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OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Assents to Acts

ACT OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 11 October 2004

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

Act No. 77 2004 – An Act to amend the Motor Accidents Act 1988 and the Motor Accidents Compensation Act 1999 in respect of motor accidents occurring in the course of coal miner employment; and for other purposes. [**Motor Accidents Legislation Amendment Bill**]

RUSSELL D. GROVE P.S.M.,
Clerk of the Legislative Assembly

ACT OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 21 October 2004

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

Act No. 78 2004 – An Act to provide for the transfer of control of records of the Special Commission of Inquiry into the Medical Research and Compensation Foundation to the Australian Securities and Investments Commission; to make provision to facilitate certain civil proceedings taken by that Foundation and others; and for other purposes. [**Special Commission of Inquiry (James Hardie Records) Bill**]

RUSSELL D. GROVE P.S.M.,
Clerk of the Legislative Assembly

Regulations



Crimes (Administration of Sentences) Amendment (Category AA Inmates) Regulation 2004

under the

Crimes (Administration of Sentences) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Administration of Sentences) Act 1999*.

JOHN HATZISTERGOS, M.L.C.,
Minister for Justice

Explanatory note

The object of this Regulation is to amend the *Crimes (Administration of Sentences) Regulation 2001* so as:

- (a) to establish new categories of inmates (Category AA for male inmates and Category 5 for female inmates), being categories of inmates who represent a special risk to national security, and
- (b) to prescribe inmates in these new categories to be serious offenders for the purposes of the *Crimes (Administration of Sentences) Act 1999*, and
- (c) to prohibit contact visits between visitors and inmates belonging to these new categories, and
- (d) to ensure that correspondence to and from inmates belonging to these new categories must be opened, inspected, read and copied, and be subject to strict registration procedures, and
- (e) to exclude inmates belonging to these new categories from being given access to the Official Visitors for the correctional centres in which they are detained.

This Regulation is made under the *Crimes (Administration of Sentences) Act 1999*, including section 271 (the general power to make regulations), section 3 (the definition of *serious offender*) and section 79 (the power to make regulations relating to inmates in full-time custody).

Clause 1 Crimes (Administration of Sentences) Amendment (Category AA Inmates)
Regulation 2004

Crimes (Administration of Sentences) Amendment (Category AA Inmates) Regulation 2004

under the

Crimes (Administration of Sentences) Act 1999

1 Name of Regulation

This Regulation is the *Crimes (Administration of Sentences) Amendment (Category AA Inmates) Regulation 2004*.

2 Amendment of Crimes (Administration of Sentences) Regulation 2001

The *Crimes (Administration of Sentences) Regulation 2001* is amended as set out in Schedule 1.

Crimes (Administration of Sentences) Amendment (Category AA Inmates)
Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 22 Classification of male inmates

Insert before the matter relating to *Category A1* in clause 22 (1):

Category AA, being the category of inmates who, in the opinion of the Commissioner, represent a special risk to national security (for example, because of a perceived risk that they may engage in, or incite other persons to engage in, terrorist activities) and should at all times be confined in special facilities within a secure physical barrier that includes towers or electronic surveillance equipment.

[2] Clause 22 (3)

Insert after clause 22 (2):

- (3) Male inmates who are classified in Category AA are prescribed to be serious offenders, as referred to in paragraph (f) of the definition of *serious offender* in section 3 (1) of the Act.

[3] Clause 23 Classification of female inmates

Insert before the matter relating to *Category 4* in clause 23 (1):

Category 5, being the category of inmates who, in the opinion of the Commissioner, represent a special risk to national security (for example, because of a perceived risk that they may engage in, or incite other persons to engage in, terrorist activities) and should at all times be confined in special facilities within a secure physical barrier that includes towers or electronic surveillance equipment.

[4] Clause 23 (3)

Insert after clause 23 (2):

- (3) Female inmates who are classified in Category 5 are prescribed to be serious offenders, as referred to in paragraph (f) of the definition of *serious offender* in section 3 (1) of the Act.

[5] Clause 28 High security classification of inmates for purposes of interstate leave permits

Insert "AA," before "A1" and "5," before "4", respectively.

Crimes (Administration of Sentences) Amendment (Category AA Inmates)
Regulation 2004

Schedule 1 Amendments

[6] Clause 28A

Insert after clause 28:

28A Information to be considered for classification purposes

For the purpose of making any decision with respect to a person's classification under this Division, consideration must be given to any advice received from NSW Police or from any other public authority (whether of this or any other State or Territory or of the Commonwealth) established for law enforcement, security or anti-terrorist purposes.

[7] Clause 98 Prevention of physical contact with inmates

Insert after clause 98 (3):

- (4) Despite subclauses (1), (2) and (3), a visit to a Category AA male inmate or Category 5 female inmate may not be a contact visit unless the Commissioner so approves.

[8] Clause 100 Special arrangements for legal documents

Insert after clause 100 (2):

- (3) Nothing in this clause limits the operation of clause 98.

[9] Clause 107 Correspondence generally

Omit "an authorised officer" from clause 107 (2).

Insert instead "a nominated officer".

[10] Clause 109 Opening of letters and parcels generally

Omit clause 109 (5). Insert instead:

- (5) This clause does not apply to:
- (a) any letter or parcel addressed to, or received from, an exempt body or exempt person, or
- (b) any letter or parcel to which clause 110A applies.

[11] Clause 110 Certain letters and parcels privileged

Omit "an authorised correctional" from clause 110 (1).

Insert instead "a nominated".

[12] Clause 110 (2)

Omit "an authorised". Insert instead "a nominated".

Crimes (Administration of Sentences) Amendment (Category AA Inmates)
Regulation 2004

Amendments

Schedule 1

[13] Clause 110 (5)

Insert after clause 110 (4):

- (5) This clause does not apply to any letter or parcel to which clause 110A applies.

[14] Clause 110A

Insert after clause 110:

110A Correspondence with Category AA and Category 5 inmates

- (1) This clause applies to all letters and parcels that are sent:
- (a) by a Category AA male inmate or Category 5 female inmate to any other person (including an exempt body and an exempt person), or
 - (b) to a Category AA male inmate or Category 5 female inmate from any other person (including an exempt body and an exempt person).
- (2) The governor of a correctional centre or a nominated officer must open, inspect, read and copy:
- (a) any letter or parcel received from an inmate and addressed to a person (other than an exempt body), or
 - (b) any letter or parcel received from a person (other than an exempt body) and addressed to an inmate,
- and, if it contains prohibited goods, must confiscate the letter or parcel and its contents and deal with them in accordance with the directions of the Commissioner.
- (3) The inmate need not be informed of any action taken under subclause (2).
- (4) As soon as practicable after receiving from an inmate any letter or parcel addressed to an exempt body, a nominated officer must post the letter or parcel to the addressee, without opening, inspecting or reading it.
- (5) As soon as practicable after receiving from an exempt body any letter or parcel addressed to an inmate, a nominated officer must deliver the letter or parcel to the inmate, without opening, inspecting or reading it, but only if:
- (a) the letter or parcel is contained in an envelope or package, addressed to the governor, together with a note to the effect that it is to be delivered to the inmate without being opened, inspected or read by any person other than the inmate, and

Crimes (Administration of Sentences) Amendment (Category AA Inmates)
Regulation 2004

Schedule 1 Amendments

- (b) a nominated officer has confirmed with the exempt body that the body has in fact sent it and addressed it to the inmate.
- (6) A register must be kept for each correctional centre, being a register in which nominated officers are to record the following details with respect to each letter or parcel dealt with under this clause:
 - (a) in the case of a letter or parcel received from an inmate to be sent to any person:
 - (i) the date on which it was received,
 - (ii) the name of the inmate from whom it was received,
 - (iii) the name of the person to whom it was addressed,
 - (iv) the name of the nominated officer by whom it was dealt with,
 - (v) in the case of a letter or parcel referred to in paragraph (a) of subclause (2), the outcome of the action taken under that subclause,
 - (b) in the case of a letter or parcel received from any person to be delivered to an inmate:
 - (i) the date on which it was received,
 - (ii) the name of the person from whom it was received,
 - (iii) the name of the inmate to whom it was addressed,
 - (iv) the name of the nominated officer by whom it was dealt with,
 - (v) in the case of a letter or parcel referred to in paragraph (b) of subclause (2), the outcome of the action taken under that subclause,
 - (vi) in the case of a letter or parcel received from an exempt body, the date on which a nominated officer confirmed with the exempt body that it did in fact send the letter or parcel and address it to the inmate.
- (7) On receiving any letter or parcel that has been dealt with under this clause, an inmate must sign the register to acknowledge its receipt.
- (8) The Commissioner may, on the application of an exempt person, make an order declaring that this clause is to apply (either unconditionally or subject to conditions) to letters and parcels sent to or from that person as if that person were an exempt body and, on the making of such an order, this clause so applies.

Crimes (Administration of Sentences) Amendment (Category AA Inmates)
Regulation 2004

Amendments

Schedule 1

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- (9) This clause applies to facsimile transmissions in the same way as it applies to letters and parcels.

[15] Clause 111 Correspondence with legal practitioner

Omit “This Regulation”.

Insert instead “Subject to clause 110A, this Regulation”.

[16] Clause 154 Notice of availability of Official Visitors

Insert after clause 154 (2):

- (3) This clause does not apply in relation to any Category AA male inmate or Category 5 female inmate.

[17] Clause 155 Complaints and inquiries

Insert after clause 155 (4):

- (5) Nothing in this clause permits an Official Visitor to deal with a complaint or inquiry received from a Category AA male inmate or Category 5 female inmate.

[18] Clause 158 Requests to Minister, Commissioner or Official Visitors

Insert after clause 158 (4):

- (5) Despite any other provision of this Regulation, a Category AA male inmate or Category 5 female inmate is not entitled, and is not to be permitted, to speak with an Official Visitor.

[19] Dictionary

Insert “the Police Integrity Commission,” after “the New South Wales Crime Commission,” in paragraph (a) of the definition of *exempt body*.

[20] Dictionary, definition of “prohibited goods”

Insert at the end of paragraph (d):

, or

- (e) anything that could constitute a risk to national security (for example, because of a perceived risk that it may be used in connection with terrorist activities).



Fair Trading (General) Amendment (Sunglasses and Fashion Spectacles) 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 the product safety standard for sunglasses and fashion spectacles set out in that Regulation corresponds with the Commonwealth consumer product safety standard dealing with the same subject matter. (The Commonwealth standard has recently been amended to incorporate a new Australian and New Zealand standard, AS/NZS 1067:2003, *Sunglasses and fashion spectacles*, with variations as specified in the Commonwealth Gazette.)

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

Clause 1 Fair Trading (General) Amendment (Sunglasses and Fashion Spectacles)
Regulation 2004

Fair Trading (General) Amendment (Sunglasses and Fashion Spectacles) Regulation 2004

under the

Fair Trading Act 1987

1 Name of Regulation

This Regulation is the *Fair Trading (General) Amendment (Sunglasses and Fashion Spectacles) 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 (Sunglasses and Fashion Spectacles)
Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 16 Definitions

Insert in appropriate order:

AS/NZS 1067:2003 means the Australian/New Zealand standard entitled AS/NZS 1067:2003, *Sunglasses and fashion spectacles* jointly published by Standards Australia and Standards New Zealand on 10 April 2003.

[2] Clause 17

Omit the clause. Insert instead:

17 Safety standard

The product safety standard prescribed for sunglasses and fashion spectacles is as follows:

- (a) before 1 April 2005, they must comply with AS 1067.1 or AS/NZS 1067:2003,
- (b) on and from 1 April 2005, they must comply with AS/NZS 1067:2003.

[3] Clause 18A

Insert after clause 18:

18A Variation of AS/NZS 1067:2003

For the purposes of this Division, AS/NZS 1067:2003 is taken to have been amended as follows:

- (a) by omitting Clauses 1.1 and 1.2,
- (b) by inserting at the end of Clause 2.6:

Only lenses with transparent labels, decorations or markings (other than those intended to be removed before use) within the area of the two ellipses defined in Clause 3.2.1 must meet the requirements of this Clause when tested in accordance with Appendix G. (See also Clause 3.2.2.)

- (c) by omitting Clauses 2.7 and 2.8,

Fair Trading (General) Amendment (Sunglasses and Fashion Spectacles)
Regulation 2004

Schedule 1 Amendments

- (d) by inserting at the end of Clause 3.2.2:

NOTE: Lenses with holograms or other transparent images applied to the outer (non-eye) side of the lens would generally pass the requirements of Clause 3.2.2 provided that the other requirements of the standard are met, in particular Clauses 2.2.2 (Transmittance matching for pairs of sunglass lenses of all types), 2.2.3 (Uniformity of colour for pairs of sunglass lenses of all types) and 2.6 (Scattered light).

- (e) by omitting Clauses 3.3 and 3.6,
(f) by omitting Clause 4.1.1 (c),
(g) by inserting “or” after “sunglass frame,” in Clause 4.2.1,
(h) by omitting Clause 4.2.2.



Governor's Salary Amendment Regulation (No 2) 2004

under the

Constitution Act 1902

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Constitution Act 1902*.

BOB CARR, M.P.,
Premier

Explanatory note

The object of this Regulation is to increase the annual amount payable for the salary of the Governor from \$131,640 to \$143,355.

This Regulation is made under section 9I of the *Constitution Act 1902*.

Clause 1 Governor's Salary Amendment Regulation (No 2) 2004

Governor's Salary Amendment Regulation (No 2) 2004

under the

Constitution Act 1902

1 Name of Regulation

This Regulation is the *Governor's Salary Amendment Regulation (No 2) 2004*.

2 Amendment of Governor's Salary Regulation 1990

The *Governor's Salary Regulation 1990* is amended by omitting "\$131,640" from clause 2 and by inserting instead "\$143,355".



New South Wales

Professional Standards Amendment (Notification of Limitation of Liability) Regulation 2004

under the

Professional Standards Act 1994

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

BOB DEBUS, M.P.,
Attorney General

Explanatory note

Part 2 of the *Professional Standards Act 1994* provides for the making of schemes that limit the liability of members of occupational associations in certain circumstances. Section 33 (1) of the Act provides that a person whose occupational liability is limited by a scheme in accordance with Part 2 must disclose that fact to clients and prospective clients in all promotional or advertising material, including correspondence. Section 33 (3) of the Act provides that the regulations may prescribe a form of disclosure statement. Currently the regulations prescribe the statement “Liability limited by the [*insert name of relevant Scheme approved by the Council*] Scheme, approved under the *Professional Standards Act 1994* (NSW)”.

The object of this Regulation is to change the prescribed form of disclosure statement so that it reads “Liability limited by a scheme approved under Professional Standards Legislation”. There is a 12 month transitional period during which either the old statement or the new statement may be used.

This Regulation is made under the *Professional Standards Act 1994*, including sections 33 (3) and 53 (the general regulation-making power).

Clause 1 Professional Standards Amendment (Notification of Limitation of Liability)
Regulation 2004

Professional Standards Amendment (Notification of Limitation of Liability) Regulation 2004

under the

Professional Standards Act 1994

1 Name of Regulation

This Regulation is the *Professional Standards Amendment (Notification of Limitation of Liability) Regulation 2004*.

2 Amendment of Professional Standards Regulation 2004

The *Professional Standards Regulation 2004* is amended as set out in Schedule 1.

Professional Standards Amendment (Notification of Limitation of Liability)
Regulation 2004

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 9 Notification of limitation of liability

Omit clause 9 (1). Insert instead:

- (1) For the purposes of section 33 (3) of the Act, the following form of statement is prescribed:
 - (a) until the first anniversary of the date of commencement of the *Professional Standards Amendment (Notification of Limitation of Liability) Regulation 2004*, either of the following:

Liability limited by [*insert name of relevant Scheme approved by the Council*] Scheme, approved under the *Professional Standards Act 1994* (NSW).

Liability limited by a scheme approved under Professional Standards Legislation.
 - (b) from the beginning of the first anniversary of that date:

Liability limited by a scheme approved under Professional Standards Legislation.



New South Wales

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Parking Permits and Parking Schemes) Regulation 2004

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to allow a vehicle to be parked in a metered parking area, ticket parking area or coupon parking area without payment of a fee if the vehicle is not parked in the area for a period exceeding the period for which no fee is payable or a coupon is not required, and
- (b) to allow a **declared organisation** to issue a type of permit that authorises a vehicle to be parked within its area of operation without charge or time restrictions.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power) and clause 2 of Schedule 1 to the Act.

Clause 1 Road Transport (Safety and Traffic Management) (Road Rules)
 Amendment (Parking Permits and Parking Schemes) Regulation 2004

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Parking Permits and Parking Schemes) Regulation 2004

under the

Road Transport (Safety and Traffic Management) Act 1999

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Parking Permits and Parking Schemes) Regulation 2004*.

2 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (Safety and Traffic Management) (Road Rules)
Amendment (Parking Permits and Parking Schemes) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 61 Use of meters in metered parking areas

Insert after clause 61 (7):

- (7A) A person does not commit an offence against this clause if the person parks the vehicle in a metered parking space for a period not exceeding the period (if any) for which no fee is payable for parking in the space.

[2] Clause 66 Use of tickets in ticket parking areas

Insert after clause 66 (6):

- (6A) A person does not commit an offence against this clause if the person parks the vehicle in a ticket parking space for a period not exceeding the period (if any) for which no fee is payable for parking in the space.

[3] Clause 71 Use of coupons in coupon parking areas

Insert after clause 71 (6):

- (6A) A person does not commit an offence against this clause if the person parks the vehicle in a coupon parking space for a period not exceeding the period (if any) for which a coupon is not required for parking in the space.

[4] Clause 99 Parking meters

Insert "(if any)" after "fees" in clause 99 (1) (a).

[5] Clause 104 Parking ticket machines

Insert "(if any)" after "fees" in clause 104 (1) (a).

[6] Clause 108 Coupon parking areas

Insert after clause 108 (1):

- (1A) The sign referred to in subclause (1) must also display the period (if any) for which a coupon is not required to park a vehicle in the coupon parking area.

Road Transport (Safety and Traffic Management) (Road Rules)
Amendment (Parking Permits and Parking Schemes) Regulation 2004

Schedule 1 Amendments

[7] Clause 124 Parking permits

Insert after clause 124 (2) (e):

- (f) declared organisation parking permits.

[8] Clause 124 (5) (a)

Insert “declared organisation,” before “business”.



New South Wales

Transport Administration (General) Amendment (Authorised Persons) Regulation 2004

under the

Transport Administration Act 1988

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Transport Administration Act 1988*.

MICHAEL COSTA, M.L.C.,
Minister for Transport Services

Explanatory note

The objects of this Regulation are to amend the *Transport Administration (General) Regulation 2000* to:

- (a) enable the Director-General of the Ministry of Transport to delegate functions under section 40 of the *Transport Administration Act 1988* to staff of Sydney Ferries, and
- (b) omit a reference to officers of the Olympic Roads and Transport Authority, as that Authority no longer exists.

This Regulation is made under the *Transport Administration Act 1988*, including sections 40 and 119 (the general regulation-making power).

Clause 1 Transport Administration (General) Amendment (Authorised Persons)
 Regulation 2004

Transport Administration (General) Amendment (Authorised Persons) Regulation 2004

under the

Transport Administration Act 1988

1 Name of Regulation

This Regulation is the *Transport Administration (General) Amendment (Authorised Persons) Regulation 2004*.

2 Amendment of Transport Administration (General) Regulation 2000

The *Transport Administration (General) Regulation 2000* is amended by omitting clause 21 (c) and inserting instead the following paragraph:

(c) staff of Sydney Ferries.

OFFICIAL NOTICES

Appointments

ABORIGINAL LAND RIGHTS ACT 1983

Notice

I, the Honourable Andrew Refshauge, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 231 (2) of the Aboriginal Land Rights Act 1983 (the Act), extend the appointment of Mr Terry LAWLER as Administrator to the Purfleet Taree Local Aboriginal Land Council for a maximum period of six (6) calendar months commencing from 7 October 2004. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 52 (1) of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration is not to exceed \$33,000.00.

Signed and sealed this 20th day of October 2004.

ANDREW REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN

AGRICULTURAL LIVESTOCK (DISEASE CONTROL FUNDING) ACT 1998

Appointment of Chairperson

Standing Disease Control Advisory Committee

I, IAN MACDONALD, MLC, Minister for Primary Industries, pursuant to section 7 of the Agricultural Livestock (Disease Control Funding) Act 1998 hereby appoint Mr Stephen Carroll as Chairperson of the Standing Disease Control Advisory Committee for a term ending on 31 December 2006.

Dated this 27th day of September 2004.

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

AGRICULTURAL LIVESTOCK (DISEASE CONTROL FUNDING) ACT 1998

Appointment of Chairperson

Standing Disease Control Advisory Committee

I, IAN MACDONALD, MLC, Minister for Primary Industries, pursuant to section 7 (2) (d) of the Agricultural Livestock (Disease Control Funding) Act 1998 hereby appoint Ms Renata Brooks as a member of the Standing Disease Control Advisory Committee for a term ending on 31 December 2006.

Dated this 27th day of September 2004.

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

ART GALLERY OF NEW SOUTH WALES ACT 1980

Appointment of Trustees

Art Gallery of New South Wales Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 6 of the *Art Gallery of New South Wales Act 1980*, the following persons being appointed as trustees of the Art Gallery of New South Wales Trust from 1 January 2005 to 31 December 2007:

- (i) Anne FULWOOD (re-appointment)
- (ii) Irene LEE (re-appointment)
- (iii) Sandra MCPHEE (re-appointment)

BOB CARR, M.P.,
Premier and Minister for the Art

AUSTRALIAN MUSEUM TRUST ACT 1975

Appointment of Trustees

Australian Museum Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 6 of the Australian Museum Trust Act 1975, the following persons being appointed as trustees of the Australian Museum Trust from 1 January 2005 to 31 December 2007:

- (i) David HANDLEY (re-appointment)
- (ii) Dr Cindy PAN (re-appointment)
- (iii) Brian SCHWARTZ, AM (re-appointment)

BOB CARR, M.P.,
Premier and Minister for the Arts

The Cabinet Office, Sydney
27 October 2004

CONSTITUTION ACT 1902

Ministerial arrangements during the absence from duty of the Premier, Minister for the Arts, and Minister for Citizenship

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable AJ Refshauge MP, Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs, to act for and on behalf of the Premier, as on and from 29 October 2004, with a view to him performing the duties of the office of the Premier, during my absence from duty.

BOB CARR,
Premier

**CRIMES (ADMINISTRATION OF SENTENCES)
ACT 1999**

Re-appointment of Member

Serious Offenders Review Council

HER Excellency the Governor, with the advice of the Executive Council, pursuant to the provisions of the Crimes (Administration of Sentences) Act 1999, has approved the re-appointment of Martha JABOUR as a community member of the Serious Offenders Review Council on and from 17 October 2004 to 16 October 2007.

JOHN HATZISTERGOS, M.L.C.,
Minister for Justice
and Minister Assisting the Premier on Citizenship

FILM AND TELEVISION OFFICE ACT 1988

Appointment of Members

Board of the New South Wales Film and Television Office

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 6A of the Film and Television Office Act 1988, the following persons being appointed as members of the Board of the New South Wales Film and Television Office from 1 January 2005 to 31 December 2007:

- (i) Robert CONNOLLY (re-appointment)
- (ii) Dr Ross GIBSON (re-appointment)
- (iii) Troy LUM (re-appointment)

BOB CARR, M.P.,
Premier and Minister for the Art

HISTORIC HOUSES ACT 1980

Appointment of Trustees

Historic Houses Trust of New South Wales

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 6 of the Historic Houses Act 1980, the following persons being appointed as trustees to the Historic Houses Trust of New South Wales from 1 January 2005 to 31 December 2007:

- (i) Penelope PIKE (re-appointment)
- (ii) Peter TONKIN (new appointment)
- (iii) Dr Janis WILTON (re-appointment)

BOB CARR, M.P.,
Premier and Minister for the Art

LIBRARY ACT 1939

Appointment of Members

Library Council of New South Wales

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 4 of the *Library Act 1939*, the following persons being appointed as members of the Library Council of New South Wales from 1 January 2005 to 31 December 2007:

- (i) Dr John BARCLAY, pursuant to Section 1(a) (re-appointment)
- (ii) Graham BRADLEY (re-appointment)
- (iii) Richard FISHER (new appointment)

BOB CARR, M.P.,
Premier and Minister for the Arts

**MUSEUM OF APPLIED ARTS AND SCIENCES
ACT 1945**

Appointment of Trustees

The Trustees of the Museum of Applied Arts and Sciences

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 4 of the Museum of Applied Arts and Sciences Act 1945, the following persons being appointed as trustees of the The Trustees of the Museum of Applied Arts and Sciences from 1 January 2005 to 31 December 2007:

- (i) Dr Nicholas PAPPAS, pursuant to Section 8(1) (re-appointment)
- (ii) Anthony SUKARI (re-appointment)
- (iii) Judith WHEELDON, pursuant to Section 4(2)(b) (new appointment)

BOB CARR, M.P.,
Premier and Minister for the Arts

PLANT DISEASES ACT 1924

Appointment of Inspectors

I Barry Desmond BUFFIER, Director-General of the New South Wales Department of Primary Industries, pursuant to section 11 (1) of the Plant Diseases Act 1924 ("the Act") appoint the persons named in Schedule 1 as Inspectors under the Act:

SCHEDULE 1

Anthony James CARBONE
Brian Harvey CLEAVER
Vince DERRICO
Peter Norman DIXON
Lucas FULFORD
Graeme JOYCE
Peter NANSON
Michael NEMTSAS
Alex RINDINAS
Cosimo STIZZA
James YOUNGER

Dated this 21st day of October 2004.

B. D. BUFFIER,
Director-General

STATE RECORDS ACT 1998

Appointment of Members

Board of the State Records Authority of New South Wales

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 69 of the State Records Act 1998, the following persons being appointed as members of the Board of the State Records Authority of New South Wales from 1 January 2005 to 31 December 2007:

- (i) Hon. Justice Patricia BERGIN, pursuant to section 69 (2) (e) (re-appointment)
- (ii) Gary HAMS, pursuant to section 69 (2) (a) and (3) (a) (new appointment)

BOB CARR, M.P.,
Premier and Minister for the Arts

SYDNEY OPERA HOUSE TRUST ACT 1961

Appointment of Trustees

Sydney Opera House Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to Section 6 of the Sydney Opera House Trust Act 1961, the following persons being appointed as trustees of the Sydney Opera House Trust from 1 January 2005 to 31 December 2007:

- (i) Kim WILLIAMS, pursuant to Section 6(2) (new appointment)
- (ii) Renata KALDOR, AO (new appointment)
- (iii) Robert LEECE, AM (re-appointment)
- (iv) Leo SCHOFIELD, AM (new appointment)

BOB CARR, M.P.,
Premier and Minister for the Arts

SUPERANNUATION ADMINISTRATION ACT 1996

APPOINTMENT

THE Hon M. R. Egan, M.L.C., Treasurer, Minister for State Development and Vice President of the Executive Council, pursuant to section 29 (1) of the Superannuation Administration Act 1996, has appointed the officer listed below to the position as specified:

First State Superannuation Trustee Corporation (FTC)
Michael Dwyer, Chief Executive [1 December 2004].

The Hon M. R. EGAN, M.L.C.,
Treasurer,
Minister for State Development
and Vice-President of the Executive Council

Department of Infrastructure, Planning and Natural Resources

Infrastructure and Planning



Cessnock Local Environmental Plan 1989 (Amendment No 95)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N03/00013/S69)

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

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 95)

Cessnock Local Environmental Plan 1989 (Amendment No 95)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 95)*.

2 Aims of plan

This plan aims to allow, with the consent of Cessnock City Council, community and strata title subdivision of the land to which this plan applies, being development approved under Development Approval No 118/689/139 dated 25 September 1989, and being land known as the Cypress Lakes Resort site.

3 Land to which plan applies

This plan applies to land within the City of Cessnock, being so much of the land within DP 270105, Thompsons Road, Pokolbin, as is shown edged heavy black on the map marked “Cessnock Local Environmental Plan 1989 (Amendment No 95)” deposited in the office of Cessnock City Council.

4 Amendment of Cessnock Local Environmental Plan 1989

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

- 21 So much of the land within DP 270105, Thompsons Road, Pokolbin, as is shown edged heavy black on the map marked “Cessnock Local Environmental Plan 1989 (Amendment No 95)” and known as the Cypress Lakes Resort site—subdivision in accordance with the *Community Land Development Act 1989* or the *Strata Schemes (Freehold Development) Act 1973* in respect of development approved under Development Approval No 118/689/139 dated 25 September 1989.



Grafton Local Environmental Plan 1988 (Amendment No 38)

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*. (G04/00047/PC)

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

Clause 1 Grafton Local Environmental Plan 1988 (Amendment No 38)

Grafton Local Environmental Plan 1988 (Amendment No 38)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 38)*.

2 Aims of plan

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

- (a) to rezone the land to which this plan applies from Zone No 1 (d) (the Rural (Flood Liable) Zone) to Zone No 2 (a) (the Living Area Zone), and
- (b) to provide that Clarence Valley Council must not grant consent to the carrying out of development on the land unless it is satisfied that filling or regrading works will not adversely affect stormwater flooding characteristics in the vicinity of the land.

3 Land to which plan applies

This plan applies to part of Lot 292, DP 739341, being land fronting Crown Street, Grafton, as shown edged heavy black on the map marked "Grafton Local Environmental Plan 1988 (Amendment No 38)" deposited in the office of Clarence Valley Council.

4 Amendment of Grafton Local Environmental Plan 1988

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

Grafton Local Environmental Plan 1988 (Amendment No 38)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Grafton Local Environmental Plan 1988 (Amendment No 38)

[2] Clause 44

Insert after clause 43:

44 Land in Crown Street, Grafton—restriction on development

- (1) This clause applies to land being part of Lot 292, DP 739341, Crown Street, Grafton, as shown edged heavy black on the map marked “Grafton Local Environmental Plan 1988 (Amendment No 38)” deposited in the office of the Council.
- (2) Consent must not be granted for development on land to which this clause applies unless the Council is satisfied that filling or regrading works do not reduce the area below RL 4.2 m AHD available for storage of stormwater flooding as existed during March 1974.



Grafton Local Environmental Plan 1988 (Amendment No 39)

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*. (G03/00188/S69)

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

Clause 1 Grafton Local Environmental Plan 1988 (Amendment No 39)

Grafton Local Environmental Plan 1988 (Amendment No 39)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Grafton Local Environmental Plan 1988 (Amendment No 39)*.

2 Aims of plan

This plan aims to allow, with the consent of the Clarence Valley Council, the carrying out of development on the land to which this plan applies for the purpose of a warehouse retailing hardware and building supplies and ancillary products, subject to certain conditions relating to traffic management matters.

3 Land to which plan applies

This plan applies to land situated in the local government area of Clarence Valley, being Lot 21, DP 1059688, Pacific Highway, and part of Through Street, South Grafton, as shown edged heavy black on the map marked "Grafton Local Environmental Plan 1988 (Amendment No 39)" deposited in the office of Clarence Valley Council.

4 Amendment of Grafton Local Environmental Plan 1988

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

Grafton Local Environmental Plan 1988 (Amendment No 39)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 4 Development for certain additional purposes

Insert at the end of the Schedule:

Lot 21, DP 1059688, Pacific Highway and part of Through Street, South Grafton, as shown edged heavy black on the map marked “Grafton Local Environmental Plan 1988 (Amendment No 39)” deposited in the office of the Council—warehouse retailing hardware and building supplies and ancillary products, subject to the Council being satisfied that:

- (a) appropriate traffic management is provided at the intersection of Bent and Spring Streets, South Grafton, and
- (b) appropriate realignment of the local road network is undertaken at the intersection of Spring and Iolanthe Streets, South Grafton.



New South Wales

Hornsby Shire Local Environmental Plan 1994 (Amendment No 85)

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*. (S04/00703/S69)

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

Clause 1 Hornsby Shire Local Environmental Plan 1994 (Amendment No 85)

Hornsby Shire Local Environmental Plan 1994 (Amendment No 85)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hornsby Shire Local Environmental Plan 1994 (Amendment No 85)*.

2 Aims of plan

This plan aims to reclassify the land to which this plan applies, being a drainage reserve, from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to land within the Hornsby local government area, between Nos 27 and 29 Heath Street, Asquith, and known as Lot 65, DP 8797, as shown edged heavy black on the diagram identified as "Diagram AD" appearing in Schedule 1.

4 Amendment of Hornsby Shire Local Environmental Plan 1994

Hornsby Shire Local Environmental Plan 1994 is amended as set out in Schedule 1.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 85)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule C

Insert after Diagram AC in Part 2 of the Schedule:

Diagram AD



The land shown edged heavy black in Diagram AD, being Lot 65, DP 8797, Heath Street, Asquith, has been reclassified as operational land—*Hornsby Shire Local Environmental Plan 1994 (Amendment No 85)*.



New South Wales

Hurstville Local Environmental Plan 1994 (Amendment No 50)

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*. (S03/03628/S69)

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

Clause 1 Hurstville Local Environmental Plan 1994 (Amendment No 50)

Hurstville Local Environmental Plan 1994 (Amendment No 50)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hurstville Local Environmental Plan 1994 (Amendment No 50)*.

2 Aims of plan

This plan aims to set out the controls relating to the minimum area and width of allotments required for the creation of dual occupancies on land within Zone No 2 (the Residential Zone) under *Hurstville Local Environmental Plan 1994*.

3 Land to which plan applies

This plan applies to all land in the City of Hurstville within Zone No 2 under *Hurstville Local Environmental Plan 1994*.

4 Amendment of Hurstville Local Environmental Plan 1994

Hurstville Local Environmental Plan 1994 is amended by inserting after clause 11A (2) the following subclauses:

- (2A) The minimum allotment size for the creation of a dual occupancy on land within Zone No 2 is 630 m² and the allotment must have a width of at least 15 metres.
- (2B) Any development application relating to the creation of a dual occupancy on land within Zone No 2 that was lodged, but not finally determined, before the commencement of *Hurstville Local Environmental Plan 1994 (Amendment No 50)* is to be determined as if that plan had not been made.



Lane Cove Local Environmental Plan 1987 (Amendment No 56)

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*. (S03/02745/S69)

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

Clause 1 Lane Cove Local Environmental Plan 1987 (Amendment No 56)

Lane Cove Local Environmental Plan 1987 (Amendment No 56)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lane Cove Local Environmental Plan 1987 (Amendment No 56)*.

2 Aims of plan

This plan aims to allow for the location of medical centres within certain residential areas in proximity to the Lane Cove Town Centre.

3 Land to which plan applies

This plan applies to land known as 47–67 Burns Bay Road, 9–15 Austin Street and 157–161 Longueville Road, Lane Cove, as shown edged heavy black on the map marked “Lane Cove Local Environmental Plan 1987 (Amendment No 56)” deposited in the office of the Council of Lane Cove.

4 Amendment of Lane Cove Local Environmental Plan 1987

Lane Cove Local Environmental Plan 1987 is amended as set out in Schedule 1.

Lane Cove Local Environmental Plan 1987 (Amendment No 56)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Clause 17AC

Insert after clause 17AB:

17AC Medical centres—47–67 Burns Bay Road, 9–15 Austin Street and 157–161 Longueville Road, Lane Cove

- (1) This clause applies to so much of the land within Zone No 2 (b1) or 2 (c) known as 47–67 Burns Bay Road, 9–15 Austin Street and 157–161 Longueville Road, Lane Cove, as is shown edged heavy black on the map marked “Lane Cove Local Environmental Plan 1987 (Amendment No 56)”.
- (2) A person may, with the consent of the council, carry out development on the land to which this clause applies for the purpose of a medical centre.
- (3) Proposed development for the purpose of a medical centre must be of a maximum height and floor space ratio:
 - (a) in the case of land within Zone No 2 (b1)—no greater than the maximum height and maximum floor space ratio applicable to townhouses, or
 - (b) in the case of land within Zone No 2 (c)—no greater than the maximum height and maximum floor space ratio applicable to residential flat buildings.
- (4) The council must not consent to development for the purpose of a medical centre at 47–67 Burns Bay Road, Lane Cove unless it is satisfied that the centre will comprise one or more of the following uses, to which all other uses are ancillary:
 - (a) the practice of medicine by registered medical practitioners, not being specialist medical practitioners recognised by the Specialist Recognition Advisory Committee for New South Wales established under the *Health Insurance Act 1973* of the Commonwealth,
 - (b) the practice of dentistry by dentists within the meaning of the *Dentists Act 1989*,
 - (c) the practice of health care by health care professionals.

Lane Cove Local Environmental Plan 1987 (Amendment No 56)

Schedule 1 Amendment

(5) In this clause:

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



North Sydney Local Environmental Plan 2001 (Amendment No 6)

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*. (S01/01845/PC)

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

Clause 1 North Sydney Local Environmental Plan 2001 (Amendment No 6)

North Sydney Local Environmental Plan 2001 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *North Sydney Local Environmental Plan 2001 (Amendment No 6)*.

2 Aims of plan

- (1) This plan aims to amend *North Sydney Local Environmental Plan 2001* as follows:
 - (a) to require all aims and objectives to be taken into account in development assessment and to modify the requirements for consistency with particular aims and objectives,
 - (b) to impose further controls on development in residential zones,
 - (c) to make further provision with respect to exempt and complying development,
 - (d) to provide specific provisions relating to land comprising the Ennis Road Bays and Luna Park/Glen Street frontage,
 - (e) to replace several definitions (including *apartment building adaptation, boarding house, character of a neighbourhood, demolition, hotel* and *land adjoining*) and to add new definitions of *cultural resource* and *tavern* in Schedule 2,
 - (f) to correct a misdescription of a heritage item known as Nazareth (currently listed as 22 Thrupp Street, Neutral Bay, instead of as 20 Thrupp Street) in Schedule 3 (Heritage items),
 - (g) to add a property (203A Chandos Street, Crows Nest) to Schedule 5 (Uncharacteristic elements),
 - (h) to rezone so much of the land in Walker Street, Lavender Bay, as is shown edged heavy black on Sheet 1 of the map marked "North Sydney Local Environmental Plan 2001 (Amendment

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Clause 3

No 6)” deposited in the office of North Sydney Council, from the Railways Zone to the Roads Zone,

- (i) to zone so much of the land in Edwin Lane, Cammeray, as is shown distinctively coloured on Sheet 2 of that map, to the Residential C Zone,
 - (j) to apply a foreshore building line in respect of land known as 11A, 15 and 15A Holbrook Avenue, Kirribilli, as shown by a black broken line on Sheet 3 of that map,
 - (k) to remove certain land at St Leonards, as shown edged heavy black on Sheet 4 of that map, from the provisions relating to DCP Specific Sites,
 - (l) to apply a non-residential floor space ratio and maximum height to certain land at Milsons Point, Neutral Bay and Cremorne, as shown distinctively coloured on Sheets 6–8 of that map,
 - (m) to rezone 4 Rangers Road, Cremorne, as shown edged heavy black and distinctively coloured on Sheet 8 of that map, from the Residential C Zone to the Mixed Use Zone.
- (2) Provisions relating to Luna Park land uses and the reclassification of land adjacent to 108 Carabella Street, Kirribilli (Lot D, DP 396813) from community land to operational land have been excluded from this plan, being deferred matter within the meaning of section 70 (4) of the *Environmental Planning and Assessment Act 1979*.

3 Land to which plan applies

This plan applies to all land within the local government area of North Sydney under *North Sydney Local Environmental Plan 2001*.

4 Amendment of North Sydney Local Environmental Plan 2001

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

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 3 Specific aims of this plan

Omit “achieve any desired character for the neighbourhood that is described in a character statement for the neighbourhood, and promote” from clause 3 (a) (i).

Insert instead “promote the character of the neighbourhoods and”.

[2] Clause 3 (g)

Omit “or cultural assets” wherever occurring.

[3] Clause 5 How this plan relates to other planning instruments

Insert after clause 5 (3):

- (4) This plan, as in force immediately before the commencement of *North Sydney Local Environmental Plan 2001 (Amendment No 6)*, continues to apply in relation to any development application lodged before that commencement as if that plan had not been made.

[4] Clause 12 Exempt development

Insert after clause 12 (2):

- (3) For the removal of doubt, all development requires consent under this plan, unless the development is exempt development or prohibited development.

[5] Clause 14

Omit the clause except for the table to the clause. Insert instead:

14 Consistency of aims and objectives

- (1) When considering a development application, the consent authority must take into account the aims and objectives stated in this plan.
- (2) Consent must not be granted to the carrying out of any development that, in the opinion of the consent authority, is inconsistent with the specific aims of this plan, the objectives of the zone or the objectives of controls.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[6] Clause 14, Zoning and permissible use table

Omit Item 1 (c) from the matter relating to the Residential A2 Zone.

Insert instead:

- (c) encourage the retention of existing contributory items or neutral items in conservation areas, and
- (c1) promote affordable housing, and

[7] Clause 14, Zoning and permissible use table

Omit Item 1 (b) from the matter relating to the Residential G Zone.

Insert instead:

- (b) ensure that the features of development (such as height, bulk, subdivision pattern, building footprint and orientation, setback and landscaping) are similar to those of characteristic development and fit into the existing streetscape.

[8] Clause 14, Zoning and permissible use table

Insert after Item 1 (c) in the matter relating to the Mixed Use Zone:

- , and
- (d) promote affordable housing.

[9] Clause 14, Zoning and permissible use table

Omit “vehicle access to a permissible use within the Luna Park zone;” from Item 2 in the matter relating to the Public Recreation Zone.

Insert instead “vehicle access to the Luna Park Zone by emergency, construction and service vehicles for the delivery and removal of goods and equipment (vehicle access for the purpose of parking is prohibited);”.

[10] Clause 15 Subdivision

Omit clause 15 (1) (a). Insert instead:

- (a) ensure subdivision and associated development maintain the character of the neighbourhood as reflected in lot size, orientation and shape, and housing density, and

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[11] Clause 16 Residential zone objectives

Omit clause 16 (d). Insert instead:

- (d) development that promotes the character of the neighbourhood, and

[12] Clause 17 Building heights

Insert after clause 17 (1) (a):

- (a1) promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient, and

[13] Clause 17 (1) (b)

Omit the paragraph. Insert instead:

- (b) promote gabled and hipped roofs in all residential zones and avoid other roof forms except:
 - (i) skillion roofs over verandas and rear extensions to buildings that have a main roof that is gabled or hipped, or
 - (ii) where it is desirable to preserve views, other roof forms that are characteristic of the area, and

[14] Clause 17 (8)

Omit the subclause.

[15] Clause 17 (9)

Omit the subclause. Insert instead:

(9) **Attics**

A building must not be erected, in a residential zone, so as to provide attic space with a floor area of more than half the floor area of the floor below.

[16] Clause 18 Building height plane

Omit “, D” and “, D” wherever occurring in clause 18 (2) and (3) (b).

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[17] Clause 18 (3A)

Insert after subclause (3):

(3A) Building height plane control in residential D zone

A building must not be erected in the residential D zone if any part of the building will exceed a building height plane:

- (a) commencing at 1.8 metres above existing ground level, projected at all points from each of the boundaries of the site which adjoins land within the residential A1, A2, B or F zone or open space zone, or
- (b) commencing at 1.8 metres above existing ground level, projected from the centre of any road which separates the land from land within the residential A1, A2, B or F zone or open space zone, or
- (c) commencing at 3.5 metres above existing ground level, projected at all points from each of the boundaries of the site which adjoins land within the residential C zone, or
- (d) commencing at 3.5 metres above existing ground level, projected from the centre of any road which separates the land from land within the residential C zone.

[18] Clause 19 Building setbacks

Omit the clause.

[19] Clause 20 Landscaped area

Omit clause 20 (1) (a). Insert instead:

- (a) promote the character of the neighbourhood, and

[20] Clause 21 Residential D zone (Neighbourhood Business)

Omit clause 21 (1) (b). Insert instead:

- (b) ensure that development is of a scale and intensity that promotes the character of the neighbourhood, and

[21] Clause 22 Duplexes and dwelling-houses

Omit clause 22 (3) (c) and (d). Insert instead:

- (c) achieve building forms that promote the character of the neighbourhood, and
- (d) avoid excavation of sites for garages or car parking.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[22] Clause 22 (4)

Omit the subclause. Insert instead:

(4) Restriction on development of duplexes

Despite the Table to Part 2, a duplex must not be erected on land that is located within a conservation area or is identified as a heritage item, unless:

- (a) the duplex is situated substantially within the fabric of an existing building, and
- (b) the appearance of the existing building, as visible from a public place, is conserved, and
- (c) the majority of significant fabric of the existing building is conserved.

[23] Clause 22 (6)

Insert after subclause (5):

(6) Prohibited development

Development that contravenes subclause (1), (2) or (4) (a) is prohibited development.

[24] Clause 24 Attached dwellings revision

Omit clause 24 (2) (d) and (e). Insert instead:

- (d) materially increase the height of the attached dwellings that lawfully existed on the appointed day, or
- (e) materially decrease the landscaped area of those attached dwellings below the requirements set out in clause 20, or decrease the landscaped area where the landscaped area is already below the requirements in clause 20.

[25] Clause 24 (3)

Insert after subclause (2):

(3) Prohibited development

Development that contravenes subclause (2) (d) or (e) is prohibited development.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[26] Clause 26 Apartment building revision or adaption

Omit clause 26 (2) (d) and (e). Insert instead:

- (d) materially increase the height of the existing apartment or other building, or
- (e) materially decrease the landscaped area of the existing apartment or other building below the requirements set out in clause 20, or decrease the landscaped area where the landscaped area is already below the requirements in clause 20.

[27] Clause 26 (3)

Insert after subclause (2):

(3) Prohibited development

Development that contravenes subclause (2) (d) or (e) is prohibited development.

[28] Clause 27 Small lots

Omit clause 27 (2). Insert instead:

(2) Small lot controls

Despite any other provision of this plan, a small lot, if developed for residential purposes, must contain no more than one dwelling.

(3) Prohibited development

Development that contravenes subclause (2) is prohibited development.

[29] Clause 29 Building height

Omit clause 29 (1) (b). Insert instead:

- (b) encourage an appropriate scale and density of development for each neighbourhood that is in accordance with, and promotes the character of, the neighbourhood, and
- (c) provide reasonable amenity for inhabitants of the building and neighbouring buildings, and
- (d) provide ventilation, views, building separation, setback, solar access and light and to avoid

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

overshadowing of windows, landscaped areas, courtyards, roof decks, balconies and the like, and

- (e) promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient, and
- (f) avoid the application of transitional heights as justification for exceeding height controls.

[30] Clause 30 Building height plane

Omit clause 30 (1) (b). Insert instead:

- (b) minimise adverse effects on land in adjoining residential or open space zones in relation to ventilation, views, building separation, solar access and light and to avoid overshadowing of windows, landscaped areas, courtyards, roof decks, balconies and the like.

[31] Clause 32 Design of development

Omit clause 32 (2) (c). Insert instead:

- (c) the residential component of the building is provided with an entrance separate from the entrances to the remainder of the building, and
- (d) the building is set back above a podium.

[32] Clause 32 (4)

Insert after subclause (3):

(4) Prohibited development

Development that contravenes subclause (2) (a) is prohibited development.

[33] Clause 34 Buildings in the special use zone

Omit clause 34 (3)–(5). Insert instead:

(3) Building controls

A building must not be erected on land to which this clause applies unless:

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

-
- (a) the building is consistent with the objectives and permissible uses that apply to the land adjoining the site and land directly across a road from the site, and
 - (b) the building complies with the relevant development standards, for the particular type of building, that apply to the land adjoining the site and land directly across a road from the site.
- (4) If the site adjoins, or is directly across a road from, land in more than one zone, the objectives, permissible uses and development standards that are applied by subclause (3) are the most restrictive development standards.
- (5) For the purposes of subclause (4), the zone subject to the most restrictive development standards is to be determined having regard to all relevant zones except for the road, railway, public open space, private recreation or public recreation zones.

[34] Clause 38 Development within the foreshore building area

Omit clause 38 (2) and (3). Insert instead:

(2) Foreshore building area controls

Despite any other provision of this plan, development must not be carried out within the foreshore building area, which further encroaches on the foreshore building area, except for the purpose of:

- (a) boatsheds or jetties with a maximum height of 3 metres, which are ancillary to residential use, and are not used as habitable rooms, or
 - (b) retaining walls, or swimming pools with a maximum height of 500mm and associated fencing with a maximum height of 1.2 metres, or
 - (c) barbecues and fences with a maximum height of 1.2 metres, or
 - (d) a structure or a work, at or below the surface of the ground, or
 - (e) sea retaining walls.
- (3) Prohibited development**

Development that contravenes subclause (2) is prohibited development.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[35] Clause 45 Consent requirements

Omit “wholly or partly” from clause 45 (1) (c).

[36] Clause 45 (2)

Omit the subclause.

[37] Clause 46 Aboriginal sites and relics

Insert “and an assessment of cultural impacts” after “at the site” in clause 46 (2) (a).

[38] Clause 47 Archaeological resources

Omit clause 47 (2) (a). Insert instead:

- (a) has considered an archaeological assessment that evaluates:
 - (i) the probable extent, nature and integrity of the archaeological resource at a site, and
 - (ii) the significance of that resource, and
 - (iii) the appropriate management for that resource, having regard to its significance and any statutory requirements, and

[39] Clause 48 Heritage items

Omit clause 48 (4). Insert instead:

(4) Required documentation: heritage items

Before determining whether or not to grant consent to a development application in respect of a heritage item, the consent authority may require the submission of:

- (a) a statement of heritage impact or a conservation management plan, and
- (b) a structural engineer’s report.

[40] Clause 48 (5)

Insert “**complete**” before “**demolition**” and “the complete” before “demolition” wherever occurring.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[41] Clause 48 (6)

Omit the subclause. Insert instead:

(6) Site development

Despite any other provision of this plan, the consent authority must not grant consent to an application for the complete demolition of a heritage item unless the consent authority, at the same time, grants consent to a replacement building or work on the site.

[42] Clause 48 (7)

Insert “**complete**” before “**demolition**” and “complete” before “demolition” wherever occurring.

[43] Clause 49 Conservation areas

Omit clause 49 (1) (a). Insert instead:

- (a) conserve the character of the neighbourhood and heritage significance of the conservation area, as a whole or any part of the conservation area, and

[44] Clause 49 (1) (f) and (g)

Omit clause 49 (1) (f). Insert instead:

- (f) encourage the removal of uncharacteristic elements from conservation areas and their replacement with buildings or works that reinforce the character of the neighbourhood and heritage significance of the conservation area, and
- (g) discourage development that is similar to uncharacteristic elements.

[45] Clause 49 (2) (a)

Omit “not”.

[46] Clause 49 (3)

Omit the subclause.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[47] Clause 49 (4) and (5)

Omit the subclauses. Insert instead:

(4) **Required documentation: conservation areas**

Before determining whether or not to grant consent to a development application in respect of a heritage item, the consent authority may require the submission of:

- (a) a statement of heritage impact or a conservation management plan, and
- (b) a structural engineer's report.

(5) **Consideration of complete demolition: conservation areas**

Consent must not be granted to development involving the complete demolition of a building, work or place within a conservation area, until the consent authority has considered:

- (a) whether the proposed development will adversely affect the character of the neighbourhood and heritage significance of the conservation area, as a whole and in the immediate vicinity of the proposed development, and
- (b) whether the building, work or place is structurally sound and reasonably capable of conservation, and
- (c) whether the proposed building or work intended to replace that being demolished will contribute to the character of the neighbourhood and heritage significance of the conservation area, in particular in terms of subclause (2) (c).

[48] Clause 49 (6)

Insert “**complete**” before “**demolition**” and “**complete**” before “**demolition**” wherever occurring.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[49] Clause 49 (7)

Omit subclause (7). Insert instead:

(7) Site redevelopment

Despite any other provision of this plan, the consent authority must not grant consent to an application for the complete demolition of a building, work or place within a conservation area unless the consent authority, at the same time, grants consent to a replacement building or work on the site.

[50] Clause 50 Development in the vicinity of heritage items

Omit clause 50 (3). Insert instead:

- (3) Before determining a development application relating to land in the vicinity of a heritage item, the consent authority may require the submission of a statement of heritage impact on the heritage item and its curtilage.

[51] Clause 51 Conservation incentives

Insert “or, if a statement of heritage impact has been required by the consent authority under clause 48 (4), a statement of heritage impact for the heritage item” after “the heritage item” in clause 51 (3).

[52] Clause 53

Omit the heading to the clause and subclause (1). Insert instead:

53 Ennis Road Bays

(1) Ennis Road Bays under Warringah Freeway

This clause applies to the cubic spaces which comprise Bays 24–44, at 2–28 Ennis Road, Kirribilli, as marked “Ennis Rd Bays” on the map.

[53] Clause 59 Luna Park: Glen Street frontage

Omit clause 59 (2) (a). Insert instead:

- (a) ensure that the bulk and height of new buildings does not detract from the amenity of surrounding areas (including existing views), and

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[54] Clause 60 Refreshment rooms, Residential D Zone, Blues Point Road

Insert after clause 60 (3):

(4) **Prohibited development**

Development that contravenes subclause (2) or (3) is prohibited development.

[55] Schedule 2 Definitions

Omit the definitions of *apartment building adaption*, *boarding house*, *character*, *characteristic building height*, *demolish*, *hotel* and *land adjoining*.

[56] Schedule 2

Insert in alphabetical order:

adjoining, in relation to specified land, means:

- (a) land that immediately joins any boundary of the specified land, or
- (b) land that is separated from the specified land only by a driveway, right-of-way or access way (not being a public road).

apartment building adaption means the creation of an apartment building substantially within a building (other than an apartment building) that lawfully existed on the appointed day.

boarding house means a residential building:

- (a) that is wholly or partly let in lodgings, and
- (b) that provides lodgers with a principal place of residence, and
- (c) that has shared facilities, such as a communal bathroom, kitchen or laundry,

but does not include backpackers' accommodation, a serviced apartment or a motel.

character of a neighbourhood within the North Sydney local government area means the combination of features (including environment, built form, landscape, community and function) that makes the neighbourhood distinctive.

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Schedule 1

cultural resource means places, topography, buildings and their aesthetic qualities that contribute to community cultural life, identity and sense of place, including:

- (a) Aboriginal sites and relics,
- (b) archaeological resources,
- (c) heritage items and conservation areas,
- (d) significant streetscapes and intact street frontages,
- (e) sandstone outcrops and walls,
- (f) public art and monuments,
- (g) lookouts and significant views from lookouts, streets, or public open space,
- (h) community centres, halls, churches, theatres, libraries, museums and galleries,
- (i) recreation and leisure facilities,
- (j) neighbourhood shops and refreshment rooms,
- (k) the network of roads, lanes, footpaths, steps and means of access to the foreshore,
- (l) those aspects of cultural life that utilise, or are presented in, any of the matters specified in paragraphs (a)–(k).

demolition of a heritage item or a building, work or place within a conservation area means the complete or partial demolition, destruction, dismantling or removal of any fixed element of the heritage item or the building, work or place within a conservation area.

hotel means premises that provide accommodation consisting of rooms, self-contained suites or serviced apartments for guests, as well as facilities such as a restaurant or bar.

tavern means any premises specified in a hotelier's licence under the *Liquor Act 1982* which does not provide overnight accommodation on a commercial basis.

[57] Schedule 2, definition of "map"

Insert in appropriate order:

North Sydney Local Environmental Plan 2001 (Amendment No 6)

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[58] Schedule 2, definition of “serviced apartment”

Omit “a hostel or”.

[59] Schedule 3 Heritage items

Omit the matter relating to 20 Thrupp Street. Insert instead:

1322	22 Thrupp Street, Nazareth	Local
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[60] Schedule 5 Uncharacteristic elements

Insert after the matter relating to 201A Chandos Street, Crows Nest:

203A Chandos Street, Crows Nest

[61] Schedule 6 Exempt development

Insert after the heading to the Schedule:

Table

Column 1

Column 2

[62] Schedule 6

Insert in Column 2 (as inserted by item [61]) at the end of the matter set out opposite the heading **Driveways and pathways**:

Drainage	Does not increase rate or concentration of stormwater run-off to neighbouring properties
----------	--

[63] Schedule 6

Omit “Not in a conservation area” from Column 2 (as inserted by item [61]) of the matter set out opposite the heading **Fences (other than fences required to be erected by the *Swimming Pools Act 1992*)**.

Insert instead “Not forward of the front building line on a site in a conservation area”.

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[64] Schedule 6

Omit all the matter relating to **Letterbox**. Insert instead:

Letterbox	Usage	Designed for use and used in conjunction with residential premises Not more than 2 letterboxes per site
	Size	Maximum height 1.2m above ground level
	Structure	Structurally stable with adequate footings
	Numbering	Approved numbering visible from street alignment.

[65] Schedule 6

Omit Item 2 (Non-residential premises) from the matter appearing under the heading **Minor internal alterations**.

Insert instead:

2 Non-residential premises	Heritage	Not to a heritage item
	Type	Non-load-bearing work such as shelving, displays, benches, partitions Building has a current fire safety measures schedule
	Work	Complies with fire safety requirements of the <i>Building Code of Australia</i> Does not involve, alter or interfere with, the performance of any fire safety measure identified in the current fire safety measures schedule
	Usage	Not a refreshment room, take-away food shop or drive-in take-away food shop

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[66] Schedule 6

Omit all the matter relating to **Patio/paving**. Insert instead:

Patio/paving (for use incidental to the use of a dwelling)	Heritage	Not on the site of a heritage item
		Not forward of the front building line on a site in a conservation area
	Siting	At natural ground level
	Size	Maximum area 20m ²
		Soft landscaping is at least 80% of total landscaped area of the site
	Drainage	No entry of water into a building
		No increase in rate or concentration of stormwater run-off from the site

[67] Schedule 6

Insert after the matter relating to **Re-cladding of roofs or walls**:

Repairs to buildings	Heritage	On the site of a heritage item or in a conservation area: <ul style="list-style-type: none"> (a) only minor conservation works, (b) no adverse effect on heritage significance, (c) the proponent has notified the Council in writing of the proposed development and the Council has advised the proponent in writing before the development is carried out that it is satisfied that development consent is not required because of this exemption
	Type	Repainting, replacement of damaged guttering, pointing, handrails and steps

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

Size	No change in dimensions of building No additional structures
Materials	Replacing existing materials with similar materials which are compatible with the existing building and finish

[68] Schedule 6

Insert after the matter relating to **Skylight/rooflight/air vent**:

Temporary structures on roads and open space	Usage	Structure is for purposes of a public market, gala, exhibition, entertainment or festival for which a permit has been issued by Council
	Roads	Road lawfully closed for event Only on roads adjoining land in the commercial or mixed use zone
	Location	Does not obstruct pedestrian access to shops or other premises Does not obstruct footpaths
	Structure	Erected no more than 12 hours before event No construction work involved, except assembly using hand tools Maximum height 3m No disturbance to road or ground surface or street furniture
	Removal	All temporary structures, goods and litter removed within 4 hours after the end of the event

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

	No temporary structure to remain in place longer than 24 hours
Goods display	Goods are displayed at ground level or on stable, temporary structures no higher than 1.5m

[69] Schedule 6

Omit “Not in a conservation area” from Column 2 (as inserted by item [61]) of the matter set out opposite the heading **Business identification sign**.

[70] Schedule 6

Insert after the matter relating to **Business identification sign**:

Change of message on existing sign	Status	Sign was previously consented to by the Council, or was erected as exempt development
	Illumination	No change to authorised illumination
	Content	New message complies with any content requirements of the consent Any advertisement for an alcohol product is on premises where that product is sold

[71] Schedule 6

Omit from Column 2 (as inserted by item [61]) of the matter set out opposite the heading **Community notice sign**:

Heritage	Not attached to a heritage item or adjacent to a heritage item Not in a conservation area
----------	--

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[72] Schedule 6

Omit from Column 2 (as inserted by item [61]) of the matter set out opposite the heading **Real estate sign**:

Heritage	Not attached to a heritage item or adjacent to a heritage item
	Not in a conservation area

[73] Schedule 6

Omit from Column 2 (as inserted by item [61]) of the matter set out opposite the heading **Temporary sign**:

Heritage	Not attached to a heritage item or adjacent to a heritage item
	Not in a conservation area

[74] Schedule 6

Insert in Column 2 (as inserted by item [61]) of the matter set out opposite the heading **Temporary sign** after the matter relating to illumination:

Size	Maximum height 3m
	Sign is no higher than building it is mounted on
	Maximum area 3m ²

[75] Schedule 6

Insert “/STRUCTURE” after “DEMOLITION OF BUILDING”.

[76] Schedule 6

Insert “of building” after “Demolition” in Column 1 (as inserted by item [61]).

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

[77] Schedule 6

Insert after the matter relating **Demolition of building** (as amended by item [76]):

Demolition of structure	Heritage	Not of a heritage item
		Not of a structure in a conservation area, unless the structure is an uncharacteristic element in the conservation area
	Type	Demolition of a structure the erection of which would be exempt development for the purpose of this plan
	Size	Maximum area of structure 25m ²
	Works	Demolition carried out in accordance with Australian Standard AS 2601—2001, <i>Demolition of structures</i>

[78] Schedule 6

Insert in Column 2 (as inserted by item [61]) of the matter set out opposite the heading for Item 3 (**Commercial ground mounted**) under the heading **RADIO TELECOMMUNICATIONS FACILITIES**:

Size	Maximum height 1.8m
------	---------------------

[79] Schedule 6

Omit from Column 2 (as inserted by item [61]) of the matter set out opposite the heading for Item 4 (**Commercial roof mounted**) the matter relating to size where firstly occurring under the heading **RADIO TELECOMMUNICATIONS FACILITIES**:

Size	Maximum height of 1.8m
------	------------------------

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Amendments

Schedule 1

[80] Schedule 6

Omit from Column 2 (as inserted by item [61]) of the matter set out opposite the heading for Item 4 (**Commercial roof mounted**) the matter relating to size where secondly occurring under the heading **RADIO TELECOMMUNICATIONS FACILITIES**.

Insert instead:

Size	Maximum height above roof 2m
	Maximum diameter 2m

[81] Schedule 7 Complying development

Omit “All building work must comply with the ‘deemed-to-satisfy’ provisions of the *Building Code of Australia*.” from Part A under the heading **Requirements**.

[82] Schedule 7

Insert after the last dot point in Part A under the headings **Design element—privacy** and **Standards**:

- , or
- there is a fence at least 1.5m high between the buildings

[83] Schedule 7

Omit “*North Sydney Development Control Plan No 1* as approved on 18 December 1990” wherever occurring in Parts A–F.

Insert instead “*North Sydney Development Control Plan 2002* as approved on 18 February 2002”.

[84] Schedule 7

Omit from Part B the heading **Development categories** and the two dot points under the heading.

Insert instead:

Development categories:

- alterations behind the front building line, not visible from a public place, or

North Sydney Local Environmental Plan 2001 (Amendment No 6)

Schedule 1 Amendments

-
- single storey additions behind the rear building line of a detached, single storey dwelling, not visible from a public place, or
 - construction of car spaces (not involving carports or garages).

[85] Schedule 7

Omit “All building work complies with the ‘deemed-to-satisfy’ provisions of the *Building Code of Australia*.” wherever occurring in Parts B–E under the heading **Requirements**.

[86] Schedule 7

Insert after the last dot point in Part B under the headings **Design element—privacy** and **Standards**:

- , or
- there is a fence at least 1.5m high between the buildings

[87] Schedule 7

Omit “All buildings and works on the land comply with the ‘deemed-to-satisfy’ provisions of the *Building Code of Australia*.” wherever occurring in Parts F and G under the heading **Requirements**.



Penrith Local Environmental Plan No 263

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*. (P03/00293/S69)

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

Clause 1 Penrith Local Environmental Plan No 263

Penrith Local Environmental Plan No 263

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Penrith Local Environmental Plan No 263*.

2 Aims of plan

The aims of this plan are:

- (a) to amend the *Penrith Planning Scheme Ordinance* to make outdoor eating and trading permissible uses of the footpath of Queen Street, St Marys, and
- (b) to amend *Penrith Local Environmental Plan No 255—Exempt and Complying Development* to insert a reference to the most recent version of *Penrith Development Control Plan—Exempt and Complying Development*.

3 Land to which plan applies

This plan applies:

- (a) in respect of the aim set out in clause 2 (a)—to the footpath of Queen Street, St Marys, between the Great Western Highway and Belar Street on the western side, and between the Great Western Highway and the northern boundary of Lot 1 DP 216932 on the eastern side, as shown hatched on the map marked “Penrith Local Environmental Plan No 263” deposited in the office of the Council of the City of Penrith, and
- (b) in respect of the aim set out in clause 2 (b)—to all land within the City of Penrith to which *Penrith Local Environmental Plan No 255—Exempt and Complying Development* applies.

4 Amendment of Penrith Planning Scheme Ordinance

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

Penrith Local Environmental Plan No 263

Clause 5

5 Amendment of Penrith Local Environmental Plan No 255—Exempt and Complying Development

Penrith Local Environmental Plan No 255—Exempt and Complying Development is amended as set out in Schedule 2.

Penrith Local Environmental Plan No 263

Schedule 1 Amendment of Penrith Planning Scheme Ordinance

Schedule 1 Amendment of Penrith Planning Scheme Ordinance

(Clause 4)

[1] Clause 4 Interpretation

Insert at the end of the definition of *Scheme map*:

Penrith Local Environmental Plan No 263

[2] Clause 61N

Insert after clause 61M:

61N Use of the footpaths in Queen Street, St Marys

- (1) This clause applies to the footpath of Queen Street, St Marys between the Great Western Highway and Belar Street on the western side, and between the Great Western Highway and the northern boundary of Lot 1 DP 216932 on the eastern side, as shown hatched on the map marked "Penrith Local Environmental Plan No 263" deposited in the office of the Council.
- (2) Nothing in this Ordinance prevents a person, with the consent of the Council, from carrying out development for the purpose of a shop or a refreshment room on a section of the footpath to which this clause applies.
- (3) The Council must not grant the consent referred to in subclause (2) unless it is satisfied that the section of footpath concerned:
 - (a) is located in front of a shop or refreshment room for which consent has been granted, and
 - (b) is intended to be used in conjunction with, and for the same purpose as, that shop or refreshment room.

Penrith Local Environmental Plan No 263

Amendment Penrith Local Environmental Plan No 255—Exempt and
Complying Development

Schedule 2

Schedule 2 Amendment Penrith Local Environmental Plan No 255—Exempt and Complying Development

(Clause 5)

Clause 7 What is exempt and complying development?

Omit “amended by the Development Control Plan approved by the Council on ” wherever occurring in clause 7 (1), (2) and (3).

Insert instead “amended by the Development Control Plan approved by the Council on 1 March 2004”.



Richmond River Local Environmental Plan 1992 (Amendment No 28)

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*. (G03/00049/PC)

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

Clause 1 Richmond River Local Environmental Plan 1992 (Amendment No 28)

Richmond River Local Environmental Plan 1992 (Amendment No 28)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Richmond River Local Environmental Plan 1992 (Amendment No 28)*.

2 Aims of plan

This plan aims to allow, with the consent of Richmond Valley Council, the carrying out of development on land within the Zone No 4 (a) Industrial Zone under *Richmond River Local Environmental Plan 1992* for the purposes of:

- (a) places of public worship, and
- (b) public buildings, and
- (c) refreshments rooms used in conjunction with and situated on the same land as other development carried out on the land, and
- (d) dwellings—provided the Council is satisfied that:
 - (i) only one dwelling will be allowed on any single parcel of land, and
 - (ii) the dwelling will form an integral part of an industry situated on the land, and
 - (iii) the dwelling will only be used for the accommodation of employees engaged in relation to that industry, and
 - (iv) a demonstrated need exists for the dwelling based on the nature of that industry.

This plan also aims to effect minor law revision.

3 Land to which plan applies

This plan applies to all land in the local government area of Richmond Valley under *Richmond River Local Environmental Plan 1992*.

4 Amendment of Richmond River Local Environmental Plan 1992

Richmond River Local Environmental Plan 1992 is amended as set out in Schedule 1.

Richmond River Local Environmental Plan 1992 (Amendment No 28)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Adoption of Model Provisions

Omit “, *dwelling*” from clause 6 (a).

[2] Clause 9 Zone objectives and development control table

Omit “and” from item 1 (c) in the matter relating to Zone No 4 (a) in the Table to the clause.

[3] Clause 9, Table

Insert at the end of item 1 (d) in the matter relating to Zone No 4 (a):

, and

- (e) to allow non-industrial uses that are ancillary to industry or that do not significantly affect the existing or potential viability of industry in the area.

[4] Clause 9, Table

Omit “places of public worship;” and “public buildings;” from item 4 (Prohibited) in the matter relating to Zone No 4 (a).

[5] Clause 9, Table

Insert “(other than those used in conjunction with and situated on the same land as other development carried out on the land)” after “refreshment rooms” in item 4 in the matter relating to Zone No 4 (a).

[6] Clause 9, Table

Omit “residential buildings (other than those used in conjunction with industries situated on the land on which such industries are conducted);” from item 4 in the matter relating to Zone No 4 (a).

[7] Clause 19AB

Insert after clause 19A:

19AB Residential development in Zone No 4 (a)

Development for the purpose of a dwelling may, with the consent of the Council, be carried out on land within Zone No 4 (a) provided the Council is satisfied that:

- (a) only one dwelling will be allowed on any single parcel of land, and

Richmond River Local Environmental Plan 1992 (Amendment No 28)

Schedule 1 Amendments

-
- (b) the dwelling will form an integral part of an industry situated on the land, and
 - (c) the dwelling will only be used for the accommodation of employees engaged in relation to that industry, and
 - (d) a demonstrated need exists for the dwelling based on the nature of that industry.



Shoalhaven Local Environmental Plan 1985 (Amendment No 215)

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*. (W02/00118/PC)

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

Clause 1 Shoalhaven Local Environmental Plan 1985 (Amendment No 215)

Shoalhaven Local Environmental Plan 1985 (Amendment No 215)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Shoalhaven Local Environmental Plan 1985 (Amendment No 215)*.

2 Aims of plan

The aims of this plan are:

- (a) to rezone part of the subject land to Zone No 3 (b) (the Business “B” (Transitional) Zone) under *Shoalhaven Local Environmental Plan 1985*, in accordance with the Nowra CBD Strategy, and
- (b) to allow for landscaping and buildings which, through the use of good design, materials and colours, are appropriate to the strategic location of the land and significantly improve the appearance of the locality which serves as an important gateway to the Nowra CBD, and
- (c) to provide for future road widening to help facilitate the arterial road upgrading associated with the development of the Nowra CBD, and
- (d) to ensure that the traffic impact associated with the future development of the subject land is appropriately managed and any vehicular access to the land from North Street is minimised and appropriately located.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven, being Lot 6, DP 260281 Moss Street and Princes Highway, Lots 3 and 4, Section 3, DP 1607 Moss Street, Lot 5, DP 701773 North Street and Princes Highway and Lots 3 to 14, Section 4, DP 1607 North Street and Brereton Street, Nowra, in the Parish of Nowra and County of St Vincent, as shown edged heavy black and with red and white bands edged with a broken black line on the map marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 215)” deposited in the office of the Council of the City of Shoalhaven.

Shoalhaven Local Environmental Plan 1985 (Amendment No 215)

Clause 4

4 Amendment of Shoalhaven Local Environmental Plan 1985

Shoalhaven Local Environmental Plan 1985 is amended as set out in Schedule 1.

Shoalhaven Local Environmental Plan 1985 (Amendment No 215)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Interpretation

Insert in appropriate order in the definition of *the map* in clause 6 (1):

Shoalhaven Local Environmental Plan 1985 (Amendment No 215)

[2] Clause 19B

Insert after clause 19A:

19B Development in Zone No 3 (b)—certain land at Princes Highway/North Street/Moss Street, Nowra

- (1) This clause applies to land shown edged heavy black on the map marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 215)”.
- (2) The Council must not consent to development of land to which this clause applies that provides direct vehicular access to or from the Princes Highway and Moss Street, or to or from either of those streets.
- (3) The Council must not consent to development of land to which this clause applies unless it is satisfied that:
 - (a) the nature and scale of the proposed development is satisfactory in terms of the likely traffic generation and that no impacts on public safety or on the efficiency of the Princes Highway and associated arterial road network will result from it, and
 - (b) the traffic impact associated with the development is appropriately managed and vehicular access to the land from North Street is minimised and appropriately located, and
 - (c) any buildings (and associated landscaping) are appropriate for the strategic location of the subject land through the use of good design, materials and colours and significantly improve the appearance of the locality which serves as an important gateway to the Nowra CBD.



New South Wales

Shoalhaven Local Environmental Plan 1985 (Amendment No 216)

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*. (W04/00062/S69)

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

Clause 1 Shoalhaven Local Environmental Plan 1985 (Amendment No 216)

Shoalhaven Local Environmental Plan 1985 (Amendment No 216)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Shoalhaven Local Environmental Plan 1985 (Amendment No 216)*.

2 Aim of plan

The aim of this plan is to provide for the use of the subject land as a medical centre.

3 Land to which plan applies

This plan applies to Lots 1 and 2, DP 260511, McMahons Road, North Nowra, as shown edged heavy black on the map marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 216)” 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 as set out in Schedule 1.

Shoalhaven Local Environmental Plan 1985 (Amendment No 216)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 9 Development for certain additional purposes

Insert at the end of the Schedule:

Lots 1 and 2, DP 260511, McMahons Road, North Nowra, as shown edged heavy black on the map marked “Shoalhaven Local Environmental Plan 1985 (Amendment No 216)”—medical centre.



Singleton Local Environmental Plan 1996 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N03/00141/S69)

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

Clause 1 Singleton Local Environmental Plan 1996 (Amendment No 35)

Singleton Local Environmental Plan 1996 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Singleton Local Environmental Plan 1996 (Amendment No 35)*.

2 Aims of plan

The aim of this plan is to amend *Singleton Local Environmental Plan 1996* to provide that the land to which this plan applies may be used, with the consent of Singleton Council, for the purpose of offices for one or more professionally qualified practitioners and their support staff.

3 Land to which plan applies

This plan applies to Lot 1 DP 196924, No 12 Pitt Street, Singleton.

4 Amendment of Singleton Local Environmental Plan 1996

Singleton Local Environmental Plan 1996 is amended by inserting the following at the end of Schedule 4:

Land being Lot 1 DP 196924, Parish of Whittingham, No 12 Pitt Street, Singleton—offices for use by one or more professionally qualified practitioners and their support staff.



Wollongong Local Environmental Plan 1990 (Amendment No 230)

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*. (W04/00091/PC)

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

Clause 1 Wollongong Local Environmental Plan 1990 (Amendment No 230)

Wollongong Local Environmental Plan 1990 (Amendment No 230)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wollongong Local Environmental Plan 1990 (Amendment No 230)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from partly Zone No 4 (a) (the Light Industrial Zone) and partly Zone No 4 (c) (the Extractive Industrial Zone) to Zone No 2 (b) (the Medium Density Residential Zone) under *Wollongong Local Environmental Plan 1990*, and
- (b) to impose conditions on the development of the land so as to conserve, protect and maintain habitat and habitat linkages for the Green and Golden Bell Frog within that part of Woonona known as the Edgewood residential estate.

3 Land to which plan applies

This plan applies to land situated in the City of Wollongong, being Lots 1250 and 1251, DP 1063048, off Princes Highway, Woonona, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 230)” deposited in the office of the Council of the City of Wollongong.

4 Amendment of Wollongong Local Environmental Plan 1990

Wollongong Local Environmental Plan 1990 is amended as set out in Schedule 1.

Wollongong Local Environmental Plan 1990 (Amendment No 230)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

Insert in appropriate order in the definition of *the map* in clause 6 (1):

Wollongong Local Environmental Plan 1990 (Amendment No 230)

[2] Schedule 5 Restricted development

Insert at the end of the Schedule in Columns 1, 2 and 3, respectively:

Lots 1250 and 1251, DP 1063048, off Princes Highway, Woonona, as shown edged heavy black on the map marked "Wollongong Local Environmental Plan 1990 (Amendment No 230)".

Any development permissible within Zone No 2 (b) other than exempt development.

The requirements of the document prepared by Drs Kevin Mills and Arthur White titled *Vegetation Management Plan Incorporating the Habitat Management Plan for the Green and Golden Bell Frog: Edgewood Estate, City of Wollongong* (as amended in December 2003 by those authors) must be implemented to the satisfaction of the Council and the Director-General of the Department of Environment and Conservation.



Wyong Local Environmental Plan 1991 (Amendment No 156)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (C03/00055/S69)

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

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 156)

Wyong Local Environmental Plan 1991 (Amendment No 156)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 156)*.

2 Aim of plan

The aim of this plan is to rezone the land to which this plan applies from Zone No 10 (a) (Investigation Precinct Zone) under *Wyong Local Environmental Plan 1991* to Zone No 2 (e) (Urban Release Area Zone), to allow for residential development of the land.

3 Land to which plan applies

This plan applies to land in the local government area of Wyong at Louisiana Road, Hamlyn Terrace being Lot 1 DP 347653 and Lot 2044 1033080, as shown edged heavy black on the map marked "Wyong Local Environmental Plan 1991 (Amendment No 156)" deposited in the office of Wyong Shire Council.

4 Amendment of Wyong Local Environmental Plan 1991

Wyong Local Environmental Plan 1991 is amended by inserting in appropriate order in the definition of *the map* in clause 7 (1):

Wyong Local Environmental Plan 1991 (Amendment No 156)

Natural Resources

WATER ACT 1912

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

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

Murray River Valley

GOL GOL CREEK GROWERS ASSOCIATION INCORPORATED for 2 pumps and 1 block dam with 3 pipes with regulators on Gol Gol Creek, Crown Land North Lot 3, DP 758456, Parish of Gol Gol, County of Wentworth and 1 drop board regulator on Gol Gol Creek, Crown Land Within Lot 2873, DP 765034, Parish of Gol Gol, County of Wentworth and 1 regulator on Gol Gol Creek, Crown Land North Lot 2873, DP 765034, Parish of Gol Gol, County of Wentworth, for regulation of flows (new licence – transfer of works from Department of Infrastructure, Planning and Natural Resources – no increase in commitment to Murray River storages) (Ref: 60SL085487). (GA2:512618).

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

P. WINTON,
Natural Resource Project Officer
Murray-Murrumbidgee Region
Department of Infrastructure, Planning
and Natural Resources

PO Box 363, 32 Enterprise Way,
BURONGA NSW 2739
Phone: (03) 5021 9400

WATER ACT 1912

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

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

Lachlan River Valley

John Thomas and Barbara Jill WILLIAMS for a pump on the Burra Burra Creek on Lot 46, DP 753044, Parish of Leighwood, County of Georgiana, for water supply for domestic and stock purposes (new licence). (Ref: 70SL091013). (GA2:466344)

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

VIV RUSSELL,
Resource Access Manager,
Central West Region

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

WATER ACT 1912

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

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

Macintyre-Dumaresq River Valley

MEREWAH WATER USERS ASSOCIATION for four (4) pumps on the Macintyre River on Part TS and CR 33868, Parish of Merriwa, an existing pump and diversion channel on Lot 116, DP 756029 and four existing pumps also on Lot 116, DP 756029, Parish of Whalan, all County of Stapylton for irrigation of 2,497.50 hectares (cotton, cereals, oilseeds, grains, fodder). This application seeks to replace an existing Authority to include existing works on Malgarai Lagoon.

Readvertised due to omission of PUMPS ON Lot 116, DP 756029 and an incorrect land description. Ref: 90SA11727. GA2472171.

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

GEOFF CAMERON,
Manager Resource Access

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

WATER ACT 1912

Order Under Section 113a

Embargo on the Making of any Further Applications
for Sub Surface Water Licences

Yass River Catchment and Associated Sub Catchments
Water Shortage Zone

THE Water Administration Ministerial Corporation, pursuant to Section 113A of the Water Act 1912, being satisfied that the Water Shortage Zone as shown in the Schedule is unlikely to have more water available than is sufficient to meet requirements of the Licensees of bores situated within the Water Shortage Zone and such other possible requirements from the Water Shortage Zone as are determined by the Ministerial Corporation, now declares that on and from the date of publication of this order in the Government Gazette, no further applications for a Licence under Part 5 of the Water Act may be made except as specified below until this Order is revoked by a subsequent Notice published in the Government Gazette.

This Order relates to all applications for Licences issued under Part 5 of the Water Act 1912, other than applications for Licences for:

1. Private Domestic Purposes and/or Stock Watering Purposes on land-holdings larger than 12 hectares.

2. Private Domestic Purposes and/or Stock Watering Purposes on landholdings created prior to 30 April 2004 where a reticulated or alternate water supply is not available.
3. Private Domestic Purposes and/or Stock Watering Purposes on lands associated with Rural Residential Subdivision with a Development Application lodged with the Department of Infrastructure Planning and Natural Resources prior to 30 April 2004, which are consistent with the General Terms of Approval, and where a reticulated or alternate water supply is not available.
4. Town or village water supply purposes.
5. Recreational, Industrial and Commercial purposes where the total groundwater volume to be supplied is less than 5 ML/year.
6. Bores on any property where there is an existing License to which a groundwater allocation (as defined in Section 105 of the Act) applies and no increase in allocation is sought.
7. Bores for testing or monitoring purposes where there will be no extraction of groundwater, apart from that required for water quality sampling, and no allocation is sought.

Note: For the purpose of this Order "Stock Watering" is that which is not associated with feedlots, piggeries or poultry batteries, and "stock" means stock of a number not exceeding the number depastured ordinarily on land having regard to seasonal fluctuations in carrying capacity of the land and not held in close concentration for a purpose other than grazing.

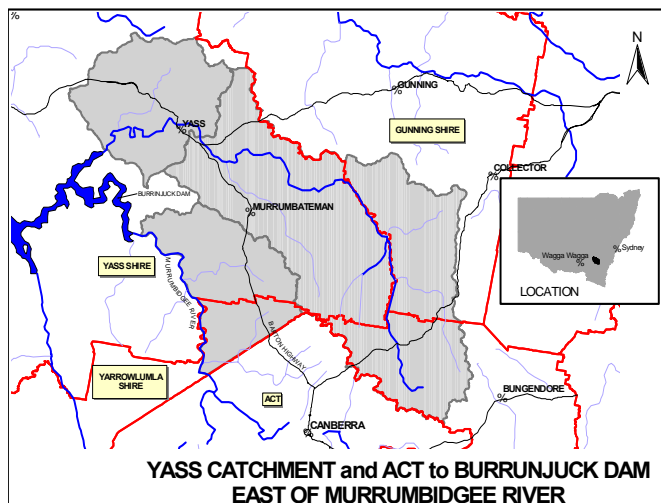
Signed for the Water Administration Ministerial Corporation

Dated this 21st day of September 2004.

DAVID HARRISS
Regional Director,
Murray-Murrumbidgee Region,
Department of Infrastructure, Planning
and Natural Resources

SCHEDULE

All the shaded areas of land on the diagram hereunder, being the Yass river catchment and adjacent Murrumbidgee river sub-catchments.



WATER ACT 1912

Notice Under Section 22B – Withdrawal of Pumping Restrictions

Bellinger River, Never Never River and their Tributaries

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING RESTRICTIONS under section 22B of the Water Act 1912, relating to Bellinger River, Never Never River 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 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. GA2:476175

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

WATER ACT 1912

Notice Under Section 22B – Withdrawal of Pumping Suspensions

Dungay Creek and its Tributaries

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING SUSPENSIONS under section 22B of the Water Act 1912, relating to Dungay Creek and its 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. GA2:476176

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

WATER ACT 1912

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

Orara River, Kangaroo Creek, Blaxlands Creek,
Bucca Bucca Creek, Urumbilum River, Fridays Creek,
Dundoo Creek, Halfway Creek, Sherwood Creek
and their Tributaries

THE Department of Infrastructure, Planning and Natural Resources advises that PUMPING RESTRICTIONS and SUSPENSIONS under section 22B of the Water Act 1912, relating to the abovementioned water courses 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. GA2:476178

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

Department of Lands

DUBBO OFFICE

142 Brisbane Street (PO Box 865), Dubbo NSW 2830

Phone: (02) 6841 5200 Fax: (02) 6841 5231

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

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Coonamble Girl Guides (R87636) Reserve Trust	Reserve No. 87636 Public Purpose: Girl Guides Notified: 23 January 1970 File Reference: DB02 R 20/1

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Narramine Girl Guides (R87632) Reserve Trust	Reserve No. 87632 Public Purpose: Girl Guides Notified: 23 January 1970 File Reference: DB02R6

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Windeyer Scouts (R90185) Reserve Trust	Reserve No. 90185 Public Purpose: Boy Scouts Notified: 20 October 1972 File Reference: DB03R1

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
The person for the time being holding the office of Teacher, Horticulture, TAFE NSW – Western Institute (ex-officio member) For a term commencing this day and expiring 15 August 2006.	Burrendong Arboretum Trust	Reserve No. 120082 Public Purpose: Arboretum Notified: 22 June 199 File Reference: DB90 R 68/6

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
David John COPELAND (new member) William Henry Osborne GADEN (new member) Stirling Scott FERGUSSON (re-appointment) Mark Herbert DENT (re-appointment) Jennifer Lynne ARMSTRONG (re-appointment) Amanda Louise BOWMAN (re-appointment) David Kenneth BOWMAN (re-appointment) For a term commencing 26 November 2004 and expiring 25 November 2009.	Dunedoo Showground Trust	Reserve No. 83113 Public Purpose: Showground Public Recreation Notified: 7 April 1961 Reserve No. 50794 Public Purpose: Racecourse Showground Public Recreation Notified: 23 June 1915 File Reference: DB80 R 151/3

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Ross Stanley BARDEN (new member) Colin Martin ZELL (re-appointment) Joycelyn Margaret MARCHANT (re-appointment) Grahame John SMITH (re-appointment) Melinda Gae BEVERIDGE (re-appointment) Roger Douglas PAGAN (re-appointment) Barrie Francis BATTEN (re-appointment) For a term commencing this day and expiring 28 October 2009.	Gilgandra Showground Trust	Reserve No. 78945 Public Purpose: Showground Racecourse Notified: 5 October 1956 File Reference: DB80 R 155/2

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Peter Gerhardus Majjella DEGOEDE (re-appointment)	Gulgong Racecourse Reserve Trust	Dedication No. 520071 Public Purpose: Racecourse Public Recreation Notified: 22 January 1960 File Reference: DB81 R 179/6
For a term commencing this day and expiring 20 March 2006.		

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Gail Janeen DONNELLY (new member)	Rawsonville Recreation Reserve and Hall Trust	Reserve No. 83018 Public Purpose: Public Hall Public Recreation Notified: 20 January 1961 File Reference: DB81 R 98/4
For a term commencing this day and expiring 22 January 2009.		

CROWN LANDS ACT 1989

Declaration of Land to be Crown Land

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedules hereunder, are hereby declared to be Crown Land within the meaning of that Act.

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

SCHEDULE 1

*Land District – Dubbo; L.G.A. – Narromine
Parish – Wentworth; County – Narromine*

Description: Lot 2711 in DP 791953 of 7,940 square metres, being freehold land in the name of the Dubbo Pastures Protection Board and comprising land in Certificate of Title Identifier 2711/791953. File: DB03 R 7.

SCHEDULE 2

*Land District – Dubbo; L.G.A. – Dubbo
Parish – Dubbo; County – Gordon*

Description: Lot 9 in DP 245143 of 10.12 hectares, being freehold land in the name of the Dubbo Pastures Protection Board and comprising land in Certificate of Title Volume 12152 Folio 113. File: DB03 R 7.

NOTICE PLACING RESERVE UNDER CONTROL OF RURAL LANDS PROTECTION BOARD

IN pursuance of the provisions of section 85, Rural Lands Protection Act 1998, the reserve specified hereunder is placed under the control of the Rural Lands Protection Board for the Rural Lands Protection District as from the date of this notification.

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

Description

Land District: Dubbo
Local Government Area: Dubbo City Council
Rural Lands Protection District: Dubbo
Parish: Dubbo
County: Lincoln
Reserve 1005149 for Travelling Stock, notified this day.
File No.: DB03 R 7

Land District: Dubbo
Local Government Area: Dubbo City Council
Rural Lands Protection District: Dubbo
Parish: Wentworth
County: Narromine
Reserve 10051150 for Travelling Stock, notified this day.
File No.: DB03 R 7

RESERVATION OF CROWN LAND

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

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

SCHEDULE**COLUMN 1**

Land District: Dubbo
Local Government Area:
Dubbo City Council
Locality: Dubbo
Lot 9, D.P. No. 245143,
Parish Dubbo, County Gordon
Area: 10.21 ha
File Reference: DB03 R 7

COLUMN 2

Reserve No. 1005149
Public Purpose: Travelling
Stock

SCHEDULE**COLUMN 1**

Land District: Dubbo
Local Government Area:
Dubbo City Council
Locality: Dubbo
Lot 7011, D.P. No. 791953,
Parish Wentworth,
County Narromine
Area: 7940 m²
File Reference: DB03 R 7

COLUMN 2

Reserve No. 1005150
Public Purpose: Travelling
Stock

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

GRANTING OF A WESTERN LANDS LEASE

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

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

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

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

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

—
Administrative District – Wentworth;
Shire – Wentworth;
Parish – Mourquong; County – Wentworth.

Western Lands Lease 14412 granted to Giuseppe LIA and Giovanna LIA, comprising Lot 915, DP 756961 (Folio Identifier 915/756961) of 7126 square metres at Buronga, for the purpose of “Market Garden” for a term in perpetuity commencing 9 September 2004.

Papers: WLL 14412.

CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14412

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
 (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of

the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.

- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
 “GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
 Notwithstanding any other provision of this Agreement:
 If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
 If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee’s own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.

- (10) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (11) The land leased shall be used only for the purpose of Market Garden.
- (12) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (16) The lessee shall comply with the provisions of the Water Management Act 2000 and any regulations made in pursuance of that Act.
- (17) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local Government area.
- (18) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (19) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (20) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (21) The lessee shall not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
- (22) The lessee shall erect gates on roads within the land leased when and where directed by the Commissioner for public use and shall maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (23) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee shall not obstruct access or passage by any member of the public to or along the bank.
- (24) Any part of a reserve for travelling stock, camping or water supply within the land leased shall, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee shall post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing the land leased, the lessee shall provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities shall be erected and maintained to the satisfaction of the Commissioner. The lessee shall not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.
- (25) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.
- (26) The lessee shall comply with requirements of section 18DB of the Western Lands Act 1901 which provides that, except in the circumstances referred to in subsection (4) of that section, any native vegetation on the land the subject of the lease, and any part of the land that is protected land, must not be cleared except in accordance with the Native Vegetation Conservation Act 1997.
- (27) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Department has first been obtained and any condition to which the consent is subject under subsection (6) is complied with.

- (28) Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing or firewood, carefully preserve all timber, scrub, vegetative cover and any regeneration thereof (except noxious plants and those "woody weeds" specified in Clause 28(1) and parts 9 and 13 in Schedule 4 of the Regulations) on the following parts of the land leased:
- (a) between the banks of, and within strips at least 20 metres wide along each bank of, any creek or defined watercourse;
 - (b) within strips at least 30 metres wide on each side of the centre line of any depression, the sides of which have slopes in excess of 1 (vertically) in 4 (horizontally), that is, approximately 14 degrees;
 - (c) where the slopes are steeper than 1 (vertically) in 3 (horizontally), that is, approximately 18 degrees;
 - (d) within strips not less than 60 metres wide along the tops of any ranges and main ridges;
 - (e) not in contravention of section 21CA of the Soil Conservation Act 1938.
- In addition to the foregoing requirements of this condition, the lessee shall preserve on so much of the land leased as is not the subject of a clearing licence (where possible, in well distributed clumps or strips) not less than an average of 30 established trees per hectare, together with any other timber, vegetative cover or any regeneration thereof which may, from time to time, be determined by the Commissioner to be useful or necessary for soil conservation or erosion mitigation purposes or for shade and shelter.
- (29) The lessee shall not interfere with the timber on any of the land leased which is within a State forest, timber reserve or flora reserve unless authorisation has been obtained under the provisions of the Forestry Act 1916 and shall not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and shall not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless a clearing licence has been issued in accordance with the Native Vegetation Conservation Act 1997, but the lessee may take such timber as the lessee may reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.
- (30) The lessee shall take all necessary steps to protect the land leased from bush fire.
- (31) The lessee shall, as the Commissioner may from time to time direct, foster and cultivate on the land leased such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.
- (32) Whenever so directed by the Commissioner, the lessee shall, on such part or parts of the land leased as shall be specified in the direction, carry out agricultural practices, or refrain from agricultural practices, of such types and for such periods as the Commissioner may in the direction specify.
- (33) The lessee shall not overstock, or permit or allow to be overstocked, the land leased and the decision of the Commissioner as to what constitutes overstocking shall be final and the lessee shall comply with any directions of the Commissioner to prevent or discontinue overstocking.
- (34) The lessee shall, if the Commissioner so directs, prevent the use by stock of any part of the land leased for such periods as the Commissioner considers necessary to permit of the natural reseedling and regeneration of vegetation and, for that purpose, the lessee shall erect within the time appointed by the Commissioner such fencing as the Commissioner may consider necessary.
- (35) The lessee shall furnish such returns and statements as the Commissioner may from time to time require on any matter connected with the land leased or any other land (whether within or outside the Western Division) in which the lessee has an interest.
- (36) The lessee shall, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and shall keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (37) The lessee shall not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry license under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.
- (38) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997 particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.
- (39) The lessee shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the local bushfire authority.
- (40) Aboriginal Sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.
- (41) If the Western Lands Commissioner forms a view that land uses or land use practices are leading to a natural resource decline or social nuisance then the Commissioner may direct the lessee to rectify that decline at the lessee's expense.

- (42) In the event of altered circumstances or natural resource decline the Western Lands Commissioner may direct the cessation or alteration of any land uses or land use practices in use at any time and may also direct the rehabilitation of the land to native or other rainfed vegetative cover.
- (43) Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.
- (44) Disposal of tailwater into creeks and rivers is controlled by the Environment Protection Authority under the Clean Waters Act. Before disposing of any tailwater or water which may be contaminated with fertiliser, herbicide or pesticide the Environment Protection Authority must be contacted.
- (45) In the event of the lessee applying within five (5) years of the date of the grant of the lease, for the consent of the Minister to transfer the lease, the Commissioner may require the payment of a premium as a prerequisite. Any premium payable will be in satisfaction of the grant of the lease without competition and is to reflect the true value of such grant. Any premium is to be assessed by the State Valuation Office and must take into consideration any restrictions on land use and opportunities afforded to the holder.
- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
- (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.

ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

IT is hereby notified that in pursuance of the provisions of section 18FA (6), Western Lands Act 1901, the purpose and conditions of the undermentioned Western Lands Lease have been altered as shown.

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

*Administrative District – Hillston North; Shire – Cobar;
Parish – Euabalong; County – Blaxland.*

The purpose of Western Lands Lease 14452, being the land contained within Folio Identifier 24/750663 has been altered from “Grazing and Agriculture” to “Cultivation.” effective from 7 October 2004.

As a consequence of the alteration of purpose rent will be assessed annually in line with the Western Lands Act 1901 and Regulations.

The conditions previously annexed to Western Lands Lease 14452 have been revoked and the following conditions have been annexed thereto.

CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14452

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
- “GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- Notwithstanding any other provision of this Agreement:
- If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.

- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (10) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (11) The land leased shall be used only for the purpose of Cultivation.
- (12) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (16) The lessee shall comply with the provisions of the Water Management Act 2000 and any regulations made in pursuance of that Act.
- (17) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except to the satisfaction of the Commissioner.
- (18) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (19) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (20) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (21) The lessee shall not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
- (22) The lessee shall erect gates on roads within the land leased when and where directed by the Commissioner for public use and shall maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (23) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee shall not obstruct access or passage by any member of the public to or along the bank.
- (24) Any part of a reserve for travelling stock, camping or water supply within the land leased shall, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee shall post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing the land leased, the lessee shall provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities shall be erected and maintained to the satisfaction of the Commissioner. The lessee shall not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.
- (25) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.

- (26) The lessee shall comply with requirements of section 18DB of the Western Lands Act 1901 which provides that, except in the circumstances referred to in subsection (4) of that section, any native vegetation on the land the subject of the lease, and any part of the land that is protected land, must not be cleared except in accordance with the Native Vegetation Conservation Act 1997.
- (27) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Department has first been obtained and any condition to which the consent is subject under subsection (6) is complied with.
- (28) Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing or firewood, carefully preserve all timber, scrub, vegetative cover and any regeneration thereof (except noxious plants and those "woody weeds" specified in Clause 28(1) and parts 9 and 13 in Schedule 4 of the Regulations) on the following parts of the land leased:
- (a) between the banks of, and within strips at least 20 metres wide along each bank of, any creek or defined watercourse;
 - (b) within strips at least 30 metres wide on each side of the centre line of any depression, the sides of which have slopes in excess of 1 (vertically) in 4 (horizontally), that is, approximately 14 degrees;
 - (c) where the slopes are steeper than 1 (vertically) in 3 (horizontally), that is, approximately 18 degrees;
 - (d) within strips not less than 60 metres wide along the tops of any ranges and main ridges;
 - (e) not in contravention of section 21CA of the Soil Conservation Act 1938.
- In addition to the foregoing requirements of this condition, the lessee shall preserve on so much of the land leased as is not the subject of a clearing licence (where possible, in well distributed clumps or strips) not less than an average of 30 established trees per hectare, together with any other timber, vegetative cover or any regeneration thereof which may, from time to time, be determined by the Commissioner to be useful or necessary for soil conservation or erosion mitigation purposes or for shade and shelter.
- (29) The lessee shall not interfere with the timber on any of the land leased which is within a State forest, timber reserve or flora reserve unless authorisation has been obtained under the provisions of the Forestry Act 1916 and shall not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and shall not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless a clearing licence has been issued pursuant to section 18DB of the Western Lands Act 1901, but the lessee may take such timber as the lessee may reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.
- (30) The lessee shall take all necessary steps to protect the land leased from bush fire.
- (31) The lessee shall, as the Commissioner may from time to time direct, foster and cultivate on the land leased such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.
- (32) Whenever so directed by the Commissioner, the lessee shall, on such part or parts of the land leased as shall be specified in the direction, carry out agricultural practices, or refrain from agricultural practices, of such types and for such periods as the Commissioner may in the direction specify.
- (33) The lessee shall not overstock, or permit or allow to be overstocked, the land leased and the decision of the Commissioner as to what constitutes overstocking shall be final and the lessee shall comply with any directions of the Commissioner to prevent or discontinue overstocking.
- (34) The lessee shall, if the Commissioner so directs, prevent the use by stock of any part of the land leased for such periods as the Commissioner considers necessary to permit of the natural reseedling and regeneration of vegetation and, for that purpose, the lessee shall erect within the time appointed by the Commissioner such fencing as the Commissioner may consider necessary.
- (35) The lessee shall furnish such returns and statements as the Commissioner may from time to time require on any matter connected with the land leased or any other land (whether within or outside the Western Division) in which the lessee has an interest.
- (36) The lessee shall, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and shall keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (37) The lessee shall not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry license under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.
- (38) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997, particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals (red bit for Grazing & Ag leases only).

- (39) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997 particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.
- (40) The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.
- (41) Incised drainage lines, other than man made structures, which carry water after storms shall be left uncultivated in the channels and for a distance of 20 metres on either side of the banks of the channels except when the Western Lands Commissioner specifies otherwise.
- (42) The lessee shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the local bushfire authority.
- (43) Aboriginal Sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.
Should any Aboriginal archaeological relics or sites be uncovered during the proposed works, work is to cease immediately. The lessee must consider the requirements of the National Parks and Wildlife Act 1974 with regard to Aboriginal relics. Under Section 90 it is an offence to damage or destroy relics without prior consent of the Director-General of the National Parks and Wildlife Service (NPWS). If a site is discovered the lessee should contact the Manager, Cultural Heritage Unit, National Parks and Wildlife Services on Phone (02) 6883 5324 OR AT 58-62 Wingewarra St, Dubbo.
- (44) The lessee shall establish windbreaks at his/her own expense, as may be ordered by the Western Lands Commissioner to provide adequate protection of the soil.
- (45) The lessee shall ensure that stubble and other crop residue is retained on the soil surface and shall not be burnt, except with the approval of the Western Lands Commissioner or his delegate. Where such approval is granted and stubble burning is carried out with the approval as per requirements of the NSW Rural Fire Services.
- (46) If the Western Lands Commissioner forms a view that land uses or land use practices are leading to a natural resource decline or social nuisance then the Commissioner may direct the lessee to rectify that decline at the lessee's expense.
- (47) In the event of altered circumstances or natural resource decline the Western Lands Commissioner may direct the cessation or alteration of any land uses or land use practices in use at any time and may also direct the rehabilitation of the land to native or other rainfed vegetative cover.
- (48) Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.

ERRATUM

IN the notification appearing in the Government Gazette of 13th November 1998, Folio 8814, under the heading Establishment of Reserve Trust (being Reserve No 1001363) Column 1 "Emmdale Emergency Reserve Trust" should read "Emmdale Emergency Airstrip Reserve Trust". (WL98R1225)

Tony Kelly, M.L.C.,
Minister Assisting the Minister for
Natural Resources (Lands)

ALTERATION OF CONDITIONS OF A WESTERN LANDS LEASE

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

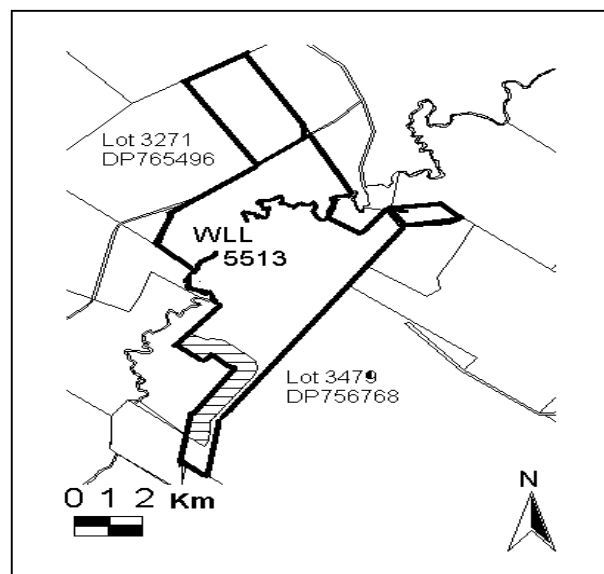
CRAIG KNOWLES, M.P.,
Minister for Infrastructure and Planning
and Minister for Natural Resources

*Administrative District – Brewarrina
Shire – Brewarrina; Parish – Lignum and Morabilla
County – Finch*

The conditions of Western Lands Lease 5513, being the land contained within Folio Identifiers 2433/764396, 4323/767157 and 3270/765495 have been altered effective from 22 October 2004.

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 5513

The area of 352 hectares (comprising of a 600-metre buffer on the south-western boundary) within Western Lands Lease 5513 (Portions WL 2433, WL 4323 and WL 3270) shown hatched on the diagram hereunder shall not be cleared or cultivated and the lessee acknowledges that the Commissioner will not grant any consents for clearing and cultivation over the area. This area is to remain unfenced.



ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

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

Administrative District – Walgett North; Shire – Walgett Parish – Euminbah; County – Finch

The purpose of Western Lands Leases 790 & 967, being the land contained within Folio Identifiers 26/760114, 9/752692, 23/752692 & 6360/769254 have been altered from “Grazing” to “Grazing and Cultivation” effective from 26 October 2004.

As a consequence of the alteration of purpose rent will be assessed annually in line with the Western Lands Act 1901 and Regulations. The conditions have been altered by the inclusion of the special conditions following.

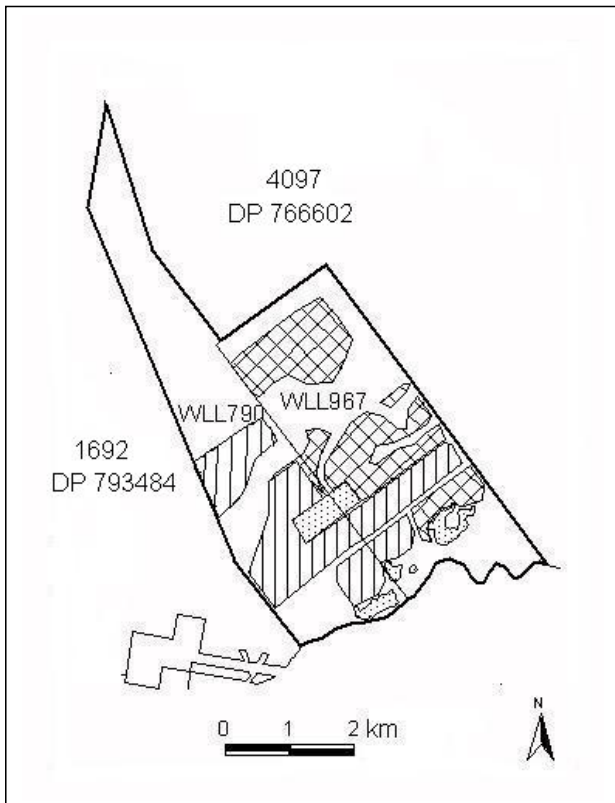
SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASES 790 and 967

- (1) The lessee shall only conduct irrigated cultivation within the area of 310 hectares within Western Lands Lease 790 and 116 hectares within Western Lands Lease 967 indicated by hatching on the diagram hereunder. Any other irrigated cultivation outside this area will only be allowable with the consent of the Commissioner or Minister.
- (2) The lessee shall not store water for irrigation outside the area of 43 hectares within Western Lands Lease 790 and 38 hectares within Western Lands Lease 967 indicated by dots on the diagram hereunder.
- (3) The lessee shall not clear any native vegetation or remove any timber within the area shown hatched on the diagram hereunder unless a separate Clearing Consent has been obtained.
- (4) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997, particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.
- (5) Incised drainage lines, other than man made structures, which carry water after storms shall be left uncultivated in the channels and for a distance of at least 20 metres on either side of the banks of the channels except when the Commissioner specifies otherwise.
- (6) Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.
- (7) The lessee must ensure that if cotton is to be grown, only a maximum of three cotton crops can be grown on any one area in any six consecutive years. During other years the area may be fallowed or sown to pasture, fodder or grain crops.
- (8) The lessee must retain a 300 metre buffer, free from cultivation from the Barwon River.
- (9) The lessee shall only conduct dryland cultivation within the area of 8 hectares within Western Lands Lease 790 and 368 hectares within Western Lands Lease 967 indicated by cross hatching on the diagram hereunder. Any other dryland cultivation outside this area will only be allowable with the consent of the Commissioner or Minister.
- (10) The lessee shall not clear any native vegetation or remove any timber within the area shown cross-hatched on the diagram hereunder unless a separate Clearing Consent has been obtained.
- (11) The lessee must ensure that sandhills and other soils with a surface texture of loamy sand or coarser are left uncultivated unless specifically approved by the Commissioner.
- (12) The lessee must ensure that Texture Contrast (or Duplex) soils are left uncultivated except in accordance with a plan approved by the Commissioner. Texture contrast soils are soil types which have a sandy to loamy topsoil abruptly overlying a clay subsoil and are prone to scalding (producing claypans and hummocks).
- (13) The lessee must ensure that areas with a slope greater than 2% shall not be cultivated until any soil conservation measures considered necessary by the Catchment Management Officer of the Department of Infrastructure, Planning and Natural Resources have been implemented at the lessee’s expense.
- (14) Incised drainage lines, other than man made structures, which carry water after storms shall be left uncultivated in the channels and for a distance of at least 20 metres on either side of the banks of the channels except when the Commissioner specifies otherwise.
- (15) Cropping frequency will not be limited when land management actions such as stubble retention and pasture ley maintain soil fertility and prevent the risk or occurrence of soil erosion. If the Commissioner considers that the land resource is at risk then limits to cropping frequency may be imposed.
- (16) Long fallow shall only be carried out using approved conservation farming techniques. In the event that the Commissioner is of the view that the soil is being depleted by the rotation adopted, a restricted rotation may be required.
- (17) The lessee must retain a 300 metre buffer, free from cultivation, from the Ten Mile Warrambool.
- (18) The lessee must retain 300 metre property boundary buffers as shown on the diagram hereunder.
- (19) The area partly covers Travelling Stock Reserve 86921 and suitable arrangements must be made with Walgett Rural Lands Protection Board prior to the commencement of any development. If suitable arrangements cannot be made with the Rural Lands Protection Board, the matter will be determined by the Commissioner.
- (20) The lessee must ensure that crops are not to be protected by levees. Cultivation and cropping are not to alter the natural flood regime.
- (21) The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.

- (22) The lessee shall establish windbreaks at his/her own expense as may be ordered by the Commissioner to provide adequate protection of the soil.
- (23) The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
- (24) The lessee shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Services.
- (25) Stubble shall be retained on the soil surface and shall not be burnt, except with the approval of the Commissioner or his delegate. Where such approval is granted, stubble burning is to be carried out as per requirements of the NSW Rural Fire Service.
- (26) Aboriginal sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.

Should any Aboriginal archaeological relics or sites be uncovered during the proposed works, work is to cease immediately. The lessee must consider the requirements of the National Parks and Wildlife Act 1974, with regard to Aboriginal relics. Under Section 90 it is an offence to damage or destroy relics without prior consent of the Director-General of the Department of Environment and Conservation.

If an Aboriginal site is found in this area, the subject of this consent, the cultivation must cease until the consent holder has notified the Department of Environment and Conservation of the existence of the Aboriginal site. Contact details are: The Manager, Cultural Heritage Unit, Department of Environment and Conservation, Phone (02) 6883 5324 or at 58-62 Wingewarra Street, Dubbo.



RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Land District: Wentworth Local Government Area: Wentworth Shire Council Locality: Gol Gol Lot 209, D.P. No. 756946, Parish Gol Gol, County Wentworth Lot 210, D.P. No. 756946, Parish Gol Gol, County Wentworth Area: 1.05ha	Reserve No. 1010468 Public Purpose: Community Purposes

File Reference: WL86R136/1

Notes: Reserve 89636 for fire brigade station notified 7 November 1975 and reserve 89635 for baby clinic notified 7 November 1975 are hereby revoked by this notice.

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

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Gol Gol Fire Station Reserve Trust	Reserve No. 1010468 Public Purpose: Community Purposes Notified: This day File Reference: WL86 R 136/1

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Wanaaring Recreational Reserve Trust	Reserve No. 11742 Public Purpose: Public Recreation Notified: 21 June 1890 File Reference: WL99 R 54/1

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Valton Francis White (new member) John William White (new member) Anthony Grant Vlach (new member) Phillip Arthur Wearne (new member) For a term commencing this day and expiring 28 October 2009.	Birrie River Cemetery Reserve Trust	Reserve No. 84982 Public Purpose: Preservation of Graves Notified: 21 August 1964 File Reference: WL90 R 37/1

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Wentworth Shire Council	Gol Gol Fire Station Reserve Trust	Reserve No. 1010468 Public Purpose: Community Purposes Notified: This day File Reference: WL86 R 136/1

For a term commencing this day

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Bourke Shire Council	Wanaaring Recreational Reserve Trust	Reserve No. 11742 Public Purpose: Public Recreation Notified: 21 June 1890 File Reference: WL99 R 54/1

For a term commencing this day

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

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Gol Gol Baby Clinic (R89635) Reserve Trust	Reserve No. 89635 Public Purpose: Baby Clinic Notified: 7 November 1975 File Reference: WL86 R 136/1

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Gol Gol Fire Brigade (R89636) Reserve Trust	Reserve No. 89636 Public Purpose: Fire Brigade Station Notified: 7 November 1975 File Reference: WL86 R 136/1

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

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Pitman Avenue Recreation Reserve Trust	Reserve No. 85020 Public Purpose: Public Recreation Notified: 25 September 1964 File Reference: WL88 R 35/1

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Wentworth Ambulance Station Reserve Trust	Reserve No. 230005 Public Purpose: Ambulance Station Notified: 25 November 1988 File Reference: WL04R55/1

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Adams Street And Thegoa Lagoon Reserve Trust	Reserve No. 230004 Public Purpose: Public Recreation Notified: 8 July 1988 File Reference: WL86 R 321/1

ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

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

Administrative District – Walgett North; Shire – Walgett Parish – Wallangulla; County – Finch

The purpose of Western Lands Lease 13301, being the land contained within Folio Identifier 57/705026 has been altered from “Business Purpose (Opal Shop)” to “Business Purpose (Opal Shop and Restaurant)” effective from 26 October 2004.

As a consequence of the alteration of purpose rent will be assessed annually in line with the Western Lands Act 1901 and Regulations.

The terms and conditions annexed to Western Lands Lease 13301 remain unaltered.

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Paul Vincent ROUEN (new member)	Braidwood Racecourse and Athletic	Dedication No. 530013 Public Purpose: Racecourse Athletic Sports Ground
Diana Mary IZZARD (new member)	Sportsground Reserve Trust	Notified: 20 December 1902 File Ref.: GB83 R 27
Sue MAXWELL (new member)		
Rosheen O'BRIEN (new member)		
Geoffrey King SAVILLE (new member)		
Mark Ian FAVIELL (re-appointment)		

For a term commencing
 the date of this notice
 and expiring 28 October 2009.

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

ROADS ACT 1993 – ORDER

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

That part of Walsh Street between Wommin Bay Road and Terrace Street including intersection; That part of Terrace Street between Walsh and Phillip Street including intersection; That part of Phillip Street between Terrace Street and Ocean Drive, including intersection; Crown Roads north and west of Lot 13 DP 830660 and Crown Road northeast of Lot 121 DP755701, being road located between Chinderah Bay Drive and Walsh Street. Parish Cudgen County Rous at Chinderah.

SCHEDULE 2

Roads Authority: Tweed Shire Council

File No.: GF04 H 392

Council's reference: Crown Roads Cudgen

ROADS ACT 1993 – ORDER

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

That part of Solomons Road commencing at the northern boundary of Lot 17 DP 755754, then southwards separating lots 17, 16, 15, and 14 DP 755754 from the Tweed River; within Lots 14 and 39 DP 755754, separating Lots 39, 61 and 97 DP 755754 from the Tweed River; separating Lots 97 and 87 from Lot 57 DP 755754; separating Lot 3 from Lot 4 DP 604477 and that part within Lot 3 DP 582553 not already under council control (see Gaz.1.3.18 fol.1125).

SCHEDULE 2

Roads Authority: Tweed Shire Council

File No.: GF04 H 243

Council's reference: Solomons Road

ROADS ACT 1993 – ORDER

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

Crown Roads west of Lot 17 and 7 DP 830659, Lot 33 DP 7482 and Lot 2 DP 611021; Crown Roads south of Lot 7 DP 830659, Lot 57 DP 755701, Lot 2 DP 868369, Lot C & B DP 33290 and Lot 2 DP 611021. Parish Cudgen, County Rous, at Chinderah.

SCHEDULE 2

Roads Authority: Tweed Shire Council

File No.: GF04 H 244

Council's reference: Cudgen Roads

ROADS ACT 1993 – ORDER

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

The Laneway between Adelaide Street and Charles Street, separating Lots 478 & 494 DP 755740 from Lots 477 & 495 DP 755740, parish Terranora, County Rous, at Tweed Heads.

SCHEDULE 2

Roads Authority: Tweed Shire Council

File No.: GF04 H 305

Council's reference: GR3/12/7 – Pathway.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District – Lismore; L.G.A. – Ballina.

Road Closed: Lot 7001, DP 1063053 at Dalwood, Parish Meerschaum, County Rous.

File No.: GF02 H 209.

SCHEDULE

On closing, the land within Lot 7001, DP 1063053 will vest 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 Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Roy Herbert VARY (re-appointment) Paul Arthur JOHNSTON (re-appointment) Donald Bruce JOHNSTON (re-appointment) Robert George BOWDEN (new member) Joy Gladys WHITNEY (re-appointment) David Walter WHITNEY (re-appointment) Christopher James WHITNEY (re-appointment)	Bonalbo Showground Trust	Dedication No. 540074 Public Purpose: Showground Addition Notified: 1 February 1929
		Dedication No. 540075 Public Purpose: Showground Addition Notified: 16 January 1931
		Dedication No. 540073 Public Purpose: Showground Addition Notified: 18 February 1927
		File Reference: GF80 R 222

For a term commencing
the date of this notice
and expiring 28 October 2009.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Robert John WINTERTON (new member) Ian Peter GAY (new member) Joanne Marie CHERRY (new member)	Tabulam Racecourse Trust	Reserve No. 84819 Public Purpose: Public Recreation Access Notified: 26 March 1964
		Reserve No. 540070 Public Purpose: Racecourse Notified: 26 September 1896

File Ref.: GF81 R 378

For a term commencing
the date of this notice
and expiring 11 September 2008.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Allan John TINDALL (new member) Sydney Joseph GREGORY (re-appointment) Kevin James DONAGHY (new member) Walter Michal HABCHI (re-appointment) Anthony William WILSON (re-appointment) William Thomas SHEWELL (re-appointment)	Kyogle Showground and Public Recreation Trust	Dedication No. 540086 Public Purpose: Public Recreation Showground Notified: 24 November 1972 File Ref.: GF80 R 211

For a term commencing
the date of this notice
and expiring 28 October 2009.

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

ERRATUM

IN the notice appearing in the *Government Gazette* of the 22 October 2004, Folio 8152, under the heading of “NOTIFICATION OF CLOSING OF PUBLIC ROAD” is amended by altering the DP from 103486 to 1030486. File Ref: LN 95H31

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

MAITLAND OFFICE
Newcastle Road (PO Box 6), East Maitland NSW 2323
Phone: (02) 9437 9300 Fax: (02) 4934 2252

ERRATUM

Description

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

IN the *Government Gazette* of 22 October, 2004 at Folio 8154, under the heading “NOTIFICATION OF CLOSING OF ROAD”, the notice is hereby amended by deleting the Deposited Plan description of Lot 26, “DP 1068828”, and inserting in lieu “DP 1069928”. File No: MD03 H 260

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

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

NOTIFICATION OF CLOSING OF A ROAD

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

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

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

Lot 1, DP 1073693 at Primbee in the Parish of Wollongong and County of Camden (being land contained within cancelled CT Vol.3619, Fol. 222 – DP 9753). File ref.: NA 04 H 96.

Note: On closing, the land remains vested in Wollongong City Council as “Operational Land” (SU 21710).

Mapping Area	Reserve Name	Parish	County	Topo	Lot/dp
7	Calula *** *** *** *** ***	Larras Lake	Wellington	Kerrs Creek	2/756888 111/41844 7004/93410 70/756888 7001/93433
8	Calula Creek	Mulyan	Wellington	Ophir	310/756895
9	Canomodine ***	Barrajin	Ashburnham	Cudal	7002/750130
10	Catombal ***	Catombal	Gordon	Euchareena	7003/753228 108/753228 137/753228
11	Central Mullion ***	Lewis	Wellington	Ophir	Part 82/46487 Part 60/756889
12	Edinburgh*** *** *** *** ***	Edinburgh	Ashburnham	Cudal	83/45391 81/45391 1/632384 91/45389 2/632384
13	Fourth Crossing ***	Lewis	Wellington	Ophir	2/732737
14	Frenchmans Bald Hill*** *** ***	Coolamin	Wellington	Euchareena	7002/756874 85/756874 110/705319
15	Gap Road	Beaufort	Bathurst	Blayney	97/750358
16	Golden Gully ***	Belubula	Bathurst	Blayney	Pt 129/750359 7006/750359
17	Junction Reefs ***	Hampton Belubula Lyndhurst	Bathurst Bathurst Bathurst	Blayney/ Canowindra Blayney/ Canowindra Canowindra	172/750386 7004/750386 7005/750386 1/702839 192-193/46505 304-306/257201 156/750359 176-181/750359 190/750359 200/750359 211/750359 218/750359 231-232/750359 253/750359 258/750359 260/750359 309/750359 7012/750359 98-101/750393 7006-7008/750393 7010/750393

<i>Mapping Area</i>	<i>Reserve Name</i>	<i>Parish</i>	<i>County</i>	<i>Topo</i>	<i>Lot/dp</i>
18	Lewis Ponds Creek Ophir Hill Emu Swamp Creek ***	Lennox Clinton	Bathurst Bathurst	Gowan Ophir	7003/750389 48/720622 77/750372
19	Manildra Creek	Dulladerry	Ashburnham	Molong	7002/93538
20	Mandurama Ponds***	Lyndhurst	Bathurst	Blayney	105/45378
21	Mt Bulga Toms Creek	Clinton Worcester	Bathurst Bathurst	Orange Orange	116/750372 84/750418 91/750418
22	Paling Yards Creek *** *** ***	Bowan	Ashburnham	Cudal	7003-7004/750139 107/750139 200/750319 7002/750139
23	Rocks Creek *** *** ***	Malmsbury	Bathurst	Vittoria	1/331101 147/750394 156/750394 7003-7005/750394
24	Rocks Hill *** ***	Malmsbury	Bathurst	Vittoria	137-138/750394 104/750394
25	Shadforth ***	Shadforth	Bathurst	Millthorpe	7001/750406
26	South Mullion ***	Clinton	Bathurst	Ophir	61/750372 85/750372 115/750372 146/728833 126/41056 128/41056 133/44150
27	The Gap	Eurimbula	Gordon	Cumnock	7004/753234
28	The Pines	Mulyan	Wellington	Ophir	307/756895
29	Two Mile Creek	Cardington	Gordon	Cumnock	51/753227 7003/753227
30	Vittoria ***	Vittoria	Bathurst	Vittoria	196/750414 203/750414 7001/750414 7004/750414 202/750414 7002/1001968 7005/1001970 7006/1001973 7007/1001969 7003/750414

*** denotes not previously advertised in intention to revoke reservation of crown land.

For the purposes of identification, parcels that are unnumbered parcels, i.e: do not contain a lot and deposited plan identifier are given a 7000 series lot number through the Surveyor General's Department. These are not registered plans through the Land Titles Office but simply allow identification on the Spatial Administration System within the Crown Land Information Database.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Annette Poston-GILBEY (re-appointment) Desmond John MARTIN (re-appointment) Gerard Francis MARTIN (re-appointment) Margaret Dorothy COMBS (re-appointment) Neil Edward MCDONALD (re-appointment) Robert Benjamin MORRIS (re-appointment) Glen Joseph RYAN (re-appointment) For a term commencing this day and expiring 28 October 2009.	Hartley Vale Mount Blaxland Reserve Trust	Reserve No. 1001391 Public Purpose: Public Recreation Heritage Purposes Notified: 4 September 1998 Reserve No. 190007 Public Purpose: Preservation of Graves Notified: 29 August 1986 File Ref.: OE91 R 17/1

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Robert William GILL (re-appointment) Ian Douglas WILLIAMSON (re-appointment) Peter Thomas WILLIAMS (re-appointment) For a term commencing this day and expiring 28 October 2009.	Tullamore Racecourse Trust	Reserve No. 62325 Public Purpose: Racecourse Notified: 7 November 1930 File Ref.: OE81 R 45/2

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Peter Richard MALLON (re-appointment) Terrence BOYCE (re-appointment) John Noel MALLON (re-appointment) For a term commencing this day and expiring 28 October 2009.	Woodstock Soldiers Memorial Park Trust	Reserve No. 55078 Public Purpose: Public Recreation Notified: 6 January 1922 File Ref.: OE80 R 190/3

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

NOTIFICATION OF CLOSING OF ROADS

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

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

Descriptions

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

Lot 10, DP 1074606 at Cabramatta West, Parish St Luke (Sheet 7), County Cumberland. MN04H3

Note: On closing, title for the land in Lot 10 remains vested in Fairfield City Council as operational land.

Descriptions

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

Lots 1, 2 & 3, DP 1072082 at West Ryde, Parish Hunters Hill (Sheet 4), County Cumberland. MN03H159

Notes: (1) On closing, title for the land in lots 1, 2 & 3 remain vested in City of Ryde Council as operational land.

(2) The road is closed subject to the easements for electricity purposes 3.66 metres wide, 2 metres wide and 7 metres wide and variable as shown in DP 1072082.

Descriptions

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

Lot 100, DP 1072679 at Homebush, Parish Concord (Sheet 4), County Cumberland. MN03H79

Notes: (1) On closing, title for the land in lot 100 remains vested in Strathfield Municipal Council as operational land.

(2) The road is closed subject to the easement to drain water 1 wide as shown in DP 1072679.

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 in that column, as members of the trust boards for the reserve trusts specified opposite thereto in Column 2, which have been established and appointed as trustees of the reserves referred to opposite thereto in Column 3 of the Schedules.

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

SCHEDULE 1

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
David Charles LUSBY William Leonard CROWE Rev. John Edwin McDONALD Nadia CARAVELLO Tish McMULLEN Linda SMITH Harold SHARP	Northern Suburbs Cemetery and Crematorium (R100265) Trust	Reserve No. 100265 for the public purpose of cemetery and crematorium notified in the <i>Government Gazettes</i> of 23 August 1996 and 8 November 1996 (Addn) File No. MN84 R 92
Terms of Office: For a five year term expiring 20 October 2009.		

Note: The appointment of Mr Ross Davis as administrator of the Northern Suburbs Cemetery and Crematorium Trust ceased 18 October 2004.

TAMWORTH OFFICE
25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340
Phone: (02) 6764 5100 Fax: (02) 6766 3805

ROADS ACT 1993

ORDER

Transfer of Crown Road to Council

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

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

SCHEDULE 1

*Parish – Mundowey; County – Darling;
Land District – Tamworth; L.G.A – Tamworth Regional*

Crown public road of 20.115 metres wide and escribed as within and separating Lot 78 from Lot 79 in DP 752192; separating Lot 1 from Lot 2 in DP 596317; within Lot 8 in DP851675; separating Lot 9 from Lot 8 in DP 851675 and Lot 2 in DP 826913; within Lot 3 in DP826913.

SCHEDULE 2

Roads Authority: Tamworth Regional Council

File No.: TH04 H 213

TAREE OFFICE**102-112 Victoria Street (PO Box 440), Taree NSW 2430****Phone: (02) 6552 2788 Fax: (02) 6552 2816****WITHDRAWAL OF RESERVES FROM CONTROL OF RURAL LANDS PROTECTION BOARD**

IN pursuance of the provisions of Section 86 of the Rural Lands Protection Act 1998, the reserve specified hereunder is withdrawn from the control of the Rural Lands Protection Board for the Rural Lands Protection District.

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

Description

Rural Lands Protection District – Kempsey

Parish Parrabel, County Gloucester, being Part Reserve No 100 for Travelling Stock, from the intersection of Willi Willi Road at Lot 4 DP629085 to the eastern boundary of Lot 1962 DP620774 and the western boundary of Lot 481 DP829632

APPOINTMENT OF MEMBERS OF LOCAL LAND BOARDS

IN Pursuant of the provisions of the Crown Lands Act 1989, the undermentioned persons have been appointed as members of the Local Land Board for the Land Districts particularised hereunder for a term expiring 30 June 2006.

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

MEMBER

John Henry MACHIN
Kevin Earle BALL
John Richard TRANT-FISCHER
Roderick Murgha MACK
Desmond Peter DALEY
William Alan RADFORD

LAND DISTRICT

Taree
Kempsey
Port Macquarie
Gloucester

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

Short Street Parking Reserve
(R87283) Trust

North Haven Beach Recreation
(R80643) Reserve Trust

COLUMN 2

Reserve No: 87283
Public Purpose: Parking
Notified: 25 July 1969
Parish: Macquarie
County: Macquarie
File No: TE01R

Reserve No: 80643
Public Purpose: Public
Recreation
Notified: 9 May 1958
Parish: Queenslake
County: Macquarie
File No: TE79R 63

WAGGA WAGGA REGIONAL OFFICE
Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650
Phone: (02) 6937 2709 Fax: (02) 6921 1851

**DRAFT ASSESSMENT OF CROWN LAND UNDER
PART 3 OF THE CROWN LANDS ACT 1989 AND
THE CROWN LANDS REGULATION 2000**

THE Minister for Lands has prepared a draft assessment for the Crown land described hereunder.

Inspection of this draft assessment can be made at the Wagga Wagga Office of the Department of Lands, on the corner of Johnston and Tarcutta Streets, Wagga Wagga, and the Albury City Council Chambers, 553 Kiewa Street, Albury, during normal business hours.

Representations are invited from the public on the draft assessment. These may be made in writing for a period of twenty eight (28) days commencing from 29 October 2004 until 26 November 2004 and should be sent to the Land Assessment Officer, Department of Lands, PO Box 60 Wagga Wagga 2650. Please quote File Number WA04 H 41.

Reason for assessment: The Land Assessment was undertaken to identify the future use of the Crown land parcels.

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

Description

Crown land at Glenroy, Albury comprising a total area of 156.88 hectares being Lot 7010, DP 753326, Lot 7004, DP 1023658, Lot 907, DP 753326, Lot 1056, DP 753326, Lot 837, DP 753326, Reserve 69756 for Rifle Range, Notified 20 December 1940 and Reserve 89169 for Public Recreation and Preservation of Native Flora and Fauna, Notified 29 March 1974. Parish of Albury, County of Goulburn and Local Government Area of Albury.

Contact: Shona Cowley (02) 6937 2713

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

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

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

*Parish – Kimo; County – Clarendon
Land District – Gundagai; Shire – Gundagai*

SCHEDULE 1

Crown Public Road of variable width and described as the roads north and west of Lot 2, DP 1036025; East of Lots 247 and 242, DP 751415, Lot 1, DP 722192 and Lot 2, DP 540530 and through Lot 235, DP 751415.

SCHEDULE 2

Roads Authority: Gundagai Shire Council.
File No: WA04 H 286

Department of Primary Industries

Agriculture

PLANT DISEASES ACT 1924

PROCLAMATION [P156]

Proclamation to declare yellow crazy ant to be a pest for the purposes of the Plant Diseases Act 1924

Her Excellency Professor MARIE BASHIR AC, Governor.

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council, declare:

1. in pursuance of section 28B (c) of the Plant Diseases Act 1924, Yellow crazy ant (*Anoplolepis gracilipes* (Fr. Smith)) to be a pest for the purposes of the Act; and
2. in pursuance of section 10 (2) of the Plant Diseases Act 1924, that section 10 of the Plant Diseases Act 1924 applies in respect of the pest Yellow crazy ant (*Anoplolepis gracilipes* (Fr. Smith)).

Notes: (i) Section 10 (1) of the Plant Diseases Act 1924 requires occupiers of land in which any pest (in respect of which section 10 applies) appears to give written notice, within 24 hours after first discovering or becoming aware of the pest's appearance, of the appearance of the pest to an inspector or the Director General of the Department of Agriculture.

- (ii) For further information, contact the New South Wales Department of Primary Industries on telephone (02) 6391 3693. P156 is the Department's reference.

By Her Excellency's Command

Dated: 20 October 2004

IAN MACDONALD, M.L.C.,
NSW Minister for Primary Industries
GOD SAVE THE QUEEN!

Mineral Resources

COAL MINES REGULATION ACT 1982

File No.: 04/4122

Date: 20 October 2004

Order of Declaration of Coal Preparation Plant

IT is hereby notified that the CHIEF INSPECTOR OF COAL MINES by virtue of delegated authority from the Minister of Mineral Resources and pursuant to the provisions of section 145B (1) of the Coal Mines Regulation Act 1982, as amended, DECLARES the coal preparation plant listed below to be suitable for management separately from a mine.

Plant: Mt Owen Coal Preparation Plant No. 2
Designated by

- Plan labelled Mt Owen Dump Station Construction Declared Plant Area No. 2 dated 8 Oct 2004.
- Plan labelled Mt Owen Coal Handling and Preparation Plant Proposed Declared Plant Area 1a dated 8 Oct 2004.

Location: Mount Owen Open Cut

Owner: Xstrata Coal

Operator: Thiess Pty Ltd

The Declaration requires compliance with those Sections of the Coal Mines Regulation Act 1982 as amended and any Regulations issued pursuant to the Act that are relevant to Declared Coal Preparation Plants.

A copy of this order and the plan shall be displayed on the Declared Plant notice board for a period of not less than 28 days so as to give all employees reasonable opportunity to view its contents and thereafter shall be retained for perusal by employees as required.

Roads and Traffic Authority

ROADS ACT 1993

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

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

ALAN YOUNG,
City Manager,
Fairfield City Council
(by delegation from the Minister for Roads)
21 October 2004

SCHEDULE

1. Citation

This Notice may be cited as the Fairfield City Council B-Double Notice No. 2/ 2004 and ratifies the Notice in *Government Gazette* No. 143.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 1 July 2005, unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Fairfield City Council.

<i>Type</i>	<i>Road</i>	<i>Starting point</i>	<i>Finishing point</i>
25	River Avenue, Carramar	Woodville Road	The Horsley Drive

ROADS ACT 1993

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

I, ALAN YOUNG, City Manager of Fairfield City Council, in pursuance of Divisions 1, 2 and 3 of Part 3 of the Road Transport (Mass, Loading, Access) Regulation 1996, by this Notice, specify the routes and areas on or in which those vehicles described in Clause 4 may be used subject to any requirements or conditions set out in the Schedule.

ALAN YOUNG,
City Manager,
Fairfield City Council,
21 October 2004.

SCHEDULE**Part 1 – General****1.1 Citation**

This Notice may be cited as Fairfield City Council 4.6m High Vehicle Notice No. 1/ 2004 and ratifies the Notice in *Government Gazette* No. 153.

1.2 Commencement

This Notice takes effect from the date of gazettal.

1.3 Effect

This Notice remains in force until 30 June 2006, unless it is amended or repealed earlier.

1.4 Application

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

1.5 Limitations

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

PART 2 – Vehicle Classes**2.1 Class 1 Vehicles**

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

2.2 Class 2 Vehicles

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

2.3 Class 3 Vehicles

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

Part 3 – Routes

3.1 Routes

4.6m high vehicles routes within the Fairfield City Council.

<i>Road</i>	<i>Starting point</i>	<i>Finishing point</i>
Fairfield Street	The Horsley Drive	Woodville Road
Mandarin Street	Fairfield Street	Tangerine Street
Seville Street	Mandarin Street	Woodville Road
Tangerine Street	Mandarin Street	Woodville Road

ROADS ACT 1993

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

SHOALHAVEN 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.

RUSSELL PIGG,
General Manager,
Shoalhaven City Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Shoalhaven City Council B-Doubles Notice No 1/2004.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2009 unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Shoalhaven City Council

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting point</i>	<i>Finishing point</i>	<i>Conditions</i>
25	000	Angus Avenue, South Nowra	Flinders Road	Prosperity Road	
25	000	Prosperity Road, South Nowra	Angus Avenue	C & M Bricks Pty Ltd	

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

Notice of Compulsory Acquisition of land at North
Albury in the Albury 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 & Road Dedication
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL those pieces or parcels of land situated in the Albury City Council area, Parish of Albury and County of Goulburn, shown as:

Lots 45 and 49 Deposited Plan 1011904, being parts of Public Recreation Reserve No 58365 notified in Government Gazette No 147 of 6 November 1925 on page 4803 and said to be in the possession of the Crown and Albury City Council Crown Reserves Reserve Trust (trustee);

Lot 46 Deposited Plan 1011904, being part of Public Recreation Reserve No 58365 notified in Government Gazette No 147 of 6 November 1925 on page 4803 and said to be in the possession of the Crown, Albury City Council Crown Reserves Reserve Trust (trustee) and Albury Lapidary and Allied Crafts Inc. (lessee); and

Lot 47 Deposited Plan 1011904, being part of Reserve from Sale for Boy Scouts No 90842 notified in Government Gazette No 84 of 29 July 1977 on page 3285 and said to be in the possession of the Crown and The Scout Association of Australia (occupant).

(RTA Papers: FPP 99M2686; RO 2/4.1369)

Other Notices

AMBULANCE SERVICES ACT 1990

Scale of Fees in Respect of Ambulance Services

PURSUANT to section 22 (1) of the Ambulance Services Act 1990, I, ROBYN KRUK, Director-General of the Department of Health, acting as the duly appointed delegate of the Minister for Health, hereby:

- (a) revoke the currently applying scale of fees in respect of ambulance services provided by the Ambulance Service of New South Wales, as previously fixed by ministerial notice published in *Government Gazette* No. 225 of 22 November 2002; and
- (b) fix a scale of fees in respect of ambulance services provided by the Ambulance Service of New South Wales to the extent and in the manner set forth in the following Schedule, with effect on and from 1 November 2004.

ROBYN KRUK,
Director-General

SCHEDULE

- 1 In this notice, "primary response transport" means an ambulance transport by road ambulance, fixed wing aircraft or helicopter or a combination of these, from the scene of an accident, illness or injury to a public hospital or other destination nominated by the Ambulance Service.

Fees

- 2 The fee for a primary response transport by road ambulance and/or fixed wing ambulance and/or helicopter shall be charged on a kilometre basis calculated pursuant to clause 5, on the scale of \$165 for the first 16 kilometres or part thereof, plus an additional charge of \$4.23 for each kilometre or part thereof in excess of 16 kilometres, provided that such total fee shall not exceed \$3,967.
- 3 The fee for a transport by road ambulance and/or fixed wing ambulance (other than a primary response transport) shall be charged on a kilometre basis calculated pursuant to clause 5, on the scale of \$162 for the first 16 kilometres or part thereof, plus an additional charge of \$4.15 for each kilometre or part thereof in excess of 16 kilometres, provided that such total fee shall not exceed \$3,894.
- 4 The fee for a transport by helicopter (other than a primary response transport) shall be calculated on a time basis pursuant to clause 6 and shall be \$1,785 for the first thirty (30) minutes or part thereof, with any further period charged at a rate of \$120 per six (6) minutes or part thereof. This fee shall be apportioned equally between the hospital or health service sending the person being transported and the hospital or health service receiving that person.

Calculation of Transport Kilometres

- 5 The total number of kilometres for a transport by ambulance (or ambulances) shall be calculated by determining the total number of kilometres that are travelled by road or, in the case of transportation by fixed wing aircraft or helicopter, that would have been travelled by road had no fixed wing aircraft or helicopter been available, in accordance with the distance –

- (a) from the base ambulance station nearest to the location where the person was picked up by ambulance, to that pick up location; and
- (b) from that pick up location, to the place where that person disembarked from the ambulance (or, where more than one ambulance was used in the transport, disembarked from the last ambulance used in that transport); and
- (c) from that place of disembarkation, to the base ambulance station referred to in subclause (a).

Calculation of Transport Time for Helicopters (other than primary response)

- 6 The number of minutes for a transport by helicopter (other than a primary response transport) shall be calculated from the time the helicopter engine or engines are turned on, or, if the engines are already on, the time at which the helicopter is dispatched by an air ambulance controller, to the time the helicopter engine or engines are turned off at the helicopter's operational base, or the time at which the helicopter is otherwise dispatched by an air ambulance controller or other authority.

Charging Criteria

- 7 Where two or more persons are transported concurrently by the same ambulance or ambulances, each person shall be charged a fee calculated in accordance with Clauses 2, 3 or 4 as appropriate to that transport.
- 8 Clause 7 shall not apply when two or more persons are transferred concurrently by ambulance (or ambulances) between any public hospital in New South Wales.

CO-OPERATIVES ACT 1992

Notice of Class Order

Rounding in Financial Reports and Directors' Reports Co-operative Regulation 1997

I, COLIN JOHN CROSSLAND, General Manager of the Registry of Co-operatives & Associations, being a delegate of the Registrar of Co-operatives in pursuance of section 244 of the Co-operatives Act 1992, hereby make an order in respect of each co-operative relieving a co-operative from compliance with the provisions of the Corporations Act 2001, as adopted by the Co-operative Regulation 1997, mentioned below in relation to a financial year or half-year (the "Relevant Accounting Period"), to the extent and subject to the limitations and conditions mentioned below.

Co-operatives affected

A co-operative to which this class order applies must have total assets in excess of \$10,000,000, according to its own or its consolidated balance sheet at the end of the Relevant Accounting Period

Scope of relief

Co-operatives to which this class order applies are exempt from sections 295 to 300A, 302 to 306 and 314 of the Corporations Act, as adopted by the Co-operative Regulation, in so far as those provisions require amounts required or permitted to be set out pursuant to the Regulation

to be stated exactly in the financial report and in the directors' report.

Exclusions

This class order does not permit any amount to be rounded, the rounding of which has the potential to adversely affect:

- (a) decisions about the allocation of scarce resources made by users of the financial report (including consolidated financial statements, if any) and the directors' report; or
- (b) the discharge of accountability by management or the directors of the entity or in relation to the auditors.

Conditions

This class order is given on the following conditions:

- (a) the directors cause to be shown, in substitution for an amount that would otherwise be required or permitted to be set out exactly:
 - (i) if the amount is half or less than half the prescribed amount — "nil" or the equivalent thereof;
 - (ii) in any other case, the amount rounded up or down to the nearest whole number multiple of the relevant prescribed amount;

except that if, for a particular item, the amounts in the financial report (including the consolidated financial statements) and the comparative figures are half or less than half the prescribed amount — the item and the amounts may be omitted;
- (b) where an amount is substituted under condition (a) of this exemption, the directors cause:
 - (i) the corresponding amount in respect of the comparative financial year and/or half-year also to be shown in accordance with condition (a) of this exemption;
 - (ii) the relevant financial report or report to state that the Entity is an entity to which this class order applies and that amounts have been rounded off in accordance with this class order; and
 - (iii) the financial report and report to clearly disclose on each page where amounts have been rounded the extent to which those amounts have been rounded; and
- (c) where amounts are rounded to the nearest \$100,000 in accordance with condition (a)(ii), those amounts are presented in the form of a whole number of millions of dollars and one place of decimals representing hundreds of thousands of dollars, with a clear indication that the amounts are presented in millions of dollars (for example, in column headings or by placing the word "million" after the amounts).

Lower prescribed amounts

The Entity may substitute a lower amount ("the Lower Prescribed Amount") for a prescribed amount otherwise required by this Order ("the Replaced Prescribed Amount") provided that the Lower Prescribed Amount is:

- (a) one-tenth of one cent, one cent, \$1, \$1,000 or \$100,000;
- (b) less than the Replaced Prescribed Amount; and
- (c) applied for all amounts in the financial report and directors' report to which the Replaced Prescribed Amount otherwise applied.

Prescribed amounts

The prescribed amounts for the purposes of the conditions are as follows:

\$1,000, in relation to an entity with total assets in its own or its consolidated balance sheet at the end of the Relevant Accounting Period of more than \$1,000,000,000, in respect of:

- (i) income paid or payable to "directors" (as defined in paragraph 9.1 of accounting standard AASB 1017 "Related Party Disclosures" ("AASB 1017")) which is required to be disclosed pursuant to paragraphs 4.2 and 4.3 of AASB 1017;
- (ii) prescribed benefits required to be disclosed pursuant to paragraphs 4.7 and 4.8 of AASB 1017;
- (iii) other transactions with and balances of "directors" and "director related-entities" (as defined in paragraph 9.1 of AASB 1017) which are required to be disclosed pursuant to paragraphs 4.10, 4.12, 4.14, 4.15, 4.17 and 4.18 of AASB 1017;
- (iv) remuneration of executive officers which is required to be disclosed pursuant to paragraphs 6.1 and 6.2 of accounting standard AASB 1034 "Financial Report Presentation and Disclosures" ("AASB 1034");
- (v) remuneration of auditors which is required to be disclosed pursuant to paragraph 5.3 of AASB 1034;
- (vi) amounts relating to any equity-based compensation plans to be disclosed in accordance with paragraphs 6.4 to 6.9 of accounting standard AASB 1028 "Employee Benefits";
- (vii) details required to be disclosed in the directors' report pursuant to paragraphs 300(1)(d) and (g), subsections 300(4), (8), (9), (11) and (12), and paragraphs 300(13)(a) and 300A(1)(c) of the Corporations Act as adopted by the Co-operative Regulation; and
- (viii) any amounts required to be disclosed pursuant to accounting standard AASB 1046 "Director and Executive Disclosures by Disclosing Entities",

one tenth of one cent, in relation to all entities, in respect of amounts required to be disclosed in accordance with paragraphs 8.1 and 17.1 of accounting standard AASB 1027 "Earnings per Share";

one cent, in relation to amounts required to be disclosed in accordance with s300 (6) (c), (7) (d) and (7) (e);

\$1, in relation to an entity with total assets in its own or its consolidated balance sheet at the end of the Relevant Accounting Period more than \$10,000,000 but not more than \$1,000,000,000, in respect of the items listed in paragraphs (i) to (viii) above;

\$1000, for all other purposes in relation to an entity with total assets of more than \$10,000,000 and not more than \$1,000,000,000, in its own or its consolidated balance sheet at the end of the Relevant Accounting Period;

\$100,000, for all other purposes in relation to an entity with total assets of more than \$1,000,000,000 and not more than \$10,000,000,000, in its own or its consolidated balance sheet at the end of the Relevant Accounting Period; and

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

GEOGRAPHICAL NAMES ACT 1966

Notice of Assignment of New Locality within
Balranald Shire Council

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day assigned the name Mungo for a new locality in the Balranald Local Government Area as shown on map GNB3732.

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Boards Web Site at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst NSW 2795

LOCAL GOVERNMENT ACT 1993

Nabiac Sewerage

Vesting of land and easements in MidCoast County
Council

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

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)

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

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

Marie Bashir, AC, 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 Part 2, Chapter 9 and section 736 of the Local Government Act 1993, do, by this Proclamation, declare that the Proclamation published in a Special Supplement of *Government Gazette* No. 115 of 23 July 2003, commencing on page 7441 of that Special Supplement declaring all civic offices in relation to the Warringah Council to be vacant and appointing an Administrator is amended as follows:

Omit paragraph (c) from said Proclamation and insert instead:

(c) Order that the term of the Administrator is until the 27th of September 2008.

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

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of Nature Reserve

I, Professor Marie Bashir, 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 Victoria Park 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 – Lismore, LGA – Ballina

County Rous, Parish Meerscham, at Dalwood, about 0.5 hectares, being Lot 7001 DP1063053. NPWS/P/8443.

NATIONAL PARKS AND WILDLIFE ACT 1974

Carrair National Park and Carrai State Conservation Area
Plan of Management

A draft plan of management for Carrai National Park and Carrai State Conservation Area has been prepared and is on exhibition until 7 February 2005.

Copies of the plan are available free of charge from the NPWS Walcha Area office, 188w North Street, Walcha (phone 6777 1400); NPWS Northern Tablelands Regional Office, 85 Faulkner Street, Armidale (phone 6776 0000); and the NPWS Macleay Area office, Cardwell Street, South West Rocks (phone 6566 6621). Copies of the plan can also be viewed at the Kempsey Library, Elbow Street, Kempsey 2440 and on the NPWS website: www.nationalparks.nsw.gov.au.

Written submissions on the plan must be received by The Ranger, Carrai Area, National Parks and Wildlife Service, 188w North Street, Walcha NSW 2354 by 7 February 2005.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request to NPWS. Your comments on this draft plan may contain information that is defined as "personal information" under the NSW Privacy and Personal Information Protection Act 1998. The submission of personal information with your comments is voluntary.

NATIONAL PARKS AND WILDLIFE SERVICE

Notice of Approval of the Recovery Plan for
the Nightcap Oak *Eidothea Hardeniana*

THE Department of Environment and Conservation (DEC) hereby gives notice of the approval of the Recovery Plan for the Nightcap Oak. Copies of the Recovery Plan are available, during ordinary office hours, at the following locations:

- NPWS Head Office, 43 Bridge Street, Hurstville;
- National Parks Centre, 102 George Street, Sydney;
- NPWS Northern Rivers Region, Main St Alstonville;
- DEC Environment Protection and Regulation Division, Northern, Level 7, 24 Moonee Street, Coffs Harbour.

A full version of the Recovery Plan will be placed on the Internet (www.nationalparks.nsw.gov.au).

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT 1912**POLLING PLACES**

PURSUANT to the provisions of section 84 (1) of the Parliamentary Electorates and Elections Act 1912 notice is given of the abolition of the polling place listed below in respect of the electoral district shown:

ABOLITION**DUBBO****SYDNEY (DUBBO)**

Dated: 29 October 2004.

COLIN BARRY,
Electoral Commissioner
State Electoral Office, Level 20, 207 Kent Street
Sydney NSW 2000

THREATENED SPECIES CONSERVATION ACT 1995

Department of Environment and Conservation

Notice of Approval of the *Grevillea caleyi* Recovery Plan

THE Department of Environment and Conservation hereby gives notice of approval of the recovery plan for the endangered plant, *Grevillea caleyi*. Information relating to the sale and inspection of the recovery plans will be published during the week commencing Monday 1 November 2004 in the Sydney Morning Herald and the Manly Daily.

LOU EWINS,
A/Manager,
Conservation Programs and Planning,
Environment Protection and Regulation Division,
Metropolitan Region

**TRANSPORT ADMINISTRATION ACT 1988
LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land for the
Purposes of the Transport Infrastructure
Development Corporation

THE Transport Infrastructure Development Corporation, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto and the interest described in Schedule 2 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Transport Infrastructure Development Corporation, as authorised by the Transport Administration Act, 1988 being for the Parramatta Transport Interchange.

JOHN BARRACLOUGH,
Chief Executive

SCHEDULE 1

All that piece or parcel of land situated at Parramatta in the Local Government Area of Parramatta Parish of St John County of Cumberland and State of New South Wales being that part of Lot 11 in Deposited Plan 128840 shown in red on plan registered number PRL-SK3190 Rev. A, in the office of the Transport Infrastructure Development Corporation said to be in the possession of Energy Industries Superannuation Scheme Pty Limited and being approximately 33 square metres.

SCHEDULE 2

A right of way on the terms set out in Schedule 3 over all that piece or parcel of land situated at Parramatta in the Local Government Area of Parramatta Parish of St John County of Cumberland and State of New South Wales being that part of Lot 11 in Deposited Plan 128840 shown in blue on plan registered number of PRL-SK3190 Rev. A in the office of the Transport Infrastructure Development Corporation said to be in the possession of Energy Industries Superannuation Scheme Pty Limited. (Lot Burdened).

SCHEDULE 3

Transport Infrastructure Development Corporation and any person authorised by it has the right to go, pass and repass at all times and for all purposes, with or without vehicles, machinery or other equipment, across the Lot Burdened.

Ref.: TIDC_76296_2

**TRANSPORT ADMINISTRATION ACT 1988
LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land for the
Purposes of Rail Corporation New South Wales

RAIL Corporation New South Wales, with the approval of Her Excellency the Governor, declares that the sub-surface stratum land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988 being for underground rail facilities in connection with the Bondi Junction Turnback and Stabling Project.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Date this 27th day of October 2004.

VINCENT GRAHAM,
Chief Executive

SCHEDULE

All that sub-surface stratum of land situated at Bondi Junction in the Local Government Area of Waverley, Parish of Alexandria, County of Cumberland and State of New South Wales, being Lot 1 in plan registered number SB55576 in the office of the New South Wales Department of Commerce having an area of 5017 square metres or thereabouts and said to be in the possession of Woollahra Municipal Council, the Owners Strata Plan No.48309 and the Owners Strata Plan No.49990.

All that sub-surface stratum of land situated at Bondi Junction in the Local Government Area of Waverley, Parish of Alexandria, County of Cumberland and State of New South Wales, being Lot 1 in plan registered number SB55577 in the office of the New South Wales Department of Commerce having an area of 1280 square metres or thereabouts and said to be in the possession of Clygen Pty Limited.

All that sub-surface stratum of land situated at Bondi Junction in the Local Government Area of Waverley, Parish of Alexandria, County of Cumberland and State of New South Wales, being Lot 1 in plan registered number SB55578 in the office of the New South Wales Department of Commerce having an area of 2064 square metres or thereabouts and said to be in the possession of Coonara Developments Pty Limited.

All that sub-surface stratum of land situated at Bondi Junction in the Local Government Area of Waverley, Parish of Alexandria, County of Cumberland and State of New South Wales, being Lot 1 in plan registered number SB55579 in the office of the New South Wales Department of Commerce having an area of 1568 square metres or thereabouts and said to be in the possession of Travcorp House Pty Limited.

All that sub-surface stratum of land situated at Bondi Junction in the Local Government Area of Waverley, Parish of Alexandria, County of Cumberland and State of New South Wales, being Lot 1 in plan registered number SB55581 in the office of the New South Wales Department of Commerce having an area of 8032 square metres or thereabouts and said to be in the possession of Waverley Council.

RailCorp Reference: AC 04R/00359

**TRANSPORT ADMINISTRATION ACT 1988
LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land for the
Purposes of the Transport Infrastructure
Development Corporation

THE Transport Infrastructure Development Corporation, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Transport Infrastructure Development Corporation, as authorised by the Transport Administration Act, 1988 being for the Epping – Chatswood Rail Link.

JOHN BARRACLOUGH,
Chief Executive

SCHEDULE 1

All that piece or parcel of land situated at Epping in the Local Government Area of Hornsby Parish of Field of Mars County of Cumberland and State of New South Wales being that part of Lot D in Deposited Plan 375631 shown in green on plan registered number PRL-SK03255 in the office of the Transport Infrastructure Development Corporation said to be in the possession of Australasian Conference Association Limited and being approximately 178 square metres.

All that piece or parcel of land situated at Epping in the Local Government Area of Hornsby Parish of Field of Mars County of Cumberland and State of New South Wales being that part of Lot 14 Section 1 in Deposited Plan 758390 and Lot 1 in Deposited Plan 724211 shown in red on plan registered number PRL-SK03255 in the office of the Transport Infrastructure Development Corporation said to be in the possession of Hornsby Shire Council and being approximately 192 square metres.

Ref.: TIDC_74829_2

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

BOMBALA COUNCIL

Valuation and Rates

Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that the Bombala Council has resolved in pursuance of Section 715 of the Local Government Act, 1993 to sell the land described hereunder of which persons named appear to the owners or in which they appear to have an interest and on which the amount of rates stated in each case, as at 21 September 2004, is due:

<i>Owner/s or persons having an interest in the land</i>	<i>Description of Land</i>	<i>Amount Due</i>
Gavin Robert Baird	Lot 306, DP 756826 Psh Cathcart	\$2445.16
Jeffrey John Newlyn	Lots 9-10, Sec 8, DP 758129 Town of Cathcart	\$2166.16
Delegate Co-Op Dairying Co Ltd	Lot 119, DP 756830 Psh Currowong	\$1621.33
Francis Urquhart	Lot 4, Sec 30, DP 758346 Town of Delegate	\$3531.90
Francis Urquhart	Lot 1-2, DP 133000 Town of Delegate	\$4121.42
Arthur Charles Martin Jarmila Martin	Lot 3, DP 556310 Town of Delegate	\$5551.56
Anthony McConnell Marianne Camilleri	Lots 1-2, Sec 2, DP 758346 Town of Delegate	\$3401.51
Nicole Thorndyke Commonwealth Bank of Australia	Lot 4, Sec 6, DP 758346 Town of Delegate	\$2060.08
Marilyn Claire Smith CRK Holdings Pty Ltd Hazeldean Pty Ltd Aust. Rural & Agricultural Finance Ltd Grass Farms Aust. Pty Ltd Joan Janette Chapman	Lot 2, DP 594272 Lot 109, DP 658087 Lot 110, DP 658088	\$22724.90

In default of payment to the Council of the amount stated above and any other rates (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such Rates and Charges being entered into by the ratable person, before the time fixed for the sale, the said land will be offered for sale by PUBLIC AUCTION by P W Reid Real Estate, 144 Maybe Street, BOMBALA, Office on 5 March 2005 at 10.00 am. D. RAWLINGS, General Manager. [0764]

INVERELL SHIRE COUNCIL

Fixing of Levels

NOTICE is hereby given that levels of: Oswald/Whittingham Street – O'Connor Street to Brae Street, as shown on plans exhibited at Council's Office and as advertised in the Inverell Times on 24 September 2004 have been duly approved and fixed by the authority delegated to me under section 378 of the Local Government Act 1993, as amended, in accordance with such plans, on 26 October 2004. P. J. HENRY, General Manager, Administrative Centre, 144 Otho Street, Inverell NSW 2360. [0770]

MID-WESTERN REGIONAL COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

Murkins Lane, Oaky Creek Road, Marshfield Lane,
Durack Court, Denton Close, Tennant Close,
Palmer Avenue and Swords Court

NOTICE is hereby given that in accordance with section 162 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

<i>Location</i>	<i>Name</i>
Road running west off Spring Flat South Lane.	Murkins Lane.
Road running south off Murkins lane.	Oaky Creek Road.
Road running south off Bellevue Road.	Marshfield Lane.
Road running east off Hardy Crescent.	Durack Court.
Road northeast off Banjo Patterson Avenue.	Denton Close.
Road running north off Banjo Patterson Avenue.	Tennant Close.
Road running north off Banjo Patterson Avenue to White Circle.	Palmer Avenue.
Road running east off Depot Road.	Swords Court.

No objections to the proposed names were received within the prescribed period of time. GARRY STYLES, Acting General Manager, Mid-Western Regional Council, 86 Market Street (PO Box 156), Mudgee, NSW 2850, tel.: (02) 6372 5888. [0762]

MOSMAN MUNICIPAL COUNCIL

Roads Act 1993, Section 10

Dedication of Public Road

NOTICE is hereby given that Mosman Municipal Council pursuant to section 10 of the Roads Act 1993 dedicates the Council owned Land, detailed in the Schedule below as Public Road. V. H. R. MAY, General Manager, Mosman Municipal Council, PO Box 211, Spit Junction NSW 2088

SCHEDULE

Drainage reserve and right of way 1.83 metres wide,
pathway 1.83 metres wide and pathway 1.73 metres wide
shown in DP1000062 being pathway between Raglan Road
and Musgrave Street, Mosman [0771]

WOLLONGONG CITY COUNCIL

Road Dedication – Section 10 Roads Act, 1993

PURSUANT to section 10 of the Roads Act, 1993, Wollongong City Council hereby dedicates the following Council land as public road.

R. J. OXLEY,
General Manager

Wollongong City Council,
Locked Bag 8821,
South Coast Mail Centre NSW 2521

SCHEDULE

All those pieces or parcels of land situated in the Wollongong City Council area. Parish of Kembla and County of Camden shown as Lot 28 in Deposited Plan 261426 and Lot 1 in Deposited Plan 1067419. [0763]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of OLGA EILEEN ZILLAH NUNN late of 9/1 Mary Street, Beecroft, in the State of New South Wales, who died on 7 July, 2004 must send particulars of their claim to the executors, Kerrie Diane Manins of 18A Welham Street, Beecroft NSW 2119, home duties, and Kimball David Nunn of 70 Princes Highway, Arncliffe NSW 2205, office worker, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale NSW 2223, within one calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 14 October 2004. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223, (DX 11307 Hurstville), tel.: (02) 9570 2022. [0765]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of THEODORE CASSIMATIS late of 45 Forsyth Street, Kingsford, in the State of New South Wales, who died on 12 August, 2004 must send particulars of their claim to the executor, Anna Lambrou, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington NSW 2033, within one calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 14 October 2004. SIMPSON & CO., Solicitors, 103A Anzac Parade, Kensington NSW 2033 (PO Box 340, Kensington NSW 1465), tel.: (02) 9662 4381. [0766]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JAMES McCALLUM late of Ettalong, in the State of New South Wales, retired, who died on 25 July, 2003 must send particulars of their claim to the executor, James Keith McCallum, c.o. Peninsula Law, Solicitors, 103-105 Blackwall Road, Woy Woy, within one calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 2 October, 2003. PENINSULA LAW, Solicitors, 103-105 Blackwall Road, Woy Woy, NSW 2256 (DX 8806, Woy Woy), tel.: (02) 4342 1277. [0768]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FLORENCE CASEY late of 48 Yarran Road, Oatley, in the State of New South Wales, who died on 30 August, 2004 must send particulars of their claim to the executors, Ronald Arthur Casey and Edward Joseph Casey, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale, within one calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 13 October, 2004. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale, NSW 2223 (DX 11307, Hurstville), tel.: (02) 9570 2022. [0769]

COMPANY NOTICES

NOTICE of voluntary winding up. – CLASSIC PRINTERS PTY LIMITED (In liquidation), ACN 001 370 305. – Notice is hereby given that by a special resolution passed at a meeting of shareholders of the abovenamed company duly convened and held on 20 October 2004 it was resolved that the company be wound up voluntarily and that Bruce Walker of Walker Lynch Petersen be appointed liquidator. Notice is also given that creditors having claim against the company should furnish particulars of that claim to the liquidator within twenty-one (21) days of this date otherwise distribution of the assets will take place without regard to such claims. Dated 21 October 2004. B. WALKER, Liquidator, c.o. Walker Lynch Petersen, Chartered Accountants, 140 Victoria Street, Taree NSW 2430, tel.: (02) 6552 3533. [0767]

NOTICE of appointment of Controller – ABE ENTERPRISE SERVICE PTY LIMITED ACN 102 849 909 – Notice is given that pursuant to section 427 (1A) of the Corporations Law, that Kenneth Arthur Millar was appointed as Controller of the abovementioned company and took possession of Lots 8, 9 and 10/30-32 Kings Cross Road, Kings Cross NSW, on the 14th of October 2004. Dated this 27th day of October 2004. WATKINS TAPSELL, Solicitors and Barristers, tel: 9521 7235. [0772]

NOTICE of appointment of Controller – J.A.P. CAMILLERI PTY LIMITED ACN 102 849 936 – Notice is given that pursuant to section 427 (1A) of the Corporations Law, that Kenneth Arthur Millar was appointed as Controller of the abovementioned company and took possession of Lots 13, 14 and 16/30-32 Kings Cross Road, Kings Cross NSW, on the 22nd of October 2004. Dated this 27th day of October 2004. WATKINS TAPSELL, Solicitors and Barristers, tel: 9521 7235. [0773]

NOTICE of appointment of Controller – VAUCAM PTY LIMITED ACN 104 328 396 – Notice is given that pursuant to section 427 (1A) of the Corporations Law, that Kenneth Arthur Millar was appointed as Controller of the abovementioned company and took possession of Lot 17/30-32 Kings Cross Road, Kings Cross NSW, on the 22nd of October 2004. Dated this 27th day of October 2004. WATKINS TAPSELL, Solicitors and Barristers, tel: 9521 7235. [0774]

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MICHAEL J. O'SHEA, Acting Government Printer.