



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 131

Friday, 6 August 2004

Published under authority by the Government Printing Service

LEGISLATION

Allocation of the Administration of Acts

The Cabinet Office, Sydney
4 August 2004

TRANSFER OF THE ADMINISTRATION OF ACTS

HER Excellency the Governor, with the advice of the Executive Council, has approved that the administration of the Growth Centres (Development Corporations) Act 1974 No 49 (other than section 5 and Part 3A, Division 3) so far as it relates to the Festival Development Corporation, be vested in the Minister for the Central Coast with the remainder of the administration of the Growth Centres (Development Corporations) Act 1974 No 49 to be vested in the Minister for Infrastructure and Planning.

These arrangements are in substitution for those in operation before the date of this notice.

BOB CARR
Premier

Proclamation



Proclamation

under the

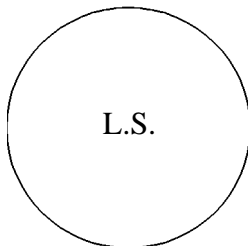
Game and Feral Animal Control Act 2002 No 64

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Game and Feral Animal Control Act 2002*, do, by this my Proclamation, appoint 6 August 2004 as the day on which the uncommenced provisions of that Act commence.

Signed and sealed at Sydney, this 4th day of August 2004.

By Her Excellency's Command,



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

GOD SAVE THE QUEEN!

Explanatory note

Certain provisions of the *Game and Feral Animal Control Act 2002* relating to the Game Council commenced on 11 October 2002. This proclamation commences the remaining provisions of that Act.

Regulations



Births, Deaths and Marriages Registration Amendment (Fees) Regulation 2004

under the

Births, Deaths and Marriages Registration Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Births, Deaths and Marriages Registration Act 1995*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to increase the fees chargeable with respect to matters arising under the *Births, Deaths and Marriages Registration Act 1995*. The increases are generally in line with movements in the Consumer Price Index.

This Regulation is made under the *Births, Deaths and Marriages Registration Act 1995*, including sections 54 (the power to make regulations with respect to fees) and 62 (the general power to make regulations).

Clause 1 Births, Deaths and Marriages Registration Amendment (Fees)
Regulation 2004

Births, Deaths and Marriages Registration Amendment (Fees) Regulation 2004

under the

Births, Deaths and Marriages Registration Act 1995

1 Name of Regulation

This Regulation is the *Births, Deaths and Marriages Registration Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

3 Amendment of Births, Deaths and Marriages Registration Regulation 2001

The *Births, Deaths and Marriages Registration Regulation 2001* is amended as set out in Schedule 1.

Births, Deaths and Marriages Registration Amendment (Fees)
Regulation 2004

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Schedule 1 Fees

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 15)

		\$
1	For furnishing a certificate certifying particulars contained in an entry in the Register or a certificate certifying that no entry was located in the Register about a relevant registrable event, including the fee for search under any one name in respect of a period not exceeding 10 years	31.00
2	For furnishing a certificate as to a recording in the Register where the applicant has provided the relevant number of the recording from an index published by the Registry of Births, Deaths and Marriages	24.00
3	For search against any one name in the Register (including an index to the Register) in respect of a period not exceeding 10 years pursuant to an application under section 50 of the Act (Issue of certificate relating to children of deceased person), including the fee for a certificate of result of any such search	30.00
4	For continuation of any search under any one name in respect of each period of 10 years, or part of such a period	30.00
5	For giving priority to a search or to the issue of a certificate of result of search in addition to any other fee	16.00
6	For insertion in a recording of a name, an additional name or other particulars, or registration of a change of name	54.00
7	For altering the record of a person's sex in the registration of the person's birth	54.00

Births, Deaths and Marriages Registration Amendment (Fees)
Regulation 2004

Schedule 1 Amendment

		\$
8	For recording in the Register, subsequent to registration of the birth of a child, the name of or other particulars relating to a person as a parent of the child	54.00
9	For furnishing a certified copy of any record or document kept by the Registry of Births, Deaths and Marriages, for which no fee is otherwise provided	29.00 (each sheet)
10	For each special service in relation to the Registry of Births, Deaths and Marriages for which no fee is otherwise provided—such fee as may be approved by the Registrar having regard to the work involved in providing the service	30.00 (minimum fee)



Evidence (Children) Regulation 2004

under the

Evidence (Children) Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Evidence (Children) Act 1997*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to remake, without any changes of substance, the *Evidence (Children) Regulation 1999*. That Regulation will be repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation deals with the procedure by which a recording made by an investigating official of an interview with a child where the child was questioned regarding the alleged commission of an offence by another person can be made available to the accused person and his or her lawyer.

This Regulation is made under the *Evidence (Children) Act 1997*, including sections 12 (2) and 31 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

Evidence (Children) Regulation 2004

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	3
2 Commencement	3
3 Definitions and notes	3
Part 2 Recorded interviews	
4 Prosecuting authority to notify accused of intention to adduce recorded interview	5
5 Accused may notify prosecuting authority of intention to access recorded interview	5
6 Recorded interview to be made available within 7 days	6
Part 3 Miscellaneous	
7 Savings	7

Evidence (Children) Regulation 2004

Clause 1

Preliminary

Part 1

Evidence (Children) Regulation 2004

under the

Evidence (Children) Act 1997

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Evidence (Children) Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

Note. This Regulation replaces the *Evidence (Children) Regulation 1999* which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions and notes

(1) In this Regulation:

defence notice means a notice given by an accused person or his or her lawyer under clause 5.

prosecuting authority, in relation to a prosecution, means the Director of Public Prosecutions, or a police officer, who is responsible for the conduct of the prosecution.

prosecuting authority notice means a notice given by a prosecuting authority under clause 4.

recorded interview means a recording made by an investigating official of an interview during which a child is questioned by an investigating official in connection with the investigation of the commission or possible commission of an offence by the child or any other person.

responsible person means a person named in a prosecuting authority notice as referred to in clause 4 (2) (d).

Clause 3 Evidence (Children) Regulation 2004

Part 1 Preliminary

the Act means the *Evidence (Children) Act 1997*.

- (2) Notes included in this Regulation do not form part of this Regulation.

Evidence (Children) Regulation 2004

Clause 4

Recorded interviews

Part 2

Part 2 Recorded interviews

4 Prosecuting authority to notify accused of intention to adduce recorded interview

- (1) For the purposes of section 12 (2) of the Act, if a prosecuting authority intends to adduce evidence of a previous representation by a child wholly or partly by means of a recorded interview or a transcript of a recorded interview in a criminal proceeding where the child who made the representation is not the accused person, the prosecuting authority must notify the accused person or his or her lawyer (if any) of the intention in accordance with this section.
- (2) A notice under subclause (1) must:
 - (a) be in writing, and
 - (b) specify each recorded interview (or transcript of such interview) that the prosecuting authority intends to adduce, and
 - (c) contain information to the effect that the accused person and his or her lawyer are entitled to listen to or view each recorded interview at a police station or other place nominated by the prosecuting authority, and
 - (d) set out the name of a person responsible for arranging access to each recorded interview.
- (3) A notice under subclause (1) must be given to the accused person or his or her lawyer at least 14 days before the evidence for the prosecution is given in the proceeding.

Note. Section 76 of the *Criminal Procedure Act 1986* provides that a transcript of a recorded interview is not admissible in committal proceedings unless the defendant has been given, in accordance with the regulations under section 12 (2) of the *Evidence (Children) Act 1997*, a reasonable opportunity to listen to or view the recorded interview.

5 Accused may notify prosecuting authority of intention to access recorded interview

- (1) An accused person or lawyer who receives a prosecuting authority notice may notify the responsible person that he or she requires access to any one or more of the recorded interviews specified in the notice.
- (2) A notice under subclause (1) must:
 - (a) be in writing, and

Clause 6 Evidence (Children) Regulation 2004

Part 2 Recorded interviews

- (b) set out the name of the accused person and his or her lawyer (if any), and
- (c) specify the recorded interview or interviews to which the accused person or his or her lawyer require access, and
- (d) be given to the responsible person at least 7 days before the evidence for the prosecution is given in the proceeding, unless the court gives leave for the notice to be given at a later time.

6 Recorded interview to be made available within 7 days

- (1) A responsible person who receives a defence notice that complies with clause 5 must give the persons named in the defence notice as referred to in clause 5 (2) (b) access to listen to or view the recorded interview within 7 days (or such shorter period of time as the court directs) after the day on which the responsible person receives the defence notice.
- (2) The responsible person may give the accused person or his or her lawyer access to listen to or view the recorded interview on more than one occasion.

Evidence (Children) Regulation 2004

Clause 7

Miscellaneous

Part 3

Part 3 Miscellaneous

7 Savings

Any act, matter or thing that, immediately before the repeal of the *Evidence (Children) Regulation 1999* had effect under that Regulation continues to have effect under this Regulation.



New South Wales

Game and Feral Animal Control Regulation 2004

under the

Game and Feral Animal Control Act 2002

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Game and Feral Animal Control Act 2002*.

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

Explanatory note

The object of this Regulation is to provide for various matters under the *Game and Feral Animal Control Act 2002*, as follows:

- (a) prescribing the hunting organisations that can nominate persons for appointment as members of the Game Council,
- (b) prescribing an additional function of the Game Council, concerned with public liability insurance arrangements,
- (c) providing for there to be 4 types of game hunting licence (standard hunting licence, visitors hunting licence, hunting guide licence and commercial hunters licence),
- (d) the approval of courses of training for eligibility for a game hunting licence and the accrediting of persons, clubs and associations to conduct those courses,
- (e) age restrictions on the granting of game hunting licences,
- (f) machinery matters concerning licences, including applications, duration of licences, licence fees and grounds for refusal of a licence,
- (g) the giving of notice of the proposed declaration of public hunting land,
- (h) prescribing penalty notice offences and their penalties,
- (i) the conditions of game hunting licences, including general conditions and conditions for the hunting of game animals listed in section 5 (1) of the Act, the use of dogs and the hunting of Hog deer,

Game and Feral Animal Control Regulation 2004

Explanatory note

- (j) the mandatory provisions of the code of practice referred to in section 24 of the Act.

This Regulation also repeals the *Game and Feral Animal Control Regulation 2002*.

This Regulation is made under the *Game and Feral Animal Control Act 2002*, including sections 8, 9, 17, 19, 20, 21, 22, 25, 26, 32, 57 and 60 (the general regulation-making power).

Game and Feral Animal Control Regulation 2004

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	4
2 Commencement	4
3 Definitions	4
Part 2 Game Council	
4 Nominating hunting organisations	5
5 Additional function of Game Council	5
Part 3 Licensing	
6 Classes and types of game hunting licence	6
7 Commercial hunters and hunting guides to be licensed	6
8 Standard hunting licence	6
9 Visitors hunting licence—accompanied hunting	6
10 Hunting guide licence	6
11 Commercial hunters licence	7
12 Approval of courses of training for licences	7
13 Restrictions on granting licences	7
14 Licence applications	8
15 Maximum duration of licences	8
16 Licence fees	8
17 Grounds for refusal of restricted licence	9
18 Conditions of game hunting licences	9
19 Exemptions from licensing	10
Part 4 Miscellaneous	
20 Notice of proposed declaration of hunting land	11
21 Penalty notice offences and penalties	11
22 Repeal	11
Schedule 1 Conditions of game hunting licences	12
Schedule 2 Mandatory provisions of code of practice	20
Schedule 3 Penalty notice offences	22

Clause 1 Game and Feral Animal Control Regulation 2004

Part 1 Preliminary

Game and Feral Animal Control Regulation 2004

under the

Game and Feral Animal Control Act 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Game and Feral Animal Control Regulation 2004*.

2 Commencement

This Regulation commences on 6 August 2004.

3 Definitions

(1) In this Regulation:

commercial hunting means hunting for the purposes of the sale of a game animal listed in section 5 (1) of the Act.

hunting guide means a person who for fee or reward accompanies persons on a hunt for game animals for the purpose of guiding and otherwise assisting those persons in connection with their hunting of game animals.

the Act means the *Game and Feral Animal Control Act 2002*.

(2) Notes included in this Regulation do not form part of this Regulation.

Game and Feral Animal Control Regulation 2004

Clause 4

Game Council

Part 2

Part 2 Game Council

4 Nominating hunting organisations

The following hunting organisations are prescribed for the purposes of section 8 (2) (a) of the Act:

- (a) Australian Deer Association Incorporated,
- (b) Federation of Hunting Clubs Incorporated,
- (c) Australian Hunters International Incorporated,
- (d) Sporting Shooters Association of Australia (New South Wales) Incorporated,
- (e) Hunters and Fishermen Association of New South Wales Artemis Incorporated,
- (f) Game Management Council of New South Wales (Gamecon NSW) Incorporated,
- (g) Field and Game Australia Incorporated,
- (h) Australian Bowhunters Association Incorporated.

5 Additional function of Game Council

Pursuant to section 9 (1) (g) of the Act, the Game Council may enter into arrangements for the provision for or on behalf of holders of game hunting licences of public liability insurance.

Clause 6 Game and Feral Animal Control Regulation 2004

Part 3 Licensing

Part 3 Licensing

6 Classes and types of game hunting licence

In each class of game hunting licence (general and restricted) there are the following types of licence:

- (a) standard hunting licence,
- (b) visitors hunting licence,
- (c) hunting guide licence,
- (d) commercial hunters licence.

7 Commercial hunters and hunting guides to be licensed

A person who is hunting as a commercial hunter or hunting guide is prescribed for the purposes of section 17 (1) (e) of the Act.

Note. This means that a game hunting licence is required for commercial hunting and hunting as a hunting guide.

8 Standard hunting licence

A standard hunting licence authorises the licensee to engage in the hunting of game animals otherwise than as a hunting guide or commercial hunter.

9 Visitors hunting licence—accompanied hunting

- (1) A visitors hunting licence confers the same authority on the licensee as a standard hunting licence but only so as to authorise the licensee to hunt game animals in the company of the holder of a standard hunting licence or hunting guide licence that is of the same class (general or restricted) as the visitors hunting licence.
- (2) A person is not eligible to be granted a visitors hunting licence unless the Game Council is satisfied that the person's principal place of residence is outside Australia.

10 Hunting guide licence

A hunting guide licence authorises the licensee to engage in the hunting of game animals as a hunting guide and also confers the authority of a standard hunting licence.

Game and Feral Animal Control Regulation 2004

Clause 11

Licensing

Part 3

11 Commercial hunters licence

A commercial hunters licence authorises the licensee to engage in the hunting of game animals listed in section 5 (1) of the Act as a commercial hunter and also confers the authority of a standard hunting licence.

12 Approval of courses of training for licences

- (1) The Game Council may approve courses of training for the purposes of the grant of game hunting licences and may accredit persons, clubs or associations to conduct those courses. Different courses of training may be approved for different classes and types of licence.
- (2) If there is a course of training approved for a particular class and type of licence, a person is not eligible to be granted a licence of that class and type unless the Game Council is satisfied that the person has successfully completed the course of training.
- (3) A course of training approved for a restricted game hunting licence constitutes adequate training under section 19 (Special qualifications for restricted game hunting licence) of the Act for the purposes of the grant of the licence.
- (4) A course of training approved for the purposes of this clause may include provision for training in relation to the following:
 - (a) relevant provisions of the Act, this Regulation and any code of practice under section 24 of the Act,
 - (b) principles for the safe use of firearms, bows and other hunting equipment,
 - (c) ethics of hunting, including laws relating to trespass,
 - (d) animal welfare issues relating to hunting,
 - (e) such other matters as the Game Council considers appropriate.
- (5) The Game Council may withdraw an approval or accreditation under this clause at any time.

13 Restrictions on granting licences

- (1) Only a natural person is eligible to be granted a game hunting licence.
- (2) A hunting guide licence or commercial hunters licence must not be granted to a person who is under the age of 18 years.

Clause 14 Game and Feral Animal Control Regulation 2004

Part 3 Licensing

- (3) A standard hunting licence or visitors hunting licence must not be granted to a person who is under the age of 12 years.

Note. 12 is the minimum age for the grant of a minor's firearms permit under the *Firearms Act 1996*.

14 Licence applications

- (1) An application for a game hunting licence must:
- (a) be made in a form approved by the Game Council, and
 - (b) be accompanied by the fee payable in respect of the application.
- (2) An applicant for a game hunting licence must provide to the Game Council such evidence as the Game Council may request (at the time the application is made or subsequently) for the purposes of a determination of the eligibility of the applicant to be granted a licence.

15 Maximum duration of licences

A game hunting licence, except a visitors hunting licence, may be granted to remain in force for 1, 3 or 5 years (the relevant maximum period for the licence for the purpose of section 25 of the Act being 5 years).

Note. A visitors hunting licence has a 12 month maximum duration under section 25 of the Act.

16 Licence fees

- (1) The fee payable in respect of an application for a licence is:
- (a) for a standard hunting licence—\$60 for a 1 year licence, \$180 for a 3 year licence or \$300 for a 5 year licence,
 - (b) for a visitors hunting licence—\$100,
 - (c) for a hunting guide licence—\$150 for a 1 year licence, \$450 for a 3 year licence or \$750 for a 5 year licence,
 - (d) for a commercial hunters licence—\$250 for a 1 year licence, \$750 for a 3 year licence or \$1250 for a 5 year licence.
- (2) The fee payable in respect of an application for a licence is reduced by one-third (to the nearest whole dollar amount) if the person applying for the licence:
- (a) is under 18 years of age, or

Game and Feral Animal Control Regulation 2004

Clause 17

Licensing

Part 3

-
- (b) is a pensioner (within the meaning of paragraph (a) or (b) of the definition of *pensioner* in section 3 (1) of the *Motor Vehicles Taxation Act 1988*).
- (3) The fee payable for the grant of a licence to replace a licence that has been lost, destroyed or defaced is \$30. The replacement licence is to be issued for the period that is the remainder of the period of the licence it replaces.
- (4) The fee payable in respect of an application for a restricted licence to be issued as an upgrade of a general licence held by a person (being a restricted licence of the same type as the general licence and issued to be in force for the remainder of the period of the general licence) is \$30.

17 Grounds for refusal of restricted licence

The Game Council must refuse to grant a restricted game hunting licence to a person if in the 10 years prior to the application for the licence:

- (a) the person has been found guilty of an offence under section 32C (Offences relating to hunting and the use of firearms etc) of the *Forestry Act 1916*, or
- (b) the person has been refused a hunting permit under section 32B (Hunting permits) of the *Forestry Act 1916* or has had such a permit cancelled.

Note. This adds to the other grounds on which a licence must be refused under section 21 (3) of the Act.

18 Conditions of game hunting licences

- (1) The provisions of Schedule 1 are prescribed as conditions of every game hunting licence.
- Note.** Compliance with the mandatory provisions of a code of practice for holders of game hunting licences approved under section 24 of the Act is also a condition of a game hunting licence. Those mandatory provisions are set out in Schedule 2.
- (2) The Game Council may, by order published in the Gazette, suspend the operation of any provision of clauses 4–12 of Schedule 1 (either generally or subject to conditions) for a specified period and in relation to specified land, being land that the Game Council is satisfied is the subject of a management plan dealing with game hunting on the land or with the management, control or eradication of game animals on the land.

Clause 19 Game and Feral Animal Control Regulation 2004

Part 3 Licensing

- (3) During the period of any such suspension, the suspended provision is not a condition of any game hunting licence for the purposes of the hunting of game animals under the authority of the licence in accordance with any conditions of the suspension on the land to which the suspension applies.
- (4) The conditions of a suspension may limit the operation of the suspension to a particular species of game animal.

19 Exemptions from licensing

For the purposes of section 17 (1) (h) of the Act, a game hunting licence is not required in respect of:

- (a) the hunting of any animal in accordance with a power or duty imposed under the *Exotic Diseases of Animals Act 1991*, or
- (b) the hunting of any animal pursuant to an obligation imposed by or under an Act to manage, control or eradicate the animal concerned, but only on land and for the period in respect of which the obligation applies.

Game and Feral Animal Control Regulation 2004

Clause 20

Miscellaneous

Part 4

Part 4 Miscellaneous

20 Notice of proposed declaration of hunting land

- (1) Public notice of a proposed declaration under section 20 of the Act is to be given by being published, at least 30 days before the declaration is made:
 - (a) in a newspaper circulating throughout the State, and
 - (b) in a newspaper circulating in the district in which the land that is the subject of the proposed declaration is situated, and
 - (c) in the Gazette.
- (2) The responsible Minister is to give written notice of any proposed declaration under section 20 of the Act to the rural lands protection board for the rural lands protection district in which the affected land is situated.

21 Penalty notice offences and penalties

- (1) For the purposes of section 57 of the Act:
 - (a) each offence created by a provision specified in Column 1 of Schedule 3 is an offence for which a penalty notice may be served, and
 - (b) the penalty prescribed for each such offence is the amount specified opposite the provision in Column 2 of Schedule 3.
- (2) If the reference to a provision in Column 1 of Schedule 3 is qualified by words that restrict its operation to specified kinds of offences, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or committed in the circumstances so specified.
- (3) In the case of an offence under section 23 (Offence to contravene conditions of licence) of the Act, a reference in Schedule 3 to that section that is qualified by a reference to a provision of Schedule 1 (Conditions of game hunting licences) or Schedule 2 (Mandatory provisions of code of practice) operates to restrict its operation to the offence under that section of contravening the condition of a game hunting licence with which the specified provision of Schedule 1 or 2 is concerned.

22 Repeal

The *Game and Feral Animal Control Regulation 2002* is repealed.

Game and Feral Animal Control Regulation 2004

Schedule 1 Conditions of game hunting licences

Schedule 1 Conditions of game hunting licences

(Clause 18)

Note.

This Schedule contains the conditions of a game hunting licence. These conditions do not apply to game hunting that does not require a licence. See section 17 of the Act. See also clause 19 of this Regulation, which provides that a game hunting licence is not required for hunting under the *Exotic Diseases of Animals Act 1991* or pursuant to a statutory obligation to manage, control or eradicate animals.

It is an offence under section 23 of the Act to contravene any condition of a game hunting licence. Contravening a condition of a game hunting licence is also grounds for cancelling or suspending the licence under section 29 of the Act.

Clause 18 of this Regulation authorises the Game Council to suspend the operation of clauses 4–12 of this Schedule in certain circumstances.

Part 1 Hunting generally**1 Hunting on declared public land requires permission to enter**

- (1) A person must not hunt on declared public hunting land unless the person has before entering the land obtained written permission to hunt on the land from the manager of the land concerned.

Note. A game hunting licence does not authorise the holder of the licence to enter any land that the holder is not otherwise authorised to enter. The declaration of public land as land available for hunting under section 20 of the Act does not entitle a person to enter the land just because the person has a game hunting licence. The holder of the licence must obtain written permission to hunt as required by this clause.

- (2) When hunting on declared public hunting land a person must:
- (a) comply with any requirement imposed as a condition of the permission to hunt on the land, and
 - (b) comply with any reasonable direction given to the person by the manager of the land in relation to the person's hunting on that land, and
 - (c) produce for inspection on request by an inspector, police officer or the manager of the land any written permission given to the person for the purposes of subclause (1).

- (3) In this clause:

declared public hunting land means public land that is the subject of a declaration in force under section 20 (Declaration of public lands available for hunting game) of the Act.

Game and Feral Animal Control Regulation 2004

Conditions of game hunting licences

Schedule 1

manager, in relation to declared public hunting land, means a person appointed as manager of the land by or under the authority of the Minister who has the care or control of the land or the authority that has the care or control of the land.

2 Licence to be carried and produced on request

The holder of a game hunting licence must carry the licence when engaged in hunting for game animals and must produce the licence for inspection on request by an inspector, a police officer or the owner or occupier of land on which the licensee is hunting.

3 Hunting by persons under 18 years of age

- (1) A person (*the minor*) who is under the age of 18 years must not hunt game except under the close personal supervision of a person who is at least 18 years of age and the holder of a standard hunting licence or hunting guide licence that is of the same class (general or restricted) as the minor's hunting licence.
- (2) A person who is under the age of 18 years must not use a firearm to hunt game except as the holder of a minor's firearms permit under the *Firearms Act 1996* and in accordance with the authority conferred by the permit.

Note. 12 is the minimum age for the grant of a minor's firearms permit.

4 Open seasons for certain deer

- (1) An animal of any of the following species must not be hunted except during the open season specified for that species:
 - (a) Fallow deer (*Dama dama*)—open season from 30 minutes before sunrise on 1 March in a year to 30 minutes after sunset on 31 October in that year,
 - (b) Hog deer (*Axis porcinus*)—open season from 30 minutes before sunrise on 1 April in a year to 30 minutes after sunset on 30 April in that year,
 - (c) Red deer (*Cervus elaphus*)—open season from 30 minutes before sunrise on 1 March in a year to 30 minutes after sunset on 31 October in that year,
 - (d) Wapiti deer (*Cervus elphus canadensis*)—open season from 30 minutes before sunrise on 1 March in a year to 30 minutes after sunset on 31 October in that year.

Note. If a species of game animal does not have an open season listed, it can be hunted all year.

Game and Feral Animal Control Regulation 2004

Schedule 1 Conditions of game hunting licences

- (2) The Game Council may by notification published in the Gazette vary (either by shortening or lengthening) an open season for the purposes of subclause (1) for any particular species of animal for a particular year if the Game Council is satisfied that it is necessary or desirable to do so because of concerns relating to animal welfare, environmental factors (such as bushfires) or such other matters as the Game Council considers relevant.
- (3) This clause does not apply to a commercial hunter.

5 Use of spotlights or electronic devices for hunting deer

- (1) A person must not use any of the following to hunt deer:
 - (a) a spotlight or other source of artificial light (including an infrared device),
 - (b) an electronic device that enhances vision or hearing (including a night vision device but not including any therapeutic aid used by a person who is hearing or vision impaired),
 - (c) a sight that projects a beam,
 - (d) a recorded sound.
- (2) This clause does not prevent the use of an artificial light source powered by 4.5 volts or less.
- (3) This clause does not apply to a commercial hunter.

6 Hunting of game fleeing from fire or smoke prohibited

- (1) A person must not hunt a game animal that is fleeing from fire or smoke.
- (2) A person must not light a fire for the purpose of the hunting of a game animal fleeing from fire or smoke (including for the purpose of flushing out a game animal).

Game and Feral Animal Control Regulation 2004

Conditions of game hunting licences

Schedule 1

Part 2 Special provisions for section 5 (1) game

Note.

The game listed in section 5 (1) is deer, California quail, pheasant, partridge, peafowl and turkey.

7 Use of aircraft, watercraft and motor vehicles prohibited for hunting section 5 (1) game

- (1) A person must not hunt, or cause, permit or assist in the hunting of, a game animal listed in section 5 (1) of the Act from an aircraft, watercraft or motor vehicle.
- (2) The Game Council may grant a person an exemption from this clause so as to permit the person to hunt from a motor vehicle if satisfied that the person suffers from a disability that prevents the person from hunting on foot.
- (3) This clause does not apply to a commercial hunter.
- (4) In this clause:

motor vehicle means a vehicle that is propelled by a motor that forms part of the vehicle.

8 Use of baits, lures and decoys for hunting section 5 (1) game

- (1) A person must not hunt a game animal listed in section 5 (1) of the Act, or cause, permit or assist in the hunting of that game, using any bait, lure, decoy or live animal to attract game.
- (2) Subclause (1) does not apply to a decoy made or constructed to resemble or represent a game bird or any call resembling the call of a game bird or deer.
- (3) For the purposes of this clause, a planted crop does not constitute a bait or lure.

9 Hunting section 5 (1) game at night prohibited

- (1) A person must not hunt game listed in section 5 (1) of the Act during the period commencing a half-hour after sunset on any day and ending a half-hour before sunrise on the next day.
- (2) This clause does not apply to a commercial hunter.

Game and Feral Animal Control Regulation 2004

Schedule 1 Conditions of game hunting licences

Part 3 Use of dogs**10 Use of dogs when hunting game birds**

- (1) A person must not use a dog when hunting game birds or cause or permit a dog to be so used, with the following exceptions:
- (a) a dog may be used to locate, flush, point or retrieve game birds,
 - (b) a dog may be used in a field trial conducted by a hunting club or organisation approved by the Game Council.
- (2) In this clause, *game bird* means any of the game animals listed in section 5 (1) (b)–(f) of the Act.

11 Use of dogs for hunting deer

A person must not use a dog for hunting deer except in compliance with the following requirements:

- (a) a dog must not be used for hunting deer except for locating, pointing or flushing deer,
- (b) a person hunting alone must not use more than 1 dog for locating, pointing or flushing deer,
- (c) a person must not hunt as part of a group that is using more than 2 dogs for locating, pointing or flushing deer,
- (d) a dog must not be used for locating, pointing or flushing deer unless the dog is wearing a collar to which is securely attached a metal tag or label on which is legibly printed the name, address and telephone number of the owner of the dog and the dog is identified as required by section 8 of the *Companion Animals Act 1998*,
Note. Dogs are currently required to be microchipped.
- (e) a person using a dog for locating, pointing or flushing deer must ensure that the dog does not chase the deer or any other species of animal.

12 Use of dogs for hunting pigs on public land

A person must not use a dog for hunting pigs on public land except in compliance with the following requirements:

- (a) a dog must not be used for hunting pigs except for locating, holding or bailing pigs,

Game and Feral Animal Control Regulation 2004

Conditions of game hunting licences

Schedule 1

-
- (b) a person hunting alone must not use more than 3 dogs for locating, holding or bailing pigs,
 - (c) a person must not hunt as part of a group that is using more than 5 dogs for locating, holding or bailing pigs,
 - (d) a dog must not be used for locating, holding or bailing pigs unless the dog is wearing a collar to which is securely attached a metal tag or label on which is legibly printed the name, address and telephone number of the owner of the dog and the dog is identified as required by section 8 of the *Companion Animals Act 1998*,
Note. Dogs are currently required to be microchipped.
 - (e) a person using a dog for locating, holding or bailing pigs must ensure that the dog does not chase any other species of animal,
 - (f) a person using a dog for locating, holding or bailing pigs must not leave or abandon the dog on public land.

Part 4 Hunting Hog deer

13 Bag limit for Hog deer

A person must not take more than 1 male and 1 female Hog deer during an open season for Hog deer.

14 Hog deer tags

- (1) The Game Council may issue the holders of game hunting licences with Hog deer tags for the purposes of this Regulation.
- (2) Two kinds of Hog deer tag can be issued:
 - (a) one is a female Hog deer tag (which bears the letter “F”), and
 - (b) the other is a male Hog deer tag (which bears the letter “M”).
- (3) A Hog deer tag is valid only for the open season in which it is issued or (if it is not issued during an open season) for the open season that follows its issue.
- (4) The holder of a game hunting licence may be issued with Hog deer tags so as to have no more than 2 valid Hog deer tags on issue to him or her at any one time.
- (5) The Game Council may charge a fee not exceeding \$50 for the issue of a Hog deer tag.

Game and Feral Animal Control Regulation 2004

Schedule 1 Conditions of game hunting licences

- (6) A reference in this Regulation to a *Hog deer tag* is a reference to a Hog deer tag that has been issued by the Game Council under this clause and that is valid.

15 Use of Hog deer tags

A person who hunts Hog deer must comply with the following requirements concerning Hog deer tags:

- (a) a person must not hunt Hog deer unless the person has in his or her possession one female Hog deer tag or one male Hog deer tag,
- (b) a person who kills a Hog deer must immediately affix a Hog deer tag (appropriate to the sex of the animal) to the hind leg of the animal by inserting the tag between the main bone of the leg and the main tendon, so that the tag completely encircles the main bone and is securely locked in position,
- (c) a person must not have the carcass of a female Hog deer in his or her possession, custody or control on any public land or public road unless there is a female Hog deer tag affixed to the hind leg,
- (d) a person must not have the carcass of a male Hog deer in his or her possession, custody or control on any public land or public road unless there is a male Hog deer tag affixed to the hind leg,
- (e) a person issued with a Hog deer tag must not sell, give, lend or transfer the tag to any other person,
- (f) a person issued with a Hog deer tag must not alter, deface or reproduce the tag.

16 Return about Hog deer tags to be provided

A person issued with Hog deer tags must, within 28 days after the end of the open season for which the tags are valid, complete and forward to the Game Council a return (in a form provided by the Game Council) specifying:

- (a) the name and address of the person and the number of the game hunting licence under which the tags have been issued, and
- (b) if the person has taken any Hog deer during that open season, where and when the person took the deer, and

Game and Feral Animal Control Regulation 2004

Conditions of game hunting licences

Schedule 1

- (c) the approximate amount of time the person spent hunting for Hog deer, and
- (d) such other particulars as the form requires.

17 Return of unused Hog deer tags

A person issued with Hog deer tags must, within 28 days after the end of the open season for which the tags are valid, return any unused Hog deer tags to the Game Council.

Note. Unused tags can be returned with the Hog deer return forwarded to the Game Council.

Game and Feral Animal Control Regulation 2004

Schedule 2 Mandatory provisions of code of practice

Schedule 2 Mandatory provisions of code of practice

(Clause 18)

Note.

This Schedule contains the mandatory provisions of the code of practice for holders of game hunting licences under section 24 of the Act. The mandatory provisions only apply to the holders of game hunting licences.

1 Awareness of relevant legislation

It is the responsibility of the holder of a game hunting licence to be aware of and comply with all relevant provisions of legislation relating to hunting, animal welfare and the use of firearms.

2 Safe handling of firearms

Where firearms are used, the rules for safe handling set out in the *NSW Firearms Safety Awareness Handbook* published by or under the authority of the Commissioner of Police must be complied with at all times.

3 Permission required to enter land

A game hunting licence does not automatically authorise the holder of the licence to hunt on any land. The holder of a game hunting licence must not hunt on any land without the express authority of the occupier of the land.

4 Target identification and safety

A game animal must not be fired at unless it can be clearly seen and identified, and the shot when taken poses no discernible risk of injury to any person or significant damage to any property.

5 Obligation to avoid suffering

An animal being hunted must not be inflicted with unnecessary pain. To achieve the aim of delivering a humane death to the hunted animal:

- (a) it must be targeted so that a humane kill is likely, and
- (b) it must be shot within the reasonably accepted killing range of the firearm and ammunition or bow being used, and
- (c) the firearm and ammunition, bow and arrow, or other thing used must be such as can reasonably be expected to humanely kill an animal of the target species.

Game and Feral Animal Control Regulation 2004

Mandatory provisions of code of practice

Schedule 2

6 Lactating females with dependent young

If a lactating female is killed, every reasonable effort must be made to locate and humanely kill any dependent young.

7 Wounded animals

If an animal is wounded, the hunter must take all reasonable steps to locate it, so that it can be killed quickly and humanely.

8 Use of dogs

Dogs and other animals may be used to assist hunters but only if:

- (a) their use is not in contravention of the *Prevention of Cruelty to Animals Act 1979*, and
- (b) their use is with the permission of the occupier of the land concerned.

Game and Feral Animal Control Regulation 2004

Schedule 3 Penalty notice offences

Schedule 3 Penalty notice offences

(Clause 21)

Column 1	Column 2
Provision	Penalty
Section 16 (1) of the Act	\$500
Section 27 of the Act	\$500
Section 55 of the Act	\$400
Section 23 of the Act (except as otherwise provided in this Schedule)	\$550
Section 23 of the Act (Schedule 1, clause 2)	\$220
Section 23 of the Act (Schedule 1, clause 8)	\$220
Section 23 of the Act (Schedule 1, clause 10)	\$220
Section 23 of the Act (Schedule 1, clause 16)	\$220
Section 23 of the Act (Schedule 1, clause 17)	\$220



Unlawful Gambling Regulation 2004

under the

Unlawful Gambling Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Unlawful Gambling Act 1998*.

GRANT McBRIDE, M.P.,
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to remake, with minor changes, the *Unlawful Gambling Regulation 1999* which is to be repealed by section 10 (2) of the *Subordinate Legislation Act 1989* on 1 September 2004.

This Regulation specifies the offences under the *Unlawful Gambling Act 1998* that may be dealt with by way of penalty notice and prescribes the penalties for offences dealt with in that manner.

This Regulation is made under the *Unlawful Gambling Act 1998*, including sections 52 and 57 (the general regulation-making power).

This Regulation comprises matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

Unlawful Gambling Regulation 2004

Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Definition	3
4 Penalty notice offences	3
5 Savings	3
Schedule 1 Penalty notice offences	4

Unlawful Gambling Regulation 2004

Clause 1

Unlawful Gambling Regulation 2004

under the

Unlawful Gambling Act 1998

1 Name of Regulation

This Regulation is the *Unlawful Gambling Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

Note. This Regulation replaces the *Unlawful Gambling Regulation 1999* which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

In this Regulation:

the Act means the *Unlawful Gambling Act 1998*.

4 Penalty notice offences

For the purposes of section 52 of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is a prescribed offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 2 of Schedule 1.

5 Savings

Any act, matter or thing that, immediately before the repeal of the *Unlawful Gambling Regulation 1999*, had effect under that Regulation continues to have effect under this Regulation.

Unlawful Gambling Regulation 2004

Schedule 1 Penalty notice offences

Schedule 1 Penalty notice offences

(Clause 4)

Column 1	Column 2
Offence under Act	Penalty
section 10	\$550
section 13	\$550
section 14	\$550
section 17	\$55
section 21 (3)	\$220
section 27 (2)	\$220
section 34 (1)	\$550
Section 37 (1)	\$550
Section 38 (2)	\$550
Section 43 (3)	\$550



New South Wales

Zoological Parks Regulation 2004

under the

Zoological Parks Board Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Zoological Parks Board Act 1973*.

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

Explanatory note

The object of this Regulation is to remake, with minor modifications, the *Zoological Parks Regulation 1999*, which will be repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*. The new Regulation deals with the following matters:

- (a) the regulation of the entry to, and use of, zoological parks and the behaviour of visitors to them,
- (b) the regulation of vehicles within zoological parks,
- (c) the obstruction of Zoological Parks Board staff and other persons, and the removal of persons from zoological parks.

The Regulation is made under the *Zoological Parks Board Act 1973*, including section 30 (the general regulation-making power).

Zoological Parks Regulation 2004

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	3
2 Commencement	3
3 Definitions and notes	3
Part 2 Visitors to zoological parks	
4 Entrance fees	4
5 Places, times and other conditions of entry	4
6 Exclusion of public from areas	4
7 Certain things not to be brought into zoological park land	5
8 Aerial Safari cable car	5
9 Protection of zoological park land	5
10 Protection of animals	5
11 Recreational activities	6
12 Commercial activities	6
13 Use of the Taronga "Pump" Wharf	6
Part 3 Vehicles	
14 Parking charges	7
15 Regulation of vehicular traffic	7
16 Refusal of entry of vehicles	7
17 Removal of vehicles	8
Part 4 Miscellaneous	
18 Obstruction and failure to comply with directions	9
19 Removal of persons	9
20 Exercise of Board's functions	9
21 Certain acts not to be offences	9
22 Saving	10

Zoological Parks Regulation 2004

Clause 1

Preliminary

Part 1

Zoological Parks Regulation 2004

under the

Zoological Parks Board Act 1973

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Zoological Parks Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

Note. This Regulation replaces the *Zoological Parks Regulation 1999* which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions and notes

(1) In this Regulation:

Aerial Safari cable car means the cable car, together with its terminals, located at the Taronga Zoological Park.

Board means the Zoological Parks Board.

Director means the Director of the Board.

member of staff means the Director or any other member of staff of the Board.

Taronga Zoological Park means the zoological park referred to in section 15 (2) (a) of the Act.

the Act means the *Zoological Parks Board Act 1973*.

zoological park land means any land vested in or held by the Board on which a zoological park is established or maintained.

(2) Notes included in this Regulation do not form part of this Regulation.

Clause 4 Zoological Parks Regulation 2004

Part 2 Visitors to zoological parks

Part 2 Visitors to zoological parks

4 Entrance fees

- (1) The Board may from time to time determine the entrance fees payable by persons, clubs and associations with respect to zoological park land.
- (2) Entrance fees may differ according to such factors as the Board may determine.
- (3) A person must not enter zoological park land without having paid the relevant entrance fee.

Maximum penalty: 1 penalty unit.

5 Places, times and other conditions of entry

- (1) The Board may, by means of notices erected at, or in the vicinity of, any entrance to zoological park land:
 - (a) identify the visitors' entrances to that land, and
 - (b) specify the times during which, and the conditions subject to which, persons may remain on that land.
- (2) A person must not enter zoological park land otherwise than by means of a visitors' entrance identified by any such notice.

Maximum penalty: 1 penalty unit.

- (3) A person must not enter or remain on zoological park land at any time while that land is closed to the public by means of any such notice.

Maximum penalty: 1 penalty unit.

6 Exclusion of public from areas

- (1) The Board may, by means of notices or barriers, exclude the public from any part of zoological park land.
- (2) A person must not enter any part of zoological park land in wilful contravention of any such notice or in wilful disregard of any such barrier.

Maximum penalty: 1 penalty unit.

Zoological Parks Regulation 2004

Clause 7

Visitors to zoological parks

Part 2

7 Certain things not to be brought into zoological park land

A person must not bring into zoological park land:

- (a) any animal, or
- (b) any skateboard, roller skates, roller blades or similar apparatus, or
- (c) any balloons.

Maximum penalty: 1 penalty unit.

8 Aerial Safari cable car

A person must not:

- (a) ride on the Aerial Safari cable car without paying the relevant charge, or
- (b) interfere with the operation of the cable car, or
- (c) interfere with the enjoyment or comfort of other persons waiting for or travelling in the cable car.

Maximum penalty: 1 penalty unit.

9 Protection of zoological park land

A person must not do any of the following in zoological park land:

- (a) damage or remove, or remove any part from, any tree, shrub, plant, vine, flower or other vegetation,
- (b) remove or disturb any rock, soil, sand, stone or similar substance,
- (c) leave or deposit any rubbish or litter, except in a bin provided and designated for that purpose,
- (d) damage, remove or interfere with any building, structure, notice, sign or other improvement,
- (e) throw or project any stone or other object.

Maximum penalty: 1 penalty unit.

10 Protection of animals

A person must not do any of the following in zoological park land:

- (a) feed any animal,
- (b) destroy, capture, injure, annoy or interfere with any animal.

Maximum penalty: 1 penalty unit.

Clause 11 Zoological Parks Regulation 2004

Part 2 Visitors to zoological parks

11 Recreational activities

A person must not do any of the following in zoological park land:

- (a) ride on or use any skateboard, roller skates, roller blades or similar apparatus,
- (b) operate any radio, cassette, record, compact disc or other audio player, or play any musical instrument, at a volume likely to cause annoyance or inconvenience to any other person or any animal,
- (c) operate or use a loudspeaker or public address system,
- (d) climb on any building, fence, seat, table, enclosure or other structure,
- (e) bathe, wade or swim in any lake, pond, stream or ornamental water,
- (f) light any fire.

Maximum penalty: 1 penalty unit.

12 Commercial activities

A person must not do any of the following in zoological park land:

- (a) hold or address a function, public meeting, demonstration or gathering,
- (b) conduct, or cause or assist in the conduct of, an amusement, entertainment, instruction or performance, whether or not for money or other consideration,
- (c) sell, hire, expose for sale or hire or solicit for sale or hire any papers, printed matter, food or other goods or services,
- (d) take photographs or films, or operate a video recorder, for commercial purposes,
- (e) display or distribute any advertisement, sign, bill, poster or other printed matter.

Maximum penalty: 1 penalty unit.

13 Use of the Taronga “Pump” Wharf

A person must not moor a vessel to, or fish from, any part of the wharf known as the Taronga “Pump” Wharf and situated at Taronga Zoological Park.

Maximum penalty: 1 penalty unit.

Zoological Parks Regulation 2004

Clause 14

Vehicles

Part 3

Part 3 Vehicles

14 Parking charges

- (1) The Board may from time to time determine the charges payable for bringing vehicles into, or parking vehicles within, zoological park land.
- (2) Charges may differ according to such factors as the Board may determine.
- (3) A person must not bring any vehicle into, or park any vehicle in, zoological park land without having paid the relevant charge.

Maximum penalty: 1 penalty unit.

15 Regulation of vehicular traffic

- (1) The Board may:
 - (a) by means of notices or barriers, or
 - (b) by means of directions given by its members of staff,regulate the entry of vehicles into, and vehicular traffic within, zoological park land.
- (2) A person must not drive a vehicle into or within, or park a vehicle within, zoological park land:
 - (a) in wilful contravention of any such notice or direction or in wilful disregard of any such barrier, or
 - (b) otherwise than on a road set aside for that purpose.

Maximum penalty: 1 penalty unit.

16 Refusal of entry of vehicles

- (1) The Board may refuse to admit a vehicle to zoological park land.
- (2) A person must not cause a vehicle to enter zoological park land if admission is refused by the Board.

Maximum penalty: 1 penalty unit.

Clause 17 Zoological Parks Regulation 2004

Part 3 Vehicles

17 Removal of vehicles

- (1) The Board may direct a person to remove from zoological park land any unlawfully parked vehicle that is under that person's control.
- (2) A person must not fail to comply with such a direction.
Maximum penalty: 1 penalty unit.

Zoological Parks Regulation 2004

Clause 18

Miscellaneous

Part 4

Part 4 Miscellaneous

18 Obstruction and failure to comply with directions

A person must not:

- (a) obstruct any other person (whether or not a member of staff) in the performance of that person's work or duties within zoological park land, or
- (b) fail to comply with a direction by a member of staff to evacuate buildings on zoological park land in response to a fire alarm or in any other emergency situation, or
- (c) fail to comply with any other reasonable direction given by a member of staff with respect to zoological park land.

Maximum penalty: 1 penalty unit.

19 Removal of persons

- (1) The Board may direct a person to leave zoological park land:
 - (a) if the person is contravening any provision of this Regulation, or
 - (b) if the person is apparently under the influence of liquor or drugs, or
 - (c) if the person is behaving in an offensive manner.
- (2) The Board may remove from zoological park land any person who fails to comply with a direction under this clause.

20 Exercise of Board's functions

A function that is conferred on the Board by this Regulation may be exercised by the Director or by any other member of staff authorised by the Board or the Director to exercise that function.

21 Certain acts not to be offences

- (1) A person does not commit an offence under this Regulation if the act giving rise to the offence was done:
 - (a) by a member of staff in the course of his or her employment as such, or
 - (b) under the direction or with the consent of the Board.
- (2) The consent of the Board as referred to in this clause may be given generally or in a particular case.

Clause 22 Zoological Parks Regulation 2004

Part 4 Miscellaneous

22 Saving

Any act, matter or thing that, immediately before the repeal of the *Zoological Parks Regulation 1999* had effect under that Regulation is taken to have effect under this Regulation.

Orders



New South Wales

Health Services Amendment (Calvary Health Care Sydney Limited) Order 2004

under the

Health Services Act 1997

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 62 (2) (c) of the *Health Services Act 1997*, do, by this my Order, amend Schedule 3 to that Act by omitting “Calvary Health Care Sydney Incorporated” from Column 1 and inserting instead “Calvary Health Care Sydney Limited”.

Dated, this 4th day of August 2004.

By Her Excellency’s Command,

MORRIS IEMMA, M.P.,
Minister for Health

Explanatory note

The object of this Order is to amend Schedule 3 (which sets out the names of recognised affiliated health organisations) to take account of the change of name of Calvary Health Care Sydney Incorporated to Calvary Health Care Sydney Limited.

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



New South Wales

Health Services Amendment (Lourdes Hospital and Community Health Service) Order 2004

under the

Health Services Act 1997

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 62 of the *Health Services Act 1997*, make the following Order.

Dated, this 4th day of August 2004.

By Her Excellency's Command,

MORRIS IEMMA, M.P.,
Minister for Health

Explanatory note

The object of this Order is to remove the aged care facility known as Holy Spirit Dubbo from the recognised establishments and recognised services listed in Schedule 3 to the *Health Services Act 1997* in relation to Catholic Health Care Services Limited, an affiliated health organisation.

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

Clause 1 Health Services Amendment (Lourdes Hospital and Community Health Service) Order 2004

Health Services Amendment (Lourdes Hospital and Community Health Service) Order 2004

under the

Health Services Act 1997

1 Name of Order

This Order is the *Health Services Amendment (Lourdes Hospital and Community Health Service) Order 2004*.

2 Commencement

This Order commences on 9 August 2004.

3 Amendment of Health Services Act 1997 No 154

The *Health Services Act 1997* is amended by omitting from Column 2 of Schedule 3 “Lourdes Hospital and Community Health Service” and by inserting instead “Lourdes Hospital and Community Health Service (other than Holy Spirit Dubbo)”.



New South Wales

Public Sector Employment and Management (Festival Development Corporation) Order 2004

under the

Public Sector Employment and Management Act 2002

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 4th day of August 2004.

By Her Excellency's Command,

BOB CARR, M.P.,
Premier

Clause 1 Public Sector Employment and Management (Festival Development Corporation) Order 2004

Public Sector Employment and Management (Festival Development Corporation) Order 2004

under the

Public Sector Employment and Management Act 2002

1 Name of Order

This Order is the *Public Sector Employment and Management (Festival Development Corporation) Order 2004*.

2 Transfer of branch

The group of staff in the Department of Infrastructure, Planning and Natural Resources who are attached to the Festival Development Corporation are removed from that Department and added to the Department of Commerce.

3 Construction of certain references

- (1) A reference in the *Growth Centres (Development Corporations) Act 1974* to the Department of Urban Affairs and Planning (required by previous Orders to be construed as a reference to the Department of Infrastructure, Planning and Natural Resources) is to be construed as a reference to the Department of Commerce if the reference is used in relation to the Festival Development Corporation.
- (2) A reference in any other Act, or in any statutory instrument or other instrument, or in any contract or agreement, to the Department of Infrastructure, Planning and Natural Resources is to be construed as a reference to the Department of Commerce if the reference is used in relation to the Festival Development Corporation.



New South Wales

State Authorities Non-contributory Superannuation (New South Wales Institute of Sport) Order 2004

under the

State Authorities Non-contributory Superannuation Act 1987

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 27 of the *State Authorities Non-contributory Superannuation Act 1987*, make the following Order.

Dated, this 4th day of August 2004.

By Her Excellency's Command,

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Order is to add the New South Wales Institute of Sport to the list of employers in Schedule 1 to the *State Authorities Non-contributory Superannuation Act 1987*. This amendment is taken to have commenced on 3 November 2000 and is to reflect the abolition as a department of the Public Service, on that date, of the group of staff attached to the New South Wales Institute of Sport.

This Order is made under section 27 of the *State Authorities Non-contributory Superannuation Act 1987*.

Clause 1 State Authorities Non-contributory Superannuation (New South Wales Institute of Sport) Order 2004

State Authorities Non-contributory Superannuation (New South Wales Institute of Sport) Order 2004

under the

State Authorities Non-contributory Superannuation Act 1987

1 Name of Order

This Order is the *State Authorities Non-contributory Superannuation (New South Wales Institute of Sport) Order 2004*.

2 Commencement

This Order is taken to have commenced on 3 November 2000.

3 Amendment of State Authorities Non-contributory Superannuation Act 1987 No 212

The *State Authorities Non-contributory Superannuation Act 1987* is amended by inserting at the end of Part 1 of Schedule 1:

New South Wales Institute of Sport



State Authorities Superannuation (New South Wales Institute of Sport) Order 2004

under the

State Authorities Superannuation Act 1987

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 46 of the *State Authorities Superannuation Act 1987*, make the following Order.

Dated, this 4th day of August 2004.

By Her Excellency's Command,

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Order is to add the New South Wales Institute of Sport to the list of employers in Schedule 1 to the *State Authorities Superannuation Act 1987*. This amendment is taken to have commenced on 3 November 2000 and is to reflect the abolition as a department of the Public Service, on that date, of the group of staff attached to the New South Wales Institute of Sport.

This Order is made under section 46 of the *State Authorities Superannuation Act 1987*.

Clause 1 State Authorities Superannuation (New South Wales Institute of Sport)
 Order 2004

State Authorities Superannuation (New South Wales Institute of Sport) Order 2004

under the

State Authorities Superannuation Act 1987

1 Name of Order

This Order is the *State Authorities Superannuation (New South Wales Institute of Sport) Order 2004*.

2 Commencement

This Order is taken to have commenced on 3 November 2000.

3 Amendment of State Authorities Superannuation Act 1987 No 211

The *State Authorities Superannuation Act 1987* is amended by inserting at the end of Part 1 of Schedule 1:

New South Wales Institute of Sport



Superannuation (New South Wales Institute of Sport) Order 2004

under the

Superannuation Act 1916

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 92 of the *Superannuation Act 1916*, make the following Order.

Dated, this 4th day of August 2004.

By Her Excellency's Command,

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

The object of this Order is to add the New South Wales Institute of Sport to the list of employers in Schedule 3 to the *Superannuation Act 1916*. This amendment is taken to have commenced on 3 November 2000 and is to reflect the abolition as a department of the Public Service, on that date, of the group of staff attached to the New South Wales Institute of Sport.

This Order is made under section 92 of the *Superannuation Act 1916*.

Clause 1 Superannuation (New South Wales Institute of Sport) Order 2004

Superannuation (New South Wales Institute of Sport) Order 2004

under the

Superannuation Act 1916

1 Name of Order

This Order is the *Superannuation (New South Wales Institute of Sport) Order 2004*.

2 Commencement

This Order is taken to have commenced on 3 November 2000.

3 Amendment of Superannuation Act 1916 No 28

The *Superannuation Act 1916* is amended by inserting at the end of Part 1 of Schedule 3:

New South Wales Institute of Sport

OFFICIAL NOTICES

Appointments

ANTI-DISCRIMINATION ACT 1977

Appointment

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 122F of the Anti-Discrimination Act 1977, has appointed Christopher John RAPER as Director of Equal Opportunity in Public Employment effective on and from 4 August 2004.

The Hon. BOB CARR, M.P.,
Premier

The Cabinet Office, Sydney
4 August 2004

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the Minister for Fair Trading and Minister Assisting the Minister for Commerce

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable K. A. HICKEY, M.P., Minister for Mineral Resources, to act for and on behalf of the Minister for Fair Trading, as on and from 4 August 2004, with a view to him performing the duties of the Honourable R. P. MEAGHER, M.P., during her absence from duty.

BOB CARR,
Premier

EDUCATION ACT 1990

Notification of an Appointment to the Board of Studies

I, ANDREW JOHN REFSHAUGE, Deputy Premier, Minister for Education and Training and Minister for Aboriginal Affairs, in pursuance of Schedule 1, Clause 8 of the Education Act 1990, appoint Dr Mary FOGARTY as a member of the Board of Studies, being a nominee provided under section 100(3)(h), for a term commencing on and from 1 August 2004 until 31 July 2007.

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

EDUCATION ACT 1990

Notification of an Appointment to the Board of Studies

I, ANDREW JOHN REFSHAUGE, Deputy Premier, Minister for Education and Training and Minister for Aboriginal Affairs, in pursuance of Schedule 1, Clause 8 of the Education Act 1990, appoint Dr Brian CROKE as a member of the Board of Studies, being a nominee provided under section 100(3)(c), for a term commencing on and from 5 July 2004 until 4 July 2007.

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

EDUCATION ACT 1990

Notification of Appointments to the Board of Studies

I, ANDREW JOHN REFSHAUGE, Deputy Premier, Minister for Education and Training and Minister for Aboriginal Affairs, in pursuance of Schedule 1, Clause 8 of the Education Act 1990, appoint the following persons as Members of the Board of Studies, being nominees provided by that section of the said Act in brackets after their names, for a term commencing on and from 15 August 2004 to 14 August 2007:

Ms Caroline Anne BENEDET [100(3)(f)];

Ms Janet Helen CHAN [100(3)(g)].

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT 1912

Appointment of Electoral Districts Commissioner

IT is hereby notified that pursuant to the Parliamentary Electorates and Elections Act 1912, Her Excellency the Governor, Professor Marie Bashir AC, has appointed Mr Colin Anthony BARRY, Electoral Commissioner, as an Electoral Districts Commissioner to hold office from 4 August 2004 to 31 October 2004.

R. B. WILKINS,
Director General

The Cabinet Office, Sydney
4 August 2004.

POULTRY MEAT INDUSTRY ACT 1986

Appointment of Independent Member and Chairperson to the Poultry Meat Industry Committee

IN pursuance of the provisions of sections 4(3)(a) and 4(4) of the Poultry Meat Industry Act 1986, the following person has been appointed to the position of Independent Member and Chairperson of the Poultry Meat Industry Committee:

Mr Stephen CARROLL of Turramurra,
for a term of office ending on 30 June 2006.

Dated this 27th day of July 2004.

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

Department of Infrastructure, Planning and Natural Resources

Infrastructure and Planning



New South Wales

Armidale Local Environmental Plan 1988 (Amendment No 26)

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*. (S03/00786/PC)

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

Clause 1 Armidale Local Environmental Plan 1988 (Amendment No 26)

Armidale Local Environmental Plan 1988 (Amendment No 26)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Armidale Local Environmental Plan 1988 (Amendment No 26)*.

2 Aims of plan

This plan aims:

- (a) to update in *Armidale Local Environmental Plan 1988* the references to the development control plan relating to exempt and complying development as a consequence of amendments made to that plan, and
- (b) to effect a change in the name of the local government area (as a result of an amalgamation) in *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development*.

3 Land to which plan applies

This plan applies to all land in the local government area of Armidale Dumaresq to which *Armidale Local Environmental Plan 1988* applies.

4 Amendment of Armidale Local Environmental Plan 1988

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

Armidale Local Environmental Plan 1988 (Amendment No 26)

Clause 5

**5 Amendment of State Environmental Planning Policy No 4—
Development Without Consent and Miscellaneous Exempt and
Complying Development**

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development is amended by omitting from Schedule 2 the words “Armidale City local government area” and “Dumaresq local government area” and by inserting in alphabetical order the words “Armidale Dumaresq local government area”.

Armidale Local Environmental Plan 1988 (Amendment No 26)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

the relevant complying development DCP provisions means the provisions of Part 2 of Volume A of the document titled *Local Approvals Policy/Development Control Plan 1999*, as adopted by the council on 23 August 1999 and renamed on 25 September 2000, as those provisions have been amended on the following dates:

15 December 2003

the relevant exempt development DCP provisions means the provisions of Part 1 of Volume A of the document titled *Local Approvals Policy/Development Control Plan 1999*, as adopted by the council on 23 August 1999 and renamed on 25 September 2000, as those provisions have been amended on the following dates:

15 December 2003

[2] Clause 10A

Omit the clause. Insert instead:

10A What is exempt and complying development?

- (1) Development of minimal environmental impact listed as exempt development in the relevant exempt development DCP provisions is *exempt development*, despite any other provisions of this plan.
- (2) Development listed as complying development in the relevant complying development DCP provisions is *complying development* if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.

Armidale Local Environmental Plan 1988 (Amendment No 26)

Amendments

Schedule 1

-
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant exempt development DCP provisions or the relevant complying development DCP provisions, as the case requires.
 - (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in the relevant complying development DCP provisions adopted by the council, as in force when the certificate is issued.



Burwood Local Environmental Plan No 67

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*. (S03/03330/S69)

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

Clause 1 Burwood Local Environmental Plan No 67

Burwood Local Environmental Plan No 67

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Burwood Local Environmental Plan No 67*.

2 Aims of plan

This plan aims to allow, with the consent of Burwood Council, the subdivision of the land to which this plan applies to create a separate lot for each of the 2 detached dwellings comprising the dual occupancy on the land.

3 Land to which plan applies

This plan applies to land situated in the local government area of Burwood, being land known as 197 Burwood Road, Croydon Park (Lot 91, DP 12912), as shown edged heavy black and hatched on the map marked "Burwood Local Environmental Plan No 67" deposited in the office of Burwood Council.

4 Amendment of Burwood Planning Scheme Ordinance

The *Burwood Planning Scheme Ordinance* is amended by inserting at the end of Schedule 8 the following words:

Land known as 197 Burwood Road, Croydon Park (Lot 91, DP 12912), as shown edged heavy black and hatched on the map marked "Burwood Local Environmental Plan No 67" deposited in the office of the Council—subdivision under the *Conveyancing Act 1919* to create a separate lot for each of the 2 detached dwellings on the land.



Campbelltown (Urban Area) Local Environmental Plan 2002 (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*. (P02/00696/S69)

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

Clause 1 Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies (being small parcels of land) to partly Zone 2 (b)—the Residential B Zone and partly Zone 7 (d1)—the Environmental Protection 100 hectares Minimum Zone under *Campbelltown (Urban Area) Local Environmental Plan 2002 (the 2002 plan)*, and
- (b) to rezone part of the land to Zone 5 (c)—the Special Uses Sub-Arterial Roads Zone under the 2002 plan for the purposes of road widening, and
- (c) to add 2 properties to the schedule of heritage items to the 2002 plan, and to amend the description of an existing heritage item and to add to that item 6 street trees, and
- (d) to provide that consent must not be granted at any time before 1 March 2007 to development, other than development for the purposes of the design, testing, manufacture, repair and ancillary support services associated with specialist toolmaking, on part of the land, and
- (e) to add to the 2002 plan a definition of *gross floor area* and to amend the definitions of *heritage item* and *public utility undertaking* in that plan, and
- (f) to correct minor errors in and omissions from the 2002 plan, which include:
 - (i) to add as a zone objective the encouragement of a high quality standard of development of land, and

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)

Clause 3

-
- (ii) to clarify the provision in the 2002 plan relating to the subdivision of land in the rural and environmental protection zones, and
 - (iii) to clarify the meaning of gross floor area in the 2002 plan.

3 Land to which plan applies

- (1) In respect of the aim set out in clause 2 (a), this plan applies to:
 - (a) Lot 2, DP 842735 and Lot 3, DP 1007066, Sugarloaf Farm, Menangle Road, Gilead, as shown distinctively coloured and edged heavy black on Sheet 1 of the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)" deposited in the office of the Council of the City of Campbelltown, and
 - (b) Lot 4, DP 874904 and part of Lot 35, DP 261258, Waterhouse Place, Airs, as shown distinctively coloured on Sheet 3 of that map, and
 - (c) Lots 25 and 27, DP 716139, Ravensworth Place and Merriman Place, Airs, as shown distinctively coloured on Sheet 4 of that map.
- (2) In respect of the aim set out in clause 2 (b), this plan applies to:
 - (a) Lot 1, DP 524225, Lots 6–8 DP 38830, Lot 2, DP 3087, Lot 1, DP 716545, Lot 26, DP 717540, Lot 2, DP 731085, Lot 1, DP 716546, Lot 1, DP 611120, Lot 8B, DP 364454, Lot 1, DP 788291 and Lot 1, DP 613777, Broughton Street, Campbelltown, as shown distinctively coloured on Sheet 5 of that map, and
 - (b) Lots 3–5, DP 538258, Lots 1 and 2, DP 536951, Lot 1, DP 518952, Lots 19, 32–35 and 38, DP 32311, Lots 1 and 2, DP 506197, Lot 3671, DP 813437 and Lot 22, DP 590398, Blaxland Road Campbelltown, as shown distinctively coloured on Sheet 6 of that map.
- (3) In respect of the aims set out in clause 2 (c), this plan applies to:
 - (a) Lot 2, DP 842735, Lot 62, DP 810737 and Lot 3, DP 1007066, Sugarloaf Farm, Menangle Road, Gilead, as shown edged heavy black on Sheet 1 of that map, and
 - (b) Lot 315, DP 253229, *The Jug*, stone cottage, 9 Ben Lomond Road, Minto Heights, as shown edged heavy black on Sheet 2 of that map, and

Clause 4 Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)

- (c) six street trees in Eschol Park Drive, between Eschol Park House and Raby Road, as shown edged heavy black on Sheet 7 of that map.
- (4) In respect of the aim set out in clause 2 (d), this plan applies to Lot 11, DP 840849, Henderson Road, Ingleburn.
- (5) In respect of the aim set out in clause 2 (e), this plan applies to all land in the City of Campbelltown under the 2002 plan.
- (6) In respect of the aims set out in clause 2 (f), this plan applies to all land in the City of Campbelltown under the 2002 plan.

4 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

Campbelltown (Urban Area) Local Environmental Plan 2002 is amended as set out in Schedule 1.

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

- [1] **Clauses 7 (2), 8 (2), 9 (2), 10 (2), 11 (2), 15 (2), 16 (2), 17 (2), 18 (2), 19 (2), 20 (2), 21 (2), 22 (2), 23 (2), 24 (2), 25 (2), 26 (2), 27 (2), 28 (2), 29 (2) and 30 (2)**

Insert at the end of the subclauses:

A further objective of this zone is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

- [2] **Clauses 12 (2) (c), 13 (2) (b) and 14 (2) (b)**

Insert "quality" after "high" wherever occurring.

- [3] **Clause 33 Subdivision in rural and environmental protection zones**

Omit clause 33 (2) (b). Insert instead:

- (b) the consent authority is satisfied that the purpose of the subdivision is to align the boundaries of those lots with the boundaries of a zone so specified.

- [4] **Clause 60**

Insert after clause 59:

60 Restricted development, Henderson Road, Ingleburn

- (1) This clause applies Lot 11, DP 840849, Henderson Road, Ingleburn.
- (2) Despite any other provision of this plan, consent must not be granted at any time before 1 March 2007 to development, other than development for the purposes of the design, testing, manufacture, repair and ancillary support services associated with specialist toolmaking, on the land to which this clause applies.

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)

Schedule 1 Amendments

[5] Schedule 1 Heritage items and heritage conservation areas

Insert in alphabetical order of street name in Part 1 of the Schedule:

Ben Lomond Road

The Jug, stone cottage

9 Ben Lomond Road, Lot 315 DP 253229, Minto Heights

Significance: State

[6] Schedule 1, Part 1 Heritage items

Omit the matter under the heading “**Eschol Park Drive**”. Insert instead:

Eschol Park House and street trees

14 Eschol Park Drive, Lot 22 DP 545718, Eschol Park and the avenue of trees in Eschol Park Drive between Eschol Park and Raby Road

2 Peppercorn trees (*Schinus ariera*)

1 Pine (*Pinus roxburgii*)

1 Moreton Bay Fig (*Ficus macrophylla*)

1 Green Fig (*Ficus virens*)

1 Italian Cypress (*Cupressus sempervirens*)

Significance: Local

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 6)

Amendments

Schedule 1

[7] Schedule 1, Part 1 Heritage items

Insert in alphabetical order of street name:

Menangle Road

Sugarloaf Farm

Lot 2 DP 842735, Lot 62 DP 810737 and Lot 3 DP 1007066, Gilead

Significance: State

[8] Schedule 3 Dictionary

Insert in alphabetical order:

gross floor area means the total floor area of a building measured to the inner face of the external walls. It is not to include areas occupied by lift motor and plant rooms, stairwells, verandahs and balconies or the area of any car parking spaces and loading bays.

[9] Schedule 3, definition of “heritage item”

Insert “, tree” after “archaeological site”.

[10] Schedule 3, definition of “public utility undertaking”

Omit “gas, or” from paragraph (c). Insert instead “gas,”.

[11] Schedule 3, definition of “public utility undertaking”

Omit paragraph (d).

[12] Schedule 3, definition of “the map”

Insert in appropriate order:

Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 6)



Cessnock Local Environmental Plan 1989 (Amendment No 104)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N04/00020/S69)

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

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 104)

Cessnock Local Environmental Plan 1989 (Amendment No 104)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 104)*.

2 Aims of plan

This plan aims to reclassify the land to which this plan applies 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 situated in the City of Cessnock, being Lot 40, DP 978835, Maitland Street, Branxton, as shown edged heavy black on the map marked "Cessnock Local Environmental Plan 1989 (Amendment No 104)" 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 alphabetical order of street name in Part 2 of Schedule 6 under the heading "**Branxton**" the following words:

Maitland Street

Lot 40, DP 978835, as shown edged heavy black on the map marked "Cessnock Local Environmental Plan 1989 (Amendment No 104)".



Dumaresq Local Environmental Plan No 24

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*. (S03/00786/PC)

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

Clause 1 Dumaresq Local Environmental Plan No 24

Dumaresq Local Environmental Plan No 24

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Dumaresq Local Environmental Plan No 24*.

2 Aims of plan

This plan aims to replace 2 provisions in *Dumaresq Local Environmental Plan No 1* relating to exempt and complying development with a new provision and update the references to the development control plan relating to exempt and complying development as a consequence of amendments made to that plan.

3 Land to which plan applies

This plan applies to all land in the local government area of Armidale Dumaresq under *Dumaresq Local Environmental Plan No 1*.

4 Amendment of Dumaresq Local Environmental Plan No 1

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

Dumaresq Local Environmental Plan No 24

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Interpretation

Insert in alphabetical order in clause 6 (1):

the relevant complying development DCP provisions means the provisions of Part 2 of Volume A of the document titled *Local Approvals Policy/Development Control Plan 1999*, as adopted by the council on 23 August 1999 and renamed on 25 September 2000, as those provisions have been amended on the following dates:

15 December 2003

the relevant exempt development DCP provisions means the provisions of Part 1 of Volume A of the document titled *Local Approvals Policy/Development Control Plan 1999*, as adopted by the council on 23 August 1999 and renamed on 25 September 2000, as those provisions have been amended on the following dates:

15 December 2003

[2] Clause 38

Omit clauses 38 and 39. Insert instead:

38 Exempt and complying development

- (1) Development of minimal environmental impact listed as exempt development in the relevant exempt development DCP provisions is *exempt development*, despite any other provisions of this plan.
- (2) Development listed as complying development in the relevant complying development DCP provisions is *complying development* if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.

Dumaresq Local Environmental Plan No 24

Schedule 1 Amendments

-
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant exempt development DCP provisions or the relevant complying development DCP provisions, as the case requires.
 - (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in the relevant complying development DCP provisions adopted by the council, as in force when the certificate is issued.



Kogarah Local Environmental Plan 1998 (Amendment No 43)

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*. (R93/00029/S69)

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

Clause 1 Kogarah Local Environmental Plan 1998 (Amendment No 43)

Kogarah Local Environmental Plan 1998 (Amendment No 43)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Kogarah Local Environmental Plan 1998 (Amendment No 43)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from the Open Space 6 (a)—Open Space (Public) Zone to the Residential 2 (a)—Residential (Low Density) Zone under *Kogarah Local Environmental Plan 1998*.

3 Land to which plan applies

This plan applies to Lot 9, DP 576243, known as 17A Renn Street, Kogarah Bay, as shown edged heavy black and distinctively coloured on the map marked “Kogarah Local Environmental Plan 1998 (Amendment No 43)” deposited in the office of Kogarah Municipal Council.

4 Amendment of Kogarah Local Environmental Plan 1998

Kogarah Local Environmental Plan 1998 is amended by inserting in appropriate order in the definition of *land use map* in clause 25 (1) the following words:

Kogarah Local Environmental Plan 1998 (Amendment No 43)



Lane Cove Local Environmental Plan 1987 (Amendment No 57)

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*. (S04/0689/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 57)

Lane Cove Local Environmental Plan 1987 (Amendment No 57)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lane Cove Local Environmental Plan 1987 (Amendment No 57)*.

2 Aims of plan

This plan aims to permit, with the consent of Lane Cove Council, the carrying out of development on the land to which this plan applies for the purpose of community facilities.

3 Land to which plan applies

This plan applies to all land in the local government area of Lane Cove within Zone No 3 (a) (the Business General "A" Zone) under *Lane Cove Local Environmental Plan 1987*.

4 Amendment of Lane Cove Local Environmental Plan 1987

Lane Cove Local Environmental Plan 1987 is amended by inserting the words "community facilities;" in alphabetical order in item 3 of the matter relating to Zone No 3 (a) in the Table to clause 9.



Muswellbrook Local Environmental Plan 1985 (Amendment No 92)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N04/00042/S69)

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

Clause 1 Muswellbrook Local Environmental Plan 1985 (Amendment No 92)

Muswellbrook Local Environmental Plan 1985 (Amendment No 92)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Muswellbrook Local Environmental Plan 1985 (Amendment No 92)*.

2 Aims of plan

This plan aims to allow, with the consent of Muswellbrook Shire Council, the carrying out of development on the land to which this plan applies for the purpose of skin care and beauty premises.

3 Land to which plan applies

This plan applies to Lot 561, 548054, 23 Sowerby Street, Muswellbrook, as shown edged heavy black on the map marked "Muswellbrook Local Environmental Plan 1985 (Amendment No 92)" deposited in the office of Muswellbrook Shire Council.

4 Amendment of Muswellbrook Local Environmental Plan 1985

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

Lot 561, 548054, 23 Sowerby Street, Muswellbrook, as shown edged heavy black on the map marked "Muswellbrook Local Environmental Plan 1985 (Amendment No 92)"—skin care and beauty premises.



Richmond River Local Environmental Plan 1992 (Amendment No 22)

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*. (G96/00219/S69)

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

Clause 1 Richmond River Local Environmental Plan 1992 (Amendment No 22)

Richmond River Local Environmental Plan 1992 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Richmond River Local Environmental Plan 1992 (Amendment No 22)*.

2 Aims of plan

The aims of this plan are:

- (a) to exempt, in certain circumstances, the sugar industry from the development consent requirements of the provisions of clause 18A (Development on land containing acid sulfate soils) of *Richmond River Local Environmental Plan 1992*, and
- (b) also to exempt from those development consent requirements the carrying out of works on land that has been lawfully filled, but only in respect of works that do not extend beneath the fill, and
- (c) as a matter of housekeeping, to relocate from clause 5 (Interpretation) to the acid sulfate soils provisions (clause 18A) definitions that are specific to those provisions.

3 Land to which plan applies

This plan applies to the land shown as being within Class 1, 2, 3, 4 or 5, or identified as a Major Drain, on any of the 12 maps marked "Richmond River Local Environmental Plan 1992 (Amendment No 22) Acid Sulfate Soils Planning Map" held in the office of Richmond Valley Council.

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 22)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

Omit the definitions of *ACID SULFATE SOILS ASSESSMENT GUIDELINES*, *ACID SULFATE SOILS PLANNING MAP*, *ACTUAL ACID SULFATE SOILS*, *AGRICULTURAL-RELATED WORKS*, *EXISTING DRAINS*, *FLOOD MITIGATION WORKS*, *MAINTENANCE OF EXISTING DRAINS*, *POTENTIAL ACID SULFATE SOILS*, and *WORKS THAT MAY ALTER GROUNDWATER LEVELS* from clause 5 (1).

[2] Clause 18A Development on land containing acid sulfate soils

Omit “subclause (4)” from clause 18A (2).

Insert instead “subclauses (4), (4A), (4B) and (7)”.

[3] Clause 18A (3A)

Insert after clause 18A (3):

(3A) Exception for filled land

This clause does not require consent for the carrying out of works on land that has been lawfully filled if the proposed works will not extend beneath the fill.

[4] Clause 18A (4A)–(4D)

Insert after clause 18A (4):

(4A) Exception for cane land

This clause does not require consent for the carrying out of works for the purpose of agriculture (including drains, land levelling, dams, road works and the like) if:

- (a) a production area entitlement is in force in respect of the land concerned at the time of carrying out the works, and
- (b) the works are carried out in accordance with a drainage management plan lodged with and endorsed by the NSW Sugar Milling Co-operative or the Council, and
- (c) a drainage management plan for the land has been prepared in accordance with the Sugar Industry Best Practice Guidelines, and

Richmond River Local Environmental Plan 1992 (Amendment No 22)

Schedule 1 Amendments

-
- (d) the works are not carried out in respect of any major drains identified on the Acid Sulfate Soil Planning Map or on any land:
 - (i) within Zone No 7 (a) Environmental Protection (Wetlands), or
 - (ii) within Zone No 7 (c) Environmental Protection (Flora and Fauna), or
 - (iii) to which *State Environmental Planning Policy No 14—Coastal Wetlands* applies, and
 - (e) the Council has not served a notice on the person carrying out or using the works, or published a notice in a newspaper circulating in the locality of the works, requiring that the carrying out or use of the works cease or that development consent be obtained prior to the carrying out or further use of the works.

(4B) Audit of drainage management plans

An annual audit of drainage management plans and of the works to which subclause (4A) relates is to be carried out by the NSW Sugar Milling Co-operative to a standard satisfactory to the Council.

- (4C) Immediately after the audit required by subclause (4B) has been carried out, the NSW Sugar Milling Co-operative is to provide Council with a copy of the results of the audit.
- (4D) The Council may issue a notice of the kind referred to in subclause (4A) (e), relating to any one or more of those works, if either of the requirements contained within subclauses (4B) or (4C) is not complied with.

[5] Clause 18A (6)

Omit "River Shire". Insert instead "Valley".

[6] Clause 18A (10)

Insert the following definitions in alphabetical order:

ACID SULFATE SOILS ASSESSMENT GUIDELINES
means the *Acid Sulfate Soils Assessment Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee (ASSMAC) and adopted by the Director-General.

Richmond River Local Environmental Plan 1992 (Amendment No 22)

Amendments

Schedule 1

ACID SULFATE SOILS PLANNING MAP means the series of sheets of the map marked “Richmond Valley Local Environmental Plan 1992 (Amendment No 22) Acid Sulfate Soils Planning Map”.

ACTUAL ACID SULFATE SOILS are soils containing highly acidic soil horizons or layers resulting from the aeration of soil materials that are rich in iron sulfides, primarily sulfide. This oxidation produces hydrogen ions in excess of the sediment’s capacity to neutralise the acidity resulting in soils of pH of 4 or less when measured in dry season conditions.

AGRICULTURAL-RELATED WORKS means any farming or land management activities which will materially alter the shape or natural form of the land or which are likely to alter groundwater levels. They include the following:

- (a) drainage works,
- (b) construction and maintenance of open drains,
- (c) excavation works,
- (d) extractive industries or mining,
- (e) construction of dams, stock water holes, aquaculture ponds and the like,
- (f) site levelling,
- (g) flood mitigation works, including construction of levees,
- (h) topsoil removal and turf farming,
- (i) laying of pipes, cables, conduits and the like,
- (j) dewatering of wetlands, dams and the like.

DRAINAGE MANAGEMENT PLAN means a plan that provides information on:

- (a) the depth, location and nature of acid sulfate soils on the land, and
- (b) the location and dimensions of existing, new and redesigned drains on the land, and
- (c) the nature of any earth moving activities such as laser levelling, construction or enlargement of dams, or the like,

and documents the necessary management practices to avoid or minimise an acid hazard.

Richmond River Local Environmental Plan 1992 (Amendment No 22)

Schedule 1 Amendments

EXISTING DRAIN means a drain lawfully constructed prior to 20 June 1998 (being the first date during the public exhibition of the draft of *Richmond River Local Environmental Plan 1992 (Amendment No 5)*).

FLOOD MITIGATION WORKS means structural measures intended to reduce flood damage by either reducing flood levels or the lateral extent of flooding and includes any of the following:

- (a) levees,
- (b) flood mitigation drains,
- (c) retarding or detention basins,
- (d) bypass floodways,
- (e) flood gates on drains,
- (f) channel improvement.

MAINTENANCE OF EXISTING DRAINS refers to any works that will disturb or remove soil within existing drains.

NSW SUGAR MILLING CO-OPERATIVE means the New South Wales Sugar Milling Co-operative Limited (ACN 051 052 209).

POTENTIAL ACID SULFATE SOILS are soils that contain iron sulfides or sulfidic material which have not been exposed to air. They will become severely acid when exposed to air and oxidised. The field pH of these soils in their undisturbed state is pH 4 or more and may be neutral or slightly alkaline.

PRODUCTION AREA ENTITLEMENT means a contractual arrangement, between the NSW Sugar Milling Co-operative and a grower member of that Co-operative, for the production of sugar cane for milling.

SUGAR INDUSTRY BEST PRACTICE GUIDELINES means guidelines adopted by Council and approved by the Director-General of the Department of Infrastructure, Planning and Natural Resources in consultation with the NSW Acid Sulfate Soils Management Advisory Committee (ASSMAC) and the Director-General of the Department of Agriculture.

Richmond River Local Environmental Plan 1992 (Amendment No 22)

Amendments

Schedule 1

WORKS THAT MAY ALTER GROUNDWATER LEVELS
means drainage works, ground water bores, wells, ground dewatering, or the like on or adjacent to land containing acid sulfate soils which may lower the groundwater level in the general area.



City of Shoalhaven Local Environmental Plan 1985 (Amendment No 206)

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*. (W00/00023/PC)

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

Clause 1 City of Shoalhaven Local Environmental Plan 1985 (Amendment No 206)

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 206)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 206)*.

2 Aims of plan

- (1) This plan aims to amend *City of Shoalhaven Local Environmental Plan 1985*:
 - (a) to permit the subdivision of land in rural areas in certain circumstances, and
 - (b) to update references to *Development Control Plan No 89 Exempt and Complying Development*, which has been remade, and
 - (c) to correct the heading to two provisions.
- (2) This plan also aims to amend *Interim Development Order No 1—Shire of Shoalhaven* to update references to *Development Control Plan No 89 Exempt and Complying Development*.

3 Land to which plan applies

This plan applies to all land in the City of Shoalhaven to which *City of Shoalhaven Local Environmental Plan 1985* and *Interim Development Order No 1—Shire of Shoalhaven* apply.

4 Relationship to other environmental planning instruments

- (1) *City of Shoalhaven Local Environmental Plan 1985* is amended as set out in Schedule 1.
- (2) *Interim Development Order No 1—Shire of Shoalhaven* is amended as set out in Schedule 2.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 206)

Amendment of City of Shoalhaven Local Environmental Plan 1985

Schedule 1

Schedule 1 Amendment of City of Shoalhaven Local Environmental Plan 1985

(Clause 4 (1))

[1] Clause 11C

Insert after clause 11B:

11C Subdivision—boundary adjustments

- (1) This clause applies to land within Zone No 1 (a), 1 (b), 1 (d), 1 (e), 1 (f), 1 (g), 7 (a), 7 (c), 7 (d1), 7 (d2), 7 (e), 7 (f1), 7 (f2) or 7 (f3).
- (2) Despite any other provision of this plan, a person may subdivide land to which this clause applies with the consent of the Council, but only if:
 - (a) no additional allotments will be created by the subdivision, and
 - (b) the area of each allotment created by the subdivision is not more than 50 per cent greater than the area of the corresponding former lot immediately before the subdivision, and
 - (c) a dwelling-house has been lawfully erected, or could be lawfully erected, on each allotment created by the subdivision, and
 - (d) the subdivision will not result in any building contravening the deemed-to-satisfy provisions of the *Building Code of Australia*, and
 - (e) the Council has issued a certificate stating that the subdivision complies with its requirements regarding water, if such a certificate is required, and
 - (f) each allotment to be subdivided has been lawfully created and has an area of less than 40 hectares, and
 - (g) the objectives of the zone applying to the land are met, and
 - (h) the boundary adjustment will not affect the connectivity of riparian and vegetation corridors, and
 - (i) there is no increase in the number of lots with frontage to a watercourse, and

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 206)

Schedule 1 Amendment of City of Shoalhaven Local Environmental Plan 1985

- (j) the land does not encompass, or is not adjacent to, a watercourse or waterbody, and
 - (k) in the case of a subdivision involving the adjustment of the boundaries of land that, in the opinion of the Council, is bushfire prone land:
 - (i) the resulting allotments will comply with the “Planning for Bushfire Protection” guidelines published by the NSW Rural Fire Service, and
 - (ii) any approvals required under the *Rural Fires Act 1997* have been obtained from the NSW Rural Fire Service.
- (3) This clause does not apply to land that has been previously subdivided pursuant to this clause.

[2] Clause 54A What is exempt and complying development?

Omit “7 September 1999” wherever occurring from clause 54A (1), (2) and (3).

Insert instead “23 June 2003”.

[3] Clause 54B Subdivision—complying development

Omit “complying” from the heading to the clause.

Insert instead “exempt”.

[4] Clause 54B

Omit “7 September 1999”. Insert instead “23 June 2003”.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 206)

Amendment of Interim Development Order No 1—Shire of Shoalhaven

Schedule 2

Schedule 2 Amendment of Interim Development Order No 1—Shire of Shoalhaven

(Clause 4 (2))

[1] Clause 53 What is exempt and complying development?

Omit “7 September 1999” wherever occurring from clause 53 (1), (2) and (3).

Insert instead “23 June 2003”.

[2] Clause 54 Subdivision—complying development

Omit “complying” from the heading to the clause.

Insert instead “exempt”.

[3] Clause 54

Omit “7 September 1999”. Insert instead “23 June 2003”.



Tweed Local Environmental Plan 2000 (Amendment No 14)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G00/00180/PC)

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

Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 14)

Tweed Local Environmental Plan 2000 (Amendment No 14)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

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

2 Aims of plan

The aims of this plan are:

- (a) to rezone certain land at Chinderah to allow for industrial and environmental protection land uses; and
- (b) to insert a new clause into *Tweed Local Environmental Plan 2000* to enable specific matters to be considered in relation to the subdivision of that land.

3 Land to which plan applies

This plan applies to certain land situated in the local government area of Tweed, being Lot 32 DP 847319, Chinderah Road, Chinderah, as shown edged heavy black and distinctly coloured on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 14)" deposited in the offices of Tweed Shire Council.

4 Amendment of Tweed Local Environmental Plan 2000

Tweed Local Environmental Plan 2000 is amended as set out in Schedule 1.

Tweed Local Environmental Plan 2000 (Amendment No 14)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Schedule 6 Maps and Zones

Insert at the end of Part 2 of Schedule 6:

Tweed Local Environmental Plan (Amendment No 14)

[2] Clause 53A

Insert in appropriate order:

53A Subdivision of Lot 32, DP 847319, Chinderah

(1) Objectives

This clause aims:

- (a) to ensure that any subdivision of the land to which this clause applies takes into consideration localised flooding within the area, and
 - (b) to ensure that any such subdivision recognises the importance of the area as a gateway to the Kingscliff locality.
- (2) This clause applies to land situated in the local government area of Tweed, Chinderah Road, Chinderah, as shown edged heavy black and distinctly coloured on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 14)".
 - (3) The consent authority must not grant consent to the subdivision of the land to which this clause applies unless it has considered a structure plan that:
 - (a) has been available for inspection at the office of the Council since it was adopted by the Council, and
 - (b) makes recommendations for development of the land that takes into account:
 - (i) the strategic importance of the land and the need to provide a gateway between the Tweed Coast to the south and Tweed Heads and South Tweed to the north, and

Tweed Local Environmental Plan 2000 (Amendment No 14)

Schedule 1 Amendments

-
- (ii) urban design principles consistent with the *Coastal Design Guidelines for NSW* (UDAS 2003) published by the Coastal Council of New South Wales.
- (4) The structure plan must also make recommendations regarding:
- (a) the location of, and setbacks from, the proposed east-west connector road, and
 - (b) the appropriate density of future development, particularly in relation to the provisions of *Tweed Development Control Plan No 5—Development of Flood Liable Land*, and
 - (c) land use buffers relating to adjoining environmental protection areas and adjoining residential areas (existing and proposed).



City of Wollongong Local Environmental Plan 1990 (Amendment No 228)

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*. (W02/00069/PC)

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

Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 228)

City of Wollongong Local Environmental Plan 1990 (Amendment No 228)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 228)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Zone No 6 (b) (the Private Recreation Zone) to Zone No 2 (b) (the Medium Density Residential Zone) under *City of Wollongong Local Environmental Plan 1990 (the 1990 plan)*, and
- (b) to set a maximum height limit of 2 storeys for any building on part of the land, and
- (c) to add a battery observation post (as situated on part of the land) to the 1990 plan as a heritage item of regional significance.

3 Land to which plan applies

This plan applies to land situated in the City of Wollongong, being Lot 2, DP 1008216, Gallipoli Street, Port Kembla, as shown edged heavy black and lettered "2 (b)" and partly edged with a heavy black broken line and lettered "Heritage item (battery observation post)" on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 228)" deposited in the office of the Council of the City of Wollongong.

4 Amendment of City of Wollongong Local Environmental Plan 1990

The *City of Wollongong Local Environmental Plan 1990* is amended as set out in Schedule 1.

City of Wollongong Local Environmental Plan 1990 (Amendment No 228)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

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

City of Wollongong Local Environmental Plan 1990
(Amendment No 228)

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

Insert in appropriate order:

City of Wollongong Local Environmental Plan 1990
(Amendment No 228)

[3] Schedule 1 Items of heritage significance

Insert in Part 2 of the Schedule at the end of the matter relating to Port Kembla/Warrawong/Primbee under the headings “**Item Type**”, “**Item**”, “**Address/Location**” and “**Level of Significance**”, respectively:

B	Battery Observation Post	So much of Lot 2, DP 1008216, Gallipoli Street, Port Kembla, as is shown edged with a heavy black broken line and lettered “Heritage item (battery observation post)” on the map marked “City of Wollongong Local Environmental Plan 1990 (Amendment No 228)”.	R
---	--------------------------	---	---

City of Wollongong Local Environmental Plan 1990 (Amendment No 228)

Schedule 1 Amendments

[4] Schedule 3A Prohibited development

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

<p>So much of Lot 2, DP 1008216, Gallipoli Street, Port Kembla, as is shown edged with a heavy black broken line and lettered "Heritage item (battery observation post)" on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 228)".</p>	<p>Residential development.</p>
---	---------------------------------

[5] Schedule 5 Restricted development

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

<p>So much of Lot 2, DP 1008216, Gallipoli Street, Port Kembla, as is not edged with a heavy black broken line and lettered "Heritage item (battery observation post)" on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 228)".</p>	<p>Medium density residential development.</p>	<p>Any building on the land must not exceed 2 storeys.</p>
---	--	--

Natural Resources

WATER ACT 1912

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

Applications for licences under section 10 of Part 2 of the Water Act 1912, have been received as follows:

Barwon/Darling River Valley

Roderick Campbell BAIRD and Alice Anne BAIRD (Oakbank Station), for 1 block dam with 3 pipes with regulators on the Great Darling Ana-Branch, Lot 12/756168, Parish of Moorna, County of Tara and Lot PT30/Parish of Neilpo, County of Tara, for conservation of water for stock and domestic purposes (replacement licence) (Reference: 60SL085508).

Rodger McLeod SMITH (Tara Downs Station), for 1 pump the Great Darling Ana-Branch, Lot 1/756190 and Lot 502/761489, Parish of Wilpatera, County of Tara, for irrigation of 13 hectares (replacement licence – due to permanent transfer of water entitlement) (Reference: 60SL085806) (GA2:512617).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed local area and must be lodged 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,
32 Enterprise Way (PO Box 363), Buronga, NSW 2739,
telephone: (03) 5021 9400.

WATER ACT 1912

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

Paul Stanley POWER and Marie Patricia POWER for a pump on the Hunter River on an easement within Lot 2, DP 598126, Parish of Branxton, County of Northumberland, for water supply for stock and domestic purposes (new licence – exempt from current embargo) (Reference: 20SL061389).

Philip James RODEY and Dorothy Robyn RODEY for a pump on the Hunter River on Part Lot 2, DP 624686, Parish of Branxton, County of Northumberland, for water supply for stock and domestic purposes (new licence – exempt from current embargo) (Reference: 20SL061418).

Deborah Michelle BIRD and Rodney David BIRD for a pump on the Hunter River on Lot 71, DP 714785, Parish of Gosforth, County of Northumberland, for irrigation of 14.5 hectares (improved pasture – new licence – permanent water transfer) (Reference: 20SL061417).

Daniel Fredrick SHEARER for a pump on the Hunter River on Part Lot 62, DP 1006979, Parish of Sedgfield, County of Durham, for water supply for stock and domestic purposes (new licence – exempt from current embargo) (Reference: 20SL061387).

Eric Walter WORTH and Nancy May WORTH for a pump on the Hunter River on Lot 1, DP 176277, Parish of Whittingham, County of Northumberland, for irrigation of 18.5 hectares (improved pasture and lucerne – replacement licence – split of existing entitlement) (Reference: 20SL061419).

TOPDOCK PTY LIMITED for a pump on the Hunter River on Lot 21, DP 862013, Parish of Darlington, County of Durham, for irrigation of 30.5 hectares (improved pasture – replacement licence – permanent water transfer) (Reference: 20SL061422).

OAFX PTY LIMITED for 3 pumps on the Hunter River on Lot 101, DP 844259 and Lot C, DP 325110, Parish of Ellis, County of Brisbane, for irrigation of 89 hectares (improved pasture – replacement licence – combining 20SL033466 and 20SL060059 with permanent water transfer) (Reference: 20SL061428).

Nicola TAYLER for a pump on Ourimbah Creek on Lot 212/1015281, Parish of Ourimbah, County of Northumberland, for water supply for irrigation of 2 hectares (replacement licence – fruit trees – splitting of existing licence) (Reference: 20SL061227).

Any inquiries regarding the above should be directed to Brian McDougall on telephone number (02) 4929 9817 or Sue Heaney on telephone number (02) 4929 9837.

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

MARK MIGNANELLI,
Resource Access Manager,
Hunter Region

Department of Infrastructure, Planning and Natural Resources,
PO Box 2213, Dangar, NSW 2309.

WATER ACT 1912

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

JESSICA ESTATES PTY LIMITED, for a cutting on an unnamed watercourse on Lot 2, DP 1053177, Parish of Darlington, County of Durham, for diversion of a river (new licence) (Reference: 20SL061433).

Any inquiries regarding the above should be directed to Hemantha De Silva on telephone number (02) 4929 9844.

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

MARK MIGNANELLI,
Resource Access Manager,
Hunter Region

Department of Infrastructure, Planning and Natural Resources,
Hunter Region, PO Box 2213, Dangar, NSW 2300.

WATER ACT 1912

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

Murrumbidgee Valley

COMMUNITY ASSOCIATION DP 270309 ("Carlton Estate"), for a community bore on Lot 1, DP 270309, Parish of Majura, County of Murray, for an existing rural residential subdivision (new licence) (Reference: 40BL190172).

Aldo GIUCCI and Julie Maree GIUCCI for a bore on Lot 2, DP 1069889, Parish of Michelago, County of Beresford, for stock, domestic and irrigation purposes (new licence) (Reference: 40BL190173).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 3rd September 2004, as prescribed by the Act.

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

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

WATER MANAGEMENT ACT 2000

Order Under Section 85A

Authority to take Water not Credited to a
Water Allocation Account

New South Wales Murray Regulated River Water
Source

PURSUANT to section 85A of the Water Management Act 2000, the Minister for Natural Resources, by this Order, authorises regulated river (general security) access licences in the New South Wales Murray Regulated River Water Source as defined in the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 and currently in force, to take water from uncontrolled flows where that water has not been credited to the accounts of those licences, as specified in announcements made by the Department of Infrastructure, Planning and Natural Resources in accordance with Clause 39(10) of the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003.

These announcements will be made:

- (1) when the sum of available water determinations made for regulated river (general security) access licences in the New South Wales Murray Regulated River Water Source is less than or equivalent to 0.6 Megalitres per unit share, and
- (2) for the sections of the water source where access to water by supplementary water access licences is permitted.

The maximum volume that may be accounted as being extracted by each access licence from uncontrolled flows in any water year shall be equivalent to 1 megalitre multiplied by the number of unit shares of the access licence minus the sum of the volume of water allocations that were carried over in the access licence water allocation account from the previous water year and the volume of water allocations in that account resulting from available water determinations during the current year.

This Order takes effect on the date of gazettal and continues until it is revoked by a later Order or until the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 ceases.

Dated at Albury this 29th day of July 2004.

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

GA2:469520

WATER MANAGEMENT ACT 2000

Order Under Section 85A

Authority to take Water not Credited to a
Water Allocation Account

Lower Darling Regulated River Water Source

PURSUANT to section 85A of the Water Management Act 2000, the Minister for Natural Resources, by this Order, authorises regulated river (general security) access licences in the Lower Darling Regulated River Water Source as defined in the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 and currently in force, to take water from uncontrolled flows where that water has not been credited to the accounts of those licences, as specified in announcements made by the Department of Infrastructure, Planning and Natural Resources in accordance with Clause 39(10) of the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003.

These announcements will be made:

- (1) when the sum of available water determinations made for regulated river (general security) access licences in the Lower Darling Regulated River Water Source is less than or equivalent to 0.6 Megalitres per unit share, and
- (2) for the sections of the water source where access to water by supplementary water access licences is permitted.

The maximum volume that may be accounted as being extracted by each access licence from uncontrolled flows in any water year shall be equivalent to 1 megalitre multiplied by the number of unit shares of the access licence minus the sum of the volume of water allocations that were carried over in the access licence water allocation account from the previous water year and the volume of water allocations in that account resulting from available water determinations during the current year.

This Order takes effect on the date of gazettal and continues until it is revoked by a later Order or until the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 ceases.

Dated at Albury this 29th day of July 2004.

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

GA2:469519

WATER ACT 1912

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

Patrick Joseph McDONAGH and Caroline Mary McDONAGH for a pump on the Grose River, Part 1//999492, Parish of Nepean, County of Cook, for water supply for domestic purposes (not subject to the 1995 Hawkesbury/Nepean embargo – new licence) (Reference:10SL56583) (GA2:493390).

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

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

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

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

WATER ACT 1912

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

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

Namoi River Valley

Scott Alexander MAYNES and Heather Leigh LYNN for a pump on the Namoi River on Lots 116 and 117, DP 754931, Parish of Burburgate, County of Nandewar, for irrigation of 16 hectares (permanent transfer – new licence – existing entitlement 96 megalitres) (Reference: 90SL100809) (GA2:472295).

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.

Department of Lands

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

ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

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

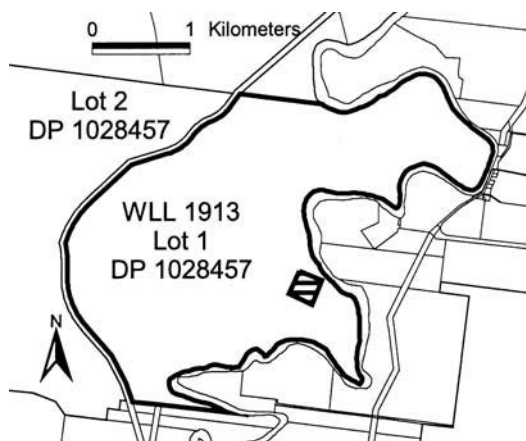
*Administrative District – Wentworth;
 Shire – Wentworth; Parish – Tugima;
 County – Wentworth*

The purpose of Western Lands Lease 1913, being the land contained within Folio Identifier 1/1028457 has been altered from "Grazing" to "Grazing, Farm Tourism and Cultivation" effective from 19 July 2004.

Annual rental and lease conditions remain unaltered as a consequence of the change of purpose except for the addition of those special conditions published in the Government Gazette of 19 March 2004, Folios 1446-1451 and by the inclusion of the following special conditions.

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 1913

1. The lessee shall not irrigate outside the area of 7 hectares indicated by hatching on the diagram hereunder.



2. 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.
3. The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.

4. 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.

5. 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.

6. 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 and stubble burning is carried out with the approval as per requirements of the NSW Rural Fire Services.
7. The lessee shall establish windbreaks at his/her own expense as may be ordered by the Commissioner to provide adequate protection of the soil.
8. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
9. 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.
10. Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.

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 – Hillston;
Shire – Cobar; Parish – Euabalong;
County – Blaxland*

The purpose of Western Lands Leases 10320, being the land contained within Folio Identifier 162/1006400 has been altered from "Grazing" to "Grazing and Cultivation" effective from 22 July 2004.

As a consequence of the alteration of purpose the conditions have been altered by the inclusion of the special conditions following.

**SPECIAL CONDITIONS ATTACHED TO
WESTERN LANDS LEASE 10320**

1. The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.
2. 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.
3. Aboriginal sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.

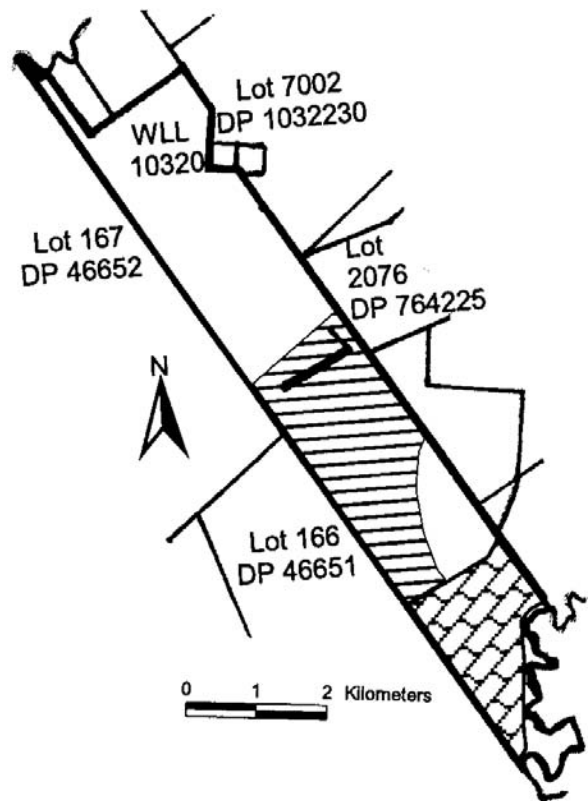
Should any Aboriginal archaeological relics or sites be uncovered during the proposed works, work is to cease immediately. The lessee must consider requirements of the National Parks and Wildlife Act 1974, with regard to Aboriginal relics. Under Section 90 it is an offence to damage or destroy relics 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.

4. 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 and stubble burning is carried out with the approval as per requirements of the NSW Rural Fire Services.
5. The lessee shall establish windbreaks at his/her own expense as may be ordered by the Commissioner to provide adequate protection of the soil.
6. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
7. The lessee shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Services.

Irrigated Cultivation

8. The lessee shall not irrigate outside the area of 274 hectares indicated by cross-hatching on the diagram hereunder.



9. 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.
10. The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997, particularly in relation to disposal of tailwater or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.
11. Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.
12. The lessee must ensure that if cotton is to be grown, only a maximum of two 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.

Dryland Cultivation

13. The lessee shall only dryland cultivate an area of 500 hectares indicated by hatching on the diagram hereunder.
14. 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.
15. 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.

16. 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.
17. 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.
18. The area within this Cultivation Consent partly covers Travelling Stock Reserve 618A and suitable arrangement must be made with the relevant 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.

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 has been altered as shown.

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

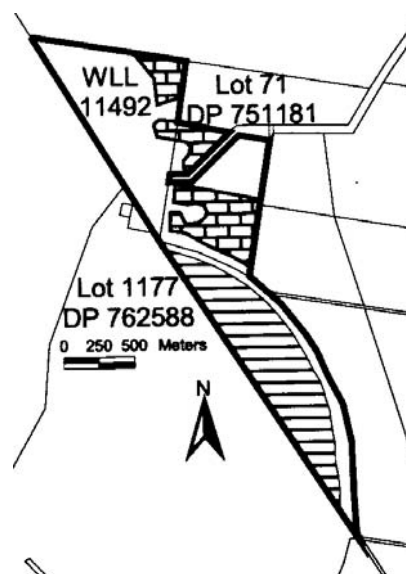
*Administrative District – Balranald;
Shire – Balranald; Parish – Cooncoonburra;
County – Caira*

The purpose of Western Lands Lease 11492, being the land contained within Folio Identifiers 72/751181, 73/725338 & 74/725338 has been altered from "Grazing" to "Grazing and Cultivation" effective from 26 July 2004.

As a consequence of the alteration of purpose the conditions have been altered by the inclusion of the special conditions following.

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 11492

1. The lessee shall not irrigate outside the area of 63 hectares indicated by hatching on the diagram hereunder.
2. The lessee shall only dryland cultivate an area of 36 hectares indicated by cross hatching on the diagram hereunder.
3. 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.
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. Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.
6. 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.
7. 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.
8. The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.
9. 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.
10. 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.



11. 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.
12. 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.
13. 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.
14. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
15. The lessee shall establish windbreaks at his/her own expense as may be ordered by the Commissioner to provide adequate protection of the soil.
16. The area within this Cultivation Consent partly covers Travelling Stock Reserve 294 and suitable arrangements must be made with the Balranald 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.
17. 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 Service.

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 has been altered as shown.

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

*Administrative District – Broken Hill;
City – Broken Hill; Parish – Bolaira;
County – Yancowinna*

The purpose of Western Lands Lease 14193, being the land contained within Folio Identifier 71/44246 has been altered from “Erection of Dwelling and Grazing” to “Erection of Dwelling” effective from 26 July 2004.

As a consequence of the alteration of purpose the conditions previously annexed to Western Lands Lease 14193 have been revoked and the following conditions have been annexed thereto.

CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14193

- (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.
- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The 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 Erection of Dwelling.
- (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, within 12 months from the date of commencement of the lease or such further period as the Minister may allow, erect a dwelling on the land in accordance with plans and specifications approved by the Council of the local government area.
- (18) 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.
- (19) 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.
- (20) 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.

- (21) Where the Crown has paid a contribution under section 217-219 of the Roads Act 1993 in respect of the land leased, the lessee shall pay to the Crown the amount of that contribution within 3 months of being called upon to do so.
- (22) The lessee shall pay to the Crown the proportional part of the costs of road construction as notified by the Department of Infrastructure Planning and Natural Resources within 3 months of the date of gazettal of the granting.
- (23) 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.
- (24) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997.

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

**REVOCATION OF RESERVATION OF
CROWN LAND**

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

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

SCHEDULE 1

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Land District: Moss Vale.	The part being Lot 114,
Local Government Area: Wingecarribee Shire Council.	DP No. 751256, Parish Bullio, County Camden; Lot 118,
Locality: Bullio.	DP No. 751256, Parish Bullio, County Camden, of an area of
Reserve No.: 91931.	337.8 hectares.
Public Purpose: Future public requirements.	
Notified: 14 March 1980.	
Lot 125, DP No. 723802, Parish Bullio, County Camden;	
Lot 114, DP No. 751256, Parish Bullio, County Camden;	
Lot 118, DP No. 751256, Parish Bullio, County Camden;	
Lot 7001, DP No. 1029958, Parish Bullio, County Camden;	
Lot 21, DP No. 751256, Parish Bullio, County Camden.	
File No.: GB04 H 172/1.	

Note: To facilitate the conversion of Perpetual Leases 108931 and 108930.

SCHEDULE 2

COLUMN 1

Land District: Crookwell.
Local Government Area: Upper
Lachlan Council.
Locality: Grabben Gullen.
Reserve No.: 92968.
Public Purpose: Future public
requirements.
Notified: 4 July 1980.
Lot 412, DP No. 754115,
Parish Grabben Gullen,
County King;
Lot 31, DP No. 754115,
Parish Grabben Gullen,
County King;
Lot 7004, DP No. 94455,
Parish Grabben Gullen,
County King.
File No.: GB99 H 413/1.

COLUMN 2

The part being Lot 412,
DP No. 754115, Parish Grabben
Gullen, County King, of an area
of 45.5 hectares.

Note: To facilitate conversion of Perpetual Lease 107591.

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

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

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

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

SCHEDULE 1

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Peter Edward BAUMANN.	Cudgen Lake Round Mountain Reserve Trust.	Reserve No.: 83495. Public Purpose: Public recreation. Notified: 6 October 1961. File No.: GF93 R 42.

Term of Office

For a term commencing the date of this notice and expiring
5 February 2005.

SCHEDULE 2

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Peter Edward BAUMANN.	Cudgen Lake Boy Scouts (R89580) Reserve Trust.	Reserve No.: 89580. Public Purpose: Boy Scouts. Notified: 5 September 1975. File No.: GF93 R 42.

Term of Office

For a term commencing the date of this notice and expiring
5 February 2005.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE 1

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Gregory William NICHOLS (new member).	Woombah Recreation Reserve Trust.	Reserve No.: 63066. Public Purpose: Public recreation. Notified: 20 November 1931. File No.: GF80 R 165.

Term of Office

For a term commencing the date of this notice and expiring
2 October 2008.

SCHEDULE 2

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Ean Frederick GOLLAN (re-appointment), Philip Reginald MILGATE (re-appointment), Roger John OLIVE (re-appointment).	Wyrallah Flood Refuge Reserve Trust.	Reserve No.: 53248. Public Purpose: Refuge in time of flood. Notified: 4 April 1919. File No.: GF80 R 232.

Term of Office

For a term commencing 23 October 2004 and expiring
22 October 2009.

MAITLAND OFFICE**Cnr Newcastle Road and Banks Street (PO Box 6), East Maitland, NSW 2323****Phone: (02) 4934 2280 Fax: (02) 4934 2252****NOTIFICATION OF CLOSING OF ROAD**

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

*Parish – Awaba; County – Northumberland;
Land District – Newcastle;
Local Government Area – Lake Macquarie.*

Road Closed: Lot 1, DP 1068686 at Toronto.

File No.: MD02 H 261.

SCHEDULE

On closing, the land within Lot 1, DP 1068686 remains vested in Lake Macquarie City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 3/64/177/065.

MOREE OFFICE**Corner Frome and Heber Streets (PO Box 388), Moree, NSW 2400****Phone: (02) 6752 5055 Fax: (02) 6752 1707****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 Schedule hereunder is hereby declared to be Crown Land within the meaning of that Act.

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

SCHEDULE

*Land District – Narrabri;
Local Government Area – Narrabri;
Parish – Wee Waa; County White.*

4.314 hectares being Lots 124 and 125 in Deposited Plan 757125 and Lot 1 in Deposited Plan 577294 being land in folios 124/757125, 125/757125 and 1/577294 held in the name of the Minister for Education.

File No.: ME79 H 104.

NOWRA OFFICE**5 O'Keefe Avenue (PO Box 309), Nowra, NSW 2541****Phone: (02) 4428 6900 Fax: (02) 4428 6988****NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

Land District – Moruya; L.G.A. – Eurobodalla.

Lot 1, DP 1061657 at Batemans Bay, Parish Bateman and County St Vincent.

File No.: NA02 H 294.

Note: On closing, the land remains vested in Eurobodalla Shire Council as "Operational land" (01.5925-9305).

TAREE OFFICE**98 Victoria Street (PO Box 440), Taree, NSW 2430****Phone: (02) 6552 2788 Fax: (02) 6552 2816****NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

Description

*Land District – Port Macquarie;
Local Government Area – Hastings.*

Road Closed: Lot 2, DP 1067035 at Herons Creek, Parishes of Camden Haven and Ralfe, County of Macquarie.

File No.: TE00 H 238.

Note: On closing, the land within Lot 2 remains vested in the State of New South Wales as Crown Land.

WAGGA WAGGA REGIONAL OFFICE
Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga, NSW 2650
Phone: (02) 6937 2700 Fax: (02) 6921 1851

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Adam Gregory JENKINS (new member), Robert Douglas BRUCKNER (re-appointment), Joseph John SOLOMON (re-appointment).	Collingullie Soldiers' Memorial Hall Trust.	Dedication No.: 620050. Public Purpose: War Memorial (hall site). Notified: 18 October 1946. File No.: WA80 R 171.

Term of Office

For a term commencing this day and expiring 18 July 2009.

Department of Primary Industries

Agriculture

STOCK DISEASES ACT 1923

PROCLAMATION No. 550 – Bee louse

PROCLAMATION to restrict the importation and introduction into the State of bees, beehives, apiary products and apiary appliances originating from Tasmania on account of the disease Bee louse (*Braula coeca*).

Her Excellency Professor MARIE BASHIR, A.C.,
Governor

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales with the advice of the Executive Council, in pursuance of section 11B of the Stock Diseases Act 1923 (“the Act”), and being of the opinion that any bees, beehives, apiary products and apiary appliances originating from Tasmania might be infected with or carry or spread the disease Bee louse (*Braula coeca*), restrict the importation and introduction into the State of bees, beehives, apiary products and apiary appliances originating from Tasmania, unless the conditions and restrictions specified in the Schedule are complied with.

SCHEDULE

Bees from Tasmania

1. A person must not bring bees from Tasmania into New South Wales unless all of the following conditions are complied with:

The bees:

- (a) are queen bees and accompanying bees (escort bees),
- (b) have been individually inspected in Tasmania under magnification for the presence of bee louse,
- (c) are free from bee louse at the time the bees are prepared for export,
- (d) are accompanied by a certification in writing by a person authorised by the Director-General, Department of Primary Industries, Tasmania, that the bees are free from Bee louse (*Braula coeca*),
- (e) are packed in a mite-proof bag which also prevents the escape of any of the bees,
- (f) are sent by the consignor by air mail to the New South Wales Chief Veterinary Officer, c/- AQIS Animal Quarantine Station, 60 Wallgrove Road, Eastern Creek, NSW 2766, to be opened and the bees examined by an inspector or a person approved by the New South Wales Chief Veterinary Officer.

2. Comb honey

A person must not bring comb honey from Tasmania into New South Wales unless all of the following conditions are complied with:

The comb honey:

1. is frozen in Tasmania to a core temperature of -15 degrees Celsius and held at that temperature for at least 24 hours,
2. after having been frozen for that period of time, is stored and transported in bee-free containers or transport vehicles,
3. is to be cut and packed in premises in a bee-free area, when no other comb honey is on the premises whilst the comb honey for export from Tasmania is being processed,
4. is accompanied by a Declaration of Disinsection of Comb Honey for Human Consumption endorsed by an inspector under the Animal Health Act 1995 of Tasmania.

3. Beehives, other apiary products and apiary appliances

The beehives, other apiary products and apiary appliances are brought from Tasmania into New South Wales in accordance with a written permit issued by an inspector in circumstances that are of a kind approved from time to time by the New South Wales Chief Veterinary Officer.

Definitions

New South Wales Chief Veterinary Officer means the officer of the New South Wales Department of Primary Industries holding the position of Chief Veterinary Officer under the Exotic Diseases of Animals Act 1991.

Notes:

- It is an offence under section 20 of the Stock Diseases Act 1923 to contravene a provision of this Proclamation. Maximum penalty for such an offence at the time of making this Proclamation is \$11,000 if the bees, beehives, apiary products and apiary appliances are diseased.
- No compensation is payable under the Stock Diseases Act 1923 in respect of the bees destroyed by an inspector where bee louse is found.
- P550–Bee louse (*Braula coeca*) is the NSW Department of Primary Industries reference.
- For further information, contact the New South Wales Department of Primary Industries on (02) 3691 3100.

Signed and sealed at Sydney this 28th day of July 2004.

By Her Excellency’s Command,

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

GOD SAVE THE QUEEN!

NSW Fisheries

NOTICE OF RECEIPT OF APPLICATION FOR AQUACULTURE LEASE

Notification Under Section 163 (7) of the Fisheries
Management Act 1994 and Clause 33 of the
Fisheries Management (Aquaculture)
Regulation 2002

AN application has been received for an aquaculture (oyster) lease in the Crookhaven River for the purpose of cultivating Sydney rock oysters, for an area to be known as AL04/014 (if granted) of approximately 1 hectare. The new lease will comprise of section 1 (0.3613 hectare) of existing oyster lease OL63/222, as well as a new area of approx 0.6387 hectare. Application by Christopher MUNN of Greenwell Point, NSW. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and any other conditions of consent as imposed by Shoalhaven City Council or other approval body.

The Department of Primary Industries (Fisheries Branch) (DPI) is calling for written submissions from any person supporting or objecting to the lease proposal, citing reasons for the support/objection.

Specific details can be obtained, or enquiries made with the Aquaculture Administration Section on (02) 4982 1232. Written submissions must be received at the address below, within 40 days from the date of publication of this notification.

Director of Fisheries Management,
DPI, Aquaculture Administration Section,
Port Stephens Fisheries Centre,
Private Bag 1, Nelson Bay, NSW 2315.

Dr NICK RAYNS,
Director of Fisheries Management,
Department of Primary Industries

NOTICE OF RECEIPT OF APPLICATION FOR AQUACULTURE LEASE

Notification Under Section 163 (7) of the Fisheries
Management Act 1994 and Clause 33 of the
Fisheries Management (Aquaculture)
Regulation 2002

NSW Fisheries advises that two applications have been received for new aquaculture (oyster) leases over public water land for the purposes of cultivating Pacific oysters and/or Sydney Rock oysters, by Jason D. MORRIS of Tanilba Bay, NSW. Location is Port Stephens for areas described as follows: AL04/015 – approx. 6.5350 hectares over former oyster lease AL02/007 – Pindimar Bay. AL04/016 – approx. 3.2183 hectares over former oyster lease AL02/008 – Uptons Island.

NSW Department of Primary Industries incorporating NSW Fisheries (DPI) is calling for written submissions from any person supporting or objecting to either oyster lease proposal, citing reasons for the support/objection.

DPI is also calling for expressions of interest from persons or corporations interested in leasing either of the areas specified above, for the purposes of aquaculture. An expression of interest must be in the form of a written response referring to the relevant lease number(s), to be signed and dated with a return address. If additional expressions of interest are received, NSW Fisheries may offer the areas for leasing through a competitive public tender process.

If granted the leases will be subject to standard covenants and conditions of an aquaculture lease and permit as imposed by DPI.

Specific details of the proposed leases can be obtained, or enquiries made with DPI, Aquaculture Administration Section, Port Stephens on (02) 4982 1232.

Objections or expressions of interest for consideration in the determination of the applications must be received at the address below, within 30 days from the date of publication of this notification.

Director,
Fisheries Management,
Agriculture and Fisheries Division,
Aquaculture Administration Section,
Port Stephens Fisheries Centre,
Private Bag 1, Nelson Bay, NSW 2315

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

F99/134

FISHERIES MANAGEMENT ACT 1994

Section 11 Notification – Fishing Closure

Nambucca River and Warrell Creek

I, RICHARD SHELDRAKE, amend the fishing closure notification “Nambucca River and Warrell Creek” published in *Government Gazette* No. 98 on 18 June 2004, as follows:

By replacing the wording “By means of nets and traps of every description, except the landing net and bait trap, as prescribed by Regulation” with the wording “By means of nets and traps of every description, except the prescribed eel trap upstream to the Warrell Creek Rail Bridge, and the landing net and bait trap, as prescribed by Regulation” in Column 1 of Schedule 3.

RICHARD SHELDRAKE,
Deputy Director-General,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Crooked River

I, STEVE DUNN, prohibit the taking of fish by the methods of fishing specified in Column 1 of the Schedule of this notification, from waters shown opposite in Column 2 of that Schedule.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Director-General of NSW Fisheries.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

STEVE DUNN,
Director-General,
NSW Fisheries

 SCHEDULE

Crooked River – Nets

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of nets of every description except the dip or scoop net, hand hauled prawn net, push or scissors net and landing net , as prescribed by Regulation.	The whole of the waters of the Crooked River and its tributaries from its source downwards to the South Pacific Ocean.

Note: This closure applies to both commercial and recreational fishers. The purpose of the closure is to conserve and protect fish stocks and to share the resource.

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Coffs Harbour Entrance, Coffs Harbour and Coffs Harbour Creek

I, RICHARD SHELDRAKE, prohibit the taking of fish by the methods of fishing specified in Column 1 of Schedules 1 and 2 of this notification, from the waters shown opposite in Column 2 respectively, of those Schedules.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

RICHARD SHELDRAKE,
Deputy Director-General,
Department of Primary Industries

SCHEDULE 1

Coffs Harbour Entrance – Traps

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of traps of every description.	County of Fitzroy Coffs Harbour Entrance All waters within the following boundaries: Commencing at the northern extremity of the eastern breakwater (30° 18.65" South, 153° 09.1" East) thence northerly to position 30° 18.2" South, 153° 09.1" East, thence easterly to position 30° 18.2" South, 153° 09.5" East, thence southerly to position 30° 18.8" South, 153° 09.5" East, thence westerly to position 30° 18.8" South, 153° 09.1" East, thence northerly to the point of commencement, but exclusive of all land area so enclosed.

SCHEDULE 2

Coffs Harbour – Traps

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of traps of every description.	County of Fitzroy Area 2. Coffs Harbour The whole of the waters of Coffs Harbour, west of a line drawn from the northern extremity of the eastern breakwater (30° 18.65" South, 153° 09.1" East), north to Muttonbird Island, but exclusive of waters enclosed by the following bearings: 30° 18.4" South, 153° 08.8" East 30° 18.5" South, 153° 08.8" East 30° 18.5" South, 153° 09.1" East 30° 18.4" South, 153° 09.1" East as shown on Hydrographic Chart AUS220

Note: This closure applies to commercial and recreational fishers. The purpose of this closure is to provide safe navigation within the Harbour and its entrance.

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Bellambi Point (Bellambi Harbour)

I, RICHARD SHELDRAKE, prohibit the taking of fish by the methods of fishing specified in Column 1 of the Schedule of this notification, from the waters shown opposite in Column 2 of the Schedule.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Deputy Director-General, Primary Industries Agriculture and Fisheries.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

RICHARD SHELDRAKE,
Deputy Director-General,
Primary Industries Agriculture and Fisheries

SCHEDULE

Bellambi Point (Bellambi Harbour) – Traps

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of the fish trap and the lobster trap , as prescribed by Regulation.	The whole of the waters adjacent to Bellambi Point from a line drawn from the northern most point of the breakwater nearest to Bellambi Point boat ramp in a direction of 55 degrees north-easterly for a distance of 150 metres, thence in a direction of 360 degrees due north for a distance of 85 metres to a line bearing 270 degrees due west for a distance of 280 metres, thence in a direction of 180 degrees due south to the foreshore at Mean High Water Mark, then along the foreshore in a generally easterly direction to the breakwater, thence along the breakwater at the Mean High Water Mark to the point of commencement.

Note: This closure applies to both recreational and commercial fishers. The purpose of the closure is to prevent conflict between fishers and boat users. The closure provides protection for boat owners who regularly use the boat ramp as a launching site.

F99/232

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Killick or Crescent Head Creek

I, RICHARD SHELDRAKE, prohibit the taking of fish by the methods of fishing specified in Column 1 of the Schedule of this notification, from waters shown opposite in Column 2 of the Schedule.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Deputy Director-General, Primary Industries Agriculture and Fisheries.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

RICHARD SHELDRAKE
Deputy Director-General,
Primary Industries Agriculture and Fisheries

SCHEDULE

Killick or Crescent Head Creek – Nets

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of nets of every description, except the dip or scoop net , hand hauled prawn net and the landing net , as prescribed by Regulation.	The whole of the waters of Killick or Crescent Head Creek and its creeks, tributaries, inlets and lagoons, together with waters of the South Pacific Ocean, north, north west of a line drawn from the northern point of Little Nobby to a post approximately 1 kilometre north along the beach from the confluence of Killick Creek and the South Pacific Ocean.

Note: This closure applies to both recreational and commercial fishers. The purpose of the closure is to eliminate navigational hazards to vessels entering and leaving the waterway and to reduce conflict between commercial and recreational fishers.

F99/246

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Minnamurra River

I, RICHARD SHELDRAKE, prohibit the taking of fish by the methods of fishing specified in Column 1 of the Schedule of this notification, from waters shown opposite in Column 2 of the Schedule.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Deputy Director-General, Primary Industries Agriculture and Fisheries.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

RICHARD SHELDRAKE,
Deputy Director-General,
Primary Industries Agriculture and Fisheries

SCHEDULE

Minnamurra River – Nets

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of nets of every description, except the dip or scoop net and landing net , as prescribed by Regulation.	The whole of the waters of Minnamurra River, its creeks and tributaries from its source downwards to the South Pacific Ocean.

Note: This closure applies to both recreational and commercial fishers. The purpose of the closure is to reduce conflict between recreational and commercial fishers and to protect fish and prawn stocks.

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Shell Harbour

I, RICHARD SHELDRAKE, prohibit the taking of fish by the methods of fishing specified in Column 1 of the Schedule of this notification, from waters shown opposite in Column 2 of the Schedule.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Deputy Director-General, Primary Industries Agriculture and Fisheries.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

RICHARD SHELDRAKE,
Deputy Director-General,
Primary Industries Agriculture and Fisheries

SCHEDULE

Shell Harbour – Nets

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of nets of every description except the landing net , as prescribed by Regulation.	The whole of the waters of that part of Shell Harbour north west of a line drawn from the southern extremity of the northern breakwater to the eastern extremity of the southern breakwater.

Note: This closure applies to both recreational and commercial fishers. The purpose of the closure is to ensure the safety of the general public who use the Harbour for swimming.

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Werri Creek

I, RICHARD SHELDRAKE, prohibit the taking of fish by the methods of fishing specified in Column 1 of the Schedule of this notification, from waters shown opposite in Column 2 of the Schedule.

This prohibition is effective for a period of up to five years from the date of publication, unless sooner varied or revoked by notification of Deputy Director-General, Primary Industries Agriculture and Fisheries.

Note: The word 'Regulation', where appearing in this notification, refers to the Fisheries Management (General) Regulation 2002.

RICHARD SHELDRAKE,
Deputy Director-General,
Primary Industries Agriculture and Fisheries

SCHEDULE

Werri Creek – Nets

<i>Column 1</i> Methods	<i>Column 2</i> Waters
By means of nets of every description, except the dip or scoop net , hand hauled prawn net and landing net , as prescribed by Regulation.	The whole of the waters of Werri Creek, its bays and tributaries from its source to the South Pacific Ocean.

Note: This closure applies to both recreational and commercial fishers. The purpose of the closure is to reduce conflict between recreational and commercial fishers.

Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(04-584)

No. 2399, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), area of 60 units, for Group 1, dated 27 July, 2004. (Orange Mining Division).

(04-585)

No. 2400, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), area of 250 units, for Group 1, dated 27 July, 2004. (Orange Mining Division).

(04-586)

No. 2401, INCO RESOURCES (AUSTRALIA) PTY LTD (ACN 096 361 876), area of 128 units, for Group 1, dated 27 July, 2004. (Broken Hill Mining Division).

(04-587)

No. 2402, INCO RESOURCES (AUSTRALIA) PTY LTD (ACN 096 361 876), area of 40 units, for Group 1, dated 27 July, 2004. (Broken Hill Mining Division).

(04-588)

No. 2403, INCO RESOURCES (AUSTRALIA) PTY LTD (ACN 096 361 876), area of 123 units, for Group 1, dated 27 July, 2004. (Broken Hill Mining Division).

(04-589)

No. 2404, TOWNSHEND MINING PTY LTD (ACN 009 188 247), area of 30 units, for Group 1, dated 29 July, 2004. (Sydney Mining Division).

MINING LEASE APPLICATION

(04-9999)

No. 249, CREEK RESOURCES PTY LTD (ACN 100 228 886) and BETALPHA PTY LTD (ACN 105 663 518), area of about 678.5 hectares, to mine for coal, dated 29 July, 2004. (Armidale Mining Division).

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

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

(T98-1075)

Exploration Licence No. 5524, NEWCREST OPERATIONS LIMITED (ACN 009 221 505), area of 53 units. Application for renewal received 30 July, 2004.

(T99-0071)

Exploration Licence No. 5616, BARRICK AUSTRALIA LIMITED (ACN 007 857 598), area of 223 units. Application for renewal received 26 July, 2004.

(T02-0067)

Exploration Licence No. 5977, MALACHITE RESOURCES NL (ACN 075 613 268), area of 32 units. Application for renewal received 23 July, 2004.

(T01-0165)

Exploration Licence No. 5978, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), area of 9 units. Application for renewal received 26 July, 2004.

(T01-0236)

Exploration Licence No. 5982, ZINTOBA PTY LTD (ACN 001 318 341), area of 36 units. Application for renewal received 29 July, 2004.

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

RENEWAL OF CERTAIN AUTHORITY

NOTICE is given that the following authority has been renewed:

(T84-1212)

Exploration Licence No. 2378, CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598), County of Bathurst, Map Sheet (8630, 8730, 8731), area of 38 units, for a further term until 25 February, 2006. Renewal effective on and from 28 July, 2004.

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

Roads and Traffic Authority

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

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

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

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

SCHEDULE

All that piece or parcel of public road situated in the Bellingen Shire Council area, Parish of South Bellingen and County of Raleigh, shown as Lot 51 Deposited Plan 1068329.

The land is said to be in the possession of Bellingen Shire Council.

(RTA Papers FPP 4M2929; RO 33.1333)

ROADS ACT 1993

Order – Section 31

Fixing or Varying of Levels
of part of the Mid Western Highway west of
Bathurst in the Bathurst Regional Council area

THE Roads and Traffic Authority of New South Wales, by this Order under Section 31 of the Roads Act 1993, fixes or varies the levels of part of State Highway No 6 – Mid Western Highway between 8.250 km to 9.040 km west of Bathurst, as shown on Roads and Traffic Authority Plan No 0006.030.RC.0857.

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

(RTA Papers FPP 30.5357; RO 02M5227)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at
Kingsdale in the Greater Argyle 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 public road situated in the Greater Argyle Council area, Parish of Narrangarril and County of Argyle, shown as:

Lots 58, 59 and 60 Deposited Plan 1008018;

Lot 31 Deposited Plan 1039776; and

Lots 76 and 77 Deposited Plan 1006688.

The land is said to be in the possession of Greater Argyle Council.

(RTA Papers FPP 4M3096; RO 297.1168 and 297.1170)

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

Notice of Compulsory Acquisition of land at
Albury in the Albury City Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of His Excellency the Lieutenant 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:

Lot 51 Deposited Plan 1007315, being part of the land in Certificate of Title 1/999814 and said to be in the possession of Maria Teresa Riccardi and Mario Riccardi (registered proprietors) and Australia and New Zealand Banking Group Limited (mortgagee);

Lot 48 Deposited Plan 1008629, being part of the land in Certificate of Title 1/91048 and said to be in the possession of Telstra Corporation Limited (registered proprietor) and W A Pickles (NSW) Pty Ltd (reputed tenant at will); and

Lot 49 Deposited Plan 1008629, being part of the land in Certificate of Title 1/596605 and said to be in the possession of Romani Holdings Pty Ltd (registered proprietor), Commonwealth Bank of Australia (mortgagee) and W A Pickles (NSW) Pty Ltd (lessee);

excluding any existing easements from the compulsory acquisition of the land listed above.

(RTA Papers: FPP M1194)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Scone in the Upper Hunter Shire Council area

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

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 Upper Hunter Shire Council area, Parish of Scone and County of Brisbane, shown as:

Lots 5, 6, 7 and 9 Deposited Plan 804243; and
Lot 10 Deposited Plan 561940.

(RTA Papers: 9/399.1152)

ROADS ACT 1993

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

HASTINGS 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.

BERNARD SMITH,
General Manager,
Hastings Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Hastings Council B-Doubles Notice No. 2/2004.

2. Commencement

This Notice takes effect from date of gazettal.

3. Effect

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

4. Application

4.1 This Notice applies to B-Doubles, which comply with Schedule 1 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 Hastings Council

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting point</i>	<i>Finishing point</i>	<i>Conditions</i>
25m	000	Bago Road, Hastings	Pacific Highway (SH10)	Milligans Road	
25m	000	Milligans Road, Hastings	Bago Road	Bulls Ground State Forest	

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT

ORDER

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

PAM CHRISTIE,
Commissioner for Vocational Training

Commencement

1. This Order takes effect from the date of publication in the *New South Wales Government Gazette*.

Amendment

2. The Apprenticeship and Traineeship Orders are amended by:

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

Boating Services.

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Direction to Add Fluorine to a Public Water Supply

I, ROBYN KRUK, Director-General of the Department of Health, with the advice of the Fluoridation of Public Water Supplies Advisory Committee, and pursuant to section 6A of the Fluoridation of Public Water Supplies Act 1957, do hereby direct the Kempsey Shire Council to add fluorine to the Kempsey, South West Rocks and Crescent Head water supplies under its management and control.

This direction is subject to the following terms and conditions:

1. The Kempsey Shire Council may only add fluorine to the Kempsey, South West Rocks and Crescent Head water supplies in accordance with any provisions, directions or approvals made under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act as amended from time to time, and the Fluoridation of Public Water Supplies Regulation 2002.
2. The Kempsey Shire Council shall maintain the content of fluorine in the Kempsey, South West Rocks and Crescent Head water supplies at a target concentration level of 1.0 mg/L with an overall accuracy of +/- 5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies.
3. The Kempsey Shire Council shall have commenced the upward adjustment of fluorine in the Kempsey, South West Rocks and Crescent Head water

supplies by no later than 30 November 2005, unless otherwise approved by the Chief Dental Officer of the Department of Health or that officer's approved representative.

Signed at Sydney this 30th day of July 2004.

ROBYN KRUK,
Director-General

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Direction to Add Fluorine to a Public Water Supply

I, ROBYN KRUK, Director-General of the Department of Health, with the advice of the Fluoridation of Public Water Supplies Advisory Committee, and pursuant to section 6A of the Fluoridation of Public Water Supplies Act 1957, do hereby direct the Hastings Council to add fluorine to the public water supply under its management and control (in this direction referred to as the "Hastings District Water Supply").

This direction is subject to the following terms and conditions:

1. The Hastings Council may only add fluorine to the Hastings District Water Supply in accordance with any provisions, directions or approvals made under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act as amended from time to time, and the Fluoridation of Public Water Supplies Regulation 2002.
2. The Hastings Council shall maintain the content of fluorine in the Hastings District Water Supply at a target concentration level of 1.0 mg/L with an overall accuracy of +/- 5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies.
3. The Hastings Council shall have commenced the upward adjustment of fluorine in the Hastings District Water Supply by no later than 30 November 2005, unless otherwise approved by the Chief Dental Officer of the Department of Health or that officer's approved representative.

Signed at Sydney this 30th day of July 2004.

ROBYN KRUK,
Director-General

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Direction to Add Fluorine to a Public Water Supply

I, ROBYN KRUK, Director-General of the Department of Health, with the advice of the Fluoridation of Public Water Supplies Advisory Committee, and pursuant to section 6A of the Fluoridation of Public Water Supplies Act 1957, do hereby direct the Coffs Harbour City Council to add fluorine to the public water supply under its management and control (in this direction referred to as the "Coffs Harbour Water Supply").

This direction is subject to the following terms and conditions:

1. The Coffs Harbour City Council may only add fluorine to the Coffs Harbour Water Supply in accordance with any provisions, directions or approvals made under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act as amended from time to time, and the Fluoridation of Public Water Supplies Regulation 2002.
2. The Coffs Harbour City Council shall maintain the content of fluorine in the Coffs Harbour Water Supply at a target concentration level of 1.0 mg/L with an overall accuracy of +/- 5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies.
3. The Coffs Harbour City Council shall have commenced the upward adjustment of fluorine in the Coffs Harbour Water Supply by no later than 30 November 2005, unless otherwise approved by the Chief Dental Officer of the Department of Health or that officer's approved representative.

Signed at Sydney this 30th day of July 2004.

ROBYN KRUK,
Director-General

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the name listed hereunder as a geographical name.

Any person objecting to this proposals may within one (1) month of the date of this notice give to the Secretary of the Board, notice in writing of that objection, setting out the grounds of the objection.

Proposed Name: Sunrise Park
Designation: Reserve
L.G.A.: Byron Shire Council
Parish: Byron
County: Rous
L.P.I. Map: Byron Bay
1:100,000 Map: Ballina 9640
Reference: GNB 4969

The position and the extent for 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.lpi.nsw.gov.au/geog/

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143, Bathurst, NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 and section 14 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned and discontinued the geographical names listed hereunder:

Assigned Name: Earribee Park.
Designation: Reserve.
L.G.A.: Singleton Shire Council.
Parish: Darlington.
County: Durham.
L.P.I. Map: Singleton.
1:100,000 Map: Cessnock 9132.
Reference: GNB 4991.

Assigned Name: Nowlan Park.
Designation: Reserve.
L.G.A.: Singleton Shire Council.
Parish: Darlington.
County: Durham.
L.P.I. Map: Singleton.
1:100,000 Map: Cessnock 9132.
Reference: GNB 4991.

Assigned Name: Col Fisher Park.
Designation: Reserve.
L.G.A.: Singleton Shire Council.
Parish: Darlington.
County: Durham.
L.P.I. Map: Singleton.
1:100,000 Map: Cessnock 9132.
Reference: GNB 4991.

Assigned Name: Barrow Lookout
Designation: Lookout
L.G.A.: Blue Mountains City Council
Parish: Blackheath
County: Cook
L.P.I. Map: Katoomba
1:100,000 Map: Katoomba 8930
Reference: GNB 4992

Assigned Name: Maddens Creek.
Designation: Creek.
L.G.A.: Gosford City Council.
Parish: Kincumber.
County: Northumberland.
L.P.I. Map: Gosford.
1:100,000 Map: Gosford 9131.
Reference: GNB 4994.

Assigned Name: Seabrook Reserve.
Discontinued Name: Melaleuca Park.
L.G.A.: Gosford City Council.
Parish: Patonga.
County: Northumberland.
L.P.I. Map: Gosford.
1:100,000 Map: Gosford 9131.
Reference: GNB 5003.

Assigned Name: Boongarra Reserve.
Designation: Reserve.
L.G.A.: Hurstville City Council.
Parish: St George.
County: Cumberland.
L.P.I. Map: Botany Bay.
1:100,000 Map: Sydney 9031.
Reference: GNB 5001.

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

WARWICK WATKINS,
Chairperson

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

LOCAL GOVERNMENT ACT 1993

Clarence Valley and Coffs Harbour Regional
Water Supply

Vesting of Easement in Clarence Valley Council

THE Minister for Energy and Utilities of the State of New South Wales, declares that the easement described in the Schedule hereto, which was acquired for the purpose of the Clarence Valley and Coffs Harbour Regional Water Supply Scheme, is vested in Clarence Valley Council.

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

SCHEDULE

Interest in Land

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

Deposited Plan 1052956 (SB55422) as: '(A) PROPOSED EASEMENT FOR WATER PIPELINE 7 WIDE AND VARIABLE WIDTH' within Lot 119 in Deposited Plan 752828.

DoC Reference 219.

POISONS AND THERAPEUTIC GOODS ACT 1966

Authorisation of Certain Persons to Supply
Restricted Substances on Prescription to Patients
of Designated Hospitals or Inmates of Designated
Institutions

PURSUANT to sections 10(4)(c) and 10(7) of the Poisons and Therapeutic Goods Act 1966, I, JOHN LUMBY, Chief Pharmacist, a duly appointed delegate of the Director-General of the Department of Health, do hereby authorise the persons listed in Column 1 of the Schedule hereunder to supply a restricted substance, in accordance with the prescription of a medical practitioner, nurse practitioner or a dentist, for the purpose only of administration to a patient of a hospital or institution which I hereby designate by listing in Column 2 of that Schedule directly opposite the listing in respect of that person.

SCHEDULE

COLUMN 1

A registered nurse, or an enrolled nurse who has been issued with an endorsement for the administration of medication by the Nurses Registration Board of NSW, who is employed by the hospital listed in Column 2.

COLUMN 2

A hospital within the meaning of the Health Services Act 1997.

COLUMN 1

A registered nurse, or an enrolled nurse who has been issued with an endorsement for the administration of medication by the Nurses Registration Board of NSW, who is employed by the institution listed in Column 2.

A registered nurse, or an enrolled nurse who has been issued with an endorsement for the administration of medication by the Nurses Registration Board of NSW, who is employed by the institution listed in Column 2.

A registered nurse, or an enrolled nurse who has been issued with an endorsement for the administration of medication by the Nurses Registration Board of NSW, who is employed by the institution listed in Column 2.

A registered nurse, or an enrolled nurse who has been issued with an endorsement for the administration of medication by the Nurses Registration Board of NSW, who is employed in aerial ambulance duties by the institution listed in Column 2.

A registered nurse, or an enrolled nurse who has been issued with an endorsement for the administration of medication by the Nurses Registration Board of NSW, who is employed as an aboriginal health nurse by the institution listed in Column 2.

The officer-in-charge of an institution conducted by the institution listed in Column 2, or an officer working in such an institution who has been directed to administer medicines by the officer-in-charge of that institution.

The officer-in-charge of an institution conducted by the institution listed in Column 2, or an officer working in such an institution who has been directed to administer medicines by the officer-in-charge of that institution.

The Occupational Health Nurse in charge of the Nursing/Medical Clinic.

COLUMN 2

A community health centre under the control of a hospital within the meaning of the Health Services Act 1997.

A private hospital or day procedure centre licensed under the Private Hospitals and Day Procedure Centres Act 1988.

A nursing home licensed under the Nursing Homes Act 1988.

The Ambulance Service of New South Wales.

Department of Health.

Department of Corrective Services.

Department of Juvenile Justice.

The Police Academy,
NSW Police, Goulburn.

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

JOHN LUMBY,
Chief Pharmacist

Department of Health, New South Wales,
Sydney, 29 July 2004.

**POISONS AND THERAPEUTIC GOODS ACT
1966**

Restoration of Drug Authority

IN accordance with the provisions of Clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002, a direction has been issued that the order prohibiting Alanna Louise HARDMAN of 34B Ramsay Street, Collaroy, 2097, as a nurse from having possession of and supplying drugs of addiction as authorised by Clauses 101 and 103 of the Regulation, (formerly Regulation 70 made under the Poisons Act 1966) shall cease to operate from Monday, 9 August 2004.

ROBYN KRUK,
Director-General

Department of Health, New South Wales
Sydney, Thursday, 5 August 2004.

**ROAD AND RAIL TRANSPORT (DANGEROUS
GOODS) (ROAD) REGULATION 1998**

Determination

FOR the purposes of Regulation 13.7 of the Commonwealth Regulations, the Environment Protection Authority (EPA) (which has been appointed as a Competent Authority under the Road and Rail Transport (Dangerous Goods) Act 1997) makes the determination detailed in Schedule A and Schedule B. The determination commences on August 6 2004. The determination issued by the EPA on 4 February 1999 is revoked with effect from August 6 2004.

Notes:

- 1 In this determination "Commonwealth Regulations" means the Road Transport Reform (Dangerous Goods) Regulations of the Commonwealth as applied by Clause 5 of the Road and Rail Transport (Dangerous Goods) (Road) Regulation 1998.
- 2 The effect of this determination is that:
 - (a) A placard load of dangerous goods may not be transported through certain road tunnels in the Sydney metropolitan area detailed in Schedule A; and
 - (b) A placard load of dangerous goods may not be transported across the Sydney Harbour Bridge during the peak traffic periods detailed in Schedule B.
- 3 This determination is in accordance with Clause 59 of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999. The determination applies only to dangerous goods under the NSW Road and Rail Transport (Dangerous Goods) Act and does not include dangerous goods of Class 1 (explosives).
- 4 There are also restrictions in the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999, relating to a vehicle carrying dangerous goods of Class 1 (explosives) in any quantity which requires the vehicle to have explosives warning signs displayed. WorkCover NSW administers the Dangerous Goods Act 1975, which controls the transport of dangerous goods of Class 1 (explosives).

- 5 Failure to comply with this determination is an offence with a maximum penalty of \$7,500.

ALAN RITCHIE,
Manager,
Dangerous Goods
(by delegation)

Dated: 3 August 2004.

EPA Reference: HOF46196; DG536/02

SCHEDULE A

Determination – Route Restrictions

In accordance with Regulation 13.7(a), a placard load of dangerous goods may not be transported in or on any vehicle on the routes detailed below:

1. The tunnel on the Cahill Expressway beneath the Royal Botanic Gardens.
2. The tunnel connecting the Cahill Expressway with Bradfield Highway.
3. The tunnel on General Holmes Drive beneath the extension of the north-south runway of Kingsford Smith Airport.
4. The tunnel on Main Road Number 173 between Victoria Street and the extension of Kellett Avenue, Kings Cross.
5. The Sydney Harbour Tunnel.
6. The tunnel on the M2 Motorway beneath Norfolk Road at North Epping.
7. The Eastern Distributor from the Art Gallery Road Bridge, Woolloomooloo to Link Road, Zetland including the Anzac Parade and Moore Park Road branches.
8. The tunnels on the M5 Motorway between Bexley Road, Bexley North, and General Holmes Drive, Kyeemagh.

SCHEDULE B

Determination – Time restriction for the Bradfield Highway

In accordance with Regulation 13.7(c), a placard load of dangerous goods may not be transported on the Bradfield Highway:

1. Between the hours of 7:00 a.m. and 9:30 a.m., Monday to Saturday, both days inclusive; and
2. Between the hours of 4:00 p.m. and 6:30 p.m., Monday to Friday, both days inclusive.

RURAL FIRES ACT 1997

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Blue Mountains District Incorporating:
Blue Mountains Local Government Area.

The Local Bush Fire Danger period has been extended for the period 15 July until 30 September 2004.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER,
Assistant Commissioner,
Executive Director Operations and
Regional Management
(delegate)

RURAL FIRES ACT 1997

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Lower North Coast Team Incorporating:
Nambucca Local Government Area;
Kempsey Local Government Area;
Hastings Local Government Area.

The Local Bush Fire Danger period has been extended for the period 1 August 2004 until 30 September 2004.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER,
Assistant Commissioner,
Executive Director Operations and
Regional Management
(delegate)

RURAL FIRES ACT 1997

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Baulkham Hills District Incorporating:
Baulkham Hills Local Government Area.

The Local Bush Fire Danger period has been extended for the period 1 August until 30 September 2004.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER,
Assistant Commissioner,
Executive Director Operations and
Regional Management
(delegate)

RURAL FIRES ACT 1997

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Blue Mountains District Incorporating:
Blue Mountains Local Government Area

The Local Bush Fire Danger period has been extended for the period 1 August until 30 September 2004.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER,
Assistant Commissioner,
Executive Director Operations and
Regional Management
(delegate)

RURAL FIRES ACT 1997

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Wollondilly District Incorporating:
Wollondilly Local Government Area.

The Local Bush Fire Danger period has been extended for the period 1 August until 30 September 2004.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER,
Assistant Commissioner,
Executive Director Operations and
Regional Management
(delegate)

RURAL FIRES ACT 1997

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Chifley Zone Incorporating:
Lithgow Local Government Area.

The Local Bush Fire Danger period has been extended for the period 1 August until 30 September 2004.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

MARK CROSWELLER,
Assistant Commissioner,
Executive Director Operations and
Regional Management
(delegate)

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

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

RAIL CORPORATION New South Wales, with the approval
of Her Excellency the Governor, declares that the land
described in the Schedule hereto is acquired by compulsory
process under the provisions of the Land Acquisition (Just
Terms Compensation) Act 1991 for the purposes of the Rail
Corporation New South Wales, as authorised by the Transport
Administration Act, 1988.

Dated this 23rd day of July 2004

VINCE GRAHAM,
Chief Executive Officer

SCHEDULE

All that land situate at Faulconbridge in the Local
Government Area of Blue Mountains, Parish of Magdala,
County of Cook and State of New South Wales, being Lot
11 in Deposited Plan 1058704 having an area of 1097 square
metres or thereabouts and said to be in the possession of Blue
Mountains City Council.

SRA Reference: 013527

EPA reference: DG676

ROAD AND RAIL TRANSPORT (DANGEROUS GOODS) ACT 1997

Dangerous Goods Exemptions and Determinations

Exemptions

In accordance with section 32 of the Road and Rail Transport (Dangerous Goods) Act 1997, the Environment Protection Authority, appointed as a Competent Authority under the Act, has granted the exemptions detailed below.

These exemptions either:

- (a) Have been granted to a class of people; or
- (b) Will remain in force for longer than six months.

Determinations

In accordance with Regulation 1.18 of the Road Transport Reform (Dangerous Goods) (NSW) Regulations and Regulation 1.18 of the Rail Transport (Dangerous Goods) (NSW) Regulations, as appropriate, the Environment Protection Authority has, if detailed below, issued a determination.

ALAN RITCHIE,
Manager,
Dangerous Goods
(by delegation)

The Environment Protection Authority (EPA) is now part of Department of Environment and Conservation NSW.

Determinations

File No.	Company/Organisation	Description Conditions (if any)	Issue Date dd/mm/yyyy	Expires dd/mm/yyyy	Regulation Reference	CAP Reference	Geographic Coverage
536	All transporters	Dangerous goods route determinations – RTA requirements In accordance with Regulation 13.7(a), a placard load of dangerous goods may not be transported in or on any vehicle on the routes detailed below: 1. The tunnel on the Cahill Expressway beneath the Royal Botanic Gardens. 2. The tunnel connecting the Cahill Expressway with Bradfield Highway. 3. The tunnel on General Holmes Drive beneath the extension of the north-south runway of Kingsford Smith Airport. 4. The tunnel on Main Road Number 173 between Victoria Street and the extension of Kellett Avenue, Kings Cross. 5. The Sydney Harbour Tunnel. 6. The tunnel on the M2 Motorway beneath Norfolk Road at North Epping. 7. The Eastern Distributor from the Art Gallery Road bridge, Woolloomooloo to Link Road, Zetland including the Anzac Parade and Moore Park Road branches. 8. The tunnels on the M5 Motorway between Bexley Road, Bexley North, and General Holmes Drive, Kyeemagh.	06/08/2004		Road 13.7(a)	N/A	Sydney
536	All transporters	Dangerous goods route determinations – RTA requirements In accordance with Regulation 13.7(c), a placard load of dangerous goods may not be transported on the Bradfield Highway: 1. Between the hours of 7 am and 9.30 am Monday to Saturday both days inclusive; and 2. Between the hours of 4 pm and 6.30 pm Monday to Friday both days inclusive.	06/08/2004		Road 13.7©	N/A	Sydney

Exemptions

953	Aerial Agricultural Association of Australia Ltd	Guidelines for Aerial Agricultural Aircraft Support Vehicles	20/08/2003	31/12/2013	4.7, 4.8, 4.9, 4.10, 4.11, 4.12 & 4.13	CA2003/06	Australia
This exemption:							
1 Is an exemption from the provisions of Regulations 4.7, 4.8, 4.9, 4.10, 4.11, 4.12 and 4.13 of the Regulations which relate to the approval of tanks for the transport on a vehicle of bulk dangerous goods;							
2 Applies to the transport in bulk of dangerous goods of Class 3 (flammable liquid) being fuel for aircraft;							
3 Applies to members of the Aerial Agricultural Association of Australia Ltd and their agents;							
4 Applies to aerial agricultural aircraft support vehicles with a maximum bulk dangerous goods capacity not exceeding 4,000 litres;							

File No.	Company/ Organisation	Description Conditions (if any)	Issue Date dd/mm/yyyy	Expires dd/mm/yyyy	Regulation Reference	CAP Reference	Geographic Coverage
		<p>5 Permits the use of tank vehicles built, operated and maintained so as to comply with the requirements of the document "Guidelines for Aerial Agricultural Aircraft Support Vehicles carrying Class 3 Dangerous Goods", known as Code AAAA-1, published by the Aerial Agricultural Association of Australia Ltd and dated May 2003, to be used as support vehicles for Agricultural Aircraft; 6 Is subject to the condition that a compliance plate complying with Clause 4.5.1 of the ADG Code is fitted to the tank. For the information required by this clause, the compliance plate is to show the following information:</p> <p>(a) for subclause 4.5.1 (f) – "EPA NSW" for the Competent Authority and "EXEM2003/06" for the approval number; and</p> <p>(b) for subclause 4.5.1 (m) – "Code AAAA-1";</p> <p>7 Is subject to the condition that:</p> <p>(a) only dangerous goods of Class 3 are to be transported in bulk on the vehicle; and</p> <p>(b) goods, including packaged dangerous goods, incompatible with dangerous goods of Class 3 are not transported on the vehicle;</p> <p>8 Is subject to the conditions that:</p> <p>(a) A copy of this exemption is carried in the emergency information holder in the cabin of the vehicle; and</p> <p>(b) all requirements of the Regulations, other than those detailed above, are to be complied with;</p> <p>9 Will remain in effect until 31 December 2013 or until cancelled or varied by notice in writing; and</p> <p>10 Applies to operations throughout Australia in accordance with a decision of the Competent Authorities Panel on 25 March 2003 pursuant to the provisions of Regulation 15.10(1)(c) of the Regulations</p>					
946	Cosmetics, Toiletries and Frag. Assoc of Aust Inc	Transport of Retail Cosmetic Toiletry & Fragrance Packages	26/08/2003		Road/Rail 11.2, 11.3 & 11.4 (1)	CA2003/	Australia

This exemption:

- 1 Is an exemption from the provisions of Regulations 11.2, 11.3 and 11.4 (1) of the Regulations insofar as these Regulations require shipping documentation complying with Chapter 11 of the ADG Code;
- 2 Is subject to the condition that shipping documentation, for each consignment to which this exemption applies, is in or to the effect of the shipping documentation detailed in Figure 1.1 of the ADG Code, except that:
 - (a) the certification is not required; and
 - (b) the shipping documentation is to show the aggregate quantity of the dangerous goods as 250 or the actual quantity of dangerous goods in the consignment;
- 3 Is an exemption only from the Regulations detailed in paragraph 1 above. All other provisions of the Regulations and the ADG Code apply;
- 4 Applies to members of The Cosmetic, Toiletry and Fragrance Association of Australia Inc (CTFA), their contractors, their agents and their customers;
- 5 Applies to any consignment of dangerous goods products:
 - (a) suitable for personal or household use;
 - (b) supplied by a member of the CTFA;
 - (c) consisting of outer packages containing retail packages of a type sold for use by consumers; and
 - (d) with an aggregate quantity (as defined in the Regulations) not exceeding 250;
- 6 Does not vary the placard load limits for these consignments of dangerous goods;
- 7 Is subject to the condition that, for any such consignment, either:
 - (a) a copy of this exemption is carried on any vehicle to which this exemption applies; or
 - (b) the shipping documentation includes reference to this exemption number, namely EXEM2003/33, and details of where the exemption can be made available at any time while these goods are being transported;
- 8 Is subject to the condition that a copy of this exemption must be provided to any dangerous goods authorised officer or Police officer when so requested;
- 9 Will remain in effect until the sixth edition of the ADG Code ceases to have effect in the relevant jurisdiction, or until cancelled or varied by notice in writing; and
- 10 Applies to operations throughout Australia in accordance with a decision of the Competent Authorities Panel on 19 June 2003 pursuant to the provisions of Regulation 15.10(1)(c) of the Regulations

File No.	Company/ Organisation	Description Conditions (if any)	Issue Date dd/mm/yyyy	Expires dd/mm/yyyy	Regulation Reference	CAP Reference	Geographic Coverage
781	FBT Operations (NSW) P/L	Placarding of step deck trailers	06/01/2000				NSW
		This exemption:					
		<ol style="list-style-type: none"> 1. is an exemption from the requirements of section 7.4.2 of the Australian Code for the Transport of Dangerous Goods by Road and Rail (ADG Code) which requires a freight container containing dangerous goods in bulk to be placarded with Emergency Information Panels (EIPs). 2. is an exemption to allow the required EIPs to be mounted on either side and on the rear of a vehicle transporting a freight container, in lieu of on the freight container. 3. is conditional upon the freight container being placarded at least in accordance with IATA or IMDG requirements 4. is valid in NSW only. 5. is valid only until the date of implementation of the Seventh Edition of the Australian Code for the Transport of Dangerous Goods by Road and Rail (ADG Code). 					
827	Johnston, Adam	Bulk driver licence exemption	11/05/2000	31/05/2002	18.11(c) - Road		NSW
		This exemption is subject to the following conditions:					
		<ol style="list-style-type: none"> (1) A copy of this exemption is carried when driving a vehicle transporting a bulk load of dangerous goods of Class 3 only; and (2) This exemption is valid only while driving dangerous goods licensed vehicles operated by Terrileigh Pty Ltd and Forest Air Helicopters Pty Ltd; and (3) A copy of this exemption is to be shown to any authorised officer or police officer when so requested; and (4) This exemption is valid until 31 May 2002. 					
740	National Rail Corporation Ltd	Exemption for transport for molten naphthalene	27/08/1999		7.7(1), 7.8(1), 7.9(1) Rail Regs 1999		Sydney Metropolitan
		This exemption is subject to the following additional conditions:					
		<ol style="list-style-type: none"> (1) All tanks of Molten Naphthalene are marked in accordance with the International Maritime Dangerous Goods Code (IMDG); and (2) All rail wagons transporting molten naphthalene, and associated operations are subject to compliance with all other requirements of the ADG Code (6th edition), the NSW Road and Rail Transport (Dangerous Goods) Act 1997, the Road and Rail Transport (Dangerous Goods) (Rail) Regulation 1999; and the Rail Transport (Dangerous Goods) (NSW) Regulations; and (3) A copy of this exemption is carried on any train containing a rail wagon to which this exemption applies; and 					
		A copy of this exemption is to be shown to any authorised officer or Police Officer when so requested.					
548	Dulux Australia and its prime contractors	Transport of incompatible goods on road vehicles	19/02/2004	30/06/2004	ADG9.1.5, Reg. 9.4, 9.5, 9.6, 9.7		NSW
		This exemption is granted subject to compliance with all other requirements of the ADG Code and on the following conditions:					
		<ol style="list-style-type: none"> (1) This exemption applies while transporting Jelly Beans and dangerous goods of Class 8 within NSW; and (2) This exemption applies to Dulux Australia 15 Gow St, Padstow NSW, and the above transport companies when those companies are operating as Prime Contractors of Dulux Australia, 15 Gow St, Padstow, to transport Jelly Beans and dangerous goods of Class 8 together; and (3) Jelly Beans are to be packed in a sealed plastic bag which has been placed inside a sealed tin. The sealed tins are to have tamper-proof tapes over the seal to indicate that the goods are as packed by the Jelly Bean supplier; and (4) A copy of this exemption letter is to be carried on all vehicles when transporting Jelly Beans and dangerous goods of Class 8 together; and (5) This exemption letter shall be produced to an Authorised Dangerous Goods Officer or a Police Officer when required by that officer; and (6) This exemption is valid until 30 June 2004. 					

Notes The above decisions have been made by the NSW Environment Protection Authority (EPA) under the Road and Rail Transport (Dangerous Goods) Act 1997. Under the Road Transport Reform (Dangerous Goods) (NSW) Regulations (the Road Regulations) and the Rail Transport (Dangerous Goods) (NSW) Regulations (the Rail Regulations) made under that Act, certain decisions are to be published in the *Government Gazette*.

“ADG Code” means the Australian Dangerous Goods Code.

“File No” is the NSW Environment Protection Authority reference number.

“Regulation Reference” is the relevant clause of the Road Regulations and the Rail Regulations. The Road Regulations are technically identical to the Commonwealth Road Transport Reform (Dangerous Goods) Regulations and the Rail Regulations are identical to the Commonwealth Rail Rules printed in the sixth edition of the Australian Dangerous Goods Code. These Commonwealth documents are the basis of national uniform road and rail legislation for the transport of dangerous goods and have been adopted in all Australian States and Territories.

“CAP” is the Competent Authorities Panel convened under the uniform national dangerous goods road and rail legislation.

Duration of decision. If there is no date in the “Expires” column and no expiry date detailed in the conditions relating to this decision, the decision will remain in effect until changed by the EPA.

ROAD AND RAIL TRANSPORT (DANGEROUS GOODS) ACT 1997

Dangerous Goods Exemption

IN accordance with section 32 of the Road and Rail Transport (Dangerous Goods) Act 1997, the Environment Protection Authority, appointed as a Competent Authority under the Act, has granted the exemption detailed below.

This exemption has been published in this Gazette because either:

- (a) It has been granted to a class of people; or
- (b) It will remain in force for longer than six months.

ALAN RITCHIE,
Manager,
Dangerous Goods,
Environment Protection Authority,
Part of the Department of Environment and Conservation NSW
(by delegation)

Dated: 4 August 2004.

EPA Reference: DG676.

Exemptions

File No.	Company/ Organisation	Description Conditions (if any)	Issue Date dd/mm/yyyy	Expires dd/mm/yyyy	Regulation Reference	CAP Reference	Geographic Coverage
820	Diverseylever Australia P/L, its agents and customers	Transport incompatible DG with food & food packages	10/06/2003		Road 9.4, 9.5, 9.6 & 9.7/ Rail 9.4, 9.5 and 9.6	N/A	NSW

This exemption is subject to following conditions:

- (1) The exemption applies to the transport of the KH (Kitchen Hygiene) D4, a dangerous goods Class 8, in containers each not exceeding two litres capacity with food or food packaging, which, except for this exemption, are incompatible goods that would not be permitted to be transported together on a road or rail vehicle;
- (2) A copy of this exemption must be carried on any vehicle transporting the products;
- (3) A copy of this exemption must be produced to any authorised officer or police officer when so requested;
- (4) This exemption is valid only in NSW;
- (5) This exemption is valid until the date the 6th edition of the Australian Dangerous Goods Code (ADG Code) ceases to have legal effect in NSW; and
- (6) The exemption issued by the Environment Protection Authority (EPA) on 29 March 2000 is cancelled; and
- (7) All other road and rail transport requirements must be in accordance with the requirements of the ADG Code and the relevant regulations.

Notes: The above decisions have been made by the NSW Environment Protection Authority (EPA) under the Road and Rail Transport (Dangerous Goods) Act 1997. Under the Road Transport Reform (Dangerous Goods) (NSW) Regulations (the Road Regulations) and the Rail Transport (Dangerous Goods) (NSW) Regulations (the Rail Regulations) made under that Act, certain decisions are to be published in the Government Gazette.

“ADG Code” means the Australian Dangerous Goods Code.

“File No” is the NSW Environment Protection Authority reference number.

“Regulation Reference” is the relevant clause of the Road Regulations and the Rail Regulations. The Road Regulations are technically identical to the Commonwealth Road Transport Reform (Dangerous Goods) Regulations and the Rail Regulations are identical to the Commonwealth Rail Rules printed in the sixth edition of the Australian Dangerous Goods Code. These Commonwealth documents are the basis of national uniform road and rail legislation for the transport of dangerous goods and have been adopted in all Australian States and Territories.

“CAP” is the Competent Authorities Panel convened under the uniform national dangerous goods road and rail legislation.

Duration of decision. If there is no date in the “Expires” column and no expiry date detailed in the conditions relating to this decision, the decision will remain in effect until changed by the EPA.

TENDERS**Department of Commerce****SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE**

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

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

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

ALBURY CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Albury City Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of a library complex/museum. Dated at Albury this 2nd day of August, 2004. MARK HENDERSON, General Manager, Albury City Council, 553 Kiewa Street, Albury, NSW 2640.

SCHEDULE

Lot 1, DP 1037933. [0552]

CLARENCE VALLEY COUNCIL

ERRATUM

THE notice appearing in Government Gazette No. 58, dated 19th March, 2004, Folio 1487, under the heading "Notice of Compulsory Acquisition of Easement over Land" has been rescinded and is replaced in full by the following notice.

CLARENCE VALLEY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement Over Land

THE Clarence Valley Council declares, with the approval of Her Excellency the Governor, that the easement for a levee over land described in the Schedule below, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991. Dated at Grafton, this 4th day of August 2004. KEN BOYLE, General Manager, Clarence Valley Council, PO Box 436, Grafton, NSW 2460.

SCHEDULE

Easement for levee variable width over Lot 449, DP 727424 and Lot 356, DP 751385, shown as 'A' in DP 1059279.

[0559]

GREAT LAKES COUNCIL

Roads Act 1993, Section 162

Roads (General) Regulation 2000

Naming of Roads

NOTICE is hereby given that Great Lakes Council, pursuant to the aforementioned Act and Regulation, has named the roads described hereunder.

Description

Name

New name for the Old Pacific Highway between Bulahdelah and Coolongolook.	Wootton Way.
---	--------------

KEITH O'LEARY, General Manager, Great Lakes Council, Breese Parade, Forster, NSW 2428. [0554]

LIVERPOOL CITY COUNCIL

Roads Act 1993, Section 10

NOTICE is hereby given that The Council of the City of Liverpool dedicates the lands described in the Schedule below as public road under section 10 of the Roads Act 1993. GENERAL MANAGER, The Council of the City of Liverpool, Locked Bag 7064, Liverpool BC, NSW 1871

SCHEDULE

All that piece or parcel of land known as Lot 724 in DP 859955 in The Council of the City of Liverpool, Parish of Minto, County of Cumberland and as described in Folio Identifier 724/859955. [0553]

CITY OF RYDE

Heritage Act 1977

Revocation – Interim Heritage Order No. 1

6A Eric Street, Eastwood
(Lot 1, DP 505905)

IN pursuance of section 29 of the Heritage Act 1977, Ryde City Council by this Order:

- (i) Revokes Interim Heritage Order No. 1 in respect of the item of the environmental heritage specified or described in Schedule 'A', and
- (ii) Declare that the interim heritage order does not apply to the curtilage or site of such item, being the land described in Schedule 'B'

Dated: Sydney, 30th July, 2004. MICHAEL McMAHON, Chief Executive, City of Ryde.

SCHEDULE "A"

The property known as 6A Eric Street, Eastwood, situated on the land described in Schedule "B"

SCHEDULE "B"

All those pieces or parcels of land known Lot 1 in DP 505905 in the Parish of Field of Mars, County of Cumberland.

[0550]

TUMBARUMBA SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Tumbarumba Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of a waste transfer facility. Dated at Tumbarumba this 3rd day of August 2004. PETER BASCOMB, General Manager, Tumbarumba Shire Council, PO Box 61, Tumbarumba, NSW 2653.

SCHEDULE

Lot 752, DP 755892. [0556]

WOLLONDILLY SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Wollondilly Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Picton this 28th day of July, 2004. GRAHAM TAYLOR, General Manager, Wollondilly Shire Council, PO Box 21, Picton, NSW 2571.

SCHEDULE

Lots 1-5, DP 1057352. [0562]

WOLLONGONG CITY COUNCIL

Roads Act 1993

Notice of New Street Names

WOLLONGONG City Council hereby gives notice that it has named the streets outlined in bold on the accompanying plan "Old Court House Lane" and "Magistrates Lane" as indicated.



GENERAL MANAGER, Wollongong City Council, 41 Buralli Street, Wollongong, NSW 2500. [0557]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ALBERTHA JANNA PETERS, late of 16 Boundary Road, Epping, in the State of New South Wales, dress maker, who died on 3rd December, 2003, must send particulars of his/her claim to the executor, Theodore Thomas Peters, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, NSW 2148, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executor has notice. Probate was granted in New South Wales on 20th July, 2004. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street (PO Box 147), Blacktown, NSW 2148 (DX8109, Blacktown), tel.: (02) 9622 4644. Reference: GPD.SC. [0551]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MILDRED ALECIA ACHURCH (also known as MILDRED ALICIA ACHURCH), late of Russell Lea, in the State of New South Wales, who died on 29th April, 2004, must send particulars of his/her claim to the executor, c.o. Mercuri & Co., Solicitors, PO Box 198, Five Dock, NSW 2046, within one (1) calendar month from publication of this notice. After that time the 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 20th July, 2004. MERCURI & CO., Solicitors, Suite 1/191 First Avenue (PO Box 198), Five Dock, NSW 2046 (DX21014, Drummoyn), tel.: (02) 9712 5700. Reference: FM:MG. [0555]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DOUGLAS JAMES DUNNE, late of c.o. Casa Mia Nursing Home, 28 Alma Road, Padstow, in the State of New South Wales, who died on 26th March, 2004, must send particulars of their claim to the executors, Patrick Douglas Dunne and Terry Paul Dunne, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale, NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 23rd July, 2004. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale, NSW 2223 (DX11307, Hurstville), tel.: (02) 9570 2022. [0558]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JENNIFER JUNE KING, late of 3/15 Wonga Road, Lurnea, in the State of New South Wales, claims clerk, who died on 19th November, 2003, must send particulars of his/her claim to the executrix, Julie Ann Rehu, c.o. Doherty Partners, Solicitors, Level 1, 171 Bigge Street, Liverpool, NSW 2170, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executrix has notice. Probate was granted in New South Wales on 26th July, 2004. DOHERTY PARTNERS, Solicitors, Level 1, 171 Bigge Street, Liverpool, NSW 2170 (PO Box 1163, Liverpool BC 1871), (DX5034, Liverpool), tel.: (02) 9601 7300. Reference: JULIE SHEDDEN:32184. [0561]

COMPANY NOTICES

NOTICE of voluntary liquidation.—EAST AUSTRALIAN PACIFIC INVESTMENT PTY LTD, ACN 000 619 796 (in liquidation).—Notice is hereby given in accordance with section 491(2) of the Corporations Law that at an extraordinary general meeting of the members of the abovenamed company held on Friday, 30th July, 2004, the following special resolution was duly passed: “That the company be wound up as a members’ voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidator so desire” and Roger Duncan Ellinson, Chartered Accountant, be appointed liquidator for the purpose of such winding up. Dated at Sydney this 30th day of July, 2004. R. D. ELLINSON, Liquidator, c.o. Selingers, Chartered Accountants, Level 11, 155 Castlereagh Street, Sydney, NSW 2000 (GPO Box 4951, Sydney, NSW 2001), tel.: (02) 9283 2444. [0549]

NOTICE of special resolution.—GREENBAH PTY LIMITED, ACN 008 451 894.—At a general meeting of members of Greenbah Pty Limited duly convened and held at “Greenbah” Wee Waa, New South Wales on 2nd August, 2004, the special resolution set out below was duly passed. Special Resolution: “That the company be wound up voluntarily and that Leonard John Richardson be appointed liquidator for the purposes of such winding up”. Dated this 2nd day of August, 2004. LEONARD J. RICHARDSON, Liquidator, Unit 14, 14 Macarthur Parade, Main Beach, Queensland 4217, tel.: (07) 5532 8251. [0560]

OTHER NOTICES

INTEGRAL ENERGY AUSTRALIA

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement at Ropes Creek

INTEGRAL ENERGY AUSTRALIA declares, with the approval of Her Excellency the Governor and the Executive Council, that the interest in land described in Schedule 1 of this notice affecting the land described in Schedule 2 of this notice is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Electricity Supply Act 1995.

Dated at Huntingwood this 4th day of August 2004.

Kieran Shanahan,
Acting General Manager,
Engineering Performance

Integral Energy Australia,
51 Huntingwood Drive, Huntingwood, NSW 2148.

SCHEDULE 1

Easement for overhead powerlines 35 wide and variable as set out in Memorandum No 3021850 filed at Land & Property Information NSW. For the purposes of this notice, “lot burdened” means Lot 5, DP 262213.

SCHEDULE 2

All that piece or parcel of land at Ropes Creek in the City of Blacktown, County of Cumberland, Parish of Melville, being the site of the proposed easement for overhead powerlines 35 wide and variable within Lot 5, DP 262213 shown as (A) in DP 1070730. [0563]