the clause. Insert instead:

68 Indexed amount

- (1) The indexed amount is the amount worked out in accordance with the formula:

$$\frac{\$5 \times \text{latest CPI number}}{\text{March 2003 CPI number}}$$

- (2) If, apart from this subclause, the amount under this clause would be an amount in dollars and cents the amount is to be rounded to the nearest 25 cents and, if the amount to be rounded is 12.5 cents, rounded up.

[17] Clause 82 Variation of product information standards

Insert “1.1,” after “Clauses” in paragraph (a).

[18] Clause 82 (j)

Insert after clause 82 (i):

- (j) by inserting the words “The symbol denoting ‘do not dry clean’, that is the circle with the cross through it, is optional.” at the end of clause 3.6.

Fair Trading (General) Amendment (Product Standards) Regulation 2004

Amendments

Schedule 1

[19] Clause 83 Form of information for prescribed goods

Insert after clause 83 (2) (e):

- (f) cushions that are an integral part of a furniture suite.



Health Services Amendment (Amalgamations) Regulation 2004

under the

Health Services Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Health Services Act 1997*.

MORRIS IEMMA, M.P.,
Minister for Health

Explanatory note

The object of this Regulation is to amend the *Health Services Regulation 2003* to reflect the amalgamation of various area health services by the *Health Services (Amalgamation of Area Health Services) Order 2004*. The amendments update references to area health services and remove descriptions that are no longer required.

This Regulation is made under the *Health Services Act 1997*, including section 18 (2) and section 140 (the general regulation-making power).

Clause 1 Health Services Amendment (Amalgamations) Regulation 2004

Health Services Amendment (Amalgamations) Regulation 2004

under the

Health Services Act 1997

1 Name of Regulation

This Regulation is the *Health Services Amendment (Amalgamations) Regulation 2004*.

2 Commencement

This Regulation commences on the commencement of the *Health Services (Amalgamation of Area Health Services) Order 2004*.

3 Amendment of Health Services Regulation 2003

The *Health Services Regulation 2003* is amended as set out in Schedule 1.

Health Services Amendment (Amalgamations) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 39A Area health service descriptions (Schedule 1 to the Act)

Omit “Central Sydney Area Health Service” from clause 39A (1).

Insert instead “Sydney South West Area Health Service”.

[2] Clause 39A (2)

Omit “South Eastern Sydney Area Health Service”.

Insert instead “South Eastern Sydney and Illawarra Area Health Service”.

[3] Clause 39A (3) and (4)

Omit the subclauses.



Home Building Amendment (Gasfitting Work) Regulation 2004

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*.

REBA PAIGE MEAGHER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to make a statute law revision amendment to correct an incorrect reference to a regulation in the *Home Building Regulation 2004*.

This Regulation is made under the *Home Building Act 1989*, including the definition of *relevant law* in section 3 (1) and section 140 (the general regulation-making power).

Clause 1 Home Building Amendment (Gasfitting Work) Regulation 2004

Home Building Amendment (Gasfitting Work) Regulation 2004

under the

Home Building Act 1989

1 Name of Regulation

This Regulation is the *Home Building Amendment (Gasfitting Work) Regulation 2004*.

2 Amendment of Home Building Regulation 2004

The *Home Building Regulation 2004* is amended as set out in Schedule 1.

Home Building Amendment (Gasfitting Work) Regulation 2004

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 7 Definition of “relevant law”

Omit “*Gas Supply (Safety Management) Regulation 2004*” from paragraph (a).

Insert instead “*Gas Supply (Safety Management) Regulation 2002*”.



Trustee Companies Amendment (Cost to Review Financial Statement) Regulation 2004

under the

Trustee Companies Act 1964

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Trustee Companies Act 1964*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to remove the cap that currently limits the maximum costs that the Director-General of the Attorney General's Department may charge for reviewing a trustee company's financial statements to \$100 per hour.

This Regulation is made under the *Trustee Companies Act 1964*, including sections 29D and 37 (the general regulation-making power).

Clause 1 Trustee Companies Amendment (Cost to Review Financial Statement)
 Regulation 2004

Trustee Companies Amendment (Cost to Review Financial Statement) Regulation 2004

under the

Trustee Companies Act 1964

1 Name of Regulation

This Regulation is the *Trustee Companies Amendment (Cost to Review Financial Statement) Regulation 2004*.

2 Amendment of Trustee Companies Regulation 2000

The *Trustee Companies Regulation 2000* is amended by omitting from clause 5 (2) the words “However, the rate at which the costs are calculated must not exceed \$100 for each hour or part of an hour of work.”.

Orders



New South Wales

Health Services (Amalgamation of Area Health Services) Order 2004

under the

Health Services Act 1997

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 20 (1) of the *Health Services Act 1997*, make the following Order.

Dated, this 20th day of October 2004.

By Her Excellency's Command,

MORRIS IEMMA, M.P.,
Minister for Health

Explanatory note

The object of this Order is to amalgamate the area health services listed in Schedule 1 to the *Health Services Act 1997*. The area health services listed in Column 2 are amalgamated into the area health services listed in Column 1.

Column 1	Column 2
Amalgamated area health service	Old area health services
Greater Southern Area Health Service	Greater Murray Area Health Service Southern Area Health Service
Greater Western Area Health Service	Far West Area Health Service Macquarie Area Health Service Mid Western Area Health Service
Hunter and New England Area Health Service	Hunter Area Health Service New England Area Health Service

Health Services (Amalgamation of Area Health Services) Order 2004

Explanatory note

Column 1	Column 2
Amalgamated area health service	Old area health services
North Coast Area Health Service	Mid North Coast Area Health Service Northern Rivers Area Health Service
Northern Sydney and Central Coast Area Health Service	Central Coast Area Health Service Northern Sydney Area Health Service
South Eastern Sydney and Illawarra Area Health Service	Illawarra Area Health Service South Eastern Sydney Area Health Service
Sydney South West Area Health Service	Central Sydney Area Health Service South Western Sydney Area Health Service
Sydney West Area Health Service	Wentworth Area Health Service Western Sydney Area Health Service

This Order is made under section 20 (1) of the *Health Services Act 1997*.

Health Services (Amalgamation of Area Health Services) Order 2004

Clause 1

Health Services (Amalgamation of Area Health Services) Order 2004

under the

Health Services Act 1997

1 Name of Order

This Order is the *Health Services (Amalgamation of Area Health Services) Order 2004*.

2 Commencement

This Order commences on 1 January 2005.

3 Amalgamation of area health services

The area health services listed below in Column 2 are amalgamated to form the area health services listed opposite in Column 1:

Column 1	Column 2
Amalgamated area health service	Old area health services
Greater Southern Area Health Service	Greater Murray Area Health Service Southern Area Health Service
Greater Western Area Health Service	Far West Area Health Service Macquarie Area Health Service Mid Western Area Health Service
Hunter and New England Area Health Service	Hunter Area Health Service New England Area Health Service
North Coast Area Health Service	Mid North Coast Area Health Service Northern Rivers Area Health Service
Northern Sydney and Central Coast Area Health Service	Central Coast Area Health Service Northern Sydney Area Health Service
South Eastern Sydney and Illawarra Area Health Service	Illawarra Area Health Service South Eastern Sydney Area Health Service

Clause 4 Health Services (Amalgamation of Area Health Services) Order 2004

Column 1	Column 2
Amalgamated area health service	Old area health services
Sydney South West Area Health Service	Central Sydney Area Health Service South Western Sydney Area Health Service
Sydney West Area Health Service	Wentworth Area Health Service Western Sydney Area Health Service

4 Amendment of Health Services Act 1997

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

Health Services (Amalgamation of Area Health Services) Order 2004

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 1 Names and areas of area health services

Omit Columns 1, 2 and 3. Insert instead:

Column 1	Column 2	Column 3
Name of service	Description of local government area or city	Description of area other than local government area
Greater Southern Area Health Service	Albury Bega Valley Berrigan Bland Bombala Boorowa Carrathool Conargo Coolamon Cooma-Monaro Cootamundra Corowa Deniliquin Eastern Capital City Regional Eurobodalla Greater Argyle Greater Hume Greater Queanbeyan Griffith Gundagai Harden Hay Jerilderie Junee Leeton Lockhart	

Health Services (Amalgamation of Area Health Services) Order 2004

Schedule 1 Amendment

Column 1	Column 2	Column 3
Name of service	Description of local government area or city	Description of area other than local government area
	Murray	
	Murrumbidgee	
	Narrandera	
	Snowy River	
	Temora	
	Tumbarumba	
	Tumut	
	Upper Lachlan	
	Urana	
	Wagga Wagga	
	Wakool	
	Yass Valley	
	Young	
Greater Western Area Health Service	Balranald	Unincorporated area
	Bathurst Regional	
	Blayney	
	Bogan	
	Bourke	
	Brewarrina	
	Broken Hill	
	Cabonne	
	Central Darling	
	Cobar	
	Coolah	
	Coonabarabran	
	Coonamble	
	Cowra	
	Dubbo	
	Forbes	
	Gilgandra	
	Lachlan	
	Mid-Western Regional	
	Narromine	
	Oberon	

Health Services (Amalgamation of Area Health Services) Order 2004

Amendment

Schedule 1

Column 1	Column 2	Column 3
Name of service	Description of local government area or city	Description of area other than local government area
	Orange	
	Parkes	
	Walgett	
	Warren	
	Weddin	
	Wellington	
	Wentworth	
Hunter and New England Area Health Service	Armidale Dumaresq	
	Cessnock	
	Dungog	
	Glen Innes Severn	
	Gloucester	
	Great Lakes	
	Greater Taree	
	Gunnedah	
	Guyra	
	Gwydir	
	Inverell	
	Lake Macquarie	
	Liverpool Plains	
	Maitland	
	Moree Plains	
	Muswellbrook	
	Narrabri	
	Newcastle	
	Port Stephens	
	Singleton	
	Tamworth Regional	
	Tenterfield	
	Upper Hunter	
	Uralla	
	Walcha	

Health Services (Amalgamation of Area Health Services) Order 2004

Schedule 1 Amendment

Column 1	Column 2	Column 3
Name of service	Description of local government area or city	Description of area other than local government area
North Coast Area Health Service	Ballina Bellingen Byron Clarence Valley Coffs Harbour Hastings Kempsey Kyogle Lismore Nambucca Richmond Valley Tweed	
Northern Sydney and Central Coast Area Health Service	Gosford Hornsby Hunters Hill Ku-ring-gai Lane Cove Manly Mosman North Sydney Pittwater Ryde Warringah Willoughby Wyong	
South Eastern Sydney and Illawarra Area Health Service	Botany Bay Hurstville Kiama Kogarah Randwick Rockdale Shellharbour Shoalhaven Sutherland	Lord Howe Island

Health Services (Amalgamation of Area Health Services) Order 2004

Amendment

Schedule 1

Column 1	Column 2	Column 3
Name of service	Description of local government area or city	Description of area other than local government area
	Sydney (part)	
	Waverley	
	Woollahra	
	Wollongong	
Sydney South West Area Health Service	Ashfield	
	Bankstown	
	Burwood	
	Camden	
	Campbelltown	
	Canada Bay	
	Canterbury	
	Fairfield	
	Leichhardt	
	Liverpool	
	Marrickville	
	Strathfield	
	Sydney (part)	
	Wingecarribee	
	Wollondilly	
Sydney West Area Health service	Auburn	
	Baulkham Hills	
	Blacktown	
	Blue Mountains	
	Hawkesbury	
	Holroyd	
	Lithgow	
	Parramatta	
	Penrith	

OFFICIAL NOTICES

Appointments

AGRICULTURAL LIVESTOCK (DISEASE CONTROL FUNDING) ACT 1998

Appointment of Member to the Standing Disease Control Advisory Committee

IN pursuance of the provisions of section 7(2)(b) of the Agricultural Livestock (Disease Control Funding) Act 1998, the following persons have been appointed to the position of Member of the Standing Disease Control Advisory Committee as nominees of the NSW Farmer's Association:

Mr Howard CROZIER of Bungendore, and

Mrs Denise CUNNINGHAM of Grenfell,

for a term of office ending on 31 December 2006.

Dated this 27th day of September 2004.

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

AGRICULTURAL LIVESTOCK (DISEASE CONTROL FUNDING) ACT 1998

Appointment of Member to the Standing Disease Control Advisory Committee

IN pursuance of the provisions of section 7(2)(c) of the Agricultural Livestock (Disease Control Funding) Act 1998, the following persons have been appointed to the position of Member of the Standing Disease Control Advisory Committee as nominee of the Rural Lands Protection Board Association:

Mr Rowan MOORE of Camden,

for a term of office ending on 31 December 2006.

Dated this 27th day of September 2004.

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

MINES INSPECTION ACT 1901

Appointment of an Inspector of Mines

MARIE BASHIR, Governor

HER Excellency, Professor MARIE BASHIR, A.C., Governor of New South Wales, with the advice of the Executive Council, pursuant to the provisions of section 32(1) of the Mines Inspection Act 1901, extend the appointment of Rawdon Angus McDOUALL as an Inspector of Mines commencing on the date of this appointment.

Signed and sealed at Sydney, this 29th day of September 2004.

By Her Excellency's Command,

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

PARLIAMENTARY REMUNERATION ACT 1989

Instrument of Appointment

PURSUANT to the provision of Clause 1 of Schedule 2 of the Parliamentary Remuneration Act 1989, I appoint the Honourable Justice Roger Patrick BOLAND, a judicial member of the Industrial Relations Commission of New South Wales, as the Parliamentary Remuneration Tribunal for a term of office commencing on 1 September 2004 and concluding on 31 August 2007.

Dated this 5th day of August 2004.

The Honourable Justice F. L. WRIGHT,
President,
Industrial Relations Commission of
New South Wales

TRANSPORT ADMINISTRATION ACT 1988

Chief Executive Service
Appointment Under Section 47

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of the Transport Administration Act 1988, has appointed the officer listed below to the chief executive service position as specified:

Roads and Traffic Authority

Mr Paul John FORWARD, Chief Executive [17 December 2004].

CARL SCULLY, M.P.,
Minister for Roads
and Minister for Housing

Department of Infrastructure, Planning and Natural Resources

Infrastructure and Planning



New South Wales

Cessnock Local Environmental Plan 1989 (Amendment No 99)

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*. (N04/00033/S69)

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

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 99)

Cessnock Local Environmental Plan 1989 (Amendment No 99)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 99)*.

2 Aims of plan

This plan aims:

- (a) to reclassify part of the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (b) to rezone part of the land from Zone No 6 (a) (the Open Space Zone) to 5 (a) Special Uses (Workers Club) under *Cessnock Local Environmental Plan 1989 (the 1989 plan)*, and
- (c) to rezone the remaining land from Zone No 6 (b) (the Proposed Open Space Zone) to 5 (a) Special Uses (Workers Club) under the 1989 plan, and
- (d) to effect law revision in a provision of the 1989 plan relating to the classification and reclassification of public land.

3 Land to which plan applies

- (1) To the extent that this plan reclassifies land, it applies to part of Lot 390, DP 755231, Government Road, Weston, as shown edged heavy black on Sheet 2 of the map marked "Cessnock Local Environmental Plan 1989 (Amendment No 99)" deposited in the office of Cessnock City Council.
- (2) To the extent that this plan rezones part of the land from the Open Space Zone to 5 (a) Special Uses (Workers Club), it applies to part of Lot 390, DP 755231, Government Road, Weston, as shown with heavy black edging on Sheet 1 of that map.

Cessnock Local Environmental Plan 1989 (Amendment No 99)

Clause 4

-
- (3) To the extent that this plan rezones the remaining land from the Proposed Open Space Zone to 5 (a) Special Uses (Workers Club), it applies to Lot 761, DP 755231, Government Road, Weston, as shown with heavy black edging on Sheet 1 of that map.

4 Amendment of Cessnock Local Environmental Plan 1989

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

Cessnock Local Environmental Plan 1989 (Amendment No 99)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Cessnock Local Environmental Plan 1989 (Amendment No 99)—Sheet 1

[2] Clause 47A Classification and reclassification of public land

Omit “is the local environmental plan cited at the end of the description of the parcel” from clause 47A (5).

Insert instead “means the local environmental plan that inserted the description of the parcel of land into that Part of that Schedule”.

[3] Schedule 6 Classification and reclassification of public land

Insert in alphabetical order of locality in Part 3 of the Schedule:

Weston

Government Road	Part of Lot 390, DP 755231, as shown edged heavy black on Sheet 2 of the map marked “Cessnock Local Environmental Plan 1989 (Amendment No 99)”.
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New South Wales

Kiama Local Environmental Plan 1996 (Amendment No 58)

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*. (W03/00092/PC)

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

Clause 1 Kiama Local Environmental Plan 1996 (Amendment No 58)

Kiama Local Environmental Plan 1996 (Amendment No 58)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Kiama Local Environmental Plan 1996 (Amendment No 58)*.

2 Aims of plan

The aims of this plan are:

- (a) to reclassify certain community land at Hillview Circuit, Kiama and Blackwood Street, Gerringong to operational land, and
- (b) to rezone certain land at Hillview Circuit, Kiama to Zone No 2 (a) (the Residential "A" zone), and
- (c) to rezone certain land at Blackwood Street, Gerringong to Zone No 5 (a) (the Special Uses zone) to allow (with consent) development for the purpose of a fire station.

3 Land to which plan applies

This plan applies to part Lot 2 DP 707300, Hillview Circuit, Kiama and part Lot 48 DP 250008 and part Lot 60 DP 703112, Blackwood Street, Gerringong as shown edged heavy black on Sheets 1 and 2 of the map marked "Kiama Local Environmental Plan 1996 (Amendment No 58)" deposited in the office of the Council of the Municipality of Kiama.

4 Amendment of Kiama Local Environmental Plan 1996

Kiama Local Environmental Plan 1996 is amended as set out in Schedule 1.

Kiama Local Environmental Plan 1996 (Amendment No 58)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

Insert at the end of the definition of *the map* in clause 6 (1):

Kiama Local Environmental Plan 1996 (Amendment No 58),
Sheets 1 and 2

[2] Schedule 3 Operational land

Insert at the end of the Schedule:

- Part Lot 2, DP 707300, Hillview Circuit, Kiama, as shown edged heavy black on Sheet 1 of the map marked “Kiama Local Environmental Plan 1996 (Amendment No 58)”.
- Part Lot 48, DP 250008 and part Lot 60, DP 703112, Blackwood Street, Gerringong, as shown edged heavy black on Sheet 2 of the map marked “Kiama Local Environmental Plan 1996 (Amendment No 58)”.



Shoalhaven Local Environmental Plan 1985 (Amendment No 214)

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*. (W92/00811/S69)

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

Clause 1 Shoalhaven Local Environmental Plan 1985 (Amendment No 214)

Shoalhaven Local Environmental Plan 1985 (Amendment No 214)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Shoalhaven Local Environmental Plan 1985 (Amendment No 214)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to Zone No 2 (a4) (the Residential “A4” (Restricted Development) Zone) under *Shoalhaven Local Environmental Plan 1985* in line with the recommendations contained in the *Riverview Road Area—Nowra Floodplain Management Plan*.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven, being Lot 7, DP 809132, Lyrebird Drive, Nowra, as shown edged heavy black on the map marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 214)” deposited in the office of the Council of the City of Shoalhaven.

4 Amendment of Shoalhaven Local Environmental Plan 1985

Shoalhaven Local Environmental Plan 1985 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Shoalhaven Local Environmental Plan 1985 (Amendment No 214)

Natural Resources

WATER ACT 1912

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

Paul Leo TARLINTON for a pump on Wilgo Creek and a proposed 55.0 megalitre bywash dam and pump on an unnamed watercourse (3rd order stream) on 7//818743, Parish of Narira, County of Dampier, for the conservation of water, water supply for stock purposes and the irrigation of 12.0 hectares (improved pasture) (replacement application – replaces 10SL45867 – no increase in authorised area – no increase in annual entitlement – addition of proposed dam and pump – lodged prior to the 2003 Bega River catchment embargo) (Reference: 10SL56550) (GA2:493389).

Any inquiries regarding the above should be directed to the undersigned (telephone: 4428 6619).

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

WAYNE RYAN,
Natural Resource Project Officer,
Sydney/South Coast Region

Department of Infrastructure, Planning and
Natural Resources,
PO Box 309, Nowra NSW 2541.

WATER ACT 1912

Notice Under Section 22B – Withdrawal of Pumping
Suspensions

North Pumpenbil Creek, South Pumpenbil Creek,
Tyalgum Creek, Brays Creek, Oxley River,
Hopping Dicks Creek, Tweed River, Burringbar Creek,
Cudgera Creek, Rous River, Crystal Creek, Duroby Creek,
Piggabeen Creek, Cobaki Creek, Bilambil Creek
and their Tributaries

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING SUSPENSIONS under section 22B of the Water Act 1912, relating to the abovementioned watercourses and their tributaries with respect to the taking of water therefrom hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Water Act 1912, that pumping restrictions and suspensions so imposed are now cancelled. Diversion of water must however be undertaken in accordance with the conditions of individual licences.

Dated this 20th day of October 2004.

GA2:476171

G. LOLLBACK,
Resource Access Manager,
North Coast Region,
Grafton

WATER ACT 1912

Notice Under Section 22B – Withdrawal of Pumping
Suspensions

Brunswick River, Marshalls Creek, Lacks Creek,
Tyagarah Creek, Simpson Creek and their Tributaries

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING SUSPENSIONS under section 22B of the Water Act 1912, relating to the abovementioned watercourses and their tributaries with respect to the taking of water therefrom hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Water Act 1912, that pumping restrictions and suspensions so imposed are now cancelled. Diversion of water must however be undertaken in accordance with the conditions of individual licences.

Dated this 20th day of October 2004.

GA2:476172

G. LOLLBACK,
Resource Access Manager,
North Coast Region,
Grafton

WATER ACT 1912

Notice Under Section 22B – Withdrawal of Pumping
Suspensions

Skinners Creek, Byron Creek, Tinderbox Creek,
O'possum Creek, Houghlahans Creek, Emigrant Creek,
Pearces Creek, Youngman Creek, Gum Creek,
Duck Creek, Tucki Tucki Creek, Marom Creek,
Maguires Creek, Wilsons River above Boatharbour,
Shannon Brook Creek, Bingeebebra Creek,
Theresa Creek, Upper Wilsons River above Town Water
Supply Weir, Fawcetts Creek, Collins Creek and their
Tributaries

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING SUSPENSIONS under section 22B of the Water Act 1912, relating to the abovementioned watercourses and their tributaries with respect to the taking of water therefrom hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Water Act 1912, that pumping restrictions and suspensions so imposed are now cancelled. Diversion of water must however be undertaken in accordance with the conditions of individual licences.

Dated this 20th day of October 2004.

GA2:476173

G. LOLLBACK,
Resource Access Manager,
North Coast Region,
Grafton

WATER ACT 1912Notice Under Section 22B – Withdrawal of Pumping
Suspensions and Restrictions

South Creek, Buckra Bendinni Creek, Taylors Arm
and their Tributaries

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING SUSPENSIONS and RESTRICTIONS under section 22B of the Water Act 1912, relating to the abovementioned watercourses and their tributaries with respect to the taking of water therefrom hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Water Act 1912, that pumping restrictions and suspensions so imposed are now cancelled. Diversion of water must however be undertaken in accordance with the conditions of individual licences.

Dated this 20th day of October 2004.

GA2:476174

G. LOLLBACK,
Resource Access Manager,
North Coast Region,
Grafton

WATER ACT 1912

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

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

Gwydir River Valley

KEERA LANDS PTY LIMITED for a pump on the Gwydir River on Lot 112, DP 42765, Parish of Singapoora, County of Burnett, for irrigation of 40 hectares (replacement licence – permanent transfer of 30 megalitres of existing entitlement) (LO Papers: 90SL100756) (GA2:472166).

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

GEOFF CAMERON,
Manager,
Resource Access

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

WATER ACT 1912

Order Under Section 117E

Groundwater Allocations for the 2004/2005 Water Year

Upper Namoi Alluvium Zone 3 Water Shortage Zone

THE Water Administration Ministerial Corporation notifies groundwater entitlement holders that the Upper Namoi Zone 3 Groundwater Management Area (as shown in Schedule 1) is unlikely to have sufficient water available to meet the requirements of persons authorised by law to take water from this water source or to meet other requirements for water previously determined by the Ministerial Corporation.

Accordingly, for the whole 2004/2005 Water Year the announced groundwater allocation shall be 65% of licensed entitlement. In addition, there will be no access to carry over and borrowing will not be permitted for the 2004/2005 Water Year.

This order applies to all bores other than bores for Stock, Domestic, Farming and Town Water Supply Purposes, and bore 90BL131255 located on Lot 91, DP 751007, Parish Carroll, County Buckland. The holders of 90BL131255 will be permitted to access carry over in their groundwater account up to an amount equal to 30% of the announced allocation.

Signed for the Water Administration Ministerial Corporation.

Dated this 22nd day of October 2004.

RANDALL HART,
Regional Director,
Barwon Region,
Department of Infrastructure, Planning and
Natural Resources
(by delegation)



WATER ACT 1912

Order Under Section 117E

Groundwater Allocations for the 2004/2005 Water Year

Upper Namoi Alluvium Zone 8 Water Shortage Zone

THE Water Administration Ministerial Corporation notifies groundwater entitlement holders that the Upper Namoi Zone 8 Groundwater Management Area (as shown in Schedule 1) is unlikely to have sufficient water to meet the requirements of persons authorised by law to take water from this water source or to meet other requirements for water previously determined by the Ministerial Corporation.

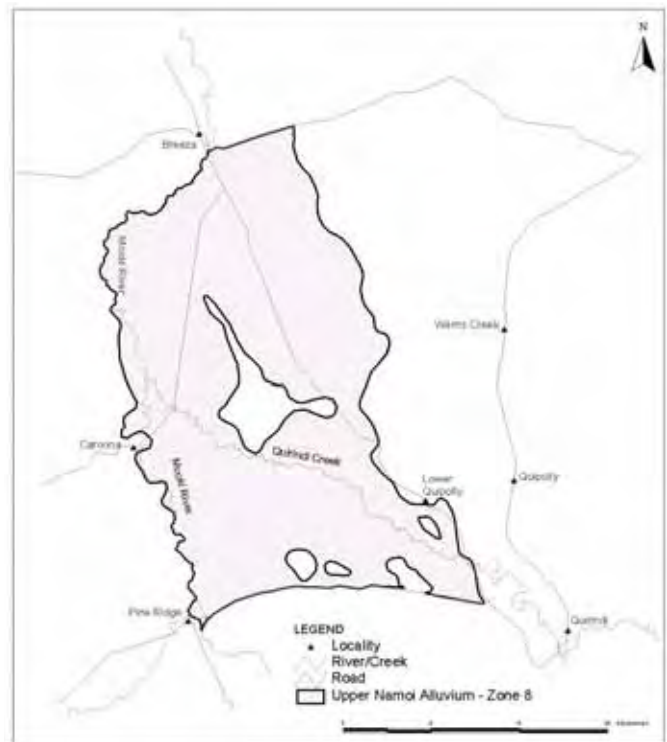
Accordingly, for the whole 2004/2005 Water Year the announced groundwater allocation shall be 65% of licensed entitlement and access to carry over in groundwater accounts is limited to 10% of announced allocation. Borrowing will not be permitted for the 2004/2005 Water Year and temporary trading will only be considered between property accounts operated by the same entity.

This order applies to all bores other than bores for Stock, Domestic, Farming and Town Water Supply Purposes.

Signed for the Water Administration Ministerial Corporation.

Dated this 22nd day of October 2004.

RANDALL HART,
Regional Director,
Barwon Region,
Department of Infrastructure, Planning and
Natural Resources
(by delegation)



Department of Lands

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

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any other person to the same as highways.

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

Description

Land District and Local Government Area of Dubbo

Lot 22, DP 1073710, Parish of Warrie, County of Lincoln
 (not being land under the Real Property Act).

File No.: DB02 H 450.

Note: On closing, the title for Lot 22 shall remain vested in the State of New South Wales as Crown Land.

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

ALTERATION OF COMMONERS BOUNDARY

PURSUANT to section 5(2)(b) of Schedule 5 of the Commons Management Act 1989, the commoner's boundary of the Gundaroo Common located in the Village and Parish of Gundaroo, County of Murray, is hereby altered to that as described in Schedule hereunder.

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

SCHEDULE

Being the land bounded by the dark edging on the diagram hereunder.

Any previous notification of the commoner's boundary is hereby revoked.

File No.: GB89 R 33/2.



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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

TONY KELLY, M.P.,
Minister for Lands

Description

*Parish – Edon; County – Cooper;
Land District – Yanco; Shire – Leeton.*

Lot 1, DP 103486 at Murrami.

File No.: LN95 H 31.

Note: On closing, the land within the former Crown public road will remain vested in the State of New South Wales as Crown Land.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Leslie John IRVIN (new member), David George KENNEDY (new member), Thomas Herbert MANNING (re-appointment), Robert Bruce SMITH (re-appointment).	Barellan Showground Trust.	Reserve No.: 50481. Public Purpose: Racecourse and showground. Notified: 20 January 1915. File No.: GH89 R 68/2.

Term of Office

For a term commencing 22 October 2004 and expiring 21 October 2009.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Marcus David TAYLOR (new member), Gordon Charles BROWN (new member), Heather Jean BALTIERI (re-appointment), Ross PATANE (re-appointment), John Henry ROBINSON (re-appointment), Alister William WATT (re-appointment), Patricia Mary SPRY (re-appointment).	Griffith Showground Trust.	Dedication Nos: 559029, 1000158 and 1000159. Public Purpose: Showground. Notified: 22 November 1935, 16 December 1955 and 5 July 1963. File No.: GH89 R 18/3.

Term of Office

For a term commencing 1 October 2004 and expiring 30 September 2009.

SCHEDULE 3

COLUMN 1	COLUMN 2	COLUMN 3
John Alfred LAWRENCE (new member), Margaret Mary RYALL (re-appointment), Kevin Maxwell JOHNSTONE (re-appointment), Murray Ross MAGUIRE (re-appointment), Stanley Joseph LAWRENCE (re-appointment).	Barmedman Showground Trust.	Reserve No.: 44511. Public Purpose: Showground. Notified: 27 October 1909. File No.: GH93 R 10/3.

Term of Office

For a term commencing the date of this notice and expiring 21 April 2009.

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 for Lands

SCHEDULE

COLUMN 1	COLUMN 2
Allambie School Reserve Trust.	Reserve No.: 88755. Public Purpose: School for sub-normal children. Notified: 24 November 1972. File No.: LN93 R 2/1.

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE**COLUMN 1**

Kurrajong Waratah Reserve Trust.

COLUMN 2

Reserve No.: 88755.
Public Purpose: School for sub-normal children.
Notified: 24 November 1972.
File No.: LN93 R 2/1.

HAY OFFICE

126 Lachlan Street (PO Box 182), Hay NSW 2711

Phone: (02) 6993 1306 Fax: (02) 6993 1135

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE**COLUMN 1**

Helen UNDERWOOD (new member), Heather May JONES (re-appointment), Clifford David ROSE (re-appointment), Geoffrey Joseph HUTCHISON (re-appointment), Norman Charles George Matthias HOCKINGS (re-appointment), Patrick Daniel O'SULLIVAN (re-appointment).

COLUMN 2

Hillston Showground Trust.

COLUMN 3

Dedication No.: 550021.
Public Purpose: Racecourse and showground.
Notified: 12 April 1940.
File No.: HY80 R 96.

Term of Office

For a term commencing the date of this notice and expiring 16 September 2009.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish – Tyraman; County – Durham;
Land District – Maitland;
Local Government Area – Singleton;
Locality – Lambs Valley.

Road Closed:

Lot 23, DP 1069928 subject to “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 24, DP 1069928 subject to “Restriction on the Use of Land” designated (H) on the Deposited Plan, and “Easement for Electricity Supply variable width” designated (L) on the Deposited Plan;

Lot 25, DP 1069928 subject to “Restriction on the Use of Land” designated (G) on the Deposited Plan, and “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 26, DP 1068828 subject to “Restriction on the Use of Land” designated (G) on the Deposited Plan, and “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 27, DP 1069928 subject to “Right of Access and Easement for Services 10 wide and variable” designated (E) on the Deposited Plan, and “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 28, DP 1069928 subject to “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 29, DP 1069928 subject to “Right of Access and Easement for Services 10 wide” designated (B) on the Deposited Plan, and “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 30, DP 1069928 subject to “Right of Access and Easement for Services 10 wide” designated (B) on the Deposited Plan, and “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 31, DP 1069928 subject to “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 32, DP 1069928 subject to “Restriction on the Use of Land” designated (F) on the Deposited Plan, and “Restriction on the Use of Land” designated (H) on the Deposited Plan;

Lot 33, DP 1069928 subject to “Restriction on the Use of Land” designated (F) on the Deposited Plan, and “Restriction on the Use of Land” designated (H) on the Deposited Plan; and

Lot 34, DP 1069928 subject to “Restriction on the Use of Land” designated (H) on the Deposited Plan.

File No.: MD03 H 260.

Note: On closing, the land within Lots 23 to 34 inclusive, DP 1069928 will remain land vested in the Crown as Crown Land.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

COLUMN 1	COLUMN 2	COLUMN 3
Robert John FLANAGAN (new member), Douglas Allan WALLACE (new member), Susan Gai HAAVIK (new member).	Swansea War Memorial (R700037) Reserve Trust.	Reserve No.: 700037. Public Purpose: Community purposes. Notified: 11 July 1997. File No.: MD80 R 82/2.

Term of Office

For a term commencing the date of this notice and expiring 14 February 2007.

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

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

Description

Land District of Molong and L.G.A. – Cabonne Council

Road Closed: Lot 1 in Deposited Plan 1073039, Parish Brymedura, County Ashburnham.

File No.: OE02 H 371.

Note: On closing, the land within Lot 1, DP 1073039 remains vested in Cabonne Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 29.2101.00.

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

DEDICATION OF CROWN LAND

PURSUANT to section 80 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedules hereunder, is dedicated for the public purposes specified opposite thereto in Column 2 of the Schedules.

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

SCHEDULE 1

COLUMN 1

Land District: Metropolitan.
L.G.A.: Baulkham Hills.
Parish: Field of Mars.
County: Cumberland.
Locality: Baulkham Hills,
Castle Hill, North Rocks
and West Pennant Hills.
Lots/DP: 7060 in DP 1070986;
7061 in DP 1070989;
7062 in DP 1070987;
7063 in DP 1070983;
7064 in DP 1070990;
7065 in DP 1070984;
7066 in DP 1070985.
Area: About 132 hectares.
Torrens Title Folio Identifiers:
7060/1070986; 7061/1070989;
7062/1070987; 7063/1070983;
7064/1070990; 7065/1070984;
7066/1070985.
File No.: MN04 R 19.

Note: Reserve 90693 for public recreation, notified 4 February 1977 and the affected parts of Reserve 80863 for public recreation, preservation of native flora and preservation of fauna, notified 18 July 1958, are automatically revoked by this notice.

SCHEDULE 2

COLUMN 1

Land District: Metropolitan.
L.G.A.: Baulkham Hills.
Parish: Field of Mars.
County: Cumberland.
Locality: Baulkham Hills
and Castle Hill.
Lots 836, 895, 896 and 910,
DP 752028.
Area: About 22 hectares.
Torrens Title Folio Identifiers:
836/752028; 895/752028;
896/752028; 910/752028.
File No.: MN04 R 19.

Note: The affected parts of Reserve 80863 for public recreation, preservation of native flora and preservation of fauna, notified 18 July 1958, are automatically revoked by this notice.

COLUMN 2

Dedication 1010508 for the purpose of public recreation and community purposes.

ESTABLISHMENT OF RESERVE TRUST

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedules 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 Schedules.

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

SCHEDULE 1

COLUMN 1

Bidjigal (D1010489) Reserve Trust.

COLUMN 2

Dedication No. 1010489 for the purposes of preservation of Aboriginal Cultural Heritage, preservation of flora and fauna and public recreation, notified in the *Government Gazette* of this day.
File No.: MN04 R 19.

SCHEDULE 2

COLUMN 1

Eric Mobbs and Ted Horwood (D1010508) Reserves Trust.

COLUMN 2

Dedication No. 1010508 for public recreation and community purposes, notified in the *Government Gazette* of this day.
File No.: MN04 R 19.

**APPOINTMENT OF CORPORATION TO MANAGE
A 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 Schedules.

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

SCHEDULE

COLUMN 1

Baulkham Hills
Shire Council.

COLUMN 2

Eric Mobbs and
Ted Horwood
(D1010508)
Reserves Trust.

COLUMN 3

Dedication 1010508 for the purpose of public recreation and community purposes, notified in the *Government Gazette* this day.
File No.: MN04 R 19.

**TRUSTEES OF SCHOOLS OF ARTS ENABLING
ACT 1902**

Appointment of Trustees – Kenthurst Literary Institute

*Parish – Nelson; County – Cumberland;
Land District – Metropolitan;
Local Government Area – Baulkham Hills.*

IT is hereby notified for general information that the Office of Owen Edwin PARR as trustee of the Kenthurst Literary Institute, has been declared vacant. The undermentioned organisation has been elected as sole trustee at a meeting of members of the Kenthurst Literary Institute held in accordance with the provisions of section 14 of the Trustees of Schools of Arts Enabling Act 1902.

I therefore, in pursuance of the power given to me in the same section, approve of the undermentioned organisation to be trustee of the Kenthurst Literary Institute, namely Kenthurst Community Foundation Incorporated.

File No.: MN89 R 25.

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

ERRATUM

IN the notice appearing in the *NSW Government Gazette* No. 153, dated 1 October 2004, Folio 7810, under the heading “Roads Act 1993 – Order - Transfer of a Crown Road to a Council”, the description of the land in Schedule 1 is amended by replacing the word “easterly” with “westerly” so as to read in part “of Lot 1, DP 774980 in a westerly direction for about 920 metres...”.

File No.: MN03 H 162.

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

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Joseph Gerard WALSH and Suzanne RICHARDS (new members).	Moorland Recreation Reserve Trust.	Reserve No.: 84341. Public Purpose: Public recreation. Notified: 22 March 1963. File No.: TE80 R 196/2.

Term of Office

For a term commencing the date of this notice and expiring 18 July 2009.

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Tuncurry Community (R87663) Reserve Trust.	Reserve No.: 87663. Public Purpose: Girl Guides. Notified: 13 February 1970. Parish: Tuncurry. County: Macquarie. File No.: TE03 R 51.

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Great Lakes Community Resources Incorporated.	Tuncurry Community (R87663) Reserve Trust.	Reserve No.: 87663. Public Purpose: Girl Guides. Notified: 13 February 1970. File No.: TE03 R 51.

**REMOVAL FROM OFFICE OF CORPORATION
MANAGER OF RESERVE TRUST**

PURSUANT to section 96(2) of the Crown Lands Act 1989, the corporation specified in Schedule 1 hereunder, is removed from the office of manager of the reserve trust specified in Schedule 2, which is trustee of the reserve referred to in Schedule 3.

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

SCHEDULE 1

The Girl Guides Association (New South Wales).

SCHEDULE 2

Tuncurry Community (R87663) Reserve Trust.

SCHEDULE 3

Reserve No.: 87663.
Public Purpose: Girl Guides.
Notified: 13 February 1970.
File No.: TE03 R 51.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

*Land District – Kempsey;
Local Government Area – Kempsey.*

Road Closed: Lot 1, DP 1073560 at Turners Flat, Parish of Kullatine, County of Dudley.

File No.: TE03 H 164.

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

Department of Primary Industries

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994 FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Clause 37 (3) – Notice of Granting of Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

AL04/015 within the estuary of Port Stephens having an area of 6.5350 hectares to Jason D. MORRIS of Tanilba Bay, NSW, for a term of 15 years expiring on 17 September 2019.

AL04/016 within the estuary of Port Stephens having an area of 3.2183 hectares to Jason D. MORRIS of Tanilba Bay, NSW, for a term of 15 years expiring on 17 September 2019.

AL04/009 within the estuary of Port Stephens having an area of 2.2148 hectares to Johannes DE KOEYER and Pauline DE KOEYER of Lemon Tree Passage, NSW, for a term of 15 years expiring on 11 October 2019.

Dr NICK RAYNS,
Director, Fisheries Management,
Agriculture and Fisheries Division,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994 FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL74/014 within the estuary of Camden Haven, having an area of 0.6753 hectares to Clive BOWMAKER of Lugarno, NSW, for a term of 15 years expiring on 4 July 2019.

OL73/417 within the estuary of the Brunswick River, having an area of 0.2444 hectares to Steven William WHITE and Emma Jane WHITE of South Golden Beach, NSW, for a term of 15 years expiring on 20 May 2019.

OL74/001 within the estuary of the Wonboyn River, having an area of 0.7095 hectares to John Alan CLANCEY and Rosalind Eve CLANCEY of Merimbula, NSW, for a term of 15 years expiring on 28 August 2019.

OL70/102 within the estuary of Brisbane Waters, having an area of 1.1586 hectares to BROKEN BAY PEARLS PTY LTD of Tuncurry, NSW, for a term of 15 years expiring on 17 April 2020.

OL88/074 within the estuary of Brisbane Waters, having an area of 0.9359 hectares to Brett James KNIGHT of Umina, NSW, for a term of 15 years expiring on 30 July 2019.

OL75/069 within the estuary of the Nambucca River, having an area of 1.4439 hectares to OYSTER NURSERIES

PTY LTD of Macksville, NSW, for a term of 15 years expiring on 30 March 2019.

OL73/414 within the estuary of Port Stephens, having an area of 5.0699 hectares to ALLDINGA PTY LTD of Oyster Cove, NSW, for a term of 15 years expiring on 31 August 2018.

OL88/077 within the estuary of the Hastings River, having an area of 1.5013 hectares to Leonard Charles GIRDLER of Port Macquarie, NSW, for a term of 15 years expiring on 25 April 2019.

OL74/136 within the estuary of Wallis Lake, having an area of 0.4802 hectares to Graham BARCLAY of Forster, NSW, for a term of 15 years expiring on 31 May 2020.

OL74/197 within the estuary of Wallis lake, having an area of 1.9155 hectares to Graham BARCLAY of Forster, NSW, for a term of 15 years expiring on 24 May 2020.

OL69/082 within the estuary of Brisbane Waters, having an area of 0.2173 hectares to Gordon LATIMORE and Robyn LATIMORE of Karuah, NSW, for a term of 15 years expiring on 26 March 2020.

OL69/162 within the estuary of Brisbane Waters, having an area of 1.7132 hectares to Gordon LATIMORE, Robyn LATIMORE, Darrell JOHNSON and Kay JOHNSON of Karuah, NSW, for a term of 15 years expiring on 29 July 2019.

Dr NICK RAYNS,
Director, Fisheries Management,
Agriculture and Fisheries Division,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994 FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Clause 49 (8) – Notice of Aquaculture Lease Subdivision

THE Minister has subdivided the following Aquaculture Leases:

OL84/229 within the estuary of Wallis Lake having an area of 2.5399 hectares is subdivided into two leases referred to as AL04/021 having an area of 2.1276 hectares and AL04/022 having an area of 0.4123 hectares to Graham James Moore BARCLAY of Forster, NSW. The subdivided leases will expire on 14 January 2014.

OL90/017 within the estuary of Wallis Lake having an area of 0.7486 hectares is subdivided into two leases referred to as AL04/023 having an area of 0.3743 hectares and AL04/024 having an area of 0.3743 hectares to Graham James Moore BARCLAY of Forster, NSW. The subdivided leases will expire on 31 March 2011.

Dr NICK RAYNS,
Director, Fisheries Management,
Agriculture and Fisheries Division,
Department of Primary Industries

Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(04-626)

No. 2438, AUSTRALIAN DOLOMITE COMPANY PTY LIMITED (ACN 000 810 551), area of 4 units, for Group 2, dated 11 October 2004. (Orange Mining Division).

(04-629)

No. 2439, Robert John FRASER, area of 1 unit, for Group 1, dated 13 October 2004. (Orange Mining Division).

(04-630)

No. 2440, Ian Philip PRITCHETT, area of 1 unit, for Group 1, dated 13 October 2004. (Orange Mining Division).

(04-632)

No. 2442, MITHRIL RESOURCES LTD (ACN 099 883 922), area of 95 units, for Group 1, dated 15 October 2004. (Broken Hill Mining Division).

(04-3744)

No. 255, DENDROBIUM COAL PTY LTD (ACN 098 744 088), Parish of Kembla, County of Camden, map sheet 9029-2-5 area of about 5.28 hectares, for the purpose of any building or mining plant and other mining purposes, dated 1 October. (Sydney Mining Division).

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

NOTICE is given that the following applications have been granted:

MINING LEASE APPLICATION

(T89-0695)

No. 220, now Mining Lease No. 1558 (Act 1992), William John Francis BRYAN and Janette Helen BRYAN, Parish of Dowe, County of Darling (9036-4-S), area of about 23.48 hectares, to mine for limestone and agricultural lime, dated 6 October 2004, for a term until 5 October 2014. (Armidale Mining Division).

EXPLORATION LICENCE APPLICATIONS

(T03-0035)

No. 2081, now Exploration Licence No. 6132, PLATSEARCH NL (ACN 003 254 395), EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454) and TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Yancowinna, Map Sheet (7134, 7234), area of 74 units, for Group 1, dated 1 October 2003, for a term until 30 September 2005. As a result of the grant of this title, Exploration Licence No. 5632 and Exploration Licence No. 6063 have ceased to have effect.

(T04-0023)

No. 2287, now Exploration Licence No. 6313, AUZEX RESOURCES PTY LIMITED (ACN 106 444 606), Counties of Clarke, Gough and Gresham, Map Sheet (9237, 9238, 9337, 9338), area of 100 units, for Group 1, dated 1 October 2004, for a term until 30 September 2006.

(T04-0043)

No. 2305, now Exploration Licence No. 6306, PIONEER NICKEL LIMITED (ACN 103 423 981), Counties of Argyle and St Vincent, Map Sheet (8827, 8828, 8927, 8928), area of 98 units, for Group 1, dated 28 September 2004, for a term until 27 September 2006.

(T04-0048)

No. 2310, now Exploration Licence No. 6307, PIONEER NICKEL LIMITED (ACN 103 423 981), County of King, Map Sheet (8728), area of 22 units, for Group 1, dated 28 September 2004, for a term until 27 September 2006.

(T04-0050)

No. 2312, now Exploration Licence No. 6308, PIONEER NICKEL LIMITED (ACN 103 423 981), County of Harden, Map Sheet (8528), area of 42 units, for Group 1, dated 28 September 2004, for a term until 27 September 2006.

(04-523)

No. 2347, now Exploration Licence No. 6304, MINEXCHANGE PROPRIETARY LIMITED (ACN 086 042 524) and Donald John PERKIN, County of Roxburgh, Map Sheet (8831), area of 99 units, for Group 1, dated 24 September 2004, for a term until 23 September 2006.

(04-525)

No. 2349, now Exploration Licence No. 6305, MINEXCHANGE PROPRIETARY LIMITED (ACN 086 042 524) and Donald John PERKIN, Counties of Forbes and Monteagle, Map Sheet (8530, 8630), area of 57 units, for Group 1, dated 24 September 2004, for a term until 23 September 2006.

(04-532)

No. 2355, now Exploration Licence No. 6299, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), Counties of King and Monteagle, Map Sheet (8629), area of 53 units, for Group 1, dated 21 September 2004, for a term until 20 September 2006.

(04-546)

No. 2369, now Exploration Licence No. 6300, ROBERTS CONSULTING PTY LTD (ACN 105 435 050), County of Buccleuch, Map Sheet (8527), area of 16 units, for Group 1, dated 22 September 2004, for a term until 21 September 2006.

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

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

(T02-0095)

Exploration Licence No. 6017, BRAESIDE AUSTRALIA LIMITED (ACN 097 650 194), area of 9 units. Application for renewal received 11 October 2004.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T02-0399)

Exploration Licence No. 6065, John Leslie LOVE, County of Wellington, Map Sheet (8832), area of 1 unit, for a further term until 20 March 2005. Renewal effective on and from 6 October 2004.

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

CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(T98-1683)

Mining Lease No. 645 (Act 1973), AIRLIE BRAKE PTY LTD (ACN 081 424 857), Parish of North Nullamanna, County of Arrawatta; Parish of North Nullamanna, County of Arrawatta; Parish of Nullamanna, County of Arrawatta; and Parish of Nullamanna, County of Arrawatta, Map Sheet (9138-4-N, 9138-4-N), area of 15.1 hectares. Cancellation took effect on 28 September 2004.

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:

(T02-0007)

Exploration Licence No. 5953, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), County of Bathurst and County of Georgiana, Map Sheet (8730, 8830), area of 56 units. The authority ceased to have effect on 11 October 2004.

(T02-0033)

Exploration Licence No. 5990, RIO TINTO EXPLORATION PTY LIMITED (ACN 000 057 125), County of Burnett, Map Sheet (8939), area of 13 units. Application for renewal lodged on 8 July 2004. The title continues to have effect by virtue of the application for renewal lodged on 17 August 2004.

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

Roads and Traffic Authority

ROADS ACT 1993

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

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

C. L. COWAN,
General Manager,
Cessnock City Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Cessnock City Council B-Doubles Notice No. 2 [2004].

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

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

5. Routes

B-Double route within the Cessnock City Council Local Government Area.

Type	Road No.	Road Name	Starting point	Finishing point	Conditions
25	000	Wyndham Street, East Branxton	New England Highway	Dalwood Road	
25	000	Dalwood Road, East Branxton	Wyndham Street	Singleton LGA Boundary	

ROADS ACT 1993

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

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

G. McTAGGART,
 Manager – Works
 for S.C. McGrath, General Manager,
 Singleton Council
 (by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Singleton Council B-Doubles Notice No. 1, 2004.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

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

4. Application

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

5. Route

B- Doubles route within the Singleton Council.

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Dalwood Road, Leconfield	Cessnock City Council local government boundary	No 472, Dalwood Road	

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

Notice of Compulsory Acquisition of Land at Blacktown
and Seven Hills in the Blacktown 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.

T. D. CRAIG,
Manager,

Compulsory Acquisition and Road Dedication,
Roads and Traffic Authority of New South Wales

—————
SCHEDULE

ALL those pieces or parcels of land situated in the Blacktown City Council Area, Parishes of Prospect and St John and County of Cumberland, shown as:

Lot 26, Deposited Plan 1063300, being part of the land in Certificate of Title 2/597383;

Lot 27, Deposited Plan 1063300, being part of the land in Certificate of Title 101/610387;

Lot 28, Deposited Plan 1063300, being part of the land in Certificate of Title 102/610387;

Lot 116, Deposited Plan 231157, being the whole of the land in Certificate of Title 116/231157;

Lot 117, Deposited Plan 231157, being the whole of the land in Certificate of Title 117/231157; and

Lot 251, Deposited Plan 790614, being the whole of the land in Certificate of Title 251/790614, excluding from the compulsory acquisition of Lot 251 the easement to drain water 2.5 wide and variable width created by Deposited Plan 790614.

The land is said to be in the possession of Blacktown City Council.

(RTA Papers FPP 4M3738; RO 40.12584)

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

Notice of Compulsory Acquisition and Dedication as
Public Road of Land at North Barraba in the Tamworth
Regional Council Area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993 and further dedicates the land as public road under section 10 of the Roads Act 1993.

T. D. CRAIG,
Manager,

Compulsory Acquisition and Road Dedication,
Roads and Traffic Authority of New South Wales

—————
SCHEDULE

ALL that piece or parcel of land situated in the Tamworth Regional Council Area, Parish of North Barraba and County of Darling, shown as Lot 13, Deposited Plan 1046176, being part of the land in Certificate of Title 241/828229.

The land is said to be in the possession of Appledore Lands Pty Limited (registered proprietor), National Australia Bank Limited and New South Wales Rural Assistance Authority (mortgagees).

(RTA Papers: FPP 4M2897; RO 29.1179)

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

Notice of Compulsory Acquisition of Land at Auburn in
the Auburn 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.

T. D. CRAIG,
Manager,

Compulsory Acquisition and Road Dedication,
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL those pieces or parcels of land situated in the Auburn City Council Area, Parish of St John and County of Cumberland, shown as:

Lot 13, Deposited Plan 1062035, being part of the land in Certificate of Title Auto Consol 4579-24 and said to be in the possession of B & N Elomar Engineering Pty Limited (registered proprietor) and Commonwealth Bank of Australia (mortgagee); and

Lot 14, Deposited Plan 1062035, being part of the land in Certificate of Title 1/317522 and said to be in the possession of Bonfoal Pty Limited (registered proprietor) and B & N Elomar Engineering Pty Limited (reputed equitable owner), excluding from the compulsory acquisition of Lot 14 any existing easements.

(RTA Papers FPP 4M2307; RO 12.12056)

ROADS ACT 1993

Order – Section 31

Fixing of Levels of part of the Lachlan Valley Way north
of Cowra in the Cowra Shire Council Area

THE Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes the levels of part of Main Road No. 56 – Lachlan Valley Way 21.38 to 23.26 km north of Cowra, as shown on Roads and Traffic Authority Plan No. 0056.105.RC.680.

P. J. DEARDEN,
Project Services Manager,
Roads and Traffic Authority of New South Wales,
51-55 Currajong Street,
Parkes, NSW 2870

(RTA Papers FPP 105.5357; RO 56/105.1165;1)

Other Notices

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

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

Citation

The order is cited as the Retail Operations Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

The nominal term of training by direct entry shall be as follows:

Qualification	Nominal term
Certificate II in Retail Operations	12 months
Certificate III Retail Operations	24 months
Certificate III Retail Supervision	24 months
Certificate IV in Retail Management	36 months
Certificate II in Retail (Customer Service)	12 months
Certificate III in Convenience Store Operations	12 months
Certificate IV in Convenience Store Management	12 months
Certificate II in Store Operations (Woolworths Supermarkets)	12 months
Certificate II in Store Operations (Consumer Electronics)	12 months
Certificate II in Store Operations (Big W)	12 months
Certificate II in Store Operations (Freestanding Liquor)	12 months
Certificate II in Buying and Marketing (Woolworths Limited)	12 months
Certificate III in Store Operations (Woolworths Supermarkets)	24 months
Certificate III in Store Operations (Consumer Electronics)	24 months
Certificate III in Store Operations (Big W)	24 months
Certificate III in Store Operations (Freestanding Liquor)	24 months
Certificate III in Buying and Marketing (Woolworths Limited)	24 months

Certificate IV in Retail Management (Woolworths Supermarkets)	24 months
Certificate IV in Retail Management (Consumer Electronics)	24 months
Certificate IV in Retail Management (Big W)	24 months
Certificate IV in Retail Management (Freestanding Liquor)	24 months
Certificate IV in Buying and Marketing (Woolworths Limited)	24 months

(ii) Part-time

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

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

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

(b) Competency Outcomes

Trainees will be trained in and learn the relevant competencies contained in the National Retail Competency Standards, the National Retail Specialist Skills Competency Standards, the Woolworths Service Standards, National Food Core Standards,

Meat Retailing Standards, Enterprise-Specific Standards (Franklins).

(c) Courses of Study to be undertaken

Trainees will undertake the following course of study:

Certificate II in Retail Operations WRR20102

Certificate III in Retail Operations WRR30202

Certificate III in Retail Supervision WRR30102

Certificate IV in Retail Management WRR40102

Certificate II in Retail (Customer Service) National Code 15107 NSW

Certificate III in Convenience Store Operations National Code 20007 VIC

Certificate IV in Convenience Store Management National Code 20008VIC

Certificate II in Store Operations (Woolworths Supermarkets) ZWA20104

Certificate II in Store Operations (Consumer Electronics) ZWA20204

Certificate II in Store Operations (Big W) ZWA20304

Certificate II in Store Operations (Freestanding Liquor) ZWA20404

Certificate II in Buying and Marketing (Woolworths Limited) ZWA20604

Certificate III in Store Operations (Woolworths Supermarkets) ZWA30104

Certificate III in Store Operations (Consumer Electronics) ZWA30204

Certificate III in Store Operations (Big W) ZWA30304

Certificate III in Store Operations (Freestanding Liquor) ZWA30404

Certificate III in Buying and Marketing (Woolworths Limited) ZWA30604

Certificate IV in Retail Management (Woolworths Supermarkets) ZWA40104

Certificate IV in Retail Management (Consumer Electronics) ZWA40204

Certificate IV in Retail Management (Big W) ZWA40304

Certificate IV in Retail Management (Freestanding Liquor) ZWA40404

Certificate IV in Buying and Marketing (Woolworths Limited) ZWA40604

Availability for Inspection

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

CO-OPERATIVES ACT 1992

Model Rules for Non-Trading, Non-Share Co-operatives

I Colin Crossland, delegate of the Registrar of Co-operatives, approve the following Model Rules for non-trading co-operatives without share capital pursuant to section 109A (1) of the Co-operatives Act 1992.

Dated this 13th day of October 2004.

COLIN CROSSLAND,
Delegate of the
Registrar of Co-operatives

R U L E S O F

A Non-Trading Non-Share Co-operative

REGISTERED UNDER THE CO-OPERATIVES ACT 1992 (NSW)

REGISTRY OF CO-OPERATIVES & ASSOCIATIONS

154 Russell Street
BATHURST NSW 2795

PO Box 22
BATHURST NSW 2795

DX 3123 BATHURST

(Code: Model/NT/NS: (09/2004))

General Statement on Rules and their Legal Effect

These rules have the effect of a contract under seal between the co-operative and each of its members, as well as between a member and each of the other members. Each member, office-bearer, and Director must agree to observe and perform the requirements of the rules applicable to them.

The rules should be read in conjunction with the current provisions in the Co-operatives Act 1992 (NSW) and the Co-operatives Regulation 1997 (NSW). The Act and the Regulation are available for inspection at the registered office of the co-operative and can be accessed by members, prospective members and the public.

The schedules provide information specific to the co-operative and are linked to the rules. The rules and schedules should be read together.

In the application of a rule, the interpretation that would best achieve the purpose of the rule and the objects of the co-operative, as well as co-operative principles, is to be used in preference to any other interpretation.

Schedule 1

Part 1 – Name of Co-operative Rule No. 1.3

The name of the Co-operative is:

Part 2 – Objects Rule No. 1.4

The objects of the Co-operative are:

Part 3 – Primary Activity Rule No. 2.1
The primary activity of the co-operative is:

Part 4 – Active Membership Requirements Rule No. 2.2
In order to establish active membership of the co-operative a member must:

Part 5 – Member Qualifications Rule No. 3.1
The qualifications for membership of the Co-operative are:

Part 6 – Period of Inactivity prior to Cancellation Rule No. 5.1
The period of inactivity prior to cancellation is:

Schedule 2
Schedule of Fees

Annual Subscription (Maximum):	\$	Rule 7.2
Copy Book of Rules:	\$	Rule 4.2
Copy of Register:	\$	Rule 15.3
Entrance Fee (Maximum):	\$	Rule 7.1
Maximum Fine:	\$	Rule 8
Transfer of Debentures:	\$	Rule 16

Schedule 3

Part 1 – Requisition of General Meetings Rule No. 20.2
The required percentage of members to requisition a general meeting is:

Part 2 – Quorum at General Meetings Rule No. 21.2
The number of members required for a quorum is:

Schedule 4

Part 1 – Number of Directors, Composition of the Board and Term of Office of Directors Rule No. 11.1
The number of directors of the Co-operative is:

The positions on the board shall consist of:

The term of office of a director is:

Part 2 – Retirement of Directors Rule No. 11.6
The directors shall retire as follows:

Schedule 5
Changes to the Model Rules

1 Definitions and Name

1.1 Definitions

In these rules, unless the context otherwise requires:

- (a) “Act” means the Co-operatives Act 1992,
- (b) “active member” means a member who is in active membership within the provisions of Rule 2.2 and Part 4 of Schedule 1,
- (c) “alter”, or a similar word or expression, used in relation to a rule amendment includes add to, substitute and rescind,
- (d) “auditor” means the auditor or auditors for the time being of the co-operative appointed in accordance with the rule relating to audit,
- (e) “board” means the board of directors of the co-operative and includes a committee of management of the co-operative,
- (f) “business day” means a day that is not a Saturday, Sunday, public holiday or bank holiday in New South Wales,
- (g) “director” includes:
 - (i) a person who occupies or acts in the position of a director or member of the board of the co-operative, whether or not the person is called a director and whether or not the person is validly appointed or duly authorised to act in the position, and
 - (ii) a person in accordance with whose directions or instructions the directors or members of the board of the co-operative are accustomed to act,
- (h) “may”, or a similar word or expression, used in relation to a power of the board indicates that the power may be exercised or not exercised at the board’s discretion,
- (i) “member” means a member of the co-operative,
- (j) “month” means a calendar month,
- (k) “prescribed” means prescribed by the Act or under the Act by Regulation,
- (l) “provision” in relation to the Act, means words or other matter that form or forms part of the Act, and includes:
 - (i) a chapter, part, division, subdivision, section, subsection, paragraph, subparagraph, sub-subparagraph or schedule of or to the Act, and
 - (ii) a section, clause, subclause, item, column, table or form of or in a schedule to the Act, and
 - (iii) the long title and any preamble to the Act,
- (m) “Registrar” means the Registrar of Co-operatives or any person to whom the Registrar’s functions are delegated from time to time,
- (n) “Regulation” means the Co-operatives Regulation 1997,
- (o) “remuneration” means any money, consideration or benefit but does not include:

- (i) amounts in payment or reimbursement of out-of-pocket expenses incurred for the benefit of the co-operative or any subsidiary of the co-operative, or
 - (ii) in relation to an employee director, remuneration received or due and receivable as an employee,
 - (p) "Schedule" means a Schedule to these rules,
 - (q) "Secretary" means any person appointed by the board as secretary of the co-operative, in accordance with Section 219 of the Act,
 - (r) "shall", or a similar word or expression, used in relation to a power of the board indicates that the power must be exercised, subject to the Act or the rule granting the power,
 - (s) "special business" means all business of a general meeting other than the ordinary business of the annual general meeting,
 - (t) "special general meetings" means all general meetings of the co-operative other than the annual general meeting,
 - (u) "writing" includes printing, typing, lithography, electronic and other modes of representing or reproducing words in a visible form, and "written" has a corresponding meaning;
 - (v) Words importing one gender include the other gender,
 - (w) Words importing persons include bodies corporate,
 - (x) Words in the singular include the plural, and vice versa,
 - (y) Words or expressions used have the same meanings as those given to them by the Act and Regulation.
- 1.2 Definitions – Interpretation Provisions
- (a) A reference in these rules to "the Act" includes a reference to the Act as originally enacted and as amended from time to time since its original enactment.
 - (b) A reference in these rules to a provision in "the Act" includes a reference to:
 - (i) the provision as originally enacted and as amended from time to time since the original enactment,
 - (ii) if the provision has been omitted and re-enacted since the enactment of the reference, the provision as re-enacted and as amended from time to time since its re-enactment, and
 - (iii) if the provision has been omitted and replaced with a new provision dealing with the same area of law or procedure, the new provision as enacted and as amended from time to time since its enactment.
 - (c) In the interpretation of a rule, or paragraph of a rule, the interpretation that will best achieve the purpose of the rule is to be preferred to any other interpretation. This provision applies whether or not the purpose is expressly stated in the rule or paragraph of the rule.
 - (d) In these rules, unless the context indicates a contrary intention, headings are for convenience and do not affect interpretation.
- 1.3 Name
- The name of the co-operative is specified in Part 1 of Schedule 1.
- 1.4 Objects
- The objects of the co-operative, if any, are set out in Part 2 of Schedule 1.
- 1.5 Non-Trading Co-operative
- The co-operative is a non-trading co-operative within the meaning of Section 15 of the Act and shall not give any returns or distributions of surplus to members.
- 2 Active Membership Provisions
- 2.1 Primary Activity
- The primary Activity of the co-operative is set out in Part 3 of Schedule 1.
- 2.2 Active Membership Requirements
- In order to establish active membership of the co-operative, a member must comply with the requirements set out in Part 4 of Schedule 1.
- 3 Admission to Membership
- 3.1 Qualifications for Membership
- In order to qualify for membership to the co-operative, a person shall meet the qualifications set out in Part 5 of Schedule 1.
- 3.2 Application for Membership
- (a) The board or a person authorised by the Board shall provide applicants for membership of the co-operative with:
 - (i) the written notice specified in Section 76A (2) of the Act, and
 - (ii) a written notice of any intending or prescribed entry or periodic fees that a person or an organisation will be liable to pay on becoming a member of the co-operative.
 - (b) Applications for membership shall be lodged at with the secretary in a format approved by the board.
 - (c) The board shall consider every application. If the applicant is admitted to membership, the applicant's name, date of admission and any other information required under the Act shall be entered in the register of members. The applicant shall be notified in writing of the entry in the register within 14 days of the approval.
 - (d) The board may, at its discretion, refuse admittance to membership and need assign no reasons for such refusal. Upon refusal, any deposit made by the applicant shall be refunded without interest.
 - (e) In considering an application for membership, the board shall ensure that a person or an organisation is not admitted as a member unless there are reasonable grounds for believing that the person or organisation will be an active member.

4 Members

4.1 Members of the Co-operative

The members of the co-operative are those persons or bodies corporate who:

- (a) signed the application for registration of the co-operative, or
- (b) are admitted to membership by the board, or
- (c) become members by:
 - (i) a transfer of engagements to the co-operative,
 - (ii) a scheme of arrangement, or
 - (iii) operation of law.

4.2 Rights and Liabilities of Members

- (a) The rules of the co-operative have the effect of a contract under seal:
 - (i) between the co-operative and each member,
 - (ii) between the co-operative and each director, the principal executive officer and the secretary of the co-operative, and
 - (iii) between a member and each other member.
- (b) Under the contract, each of those persons agrees to observe, perform or abide by:
 - (i) the provisions of the rules applicable to that person, and
 - (ii) the provisions of the Act and the Regulation,
 in force and as amended from time to time.
- (c) A member shall be entitled on demand to a copy of the rules upon payment of a sum not exceeding that specified in Schedule 2. Any person may inspect a copy of these rules free of charge at the registered office during all reasonable hours.
- (d) The co-operative may, in accordance with Section 78 of the Act, make a contract with a member requiring the member to have specified dealings with the co-operative for a fixed period.
- (e) A member shall not, as a member of the co-operative, be under any personal liability to a creditor of the co-operative.
- (f) A member shall, in accordance with Section 76 of the Act, be liable to the co-operative for any charges, including entry and periodic fees, payable by the member to the co-operative as required by these rules.
- (g) On the death of a member, the member's estate is subject to the same liability as the member would have been until the member's personal representative or some other person is registered in the member's place. The board shall follow the provisions in Division 3 Part 4 of the Act in dealing with a deceased member's estate.

5 Cancellation and Expulsion of Members

5.1 Cancellation of Membership

- (a) The board shall, after giving notice in accordance with Section 132 of the Act, declare the membership of a member cancelled if:
 - (i) the whereabouts of the member are not presently known to the co-operative and

have not been known to the co-operative for a continuous period of at least 3 years, or if a shorter period is specified in Part 6 of Schedule 1, that period, before the date of cancellation, or

- (ii) the member is not presently an active member and has not been an active member at any time during the period specified in paragraph (a)(i) above immediately before the date of cancellation.
- (b) The board shall not be required to give notice if the member's whereabouts are unknown to the co-operative and the amount required to be repaid to the member in respect of the cancelled membership does not exceed \$50, or such other amount as may be prescribed.

5.2 Expulsion of Members

- (a) A member may be expelled from the co-operative by special resolution for:
 - (i) failing to discharge the member's obligations to the co-operative, whether prescribed by these rules or arising out of any contract, or
 - (ii) conducting themselves in a manner prejudicial or detrimental to the interests of the co-operative, or
 - (iii) ceasing to be qualified as a member.
- (b) A notice of special resolution to expel a member shall be forwarded to the member not less than 21 days before the date of the meeting at which the special resolution is to be moved. The notice shall state the date, time and place of the meeting and shall also state the nature of the relevant act or omission.
- (c) At the meeting, the member shall be afforded a full opportunity to be heard and shall be entitled to call witnesses and to cross-examine witnesses called against the member. If the member is not able to attend, they may make a written statement, which shall be read to the members of the co-operative at the meeting for their consideration. If the member fails to attend at the time and place mentioned without reasonable excuse and has not provided a written statement, the act or omission shall be considered and the co-operative may decide on the evidence before it, in spite of the absence of the member. Following such consideration, the members of the co-operative may decide to expel the member.
- (d) The members of the co-operative shall not make a decision on an expulsion, except by vote by secret ballot. A motion for that decision shall not be deemed to be passed unless two-thirds of the members so present and so entitled vote in favour of the motion.
- (e) If the co-operative resolves to expel the member, the Secretary must, within 7 days after the meeting, cause written notice to be given to the member of the decision.
- (f) Expulsion of a member shall not be effective until the special resolution expelling the member is registered.

5.3 Suspension of Members

- (a) A member may be suspended by a resolution passed by the board, for a period not exceeding six months, for any of the following:
 - (i) infringing any of the rules or by-laws of the co-operative, or
 - (ii) failing to discharge obligations to the co-operative, whether prescribed by these rules or arising out of contract, or
 - (iii) conducting themselves in a manner prejudicial or detrimental to the interests of the co-operative.
- (b) Where the board receives a complaint that a member has committed any act referred to in paragraph (a), the board may meet within 21 days of the occurrence of the act to consider the complaint.
- (c) Where the board is to meet pursuant to paragraph (b), the following procedure shall apply:
 - (i) At least 7 days written notice stating the date, time and place of the board meeting shall be given to any member whose against whom a complaint has been received and the written notice shall also state the nature of the complaint.
 - (ii) At the meeting, the member shall be afforded a full opportunity to be heard and shall be entitled to call witnesses and to cross-examine witnesses called against the member. If the member is not able to attend, they may make a written statement, which shall be read to the members of the board at the meeting for their consideration. If the member fails to attend at the time and place mentioned without reasonable excuse and has not provided a written statement, the complaint shall be considered and the board may decide on the evidence before it, in spite of the absence of the member. Once the complaint has been considered, the board may decide to suspend the member.
 - (iii) The board shall not make a decision on the complaint or on a suspension, except by vote by secret ballot. A resolution for that decision shall not be deemed to be passed unless two-thirds of the board members so present vote in favour of the resolution.
- (d) If the board resolves to suspend the member, the Secretary must, within 7 days after the meeting, cause written notice to be given to the member of the decision and of the member's right to appeal.
- (e) The suspension does not take effect:
 - (i) until the expiration of the period within which the member is entitled to appeal against the board's decision, or
 - (ii) if within that period the member exercises the right of appeal, unless and until the co-operative confirms the board's decision, whichever is the later.

5.4 Right of Appeal of Suspended Member

- (a) A member who has been suspended by resolution of the board may appeal to the co-operative in general meeting within 7 days after notice of the decision is served on the member, by lodging with the Secretary a notice to that effect.
- (b) On receipt of the notice from a member, the Secretary must notify the board, which is to convene a general meeting of the co-operative to be held within 28 days after the date on which the Secretary received the notice.
- (c) At the general meeting of the co-operative convened under Rule 5.5(b):
 - (i) no business other than the question of appeal is to be transacted, and
 - (ii) the board and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (iii) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (d) If, at the general meeting, the co-operative passes a special resolution confirming the board's decision, the member's suspension shall take effect from that time.

5.5 Rights of Suspended Member

A member who has been suspended shall not be entitled the rights of membership and use of the co-operative's facilities but remains liable for all their obligations as a member under these rules and the Act.

6 Ceasing Membership

A person shall cease to be a member of the co-operative in the circumstances set out in section 70 of the Act:

7 Charges or subscriptions which are to be payable by a member

7.1 Entrance Fees

- (a) Every applicant for membership may be required to pay a once only entrance fee. The entrance fee may be fixed by the board but must not exceed the sum specified in Schedule 2.
- (b) A member whose membership ceases may apply to the board for a refund of all or part of the entrance fee. Such refund will be at the discretion of the board.

7.2 Annual Subscriptions

- (a) Members may be required to pay an annual subscription which shall:
 - (i) be in addition to any other charges payable under the rules,
 - (ii) be determined by the board from time to time with any increase in the annual subscription to be announced at the annual general meeting in accordance with Rule 20.7,
 - (iii) be payable, in advance, within the period set by the board, and
 - (iv) not exceed the sum specified in Schedule 2 in any financial year.

- (b) Notwithstanding paragraph (a)(iii), the Board may in the event of unusual circumstances, either generally or in a specific case, extend a period for the payment of the Annual Subscription, even though the previous period has expired.
- (c) A member whose membership ceases may apply to the board for a refund of any pre-paid subscriptions. Such refund will be at the discretion of the board.
- (d) Where the annual subscription forms part of the Active Membership Requirement set out in Part 4 of Schedule 1, a person who fails to pay the annual subscription shall be an inactive member and shall have their membership cancelled in accordance with Rule 5.1.

7.3 Charges

The co-operative has a charge in respect of any debt due from a member or past member to the co-operative, as specified under section 80 of the Act.

7.4 Compulsory Loans from Members

- (a) The co-operative may, in accordance with Section 268 of the Act, require its members to lend money to the co-operative, with or without security, in accordance with a proposal approved by the members by special resolution.
- (b) Any such proposal must be accompanied by a disclosure statement approved by the Registrar.

8 Fines Payable by Members

The board may impose on a member a maximum fine specified in Schedule 2 for any infringement of the rules or by-laws. No fine exceeding \$20 is to be imposed unless the provisions of Section 79 of the Act have been complied with.

9 Grievance Procedures for settling Disputes

- (a) In this rule:
 - (i) "party" includes:
 - (A) a member of the co-operative,
 - (B) any aggrieved person who has ceased to be a member in the last six months,
 - (C) any person claiming through or under a member or any aggrieved person referred to in subparagraph (ii), and
 - (D) the co-operative, including the board or any other officer of the co-operative.
 - (ii) "dispute" may only refer to a matter affecting a person of the type mentioned in subparagraphs (a) (i) (A)-(C).
- (b) If a dispute arises, a party shall not commence any court or arbitration proceedings relating to the dispute unless it has complied with the provisions of this rule, except where the person seeks urgent interlocutory relief.
- (c) A party claiming that a dispute has arisen must give written notice to the other party or parties specifying the nature of the dispute.
- (d) On receipt of that notice by that other party or parties, the parties must endeavour to resolve the dispute expeditiously, using the mediation rules of the NSW Law Society.

- (e) If the parties do not agree within seven days of receipt of the notice (or such further period as agreed in writing between them) as to:
 - (i) the timetable for all steps in the procedures, and
 - (ii) the selection and compensation of the independent person required for mediation,
 the dispute shall be settled by arbitration in accordance with the Commercial Arbitration Act 1984.
- (f) Nothing in this rule shall extend to any dispute as to the construction or effect of any mortgage or contract contained in any document other than these rules.

10 Powers of the Co-operative and the Board

10.1 Legal Capacity and Limitation of Powers

The co-operative shall have the legal capacity of a natural person and have all the powers allowed by or under the Act.

10.2 By-Laws

The board shall have power to make by-laws, not inconsistent with the Act, the Regulation, and the rules, relating to the conduct of members or to the operations of the co-operative. A breach of a by-law shall be deemed to be an infringement of the rules for the purposes of fines.

11 Board of Directors

11.1 Board

- (a) There shall be a board of directors, each of whom shall be a natural person and at least 18 years old. In accordance with section 204 of the Act, the business of the co-operative shall be managed by the board of directors. The number and terms of office of directors and positions on the board are set out in Part 1 of Schedule 4.
- (b) Subject to Rule 11.5, the directors shall hold office until the end of the annual general meeting at which their term expires.

11.2 Qualifications of Directors

A person is not eligible to be elected as director of the co-operative unless the person is:

- (a) an active member of the co-operative (active member director), or
- (b) a representative of a body corporate, that is an active member of the co-operative (active member director), or
- (c) qualified as set out in Part 2 of Schedule 4 (independent director).

11.3 Election of Directors

- (a) Board members will be elected in the manner specified in this rule. At an annual general meeting at which a director retires, the vacated office may be filled in the manner specified in this rule.
- (b) At least six (6) weeks before an annual general meeting, the board must:
 - (i) notify all members of the number of directors retiring at the annual general meeting, and
 - (ii) advise the members of:
 - (A) their eligibility to nominate as a director,

- (B) the duties and responsibilities of a director,
 - (C) the anticipated remuneration (if any), and
 - (D) the nomination and election procedures.
- (c) A notice must also be displayed at the place of business of the co-operative, inviting nominations of nominees to serve as directors.
- (d) A nomination must:
- (i) be signed by two (2) or more members,
 - (ii) provide details of the qualifications and experience of the person nominated, and
 - (iii) be accompanied by a notice in writing signed by the nominee consenting to his or her nomination.
- (e) The nomination and the notice of consent must be lodged with the secretary of the co-operative at least 30 days before the annual general meeting.
- (f) The secretary, or an officer nominated by the board, shall give details of each person who has been nominated to members with the notice of the annual general meeting. Details to be provided to members must include the nominee's:
- (i) name,
 - (ii) age,
 - (iii) qualifications and experience, and
 - (iv) length of any previous service as a director of the co-operative or with any other co-operative.
- (g) Where the number of nominees equals the number of vacancies, the nominees will be declared elected at the annual general meeting.
- (h) If there are insufficient nominees to fill all vacancies, the nominees will be declared elected at the annual general meeting and nominations for people to fill the remaining vacancies shall be called from the floor and a ballot held if required.
- (i) Where the number of nominees exceeds the number of vacancies, the election of directors shall be conducted at the meeting by ballot as follows:
- (i) A Returning Officer is elected at the meeting. The directors, Secretary, or anyone who has an interest in the election, are not eligible to be the Returning Officer,
 - (ii) All nominees are to be listed on the ballot form in alphabetical order,
 - (iii) The Returning Officer is responsible for determining the validity of and counting of the votes,
 - (iv) If there is an equality of votes, the outcome shall be determined by lot,
 - (v) The Returning Officer is to declare the election results.
- (j) If, at the end of the meeting, any vacancies remain, such vacancies shall be casual vacancies and shall be filled in accordance with Rule 11.6.
- 11.4 First Meeting of the Board
- At the first meeting of the board following the annual general meeting, the directors shall:
- (a) elect persons from their number to fill any vacancies in the positions specified in Part 1 of Schedule 4, and
 - (b) appoint a person to act as the co-operative's secretary as specified in section 219 of the Act if necessary.
- 11.5 Vacation of Office of Director
- A director vacates office in the circumstances provided in the section 218 of Act.
- 11.6 Filling of Casual Vacancies
- A casual vacancy on the Board may be filled as specified in section 212 of the Act or by appointment by the board in accordance with section 205 (3) of the Act.
- 11.7 Retirement of Directors
- At the first annual general meeting of the co-operative, and at the annual general meeting in each subsequent year, the directors shall retire as specified in Part 2 of Schedule 4.
- 11.8 Directors' Remuneration
- The directors shall receive such remuneration for their services as shall be determined at a general meeting, and all necessary expenses incurred by them in the business of the co-operative shall be refunded to them.
- 11.9 Delegation and Board Committees
- (a) The board may, by resolution in accordance with Section 213 of the Act, delegate the exercise of any of the board's functions (other than this power of delegation).
 - (b) The board may by resolution appoint committees comprising directors, members or members and other persons, to act in an advisory role to the board and to any committees of directors in accordance with Section 213 of the Act.
 - (c) A committee may elect a chairperson, may meet and adjourn as it thinks proper, and shall follow the procedures specified for board meetings in Rule 12.
- 11.10 Removal of Director from Office
- The co-operative may, by ordinary resolution, remove any director before the expiration of the director's period of office. The resulting vacancy shall be filled as provided under Rule 11.6.
- 11.11 Deputy Directors
- (a) A director may, from time to time, apply, in writing, for any active member (other than an employee of the co-operative, the auditor or a partner or employer or employee of the auditor) to be appointed by the board as a deputy director to sit in the director's place on the board.
 - (b) A person appointed as a deputy director must have similar qualifications to the absent director and must:
 - (i) be a member if the absent director is a member, or

- (ii) be a representative of a body corporate if the absent director is a representative of that body corporate.
- (c) A deputy director shall be entitled to notice of meetings of the directors. In the absence of the nominating director, the deputy director is entitled to attend and vote at board meetings and to sign resolutions and to exercise such powers, authorities, and discretions as are vested in or would otherwise be exercisable by the nominating director. The attendance of the deputy director at any meeting of the board shall be deemed to be attendance by the nominating director.
- (d) The remuneration of any such deputy director shall be payable out of the remuneration payable to the nominating director and shall consist of such portion of the last mentioned remuneration as shall be agreed between the deputy director and the nominating director.
- (e) A deputy director shall vacate office if the nominating director ceases to be a director or on a majority of the other directors removing him or her from office. An appointment or removal under this rule must be in writing and notice thereof must be served on the deputy director and the appointment or removal shall take effect forthwith upon the service thereof. Service of any such notice may be effected in accordance with these rules.
- (f) A deputy director whilst acting in the absence of the nominating director shall not be an agent of the nominating director and the nominating director shall not be liable for the actions of the deputy director.

12 Meetings of the Board

12.1 Meetings

- (a) Meetings of the Board shall be held at least every three (3) months in accordance with section 209 of the Act and as often as the Board considers necessary.
- (b) Questions arising at any meeting shall be decided by a majority of votes.
- (c) The quorum for a meeting of the Board shall be 50% of the number of directors provided active member directors present outnumber independent directors present by at least one (1).
- (d) A director shall not vote in respect of any contract or proposed contract with the co-operative in which the director is in any way interested or in respect of any matter arising out of such a contract or proposed contract.

12.2 Chairperson of Board

- (a) The board shall elect one of their number to act as the chairperson of the board.
- (b) The chairperson may be removed as chairperson by a resolution of the board. Such a person remains a director after their removal as chairperson.
- (c) If:

- (i) the chairperson is not present within 10 minutes after the time appointed for holding the meeting, or
 - (ii) the chairperson is unwilling to act as chairperson of the meeting,
- then the directors present may choose one of their number to be chairperson of the meeting until such time as the chairperson attends and is willing to act in that capacity.

12.3 Transaction of Business outside Board Meetings

The board may transact any of its business in a manner specified in Section 210 of the Act.

12.4 Minutes of Meetings

- (a) In accordance with Section 203 of the Act, the board shall have minutes of meetings recorded in books provided for the purpose within 28 days after the meeting, and in particular of:
 - (i) all appointments of officers and employees made by the directors,
 - (ii) the names of the directors present at each meeting of the board and of any committee of the board, and
 - (iii) all resolutions and proceedings at all meetings of the co-operative and of board and of committees.
- (b) The confirmation of such minutes, signed by the chairperson, shall be taken as the first business at the next succeeding meeting of the co-operative, board, or committee to which the minutes relate. If it is impracticable for the minutes to be confirmed at that meeting, the minutes shall be confirmed at the next succeeding meeting.
- (c) Directors present at any meeting shall sign their name in a book to be kept for that purpose.
- (d) The minutes of board meetings and subcommittee meetings are only to be made available for inspection by members where the board considers it appropriate.

13 Seal

- (a) The co-operative shall, as required by Section 258 (1) (a) of the Act, have the name of the co-operative appear in legible characters on its Common Seal. The Common Seal shall be kept at the registered office in such custody as the board shall direct. The co-operative may have one or more Official Seals in accordance with Section 49 of the Act.
- (b) The Common Seal or Official Seal of the co-operative shall not be affixed to any instrument except by resolution of the board. The seal must be affixed by a director of the co-operative in the presence of another director or officer of the co-operative and be authenticated by the signature of both persons.
- (c) The person affixing the Official Seal shall certify in writing on the instrument to which it is affixed, the date and place at which it is affixed.
- (d) The co-operative may, in accordance with Section 48 of the Act, by writing under its Common Seal, empower its agent or attorney (either generally or in respect of a specified matter or specified matters) to execute deeds on its behalf.

14 Co-operative Funds

14.1 Income and Property of the Co-operative

- (a) The income and property of the co-operative and any surplus however derived shall be applied solely towards the promotion of the objects of the co-operative. No portion thereof shall be paid or transferred directly or indirectly by way of discount, rebate or otherwise by way of profit, to the members of the co-operative.
- (b) Payment shall be made in good faith of:
 - (i) any commensurate remuneration of any member or servant of the co-operative or other person in return for any services actually rendered to the co-operative, or
 - (ii) reasonable interest on money lent or reasonable or proper rent for property or premises demised or let by any member to the co-operative.
- (c) An amount not exceeding ten percent of the surplus arising in any year from the business of the co-operative may be applied to any charitable purpose.

14.2 Accounts

- (a) The board shall have the accounts, statements and directors' report prepared in accordance with the Corporations Act 2001, as adopted by Clause 15 of the Regulation.
- (b) The board shall submit those accounts, statements and report, together with the auditors' report on those accounts, to the annual general meeting of the co-operative, in accordance with the Corporations Act as adopted by Clause 15 of the Regulation.
- (c) The board shall make available all documents required to be submitted to each member 21 days before the annual general meeting of the co-operative, by:
 - (i) sending a copy to each member, or
 - (ii) giving members notice that the documents are available for inspection at the registered office of the co-operative.

14.3 Banking

- (a) The board shall have a banking account or accounts in the name of the co-operative, into which all moneys received shall be paid as soon as possible after receipt.
- (b) All cheques drawn on such accounts and all drafts, bills of exchange, promissory notes, and other negotiable instruments for and on behalf of the co-operative, shall be signed by 2 directors or by any 2 persons authorised by the board.

15 Custody of Securities belonging to the Co-operative

15.1 Custody of the Securities and Records

A person or persons appointed by the Board annually shall have the custody of the securities and records of the co-operative. For the purposes of this rule, "securities" includes, but is not limited to, shares and debentures held by the co-operative.

15.2 Registered Office

The co-operative shall have a registered office, the address of which is recorded in the public register maintained by the Registrar. The board shall ensure that the record is accurate by notifying the Registrar of any change of address within 28 days after the change, in the form approved by the Registrar.

15.3 Documents to be kept

- (a) The co-operative shall keep at the registered office, or such other location as specified in section 250 of the Act, available during all reasonable hours for inspection by any person free of charge:
 - (i) a copy of the Act and the Regulation,
 - (ii) a copy of the rules of the co-operative, and
 - (iii) a copy of the last annual report of the co-operative under Section 252 of the Act.
- (b) The co-operative shall keep at the registered office, available during all reasonable hours for inspection by any member free of charge, all the registers specified in section 251 of the Act.
- (c) A member is entitled to make a copy of entries in a register specified in subparagraph (b) on payment of the fee specified in Schedule 2.

16 Transfer of Debentures

- (a) A debenture of a co-operative cannot be sold or transferred except with the consent of the board.
- (b) The instrument of transfer of any debenture shall be executed by or on behalf of the transferor and the transferee. The transferor shall be deemed to remain the holder of the debenture until the name of the transferee is entered in the register of debentures held by the co-operative.
- (c) Debentures shall be transferred in a form approved by the board.
- (d) The board may decline to register any transfer of debentures. If the board refuses to register a transfer of debentures, it shall send notice of the refusal to the transferee within 2 weeks after the date on which the board declined to register the transfer.
- (e) The board may decline to recognise any instrument of transfer unless:
 - (i) the fee specified in Schedule 2 is paid to the co-operative for the transfer, and
 - (ii) the instrument of transfer is accompanied by the certificate (if any) of the debentures to which it relates and such other evidence as the board may reasonably require to show the right of the transferor to make the transfer.
- (f) The board shall have a record of all transfers made in the appropriate register.

17 Financial Year

The financial year of the co-operative shall end on 30 June each year.

18 Audit

- (a) The accounts of the co-operative must be audited annually in accordance with the Corporations Act 2001 as adopted by Clause 15 of the Regulation.

- (b) One or more auditors shall be appointed, hold office, be remunerated, and have qualifications, duties, and responsibilities in accordance with the Corporations Act 2001 as adopted by Clause 15 of the Regulation.
- (c) An auditor must not be replaced except in accordance with the procedure set out in the Corporations Act 2001 as adopted by Clause 15 of the Regulation.

19 Provision for Loss

The board shall account for any loss, which may result from the transactions of the co-operative in accordance with Accounting Standards as adopted by the Regulation.

20 General Meetings

20.1 Convening Special General Meetings

The board may, whenever it thinks fit, convene a special general meeting of the co-operative.

20.2 Requisition of General Meetings

The board shall convene and hold, as soon as practicable, a general meeting of the co-operative in accordance with Section 202 of the Act, on the requisition in writing by the 20% of active members entitled to vote, or if a lesser percentage is specified in Part 1 of Schedule 3, that percentage.

20.3 Notice of General Meetings

- (a) Subject to Rule 20.4, at least 14 days notice (not including the day on which the notice is served or deemed to be served, but including the day for which notice is given) shall be given of any general meeting.
- (b) Notice shall be given to those persons who are, under these rules entitled to receive such notices from the co-operative, but the non-receipt of the notice by any member shall not invalidate the proceedings at such general meeting. The notice must specify the place, the day and the hour of the meeting and, in the case of special business, the general nature of that business.
- (c) Any member who has a resolution to submit to a general meeting shall give written notice of the terms of the resolution to the co-operative not less than 28 days prior to the date of the meeting.
- (d) The board shall have inserted in any notice convening a general meeting any proper business that a member has notified the intention to move and for which notification has been given in accordance with these rules.
- (e) Notice of every general meeting shall be given to:
 - (i) members of the co-operative, by any method specified in Rule 20.5, and
 - (ii) the auditor or auditors of the co-operative.
- (f) Except as provided in these rules, no other person shall be entitled to receive notice of general meetings.

20.4 Notice of Special Resolutions

In accordance with Section 189 of the Act, notice of a special resolution shall be given to those persons entitled to receive notice at least 21 days (not including the day on which the notice is served or

deemed to be served, but including the day for which notice is given) before the general meeting.

20.5 Notices

- (a) A notice must be in writing and shall be given by the co-operative to any member:
 - (i) personally,
 - (ii) by post to a listed address or an alternate address supplied by the member,
 - (iii) by some other form of technology, for example by facsimile or e-mail, where the member has given consent and notified the co-operative of the relevant contact details, or
 - (iv) by publishing the notice in a newspaper circulating generally in New South Wales or in the area served by the co-operative.
- (b) Where a notice is sent by post, service shall be deemed to be affected at the time at which the properly addressed and prepaid letter would be delivered in the ordinary course of post. In proving such service, it shall be sufficient to prove that the envelope containing the notice was properly addressed and posted.
- (c) A notice forwarded by some other form of technology shall be deemed to have been served, unless the sender is notified of a malfunction in transmission, on the day of transmission if transmitted during a business day, otherwise on the next following business day.
- (d) A notice may be given by the co-operative to joint members by giving the notice to the joint member named first in the register of members.
- (e) For the purpose of this rule "listed address" means the address of the member as appearing in the register of members.

20.6 Annual General Meetings

- (a) The first annual general meeting of a co-operative shall be held at any time within 18 months after the incorporation of the co-operative. Subsequent annual general meetings shall be held within five (5) months after the end of financial year, or within such other period as specified in Section 198 of the Act.
- (b) If an annual general meeting is not held in accordance with Rule 20.6(a), the members may requisition such a meeting, in accordance with Rule 20.2.

20.7 Business of Annual General Meetings

- (a) The ordinary business of the annual general meeting shall be:
 - (i) to confirm minutes of the preceding general meeting (whether annual or special),
 - (ii) for the board, auditors, or any officers of the co-operative to present reports upon the transactions of the co-operative during the financial year, including balance sheet, trading account, profit and loss account, statement of source and application of funds, and the state of affairs at the end of that year,
 - (iii) to announce the annual subscription, if any, for the following year,

- (iv) to elect the directors,
 - (v) to determine the remuneration, if any, of directors,
 - (v) to appoint (if necessary) an auditor, or to determine the auditor's remuneration, or both, and
 - (vi) to allow members a reasonable opportunity to ask questions about or comment on the management of the co-operative and to ask the auditor or their representative, if present, questions relevant to the conduct of the audit and the preparation and content of the auditor's report.
- (b) The annual general meeting may also transact special business of which notice has been given to members in accordance with these rules.

21 Procedure at Meetings

21.1 Standing Orders

- (a) The following standing orders shall be observed at the co-operative's meetings, subject to any suspension of, or amendment to, or addition to, these orders adopted for the purposes of that meeting by the members present at a meeting:
- (i) the mover of a motion shall not speak for more than 10 minutes. Subsequent speakers shall be allowed 5 minutes, and the mover of the proposition 5 minutes to reply. The meeting may however, by simple majority, extend in a particular instance the time permitted by this rule,
 - (ii) whenever an amendment to an original motion is proposed, no second amendment shall be considered until the first amendment is disposed of,
 - (iii) if an amendment is carried, the motion as so amended shall displace the original motion and may itself be amended,
 - (iv) if an amendment is defeated, a further amendment may be moved to the original motion. However, only one amendment shall be submitted to the meeting for discussion at one time,
 - (v) the mover of every original motion, but not of an amendment, shall have the right to reply. Immediately after this, the question shall be put from the chair. No other member shall speak more than once on the same question, unless permission is given for an explanation, or where the attention of the chairperson is called to a point of order,
 - (vi) any discussion on a motion or amendment may be closed by a resolution "that the question be now put" being moved seconded, and carried. Such resolution shall be put to the meeting without debate.
- (b) Any motions and amendments shall be submitted in writing if requested by the chairperson.
- (c) Any member, or visitor invited to attend the meeting by the board, may speak on any issue at a meeting with the permission of the chairperson provided that the permission may be conditional.

- (d) Standing orders may be suspended for any period by ordinary resolution.

21.2 Quorum at General Meetings

- (a) No item of business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting is considering that item. The number of active members specified in Part 2 of Schedule 3, present in person and entitled to vote, constitutes a quorum.
- (b) If within half an hour after the appointed time for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved. In any other case, it shall be adjourned to the same day in the next week at the same time and place. If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the members present shall constitute a quorum.

21.3 Chairperson at General Meetings

The chairperson of the board shall preside as chairperson at every general meeting of the co-operative. If at any meeting the chairperson is either not present within 15 minutes after the time appointed for holding the meeting or is unwilling to act as chairperson, the members present shall choose one of their number to be chairperson until such time as the chairperson attends or is willing to act in that capacity.

21.4 Adjournment of General Meetings

- (a) The chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place. The only business that can be transacted at any adjourned meeting is the business left unfinished at the meeting from which the adjournment took place.
- (b) Where a meeting is adjourned for 14 days or more, notice of the adjourned meeting shall be given just as in the case of the original meeting. Apart from this requirement it, shall not be necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

21.5 Voting Rights

- (a) Members shall have the right to vote as specified in Division 1 of Part 8 of the Act.
- (b) Except as provided in Rule 21.6(g), an active member of the co-operative shall have one vote only in respect of any question or motion arising at a general meeting of the co-operative.
- (c) A member of the co-operative is not entitled to vote at a meeting of the co-operative:
- (i) if the person is not an active member of the co-operative or a delegate for a body corporate who is an active member, or
 - (ii) the person is excluded from voting under the Act or these rules.

- (d) A person is not entitled to exercise, under a power of attorney, a member's power to vote if the person has that power of attorney in respect of another member under another power of attorney.
- (e) In the case of joint membership, the joint members shall have one (1) vote only between them and that vote may only be exercised (subject to the grant of any proxy in accordance with Rule 21.8 or power of attorney) by the joint member whose name appears first in the register of members.

21.6 Attendance and Voting at General Meetings

- (a) A member whose membership is required to be cancelled under Rule 5.1 is not entitled to attend any meeting of the co-operative.
- (b) At any general meeting, a resolution put to the vote of the meeting shall be decided by show of hands unless a poll is demanded in accordance with Section 201 of the Act.
- (c) If no poll is demanded before the declaration of the result, a declaration by the chairperson that a resolution has been carried, or lost, and an entry to that effect in the book of the proceedings of the co-operative, shall be evidence of the fact. No proof is needed of the number or proportion of the votes recorded in favour of, or against, that resolution.
- (d) If a poll is demanded, it shall be taken in a manner that the chairperson directs. Unless the meeting is adjourned, the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.
- (e) A poll demanded on the election of a chairperson, or on a question of adjournment, shall be taken immediately.
- (f) A poll demanded may be withdrawn.
- (g) In the case of an equality of votes, whether on a show of hands or on a poll, the chairperson of the meeting at which the show of hands takes place, or at which the poll is demanded, may have a casting vote.
- (h) A simple majority shall determine all resolutions except special resolutions.

21.7 Special Resolutions

- (a) A special resolution is passed:
 - (i) at a general meeting where two-thirds of the members who, being entitled to do so, vote in person or by proxy at the meeting vote in favour of the special resolution; or
 - (ii) in a postal ballot vote where two-thirds of the members who, being entitled to do so, cast formal votes in favour of the special resolution; or
 - (iii) in a special postal ballot where three quarters of the members who, being entitled to do so, cast formal votes in favour of the special resolution.

- (b) A special resolution has effect from the date it is passed except in the following circumstances:
 - (i) the removal of an auditor,
 - (ii) the expulsion of a member,
 - (iii) the alteration of a rule, or
 - (iv) any matter for which a special resolution is required to be passed by special postal ballot pursuant to s194A of the Act (other than a special postal ballot in favour of a voluntary winding up),
 in which case it has effect from the time it is registered by the Registrar.

21.8 Proxy Votes

- (a) The instrument appointing a proxy shall be duly authorised in writing under the hand of the appointer, or of the appointer's attorney. An instrument appointing a proxy may specify the manner in which the proxy is to vote in respect of a particular resolution and, where an instrument of proxy so provides, the proxy is not entitled to vote on the resolution except as specified in the instrument. An instrument appointing a proxy shall be deemed to confer authority to demand, or join in demanding, a poll.
- (b) An instrument appointing a proxy may be in the form given in Appendix 1 to these rules or any other form which the board shall approve.
- (c) Where an instrument of proxy is signed by all of the joint members, the vote of the proxy so appointed shall be accepted as the vote of the joint member whose name appears first in the register of members.
- (d) No person shall act as a proxy unless the person is an active member.
- (e) No person shall act as proxy for more than 10 persons unless the instrument appointing a proxy specifies the manner in which the proxy is to vote in respect of a particular resolution.

21.9 Instrument appointing Proxy to be lodged at Registered Office

- (a) An instrument appointing a proxy is not valid unless:
 - (i) the instrument, and
 - (ii) if the instrument is signed by the appointer's attorney, the authority under which the form was signed, or a notarially certified copy of the authority,
 is deposited at the registered office of the co-operative.
- (b) The documentation required to be given under this rule must be deposited at the registered office:
 - (i) at least 48 hours before the meeting at which the proxy may be used, or
 - (ii) in the case of a poll, at least 24 hours before the taking of the poll.

21.10 Revocation of Instrument appointing Proxy

A vote given in accordance with the terms of an instrument of proxy, or of a power of attorney, is valid notwithstanding the previous death or unsoundness of mind of the principal, the revocation of the instrument (or of the authority under which the instrument was executed) or the power, if no intimation in writing of the death, unsoundness of mind or revocation has been received by the co-operative at the registered office before the commencement of the meeting or adjourned meeting at which the instrument is used or the power is exercised.

22 Postal Ballot

The co-operative may hold a postal ballot to determine any issue or proposal by the members. Postal ballots, including special postal ballots as required by Section 194A of the Act, must be conducted in the manner prescribed in Schedule 2 of the Regulation.

23 Rule Alterations

- (a) The rules may be altered by special resolution or by a resolution of the board in accordance with section 112 of the Act.
- (b) A change to the Active Membership Provision cannot be proposed at a meeting unless prior written approval has been obtained from the Registrar.
- (c) Resolutions altering the rules shall be lodged with the Registrar in accordance with section 113 of the Act.
- (d) No alteration to these rules takes effect until the Registrar registers the alteration.

24 Winding Up

- (a) The winding up of the co-operative shall be in accordance with Part 12 of the Act.
- (b) If on the winding up or dissolution of the co-operative there remains after the satisfaction of all its debts and liabilities any property, this shall not be paid or distributed amongst the members of the co-operative but shall be given or transferred to an organisation:
 - (i) which has objects similar to those of the co-operative,
 - (ii) whose constitution prohibits the distribution of its property among its members,
 - (iii) which has been chosen by the members of the co-operative at or before the time of dissolution or in default thereof, as directed by such Court as may have or acquire jurisdiction in the matter, and
 - (iv) which satisfies the relevant sub-section of Section 23 of the Income Tax Assessment Act.

Appendix 1 – Rule No. 21.8

PROXY FORM

I/we

 of

 appoint
 of

 or in that person’s absence.....
 of

or [in that person’s absence] the chairperson of the meeting, or a person nominated by the chairperson, as my/our proxy to vote for me/us on my/our behalf at the [Annual/Special] General Meeting of the co-operative to be held on and at any adjournment of that meeting.

I/We direct my/our proxy to vote in respect of each resolution to be considered as indicated with an “X” below, and to vote or abstain in respect of any procedural resolution as my/our proxy thinks fit.

	FOR	AGAINST
[Ordinary/Special] resolution No. 1	[]	[]
[Ordinary/Special] resolution No. 2	[]	[]

If no direction is given above, I/we authorise my/our proxy to vote or abstain as my/our proxy thinks fit in respect of each resolution (including any procedural resolution) to be considered by the meeting and any adjournment of the meeting.

Dated

Signature

Corporate members should execute under seal or by attorney.

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CO-OPERATIVE HOUSING AND STARR-BOWKETT SOCIETIES ACT 1998

Notice Under Section 601AC of the Corporations Law as Applied by Section 177 of the Co-operative Housing and Starr-Bowkett Societies Act 1998

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

Name of Co-operative:

The Saint George Starr-Bowkett Co-operative Society No. 19 Section Limited.

Dated this 14th day of October 2004.

C. Gowland,
Delegate of the Registrar of Co-operatives

CO-OPERATIVES ACT 1992

Notice Under Section 601AA of the Corporations Law as Applied by Section 325 of the Co-operatives Act 1992

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

Name of Co-operatives:

Rylstone/Kandos Art & Craft Co-operative Ltd;
Excalibre Co-operative Limited.

Dated this 14th day of October 2004.

C. Gowland,
Delegate of the Registrar of Co-operatives

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day amended the address locality boundary between the suburbs of Kellyville and Castle Hill in the Baulkham Hills Local Government Area as shown on Map GNB3896.

The position and extent of this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst, NSW 2795.

HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (a) to List an Item on The State Heritage Register

Bathurst Old School of Arts Library Collection
SHR No. 1712

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation of the Heritage Council of New South

Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57(2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Dated: Bathurst, 14th day of October 2004.

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

SCHEDULE "A"

The item known as Bathurst Old School of Arts Library Collection, situated on the land described in Schedule "B".

SCHEDULE "B"

The collection estimated at 2000 books, known as the Old School of Arts Library Collection, Bathurst, currently held in a special repository with restricted public access under staff supervision at the Bathurst Regional Library, Keppel Street, Bathurst. The listing allows for the future inclusion of books proven to have been formerly part of the Bathurst Old School of Arts library collection.

SCHEDULE "C"

All works and activities in accordance with a Collections Management Strategy endorsed by the Heritage Council.

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

MARIE BASHIR, Governor

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 Part 1, Chapter 9 and section 207 of the Local Government Act 1993, do, by this Proclamation, declare that the Area named Greater Argyle be renamed Goulburn Mulwaree.

Signed and sealed at Sydney, this 6th day of October 2004.

By Her Excellency's Command,

TONY KELLY, M.L.C.,
Minister for Local Government

GOD SAVE THE QUEEN!

**LOCAL GOVERNMENT REMUNERATION
TRIBUNAL**

Report and Determination on the Categorisation of the
Eastern Capital City Regional Council

Report:

- On 2 September 2004, the Minister for Local Government, the Hon. Tony Kelly, M.L.C., directed the Tribunal, pursuant to section 242 of the Local Government Act 1993 (the Act), to review the categorisation of the Eastern Capital City Regional Council (ECCR Council).

2. Section 242 provides that:
- “(1) The Minister may direct the Remuneration Tribunal to make a determination as to whether, and (if so) how, a determination already made should be altered in relation to such councillors or mayors as are specified in the direction.
- (a) Such a determination must be made before the date specified for the purpose in the Minister’s direction.
- (b) In making the determination, the Remuneration Tribunal is to take into consideration such matters as are specified in the Minister’s direction and such other matters as the Remuneration Tribunal thinks fit.”
3. On 9 June 2004, the Tribunal made a special determination on the categories of new and reconstituted councils. In that report the Tribunal determined that the ECCR Council would be categorised as a category 5 council for remuneration purposes.
4. In determining the appropriate categorisation of the new councils the Tribunal adopted the approach of placing the new councils in the category of the predominant former council area. The Tribunal was advised that the ECCR Council would comprise parts of the former councils of Yarrawluma, Mulwaree and Gunning and all of the former Tallaganda Shire Council (TS Council). All except for Yarrawluma Shire Council (YS Council) were category 5 councils and for this reason the ECCR Council was determined as category 5.
5. The Tribunal has since been advised that the Mayor of the ECCR Council considers that the council is more appropriately categorised within Category 4 for remuneration purposes. To review the Mayor’s claims, in accordance with the Minister’s direction, the Tribunal has sought submissions from both the ECCR Council and the Director General of the Department of Local Government.
6. The submission received from the Mayor of the ECCR Council argues that it was the former (YS Council) which was administratively the predominant council in the merger. The council has provided the following information in support:
- YS Council’s income transferred to the ECCR Council was one third greater than TS Council’s;
 - YS Council contributed 70 per cent of the ECCR Council’s population;
 - YS Council provided the majority of the managerial/technical staff;
 - YS Council had a much larger growth rate than Tallaganda;
 - The proclamation instructed adoption of the codes, policies and plans from YS Council;
 - YS Council’s General Manager was appointed Acting General Manager of the ECCR Council; and
 - YS Council’s Mayor was appointed Administrator.

7. The Director General of the Department of Local Government has provided details of the area, population and ward structures of the former and new councils.
8. The Tribunal has carefully considered the information contained in both submissions and considers that the ECCR Council should be recategorised to Category 4 from the proclamation date of 11 February 2004.

Determination:

Pursuant to section 242 of the Local Government Act 1993, the Tribunal determines that the Eastern Capital City Regional Council shall be recategorised as a Category 4 council for remuneration purposes.

The Hon. CHARLES L. CULLEN, Q.C.,
Local Government Remuneration Tribunal

Dated: 11 October 2004.

LOCAL GOVERNMENT ACT 1993

Lansdowne Sewerage

Vesting of land in MidCoast County Council

THE Minister for Energy and Utilities of the State of New South Wales, declares that the land described in the Schedule hereto, which was acquired for the purpose of the Lansdowne Sewerage Scheme is vested in MidCoast County Council.

FRANK ERNEST SARTOR, M.P.,
Minister for Energy and Utilities

SCHEDULE

Land

Lot 1 in Deposited Plan 1058724.

DoC Reference: 258.

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 Tinderry Nature Reserve, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency’s Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Queanbeyan; L.G.A. – Yarrawluma.

County Murray, Parish Keewong and Urialla, about 90 hectares, being Lots 2, 61 and 140, DP 754913; Lots 109 and 215, DP 754889, that part of Burra Creek separating Lots 109 and 215, DP 754889 from Lot 140, DP 754913 and Tinderry Nature Reserve.

NPWS A/6282.

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 Bournda National Park, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

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

County Auckland, Parish Wallagoot, 12.5 hectare, being Lot 5, DP 1021846.

NPWS F/2535.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a State Conservation Area

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 Bungonia State Conservation Area, under the provisions of Section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Goulburn; L.G.A. – Mulwaree.

County Argyle, Parish Inverary and Jerrara, about 30 hectares, being Lot 16, DP 867212 and Lot 17, DP 867211, Crown public road separating Lot 16, DP 867212 and Lot 1, DP 592064 from Lot 60, DP 750022.

NPWS F/1112.

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 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

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

County Northumberland, Parish Patonga, 15.54 hectares, being Lot 153, DP 755251 (portion 153) and Lot 43, DP 258014.

NPWS/F/2613, F/2870.

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 Nymboi-Binderay National Park, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

*Land District – Grafton and Armidale;
L.G.A. – Pristine Waters and Bellingen.*

County Fitzroy, Parishes Allan, Bobo, Cope, Jardine, Moonpar and Wiriri, about 200 hectares, being that part of the bed of Blinks River extending downstream from the northerly prolongation of the eastern boundary of Lot 34, DP 752835 (Portion 34 Moonpar) to its intersection with Nymboida River, that part of the bed of Nymboida River extending downstream from its intersection with Wild Cattle Creek (Parish Allan) to the south-east corner of Lot 9, DP 752827 (Portion 9 Jardine), that part of the bed of Little Nymboida River extending downstream from that part of the eastern boundary of Nymboi-Binderay National Park, south of river, to its intersection with Nymboida River (Parish Cope), also being those parts of the beds of the Nymboida,

Little Nymboida and Blicks Rivers within the external boundaries of Nymboi-Binderay National Park (reserved 1 January 1997 and 1 January 1999); inclusive of islands.

NPWS/F/2817.

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 Garigal National Park, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Metropolitan; L.G.A. – Ku-ring-gai.

County Cumberland, Parish Gordon, at East Killara, about 0.332 hectares, being Lot 7026, DP 93679.

NPWS/03/07188.

Note: Reserve No. 91235 for Girl Guides, notified 1 September 1978, is hereby revoked by virtue of this notification.

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 Copperhanna Nature Reserve, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Blayney; L.G.A. – Evans.

County Georgiana, Parish Copperhanna, about 3 hectares, being the area bounded by Lots 2 and 3, DP 753023 (Portions 2 and 3) and Copperhanna Nature Reserve proclaimed by *NSW Government Gazette*, dated 21 April 1972, Folio 1398.

NPWS/03/04156.

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 Clarkes Hill Nature Reserve, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Tumbarumba; L.G.A. – Tumbarumba.

County Selwyn, Parish Hay, about 62 hectares, being Lot 7, DP 755867 (Portion 7); inclusive of Crown public road within Lot 7.

NPWS/A/6284.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of State Conservation Area

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 Majors Creek State Conservation Area, under the provisions of sections 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

*Land District – Braidwood;
L.G.A. – Eastern Capital City Regional.*

County St. Vincent, Parish Araluen, 23.098 hectares, being Lots 373, 524 and 617, DP 755901 (Portions 373, 524 and 617) and Lot 2, DP 204761.

NPWS/ 03/00855.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of Historic Site

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 Throsby Park Historic Site, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Moss Vale; L.G.A. – Wingecarribee.

County Camden, Parish Bong Bong, at Moss Vale, 0.2474 hectares, being Lot 4, DP 730956.

NPWS/P/7889.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of State Conservation Area

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 Dharawal State Conservation Area, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Picton; L.G.A. – Wollongong.

County Cumberland, Parish Southend, at Darke Forest, about 2 hectares, being the area bounded by Darke Forest Road, the western boundary of Lot 1, DP 119313 and Dharawal State Conservation Area notified by *NSW Government Gazette*, dated 4 April 1996, Folio 1660.

NPWS/F/2725.

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 Georges River National Park, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

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

County Cumberland, Parish Holsworthy, at Alford's Point, 2.22 hectares, being Lot 72, DP 707457; Lot 392, DP 732455 and Lot 57, DP 788204.

NPWS/F/1187, F/1484.

Note: The above reservation is limited to a depth of 100 metres below the surface.

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 Ku-ring-gai Chase National Park, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

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

County Cumberland, Parish South Colah, 13.85 hectares, being Lots 1 to 6 inclusive, DP 706374; Lots 5 to 8 inclusive, DP 706373; Lot 1, DP 706372; Lots 854 and 856, DP 752053 (Portions 854 and 856); Lots 13 to 19 inclusive, DP 28827; Lots 3 and 5 to 11 inclusive, DP 715470 and Lots 12 and 13, DP 702566.

NPWS/A/6655.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of State Conservation Area

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 Barnunj State Conservation Area, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 29th day of September 2004.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE

Land District – Nowra; L.G.A. – Shoalhaven.

County St. Vincent, Parish Woodburn, 0.2985 hectares, being Lot 127, DP 755972 (Portion 127).

NPWS/A/6734.

NATIONAL PARKS AND WILDLIFE ACT 1974

Plan of Management – Middle Brother National Park

Plan of Management – Imbota Nature Reserve

Plan of Management – Ironbark Nature Reserve and Bornhardtia Voluntary Conservation Area

A plan of management for Middle Brother National Park was adopted by the Minister for the Environment on 16 June 2004.

A plan of management for Imbota Nature Reserve was adopted by the Minister on 31 May 2004.

A plan of management for Ironbark Nature Reserve and Bornhardtia Voluntary Conservation Area was adopted by the Minister on 20 July 2004.

Copies of the Middle Brother plan may be obtained from the NPWS office at 152 Horton Street, Port Macquarie, NSW 2444 (tel.: 6584 2203). Copies of the Imbota and Ironbark plans may be obtained from the NPWS office at 87 Faulkner Street, Armidale, NSW 2350 (tel.: 6776 0000). The cost of the plans is \$8.50 each.

The plans are also available on the NPWS web site: www.nationalparks.nsw.gov.au.

PASSENGER TRANSPORT ACT 1990

Notification in Respect of Taxi-cab Fares

IT is hereby notified, in pursuance of section 60A of the Passenger Transport Act 1990, and notwithstanding any previous notification thereunder, or any provision in any licence issued for a taxi-cab, that the maximum fares and other charges payable by hirers in respect of the provision of taxi-cab services in New South Wales shall, except in respect of taxi-cabs licensed to operate in the areas specified in Schedule 3 hereunder, on and from the 1 November 2004, be as follows:

SCHEDULE 1 – URBAN AREAS

Applies to Taxi-cabs Licensed to Operate in the Following Areas

Metropolitan transport district, Newcastle transport district, Wollongong transport district, Blue Mountains local government area, Gosford local government area, Wyong local government area, Shellharbour local government area, Cams Wharf, Fern Bay, Minmi, Toronto, Williamstown, Medowie, Campvale, Ferodale, Raymond Terrace, Fassifern, Hexham, Maitland, Beresfield, Fullerton Cove, Tomago, Camden, Picton, Thirlmere, Tahmoor and Bargo.

Flag Fall: \$2.75.

Distance Rate: \$1.56 a kilometre.

Night-time Surcharge: A surcharge of 20% of the Distance Rate in respect of a journey commencing between 10:00 p.m. and 6:00 a.m. daily.

Booking Fee: \$1.45.

Waiting Time: \$40.91 an hour (68.18c a minute) while vehicle speed is less than 26.22 km/h.

Luggage Rates: No charge up to 25kg, then 10c for each subsequent 25 kg or part thereof. Maximum payable 55c.

Tolls: All road, bridge, ferry, tunnel and airport tolls that apply to the journey, and the return toll for a northbound journey over the Sydney Harbour Bridge or through the Sydney Harbour Tunnel.

Maxi-cabs: Except in the case of a multiple hiring, where 75% of the authorised fare applies, all the above maximum fares and charges apply only in the case of a maxi-cab hired from a taxi zone or hailed on the street to carry up to 5 passengers. For any other hiring (except a multiple hiring) up to 150% of the above maximum fares and charges may be charged.

SCHEDULE 2 – COUNTRY AREAS

Applies to Taxi-cabs Licensed to Operate in the Following Areas

All areas of New South Wales except those specified in Schedule 1 and Schedule 3.

Flag Fall: \$3.20.

Distance Rate: Tariff 1 – \$1.61 a kilometre for the first 12 km; Tariff 2 – \$2.25 a kilometre in excess of 12 km.

Night-time Surcharge: A surcharge of 20% of the Distance Rate in respect of a journey commencing between 10:00 p.m. and 6:00 a.m. daily.

Holiday Surcharge: A surcharge of 20% of the Distance Rate in respect of any journey commencing between 6:00 a.m. and 10:00 p.m. on a Sunday, or a public holiday notified in the *NSW Government Gazette*.

Booking Fee: \$0.85.

Waiting Time: \$40.91 an hour (68.18c a minute) while vehicle speed is less than 25.41 km/h.

Luggage Rates: No charge up to 25kg, then 10c for each subsequent 25kg or part thereof. Maximum payable 55c.

Tolls: All road, bridge, ferry, tunnel and airport tolls that apply to the journey, and the return toll for a northbound

journey over the Sydney Harbour Bridge or through the Sydney Harbour Tunnel.

Maxi-cabs: Except in the case of a multiple hiring, where 75% of the authorised fare applies, all the above maximum fares and charges apply only in the case of a maxi-cab hired from a taxi zone or hailed on the street to carry up to 5 passengers. For any other hiring (except a multiple hiring) up to 150% of the above maximum fares and charges may be charged.

SCHEDULE 3 – EXEMPTED AREAS

Moama, Barham, Tocumwal, Mulwala, Barooga and Deniliquin.

MARK DUFFY,
Acting Director General,
Ministry of Transport

POISONS AND THERAPEUTIC GOODS ACT 1966

Authorisation to Possess and Supply Drugs of Addiction

PURSUANT to Clause 101(1)(e) of the Poisons and Therapeutic Goods Regulation 2002, I, JOHN LUMBY, Chief Pharmacist, a duly appointed delegate of the Director-General of the Department of Health, do hereby APPROVE a nurse employed in a clinic conducted by an Area Health Service for the treatment of drug dependent persons, to have possession of the drugs of addiction listed in the Schedule hereunder for the purpose only of administering or supplying doses of such drugs to persons attending the clinic, subject to the following conditions:

- (1) The administration and supply of methadone and buprenorphine to patients shall be in accordance with Part 4 of the Poisons and Therapeutic Goods Regulation 2002.
- (2) Methadone and buprenorphine may be administered or supplied to a patient only on and in accordance with the written authorisation of a medical practitioner. The ingestion of doses administered must be closely supervised to prevent diversion and a procedure must exist which will ensure that not more than one dose will be administered to a particular patient on the one day.
- (3) Any supply of methadone or buprenorphine as a take-away dose must be packed by a pharmacist or medical practitioner.
- (4) Entries are to be made in a drug register immediately the transaction takes place.
- (5) A second person should be present on the premises to countersign drug register entries whenever methadone or buprenorphine are being administered or supplied.

SCHEDULE

methadone in oral liquid form

buprenorphine tablets

JOHN LUMBY,
Chief Pharmacist

Department of Health, New South Wales,
Sydney, 15 October 2004.

PUBLIC WORKS ACT 1912

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Compulsory Acquisition – Nabcac Sewerage

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

On publication of this notice in the *Government Gazette* the land and interests in land are vested in the Minister for Energy and Utilities as Constructing Authority under section 4 of the Public Works Act 1912.

FRANK ERNEST SARTOR, M.P.,
Minister for Energy and Utilities

SCHEDULE

Land

Lot 1 in Deposited Plan 1053825 (SB55271); Lot 1 in Deposited Plan 1053816 (SB55274); Lot 1 in Deposited Plan 1053821 (SB55275); Lot 1 in Deposited Plan 1053814 (SB55276) and Lot 3 in Deposited Plan 1031013 (SB55277).

Interest in Land

Easement rights as described under the heading Sewer Pipeline in Memorandum E931212 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1053819 (SB55270) as ‘(D) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE’; ‘(C) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE’.

Deposited Plan 1053825 (SB55271) as: ‘(C) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE’.

Deposited Plan 1053816 (SB55274) as: ‘(C) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE’; ‘(D) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE’.

Deposited Plan 1053814 (SB55276) as: (C) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE AND VARIABLE’; ‘(E) PROPOSED EASEMENT FOR SEWER PIPELINE VARIABLE WIDTH’.

Easement rights as described under the heading Access in Memorandum E780099 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1053814 (SB55276) as: ‘(D) PROPOSED EASEMENT FOR ACCESS 17 WIDE’.

DoC Reference: 208.

THREATENED SPECIES CONSERVATION ACT 1995

Department of Environment and Conservation (NSW)

Notice of the Approval of the Draft Hawks Nest and Tea Gardens Endangered Koala Population Recovery Plan

THE Department of Environment and Conservation hereby gives notice of the approval of the Hawks Nest and Tea Gardens Endangered Koala Population Recovery Plan. Exhibition details will be published on 22 October 2004 in the *Sydney Morning Herald* and on 22 October 2004 in the *Great Lakes Advocate*. The NPWS web site <www.nationalparks.nsw.gov.au> will also have a full version of the Recovery Plan.

GARY DAVEY,
Director,
North East Branch,
Environment Protection and Regulation Division

WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION ACT 1998 WORKERS COMPENSATION ACT 1987

WorkCover Guidelines for the Provision of
Domestic Assistance

Explanatory note

These Guidelines are made under sections 376 (1) (c) of the Workplace Injury Management and Workers Compensation Act 1998 and section 60AA of the Workers Compensation Act 1987. They explain the operation of the workers compensation legislation relating to the provision of domestic assistance services to injured workers.

These Guidelines set out procedures to be followed relating to the provision of domestic assistance services and the verification of the provision of those services.

These Guidelines are primarily intended to assist insurers, medical practitioners, rehabilitation providers, injured workers and their carers. Questions about the provision of domestic assistance and these Guidelines should be directed to the Workplace Injury Management Branch of WorkCover NSW on 13 10 50.

JON BLACKWELL,
Chief Executive Officer,
WorkCover NSW

Signed this 15th day of October 2004

WORKCOVER GUIDELINES FOR THE PROVISION OF DOMESTIC ASSISTANCE

1. AIM OF THESE GUIDELINES

These guidelines are designed for use by insurers, medical practitioners, rehabilitation providers, injured workers and their carers. They aim to direct the practical application of those parts of the workers compensation legislation dealing with provision of domestic assistance to injured workers.

1.1 Relevant legislation

These Guidelines are made under section 376 (1) (c) of the Workplace Injury Management and Workers Compensation Act 1998 ('the 1998 Act') and section 60AA of the Workers Compensation Act 1987 ('the 1987 Act').

1.2 Guidelines for domestic assistance services

Section 376 (1) (c) of the 1998 Act empowers the Authority to issue guidelines as to a matter that a provision of either the 1987 or the 1998 Act provides may be the subject of guidelines.

Under section 60AA (1) (d) of the 1987 Act, compensation is payable for domestic assistance that is reasonably necessary for an injured worker, where the assistance is provided in accordance with a care plan established in accordance with the WorkCover Guidelines. Section 60AA (5) (b) further provides that Guidelines may be made for how the provision of those services is to be verified.

Accordingly, these Guidelines apply in relation to:

- the provision of domestic assistance, and
- how the provision of domestic assistance services is to be verified.

1.3 Definitions

In this Guideline, the following definitions apply:

Nursing includes, but is not limited to, regulation/management of, and/or advice to carers regarding bowel/bladder care, chest care, skin care, medication, wound care, temperature, nutrition, and blood pressure.

Care of the Worker (also known as "personal care") applies to care that includes, but is not limited to:

- Assistance with/supervision of transfers and mobility,
- Assistance with/supervision of showering, bathing, dressing, grooming, eating, drinking,
- Planning of daily activity – planning/arranging outings, use of diary/calendar, assisting with correspondence, assisting with telephone calls, and
- Preparing for and attending medical/therapy appointments.

Domestic Assistance may include, but is not limited to:

- Household Cleaning – internal and external,
- Laundry,
- Meal Preparation,
- Shopping,
- Lawn/Garden care,
- Simple essential home maintenance such as changing light bulbs or tap washers, and
- Child Care.

Care Plan for the Worker is that part of the Injury Management or Case Management Plan that addresses Domestic Assistance.

2. APPLICATION OF GUIDELINES

These Guidelines apply to the provision of domestic assistance.

These Guidelines replace any previous Guidelines issued by WorkCover NSW in respect of the provision of domestic assistance.

3. ELIGIBILITY FOR DOMESTIC ASSISTANCE

An injured worker is eligible to receive domestic assistance where a medical practitioner has certified that it is reasonably necessary for the worker to receive the assistance and that the necessity arises as a direct result of the worker's injury.

The type and amount of assistance is to be determined by a functional assessment, and the worker must have undertaken the domestic tasks with which assistance is to be provided prior to the injury.

Assistance can be provided, as part of an injury management plan, on a temporary basis for a period of up to 6 hours per week for a cumulative period of not more than 3 months.

Insurers can provide assistance on a “without prejudice” basis if the person requires assistance beyond 3 months and is likely to be assessed as having 15% Whole Person Impairment (WPI).

Ongoing assistance (subject to medical review) can be provided if the person is certified as 15% WPI.

Eligibility will be assessed when the worker, or a provider on their behalf, requests domestic assistance. For temporary assistance this will be when the worker is recovering from the work related injury or from curative intervention such as surgery.

For longer term assistance, the assessment will be when the worker is able to be assessed for WPI or, in cases of “without prejudice” decisions, when the worker is likely to exceed 3 months’ cumulative assistance. In the latter case, the insurer is to consider the probability of an assessment of 15% WPI in the future and will be guided in this decision by advice of a medical specialist experienced in the management of the particular medical condition who is trained in the application of the WorkCover Guides for the Evaluation of Permanent Impairment.

4. PURPOSE OF PROVISION OF DOMESTIC ASSISTANCE

The provision of domestic assistance services to injured workers is driven by WorkCover NSW’s focus on returning injured workers to work as soon as possible, and mitigating the effects of their injury on their health, wellbeing and ability to achieve, as near as possible, their pre-injury functional status.

The intent is to provide domestic assistance to injured workers in the short term if they are medically and functionally unable to manage their domestic responsibilities, while they concentrate on recovery and rehabilitation.

For workers with permanent, severe disabilities, the assistance is provided to compensate for the worker’s inability to complete their domestic responsibilities.

5. APPROVAL REQUIREMENTS FOR DOMESTIC ASSISTANCE

5.1 Certification by Medical Practitioners

A medical practitioner must certify the requirement for domestic assistance.

Information required in this certification includes:

1. Details of the functional restrictions limiting the worker’s capacity for performing domestic tasks;
2. That the need for the domestic assistance is a direct result of the work injury;
3. That the domestic assistance recommended is reasonably necessary.

In making this functional determination, the certifying doctor may refer to reports from other professionals such as medical specialists, occupational therapists or physiotherapists. If a specific assessment is required, this will be paid as a claim cost.

In cases where the injured worker has been certified with at least 15% whole person impairment (WPI), it is expected that a thorough on-site Functional Assessment (or Functional Capacity Evaluation) be completed by a relevant professional (eg occupational therapist).

In making a decision about the provision of domestic assistance, the following must be considered:

- whether the injured worker usually undertook the domestic tasks being claimed for prior to their injury; or
- if the worker did not usually undertake the domestic tasks prior to their injury, but their social circumstances have changed as a result of the injury so they are now required to, assistance for these additional tasks may be considered.

5.2 Reasonable necessity for domestic assistance

In determining the reasonableness and the necessity of domestic assistance, the following principles are also to be applied:

- The doctors and health professionals involved have considered and provided other alternatives such as adaptive equipment to enable independence, training in work simplification or joint protection principles and working towards independence in domestic tasks as a part of the rehabilitation program, and consider that domestic assistance is required in addition to these.
- In assessing the eligibility for domestic assistance, Claims Managers should be sensitive to individual needs, cultural and familial issues and personal standards of hygiene and cleanliness and to circumstances where the domestic care cannot be provided by other members of the injured worker’s household because of the extreme burden this would place on those household members.
- The doctor/health professional has provided a timeframe for the period that the recommended level of domestic assistance will be required and a functional re-evaluation is scheduled.
- The fact that someone residing with the worker gains a subsidiary indirect benefit from the service does not, of itself, prevent the service from being approved as “domestic assistance”.
- The injured worker must be residing in the home where domestic assistance is to be provided. Domestic assistance cannot be provided to other members of the household in the absence of the injured worker.

To determine whether or not domestic assistance is reasonably necessary, there must be evidence that the assistance required:

1. Arises from the worker’s injury/illness, incapacity and those related factors that are hindering the worker’s recovery and RTW,
2. Is appropriate, ie there is a clear link between the worker’s needs, the purpose of the assistance and its likely benefit(s),

3. Is likely to be more effective than alternative interventions,
4. Is cost effective, ie the service is likely to contribute to substantially reducing the worker's dependence on further treatment, rehabilitation and workers compensation benefits, and
5. Represents an accepted intervention for those needs arising from the worker's injury and incapacity, ie it is consistent with current best practice and there is evidence to support its efficacy.

6. LEVEL OF DOMESTIC ASSISTANCE THAT CAN BE APPROVED BY THE INSURER

6.1 Hours per week

In the event the worker has been certified with at least 15% Whole Person Impairment (WPI), the worker is entitled to all reasonably necessary domestic assistance.

In these cases, the hours provided would be determined based on medical/health professional recommendation and application of the principles listed above. A thorough functional assessment by an occupational therapist is required as well as medical certification. Periodic review of the hours required is essential and should be conducted according to medical advice.

If the WPI is less than 15%, or has not yet been determined, then a maximum of 6 hours per week domestic assistance can be provided. The approved amount will always be in accordance with the functional requirements of the injured worker.

6.2 Period of time

In the event the worker has been certified with at least 15% WPI there is no limit on the length of time that domestic assistance can be provided. Where domestic assistance is required in the long term, periodic review of the injured workers circumstances is to be conducted.

If the 15% WPI has not yet been determined, then domestic assistance can be provided for up to 6 hours per week for a maximum period of 3 months. This can be a single block of three months, or can be accumulated by several shorter periods of assistance adding up to three months.

6.3 Periodic Review

The provision of domestic assistance must be re-evaluated at regular intervals. The frequency of these re-evaluations will depend on the prognosis for the injured worker, including speed of recovery and degree of anticipated recovery. Review timeframes must be noted on the Injury Management Plan or Case Management Plan for long term care.

6.4 Where a WPI has not yet been determined

In the circumstance where a WPI has not yet been determined and the injured worker requires domestic assistance beyond 3 months and/or for more than 6 hours per week there is little flexibility available. Under current legislation, injured workers are not entitled to domestic assistance beyond three months or for more than 6 hours per week unless they have a WPI of at least 15%.

It is important to note that this does not prevent nursing or personal care being provided to the worker.

Where a medical specialist experienced in the management of the worker's medical condition, who is trained in the application of the WorkCover Guides for the Evaluation of Permanent Impairment, determines that a worker's injury will result in at least 15% WPI, payments can be made on a "without prejudice" basis. The requirements for appropriate assessment also apply in these cases.

In cases where this cannot be manifestly determined, the worker can pay for the service and apply for recovery of the moneys when WPI is able to be determined.

7. SPECIAL REQUIREMENTS – COMPENSATION FOR GRATUITOUS DOMESTIC ASSISTANCE SERVICES

Gratuitous domestic assistance is domestic assistance provided to an injured worker for which the injured worker has not paid and is not liable to pay.

7.1 Lost income or forgone employment

A person claiming compensation for providing gratuitous domestic assistance must provide evidence to the Claims Manager that they have lost income or forgone employment as a result of providing this assistance.

Examples of evidence may include:

- pay slips demonstrating less overtime worked for that period, with a supporting letter from the employer,
- pay slips demonstrating fewer hours of work (if casually employed), with a supporting letter from the employer,
- evidence of reduced hours of work – eg from full-time to part-time,
- letter of resignation, giving reasons, and
- letter of termination by an employer – outlining reasons for loss of job.

7.2 Verification of provision of services – Domestic Assistance Diary

Along with this evidence, providers of gratuitous domestic assistance must also submit a diary of the assistance provided. This includes date, hours worked and the activities performed. Both the domestic assistance provider and the injured worker must sign the diary entries. An example of a Domestic Assistance Diary is found in **Attachment A**.

Payment will only be made for services agreed to and described in the Injury Management Plan or Case Management Plan (the "Care Plan" for the worker).

7.3 Payment to service provider

The Claims Manager then reimburses the service provider directly. Payment is not made to the injured worker under any circumstances

7.4 Maximum amount payable

The maximum hourly fee amount for which an employer is liable under the Act for gratuitous domestic assistance services is the hourly rate calculated by dividing by 35 the amount estimated by the Australian Bureau of Statistics as the average weekly total earnings (full time adult ordinary time) of all employees in New South Wales from time to time. Compensation is not payable for more than 35 hours per week.

TENDERS

Department of Commerce

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BAULKHAM HILLS SHIRE COUNCIL

Roads Act 1993 Section 39

Closure of Temporary Public Road Linking Samantha Riley Drive to Landy Place, Kellyville

THE Baulkham Hills Shire Council hereby advises that pursuant to section 39 of the Roads Act 1993, it intends to close to vehicular traffic the temporary public road linking Samantha Riley Drive to Landy Place, Kellyville. The temporary public road is situated on Lot 270, DP 1007785. On publication of this notice the temporary public road ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. Dated at Castle Hill this 20th day of October, 2004. DAVID MEAD, General Manager, Baulkham Hills Shire Council, PO Box 75, Castle Hill, NSW 1765. [0759]

COFFS HARBOUR CITY COUNCIL

Extension of Water Mains

Notice is given to section 553 of the Local Government Act 1993, that water mains have been extended and the properties served are described in the accompanying Schedule. Land which is not connected thereto shall become rateable to the Water Local Rate after 21 days from the date of this notice. Land connected before the expiration of the 21 days shall be rated to the Local rate from the date of connection. MARK FERGUSON, General Manager, Coffs Harbour City Council, Locked Bag 155, Coffs Harbour, NSW 2450.

SCHEDULE

Coffs Harbour: Lots 1/15, DP 1070006 being Pearce Drive as shown on Plan 04/17/1W wae; Lots 1/28, DP 1069915 being Patmos Drive, Mikinos Street, Santorini Place, Mt Pleasant Drive as shown on Plan 04/03/1W wae; Lots 1/66, DP 1070670 being Mauson Close, Minindee Circuit, North Boambee Road, Colac Terrace, Wallace Circuit, Avon Rise, Lakes Drive as shown on Plan 03/53/1W wae; Lots 103/119, DP 1066077; Lots 201/219, DP 1068923; Lots 303/308, DP 1073264 and proposed Lots 301/302 being Spagnolos Road, Shephards Lane, Gillon Street, McEntyre Street, unnamed road as shown on Plan 04/10/1, 2 and 4 W wae; Lots 101/120, DP 1067024 being Ceanothus Close and Shephards Lane as shown on Plan 04/15/1W wae; Lots 1/2, DP 1069987 being 1 and 1A North Street, as shown on Plan 04/15/1W wae; Lots 1/10, DP 285684 being Neighborhood Plan for 41 Griffith Avenue, as shown on Plan 01/40/2S wae; Lots 101/104, DP 1068534 being Gallagher Place as shown on Plan 03/45/1W wae; Lots 71 and 73, DP 1067574; Lots 721/722, DP 1070583 being Anniversary Place, Combine Street as shown on Plan 02/26/1W wae; Lots 2/12, DP 1071140 being Violet Court, Loaders Lane as shown on Plan 04/08/1W wae; Lots 5/23, DP 1068730 being Coriedale Drive, Cotswold Close, Shephards Lane as shown on Plan 03/39/1W wae; Lots 1/7, DP 1067609 being unnamed road off Gallipoli Road, as shown on Plan 03/40/1W wae.

Sapphire: Proposed subdivision of 41-43 Sapphire Crescent, as shown on Plan 04/37/1W wae.

Emerald Beach: Lots 1/5, DP 1068129 being 72, 74, 76 and 78 Bluff Road, as shown on Plan 03/46/1W wae.

Sawtell/Toormina/Boambee: Lot 1, DP 1062479; Lots 2/10, DP 1068164 being Lamberts Road, as shown on Plan 03/37/2 and 3W wae; Proposed subdivision of Lot 21, DP 703813 being Soren Larsen Crescent, Lyons Road, as shown on Plan 04/1/1W wae; Lots 1/17, DP 1068616 being Rutland Street, Celeste Place as shown on Plan 03/38/1W wae.

Safety Beach: Lots 34/37, DP 1064961 being Mariner Drive, Safety Beach Drive, Quay Crescent, Waverider Cove, Admiralty Drive as shown on Plan 03/29/3W wae.

Corindi: Lots 1/25, DP 1068769 being Park Street, Simon Street, Coral Street as shown on Plan 04/20/1W wae.

[0753]

COFFS HARBOUR CITY COUNCIL

Extension of Sewer Mains

NOTICE is given to section 553 of the Local Government Act 1993, that sewer mains have been extended and properties served are described in the accompanying Schedule. Land which is not connected thereto shall become rateable to the Sewerage Local Rate after 60 days from the date of this notice. Land connected before the expiration of the 60 days shall be rated to the local rate from the date of connection. MARK FERGUSON, General Manager, Coffs Harbour City Council, Locked Bag 155, Coffs Harbour, NSW 2450.

SCHEDULE

Coffs Harbour: Lots 1/15, DP 1070006 being Pearce Drive as shown on Plan 04/17/1S wae; Lots 1/28, DP 1069915 being Patmos Drive, Mikinos Street, Santorini Place, Mt Pleasant Drive as shown on Plan 04/03/1S wae; Lots 1/66, DP 1070670 being Mauson Close, Minindee Circuit, North Boambee Road, Colac Terrace, Wallace Circuit, Avon Rise, Lakes Drive as shown on Plan 03/53/1S wae; Lots 103/119, DP 1066077; Lots 201/219, DP 1068923; Lots 303/308, DP 1073264 and proposed Lots 301/302 being Spagnolos Road, Shephards Lane, Gillon Street, McEntyre Street, unnamed road as shown on Plan 04/10/1, 2 and 4 S wae; Lots 101/120, DP 1067024 being Ceanothus Close and Shephards Lane as shown on Plan 04/15/1S wae; Lots 1/2, DP 1069987 being 1 and 1A North Street, as shown on Plan 04/15/1S wae; Lots 1/10, DP 285684 being Neighborhood Plan for 41 Griffith Avenue, as shown on Plan 01/40/2S wae; Lots 101/104, DP 1068534 being Gallagher Place as shown on Plan 03/45/1S wae; Lots 71 and 73, DP 1067574; Lots 721/722, DP 1070583 being Anniversary Place, Combine Street as shown on Plan 02/26/1S wae; Lots 2/12, DP 1071140 being Violet Court, Loaders Lane as shown on Plan 04/08/1S wae; Lots 5/23, DP 1068730 being Coriedale Drive, Cotswold Close, Shephards Lane as shown on Plan 03/39/1S wae; Lots 1/7, DP 1067609 being unnamed road off Gallipoli Road, as shown on Plan 03/40/1S wae.

Sapphire: Proposed subdivision of 41-43 Sapphire Crescent, as shown on Plan 04/37/1S wae.

Emerald Beach: Lots 1/5, DP 1068129 being 72, 74, 76 and 78 Bluff Road, as shown on Plan 03/46/1S wae.

Sawtell/Toormina/Boambee: Lot 1, DP 1062479; Lots 2/10, DP 1068164 being Lamberts Road, as shown on Plan 03/37/2 and 3S wae; proposed subdivision of Lot 21, DP 703813 being Soren Larsen Crescent, Lyons Road, as shown on Plan 04/1/1S wae; Lots 1/17, DP 1068616 being Rutland Street, Celeste Place as shown on Plan 03/38/1S wae.

Safety Beach: Lots 34/37, DP 1064961 being Mariner Drive, Safety Beach Drive, Quay Crescent, Waverider Cove, Admiralty Drive as shown on Plan 03/29/8S wae. [0754]

MAITLAND CITY COUNCIL

Naming of Public Roads

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

Deposited Plan	Location	Road Name
DP 1071937	Off Cananga Court, Largs.	Morinda Avenue.

The above road names have been advertised and notified. No objections to the proposed name/s have been received during the prescribed 28 day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland, NSW 2320. [0751]

PITTWATER COUNCIL

Local Government Act 1993

Vesting of Land in Council

Reserve for Access and Public Garden and Recreation
Space provided for in Subdivision

THE Pittwater Council hereby gives notice, pursuant to subsection 50(4) of the Local Government Act 1993, that the land described in the Schedule below is vested in the Council for an estate in fee simple and is taken to be dedicated as a public reserve. ANGUS GORDON, General Manager, Pittwater Council, Units 9, 11 and 12 No. 5 Vuko Place, Warriewood, NSW 2102.

SCHEDULE

The land is Lot 1 in Deposited Plan 133918, Local Government Area Pittwater, Parish of Narrabeen, County of Cumberland, being the residue land in Volume 3820, Folio 155, described as reserve for access and public garden and recreation space. [0742]

PITTWATER COUNCIL

Local Government Act 1993

Notice of Land Vested in Council as Reserve for Access
and Drainage

NOTICE is hereby given by Pittwater Council that pursuant to section 50(4) of the Local Government Act 1993, the land described in the Schedule below is vested in Council as a reserve for drainage and access. Dated 20th October, 2004. A. GORDON, General Manager, Pittwater Council, PO Box 882, Mona Vale, NSW 1660.

SCHEDULE

Being residue of land within Certificate of Title Volume 2289, Folio 43, marked reserve for access and drainage 30 feet wide between Lots 67 and 68 in Deposited Plan 8595, dated 5th October, 1915, Parish of Narrabeen, County of Cumberland. [0758]

RICHMOND VALLEY COUNCIL

Roads (General) Regulation 2000, Section 9

Notice of Naming of Roads

Council has renamed part of Cashmore Lane adjoining the eastern boundary of Lot 6, DP 617788; Lot 528, DP 704313 and the western boundary of Lot 2, DP 617788; Lot 82, DP 608777; Lot 2, DP 618250; Lot 12, DP 774191; Lots 1, 2, 3 and 6, DP 758403; Lot 2, DP 1058803, Parish of Riley, County of Richmond, as Rosolen Lane. B. A. WILKINSON, General Manager, Richmond Valley Council, Locked Bag 10, Casino, NSW 2470. [0752]

SHOALHAVEN CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Council of the City of Shoalhaven at its meeting of 27th April, 2004, Minute No. 04.485, resolved to acquire land for public road being part Lot 1, DP 920467, Bong Bong Road, Berry. The land as described in the Schedule below has been acquired and is hereby dedicated as council public road pursuant to section 10 of the Roads Act 1993. RUSSELL DESMOND PIGG, General Manager, Shoalhaven City Council, Bridge Road (PO Box 42), Nowra, NSW 2541. File: 28470.

SCHEDULE

Lot 1, DP 1062372, Parish of Coolangatta, County of Camden. [0760]

SHOALHAVEN CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Council of the City of Shoalhaven at its meeting of 23rd March, 2004, Minute No. 04.360, resolved to acquire land for public road being part Lot 221, DP 858302, Back Forest Road, Back Forest. The land as described in the Schedule below has been acquired and is hereby dedicated as council public road pursuant to section 10 of the Roads Act 1993. RUSSELL DESMOND PIGG, General Manager, Shoalhaven City Council, Bridge Road (PO Box 42), Nowra, NSW 2541. File: 29650.

SCHEDULE

Lot 2, DP 1064332, Parish of Coolangatta, County of Camden. [0761]

SUTHERLAND SHIRE COUNCIL

Road Act 1993, Section 10

Dedication of Land as Public Road

Notice is hereby given that Sutherland Shire Council in pursuance of Section 10 of the Roads Act 1993, hereby dedicates, as public road, the land described in the Schedule below. Dated at Sutherland, 19th day of October, 2004. J. W. RAYNER, General Manager, Sutherland Shire Council, Eton Street, Sutherland, NSW 2232.

SCHEDULE

Lot 6 in Deposited Plan 702540.

[0757]

TWEED SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has approved the name of the following road to be dedicated in the plan of subdivision of Lot 123 in DP1049552, at Flame Tree Park, Banora Point as follows:

Fairmont Court.

Authorised by the delegated officer, General Manager, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah, NSW 2484.

[0749]

GOSFORD CITY COUNCIL**SALE OF PROPERTIES FOR UNPAID RATES**

NOTICE is hereby given to the persons named hereunder that the Gosford City Council has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest and on which the amount of the rates and charges stated in each, as at 14 September 2004 is due.

Owners or persons having an interest in the land (a)	Description of the land (b)	Amount of rates (including extra charges overdue for more than 5 years) (c)	Amount of all other rates (including extra charges due and in arrears) (d)	Total Outstanding (interest calculated to 14th September, 2004) (e)
Heather Anne ATTINGER, National Australia Bank Ltd, Her Majesty Queen Elizabeth II	Lot 382, DP 250706, 55 Castle Circuit, Umina Beach	\$22,922.25	\$6,176.99	\$29,099.24
Mark John BAKER	Lot 17, Sec 11, DP 2163, 66 Dulwich Road, Springfield	\$1,483.44	\$1,602.73	\$3,086.17
Stephen Ross TAYLOR, State Bank of NSW, Aymdress Pty Ltd	Lot 51, DP 651221, Hawkesbury River, Bar Point	\$2,200.92	\$2,112.05	\$4,312.97
Robyn Hillary GREGG	Lot 77, DP 28366, Kalinda Road, Bar Point	\$4,588.58	\$2,284.84	\$6,873.42
IRATI HOLDINGS PTY LTD, Westpac Banking Corp.	Lot 27, Sec 5, DP 2163, 71 Lakala Avenue, Springfield	\$4,232.39	\$1,859.82	\$6,092.21
Anthony Westwood HIRST	Lot 4, Sec 9, DP 2163, 102 Lakala Avenue, Springfield	\$2,850.58	\$1,265.27	\$4,115.85
John Patrick HARRIS	Lot 8, DP 25372, 18 Lavender Crescent, Spencer	\$582.54	\$3,647.38	\$4,229.92
David Michael FARNHAM	Lot 23, DP 25815, 22 Maitland Bay Drive, Killcare Heights	\$1,430.68	\$8,901.94	\$10,332.62

Owners or persons having an interest in the land (a)	Description of the land (b)	Amount of rates (including extra charges overdue for more than 5 years) (c)	Amount of all other rates (including extra charges due and in arrears) (d)	Total Outstanding (interest calculated to 14th September, 2004) (e)
Frances BARRINGTON	Lot 85, Sec B, DP 10242, 52 Watkin Avenue, Woy Woy	\$11,688.24	\$4,867.75	\$16,555.99
Robert Bruce FRATUS and Louise Gladys FRATUS	Lot 6, DP 23080, 470 Wisemans Ferry Road, Spencer	\$2,532.97	\$2,048.67	\$4,581.64

Default of payment to the Council of the amount stated in Column (e) above and any other rates (including extra charges) becoming due and payable after the publication of this notice, before the time set for the sale, the said land will be offered by auction in the Ray Maher Room, Central Coast Leagues Club, Gosford, on Saturday, 12th February, 2005, at 1:00 p.m. The auction is being conducted by Raine & Horne, 178 Mann Street, Gosford. PETER WILSON, General Manager, Gosford City Council, 49 Mann Street (PO Box 21), Gosford, NSW 2250. [0748]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LESLIE JAMES GOVER, late of 4/1-3 Arthur Street, Marrickville, in the State of New South Wales, who died on 2nd August, 2002, must send particulars of their claim to the executor, Robert George Wand, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale, NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 2nd July, 2004. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale, NSW 2223, (DX11307, Hurstville), tel.: (02) 9570 2022. [0746]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ROSA AMADIO, late of Five Dock, in the State of New South Wales, who died on 17th July, 2004, must send particulars of his/her claim to the executrix, c.o. Mercuri & Co., Solicitors, PO Box 198, Five Dock, NSW 2046, 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 they have notice. Probate was granted in New South Wales on 8th October, 2004. MERCURI & CO., Solicitors, PO Box 198, Five Dock, NSW 2046, (DX21014, Drummoyne), tel.: (02) 9712 5700. Reference: FM:MG. [0747]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of PATRICK JOSEPH FOY, late of Thomas Agst Nursing Home, Wahroonga, in the State of New South Wales, who died on 1st August, 2004, must send particulars of his/her claim to the executor, David John Thompson, c.o. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby, NSW 2077, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of

distribution the executor has notice. Probate was granted in New South Wales on 7th October, 2004. COLLINS & THOMPSON, Solicitors, 8 Coronation Street, Hornsby, NSW 2077 (PO Box 455, Hornsby 1630), (DX9691, Hornsby), tel.: (02) 9476 2788. Reference: DJT:JAC:86568. [0750]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of WARRICK KEITH WHITTON, late of Sackville, in the State of New South Wales, who died on 13th December, 2000, must send particulars of his claim to the administratrix, Julie Ann Whitton, c.o. Newnhams, Solicitors, 122 Castlereagh Street, Sydney, NSW 2000, within one (1) calendar month from publication of this notice. After that time the administratrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Letters of Administration were granted in New South Wales on 30th September, 2004. NEWNHAMS, Solicitors, 7th Floor, Highmount House, 122 Castlereagh Street, Sydney, NSW 2000, (DX665, Sydney), tel.: (02) 9264 7788. Reference: BLM:MLH:4174. [0756]

COMPANY NOTICES

NOTICE of voluntary winding up.—LAURENCE JOHN PTY LTD, ACN 000 202 353 (in voluntary liquidation).—At a general meeting of the abovementioned company duly convened and held at Level 5, 14 Martin Place, Sydney, NSW 2000, on 4th October, 2004, the following resolutions was passed: 1. Special resolution: "That the company be wound up voluntarily". 2. "That Stephen Humphrys, who has consented to act, be appointed liquidator of the company". S. B. HUMPHRYS, Liquidator, c.o. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999. [0743]

NOTICE of voluntary winding up.—L.J. GLUSKIE (HOLDINGS) PTY LTD, ACN 000 106 794 (in voluntary liquidation).—At a general meeting of the abovementioned company duly convened and held at Level 5, 14 Martin Place, Sydney, NSW 2000, on 4th October, 2004, the following

resolutions was passed: 1. Special resolution: "That the company be wound up voluntarily". 2. "That Stephen Humphrys, who has consented to act, be appointed liquidator of the company". S. B. HUMPHRYS, Liquidator, c.o. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999.

[0744]

NOTICE of voluntary winding up.—CAITHNESS CONSOLIDATED PTY LTD, ACN 000 069 081 (in voluntary liquidation).—At a general meeting of the abovementioned company duly convened and held at Level 5, 14 Martin Place, Sydney, NSW 2000, on 4th October, 2004, the following resolutions was passed: 1. Special resolution: "That the company be wound up voluntarily". 2. "That Stephen Humphrys, who has consented to act, be appointed liquidator of the company". S. B. HUMPHRYS, Liquidator, c.o. Moore Stephens Wi, Chartered Accountants, CML Building, Level 5, 14 Martin Place, Sydney, NSW 2000, tel.: (02) 9229 7999.

[0745]

NOTICE of voluntary winding up.—WARABINA PTY LTD, ACN 001 028 897 (in liquidation).—Notice is hereby given pursuant to section 491 of the Corporations Law that at a general meeting of members of the abovenamed company held on 15th October, 2004, it was resolved that the company be wound up voluntarily and that for such purpose Graeme Baldwin be appointed liquidator of the Company. GRAEME BALDWIN, Liquidator, c.o. Baldwin & Co, Chartered Accountants, 1st floor, 152-156 Argyle Street (PO Box 225), Camden NSW 2570, tel.: (02) 4655 7580.

[0755]

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