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LEGISLATION

Regulations



New South Wales

Public Authorities (Financial Arrangements) Amendment (Joint Venture Exemptions) Regulation 2005

under the

Public Authorities (Financial Arrangements) Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Authorities (Financial Arrangements) Act 1987*.

ANDREW REFSHAUGE, M.P.,
Treasurer

Explanatory note

The object of this Regulation is to exclude certain activities involving the TAFE Commission and the Department of Education and Training from the provisions relating to joint ventures. Under Part 2D of the Act, the Treasurers' approval is required for joint ventures entered into, or carried on, by authorities within the meaning of the Act.

This Regulation is made under the *Public Authorities (Financial Arrangements) Act 1987*, including section 22K.

Clause 1 Public Authorities (Financial Arrangements) Amendment (Joint Venture Exemptions) Regulation 2005

Public Authorities (Financial Arrangements) Amendment (Joint Venture Exemptions) Regulation 2005

under the

Public Authorities (Financial Arrangements) Act 1987

1 Name of Regulation

This Regulation is the *Public Authorities (Financial Arrangements) Amendment (Joint Venture Exemptions) Regulation 2005*.

2 Amendment of Public Authorities (Financial Arrangements) Regulation 2000

The *Public Authorities (Financial Arrangements) Regulation 2000* is amended as set out in Schedule 1.

Public Authorities (Financial Arrangements) Amendment (Joint Venture Exemptions) Regulation 2005

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 57C

Insert after clause 57B:

57C Activities excluded from meaning of joint venture (Department of Education and Training and TAFE Commission)

- (1) For the purposes of section 22K of the Act, the following activities are prescribed as not being within that section:
 - (a) an activity carried on jointly by the Department of Education and Training and an agency of the Commonwealth or of this or any other State,
 - (b) an activity carried on jointly by the TAFE Commission and an agency of the Commonwealth or of this or any other State,
 - (c) an activity carried on jointly by the Department of Education and Training and another person (other than an agency of the Commonwealth or of this or any other State) where the Department of Education and Training contributes less than \$1,000,000,
 - (d) an activity carried on jointly by the TAFE Commission and another person (other than an agency of the Commonwealth or of this or any other State) where the TAFE Commission contributes less than \$1,000,000,
 - (e) an activity carried on jointly by the TAFE Commission, the Department of Education and Training and another person (other than an agency of the Commonwealth or of this or any other State) where the TAFE Commission and the Department of Education and Training make a combined contribution of less than \$1,000,000.
- (2) For the purpose of subclause (1), *contribution* includes (but is not limited to) the following:
 - (a) the amount of any financial contribution,
 - (b) the approximate value of any goods or materials (including land or premises) that are supplied or provided,
 - (c) the approximate value of any service that is supplied or provided.
- (3) This clause is repealed on 1 July 2006.

Rules



New South Wales

Uniform Civil Procedure Rules (Amendment No 1) 2005

under the

Civil Procedure Act 2005

The Uniform Rules Committee made the following rules under the *Civil Procedure Act 2005* on 1 August 2005.

Jennifer Atkinson
Secretary of the Rules Committee

Rule 1 Uniform Civil Procedure Rules (Amendment No 1) 2005

Uniform Civil Procedure Rules (Amendment No 1) 2005

under the

Civil Procedure Act 2005

1 Name of Rules

These Rules are the *Uniform Civil Procedure Rules (Amendment No 1) 2005*.

2 Commencement

These Rules commence on the commencement of section 9 of the *Civil Procedure Act 2005*.

3 Amendment of Uniform Civil Procedure Rules 2005

The *Uniform Civil Procedure Rules 2005* are amended as set out in Schedule 1.

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

Schedule 1 Amendments

(Rule 3)

- [1] **Rule 4.2 Documents to be filed to contain certain information**
Omit “a party in” from rule 4.2 (2). Insert instead “a person in relation to”.
- [2] **Rule 4.2 (2) (e)**
Omit “the party” and “the party’s”.
Insert instead “a party” or “a party’s”, respectively.
- [3] **Rule 4.2 (2) (f)**
Omit rule 4.2 (2) (f). Insert instead:
(f) an address to which documents addressed to the person may be sent, being (in the case of a person who is a party to the proceedings) that person’s address for service.
- [4] **Rule 4.2 (3)**
Omit “the party” and “the party’s” wherever occurring.
Insert instead “the person” and “the person’s”, respectively.
- [5] **Rule 4.13 Place for filing**
Omit rule 4.13 (a). Insert instead:
(a) subject to paragraphs (b), (c) and (d), in the registry for the venue specified in the originating process pursuant to rule 4.2 (1) (c), or
- [6] **Rule 5.1 Definitions**
Insert at the end of the heading to the rule:
(cf Federal Court Rules, Order 15A, rule 1)
- [7] **Rule 5.2 Discovery to ascertain prospective defendant’s identity or whereabouts**
Insert at the end of the heading to the rule:
(cf Federal Court Rules, Order 15A, rules 3, 5 and 9)
- [8] **Rule 5.3 Discovery of documents from prospective defendant**
Insert at the end of the heading to the rule:
(cf Federal Court Rules, Order 15A, rules 6, 7 and 9)

Uniform Civil Procedure Rules (Amendment No 1) 2005

Schedule 1 Amendments

[9] Rule 5.4 Discovery of documents from other persons

Insert at the end of the heading to the rule:
(cf Federal Court Rules, Order 15A, rule 8)

[10] Rule 5.5 Discovery and inspection generally

Insert at the end of the heading to the rule:
(cf Federal Court Rules, Order 15A, rule 10)

[11] Rule 5.6 Security for costs

Insert at the end of the heading to the rule:
(cf Federal Court Rules, Order 15A, rule 11)

[12] Rule 5.7 Privilege

Insert at the end of the heading to the rule:
(cf Federal Court Rules, Order 15A, rule 2)

[13] Rule 5.8 Costs and other expenses

Insert “; *Federal Court Rules*, Order 15A, rules 4 and 11” after “DCR Part 39A, rule 5” in the heading to the rule.

[14] Rule 6.4 Where summons required

Omit “rule 2A” from the heading to the rule. Insert instead “rules 2, 2A and 3”.

[15] Rule 6.4 (2)

Omit “also”.

[16] Rule 6.4 (2)

Omit “made in relation to”. Insert instead “made in”.

[17] Rule 6.4 (2) (c)

Omit “, otherwise than in relation to proceedings that have been commenced by or against the person”.

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

[18] Rule 6.4 (4)

Insert after rule 6.4 (3):

- (4) Proceedings:
- (a) in which the sole or principal question at issue is, or is likely to be, one of:
 - (i) the construction of an Act or a Commonwealth Act, or
 - (ii) the construction of an instrument made under an Act or a Commonwealth Act, or
 - (iii) the construction of a deed, will, contract or other document, or
 - (iv) some other question of law, or
 - (b) in which there is unlikely to be a substantial dispute of fact, are amongst those which are appropriate to be commenced by summons unless the plaintiff considers the proceedings more appropriate to be commenced by statement of claim.

[19] Rule 10.5 The various methods of service

Omit “working” from rule 10.5 (1) (c). Insert instead “employed”.

[20] Rule 10.20 Personal service required only in certain circumstances

Omit “working” wherever occurring in rule 10.20 (2) (b) (ii) or (c) (ii).

Insert instead “employed”.

[21] Rule 10.20 (2) (c)

Omit “any subpoena for production in proceedings in the District Court, and any order for examination, garnishee order or subpoena for proceedings in a Local Court”.

Insert instead “any order for examination, garnishee order or subpoena for attendance in proceedings in a Local Court”.

[22] Rule 10.20 (2) (d)

Insert after rule 10.20 (2) (c):

- , and
- (d) any subpoena for production in proceedings in the District Court or a Local Court must be served in one of the following ways:
 - (i) it may be served personally on the person to whom it is directed,

Uniform Civil Procedure Rules (Amendment No 1) 2005

Schedule 1 Amendments

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- (ii) it may be left, addressed to the person to whom it is directed, at that person's business or residential address, with a person who is apparently of or above the age of 16 years and apparently employed or residing at that address,
 - (iii) it may be sent by post, addressed to the person to whom it is directed, to the person's business or residential address in an envelope marked with the return address of the party at whose request the subpoena was issued.

[23] Rule 10.20 (3)

Omit the subrule. Insert instead:

- (3) If an envelope, posted as referred to in subrule (2) (b) (iii), is returned to the court by the postal authority as having not been delivered to the addressee:
 - (a) service of the document contained in the envelope is taken not to have been effected, and
 - (b) any judgment given or entered on the basis of that service is to be set aside,and the registrar must so advise the party by whom or on whose behalf it was posted.

[24] Rule 10.20 (4)

Insert "or (d) (ii) or (iii)" after "(c) (ii)".

[25] Rule 12.7 Dismissal of proceedings etc for want of due despatch

Omit "rules 1, 2 and 3" from the heading to the rule.

Insert instead "rules 1 and 2".

[26] Rule 12.8 Additional grounds for dismissal of proceedings by Supreme Court

Omit "Part 40, rule 8" from the heading to the rule.

Insert instead "Part 32A, rules 1 and 2".

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

[27] Rule 12.8 (3)

Omit the subrule. Insert instead:

- (3) Such an order may not be made unless the registrar has given notice of the proposal to make such an order to the plaintiff and to each other active party, being notice that gives each of them a reasonable opportunity to be heard in relation to the proposal.

[28] Rule 13.6

Insert after rule 13.5:

13.6 Non-appearance by plaintiff (cf SCR Part 13, rule 5A)

- (1) If there is no attendance by or on behalf of a plaintiff at a hearing of which the plaintiff has had due notice, the court may adjourn the hearing to another date and direct that not less than 5 days before that date a notice of the adjournment be served on the plaintiff advising that the proceedings may be dismissed if there is no attendance by or on behalf of the plaintiff at the adjourned hearing.
- (2) If the plaintiff has been given notice in accordance with subrule (1) and there is no attendance by or on behalf of the plaintiff at the adjourned hearing, the court may dismiss the proceedings.
- (3) This rule does not restrict any other power of the court to dismiss proceedings.

[29] Rule 16.3 Procedure where defendant in default

Insert after rule 16.3 (1):

- (1A) Unless the court otherwise orders, an application under this rule:
 - (a) may be dealt with in the absence of the parties, and
 - (b) need not be served on the defendant.

[30] Rule 18.3 Contents of notice of motion

Insert “unless the motion is to be moved in the absence of the public,” before “must state” in rule 18.3 (1) (d).

[31] Rule 29.14 Court may refuse to hear proceedings if fees unpaid

Insert at the end of the heading to the rule:

(cf Supreme Court Regulation 2000, clause 12; District Court Regulation 2000, clause 9A)

Uniform Civil Procedure Rules (Amendment No 1) 2005

Schedule 1 Amendments

[32] Rule 31.1 Manner of giving evidence at trial

Omit “subrules (3) and (4)” from rule 31.1 (2).

Insert instead “subrules (3), (4) and (5)”.

[33] Rule 31.1 (5)

Insert after rule 31.1 (4):

- (5) Unless the court otherwise orders, at any trial on an assessment of the amount to be recovered by a plaintiff after default judgment has been given, the following evidence may be given by affidavit:
 - (a) evidence of the identity of any motor vehicle,
 - (b) evidence of the damage sustained by a motor vehicle in a particular collision,
 - (c) evidence of the reasonable cost of repairing that damage.

[34] Rule 31.18A

Insert after rule 31.18:

31.18A Admissibility of expert’s report (cf SCR Part 36, rule 13B)

- (1) If an expert’s report is served in accordance with rule 31.18 or an order made under that rule, the report is admissible:
 - (a) as evidence of the expert’s opinion, and
 - (b) if the expert’s direct oral evidence of a fact on which the opinion was formed would be admissible, as evidence of that fact,without further evidence, oral or otherwise.
- (2) Unless the court otherwise orders, a party may require the attendance for cross-examination of the expert by whom the report was prepared by notice served on the party by whom the report was served.
- (3) Unless the court otherwise orders, such a requirement may not be made later than:
 - (a) in the case of proceedings for which the court has fixed a date for trial, 35 days before the date so fixed, or
 - (b) in any other case, 7 days before the date on which the court fixes a date for trial.
- (4) The parties may not by consent abridge the time fixed by or under subrule (3).

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

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- (5) If the expert's attendance for cross-examination is required under subrule (2), the report may not be tendered under section 63, 64 or 69 of the *Evidence Act 1995* or otherwise used unless the expert attends or is dead or the court grants leave to use it.
 - (6) The party using the report may re-examine the expert if the expert attends for cross-examination pursuant to a requirement under subrule (2).
 - (7) This rule does not apply to proceedings in the District Court or a Local Court or to proceedings on a trial with a jury.

[35] Rule 31.19 Admissibility of expert's report in District Court and Local Courts

Insert before rule 31.19 (1):

- (1A) This rule applies to proceedings in the District Court or a Local Court.

[36] Rule 31.19 (4) (b)

Insert "must" before "pay".

[37] Rule 31.19 (6)

Omit the subrule.

[38] Rule 33.5 Service

Insert "active" after "other" in rule 33.5 (2).

[39] Rule 35.3 Persons who may make affidavit

Omit "Part 38, rule 2" from the heading to rule 35.3.

Insert instead "Part 24, rule 7".

[40] Rule 35.3 (2) (a) and (b)

Omit the paragraphs. Insert instead:

- (a) by the party's solicitor, or by a commercial agent or subagent (within the meaning of the *Commercial Agents and Private Inquiry Agents Act 1963*), in relation only to proceedings on an application for:
 - (i) an instalment order, or
 - (ii) an order for examination, or
 - (iii) a writ of execution, or
 - (iv) a garnishee order, or

Uniform Civil Procedure Rules (Amendment No 1) 2005

Schedule 1 Amendments

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- (b) by a person holding a licence as a real estate agent, strata managing agent or on-site residential property manager within the meaning of the *Property, Stock and Business Agents Act 2002* in relation only to:
- (i) proceedings on an application referred to in paragraph (a), or
 - (ii) the filing of a certificate under section 51 of the *Consumer, Trader and Tenancy Tribunal Act 2001*.

[41] Rules 35.7A and 35.7B

Insert after rule 35.7:

35.7A Name of legal practitioner or commissioner for affidavits on affidavit (cf SCR Part 38, rule 2 (4A), (4B) and (5))

- (1) A legal practitioner who takes and receives an affidavit concerning any matter within the jurisdiction of the court must, by use of a stamp or otherwise, add, legibly below the legal practitioner's signature, the legal practitioner's name and address together with the word "barrister" or "solicitor", as the case requires.
- (2) A commissioner for affidavits who takes and receives an affidavit concerning any matter within the jurisdiction of the court, must, by use of a stamp or otherwise, add, legibly below the commissioner's signature, the commissioner's name and address together with the words "commissioner for affidavits".
- (3) In this rule, *commissioner for affidavits* means a person who is authorised by the Chief Justice of the Supreme Court, under section 27 (2) of the *Oaths Act 1900*, to take and receive affidavits.

35.7B Each page of affidavit to be signed

Each page of an affidavit must be signed by the deponent and by the person before whom it is sworn.

[42] Rule 36.7 Payment of interest

Insert at the end of rule 36.7:

- (2) A Local Court may not order the payment of interest up to judgment in any proceedings in which the amount claimed is less than \$1,000.

[43] Rule 37.3 Instalment order made by registrar

Omit "debtor" from rule 37.3 (1) (a). Insert instead "debt".

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

[44] Rule 38.2 Application for order for examination

Insert at the end of rule 38.2:

- (2) The provisions of subrule (1) (b) and (c) do not apply in relation to a judgment or order of the Supreme Court.
- (3) Unless the court otherwise orders, an application under this rule:
 - (a) may be dealt with in the absence of the parties, and
 - (b) need not be served on the person bound by the judgment or order.

[45] Rule 39.32

Omit the rule. Insert instead:

39.32 Sheriff or auctioneer to report (cf SCR Part 45, rule 14; DCR Part 34, rule 9; LCR Part 30, rule 8)

As soon as practicable after the sale of goods under a writ for the levy of property has been completed, the Sheriff or auctioneer appointed to sell the goods must make a report to the judgment creditor as to results of the sale.

[46] Rule 39.44 Application for charging order

Omit rule 39.44 (3).

[47] Rule 39.45 Affidavit in support of application for charging order

Insert after rule 39.45 (2) (b):

- , and
- (c) must indicate the extent (if any) to which the judgment debt has been satisfied under any other writ of execution, garnishee order or charging order issued by the court.

[48] Rule 39.51

Insert after rule 39.50:

39.51 Return of writ (cf SCR Part 44, rule 9; DCR Part 44, rule 6; LCR Part 30, rule 22)

On request by the judgment creditor, the Sheriff must return the writ to the court by which it was issued, together with a notice indicating:

- (a) what action, if any, has been taken in execution of the writ, and
- (b) whether or not the writ has been satisfied.

Uniform Civil Procedure Rules (Amendment No 1) 2005

Schedule 1 Amendments

[49] Rule 42.21 Security for costs

Omit “rules 2, 3 and 4” from the heading to the rule.

Insert instead “rules 2, 3, 4 and 5”.

[50] Rule 42.21 (4)

Insert after rule 42.21 (3):

- (4) This rule does not affect the provisions of any Act under which the court may require security for costs to be given.

[51] Rule 42.32

Insert after rule 42.31:

42.32 Smyth orders

At any stage of proceedings, the court may order a party’s legal representative to serve on the party:

- (a) a notice that specifies:
- (i) an estimate of the largest amount (inclusive of costs) for which judgment is likely to be given if the party is successful, and
 - (ii) an estimate of the largest amount (by way of costs) that the party may be ordered to pay if the party is unsuccessful, or
- (b) a notice that specifies:
- (i) an estimate of the best outcome that the party is likely to achieve if the party is successful, and
 - (ii) an estimate of the worst outcome that the party is likely to undergo if the party is unsuccessful.

[52] Part 45, Division 1

Omit the Division. Insert instead:

Division 1 Matters before Supreme Court constituted by associate Judge**45.1 Construction of certain references**

In this Division:

- (a) a reference to the Supreme Court is a reference to the Supreme Court constituted by a Judge of the Supreme Court, and

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

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- (b) a reference to an associate Judge of the Supreme Court is a reference to the Supreme Court constituted by that associate Judge.

45.2 Reference and removal of proceedings (cf SCR Part 60, rules 6 and 7)

- (1) An associate Judge of the Supreme Court may refer any proceedings before the associate Judge to the Supreme Court.
- (2) Before the conclusion of any proceedings before an associate Judge of the Supreme Court, the Supreme Court may order that the proceedings be removed into the Supreme Court.

45.3 Disposal of proceedings referred or removed (cf SCR Part 60, rule 8)

On the reference or removal to the Supreme Court of any proceedings before an associate Judge of the Supreme Court, the Supreme Court:

- (a) may hear and determine any matter in the proceedings in respect of which the proceedings were before the associate Judge, or
- (b) may determine any question arising in the proceedings and remit the proceedings to the associate Judge with such directions as it thinks fit.

45.4 Right of appeal (cf SCR Part 60, rule 10)

An appeal lies to the Supreme Court from any decision of an associate Judge of the Supreme Court, except in any case where an appeal lies to the Court of Appeal.

[53] Rule 45.7A

Insert before rule 45.8:

45.7A Construction of certain references

In this Division:

- (a) a reference to the Supreme Court is a reference to the Supreme Court constituted by a Judge of the Supreme Court, and
- (b) a reference to an associate Judge of the Supreme Court is a reference to the Supreme Court constituted by that associate Judge.

Uniform Civil Procedure Rules (Amendment No 1) 2005

Schedule 1 Amendments

[54] Rule 45.8

Omit the rule. Insert instead:

45.8 Institution of appeal (cf SCR Part 60, rule 11)

- (1) An appeal from a decision of an associate Judge of the Supreme Court under rule 45.4, or an application under section 18FB (2) of the *District Court Act 1973* for the varying or setting aside of a judgment or order of the judicial registrar of the District Court (also referred to in this Division as an *appeal*), is to be instituted by filing a notice of motion.
- (2) The appeal must be instituted within 28 days after the material date.
- (3) The associate Judge or judicial registrar may extend the time allowed under subrule (2) within 28 days after the material date, or on a notice of motion filed within 28 days after the material date, and not otherwise.
- (4) The Supreme Court or District Court may extend the time allowed under subrule (2) at any time.
- (5) For the purposes of this rule, the *material date* is:
 - (a) in the case of an appeal from a judgment, the date on which the judgment was given, or
 - (b) in the case of an appeal from an order, the date of the order, or
 - (c) in any other case, the date of the decision under appeal.

[55] Rule 45.10

Omit the rule. Insert instead:

45.10 Stay and reinstatement (cf SCR Part 60, rule 14)

- (1) An appeal under this Division:
 - (a) does not operate as a stay of execution or stay of proceedings under the decision of the associate Judge of the Supreme Court or the judicial registrar of the District Court, and
 - (b) does not invalidate any intermediate act or proceedings, except so far as the Supreme Court or District Court (or, subject to any direction of the Supreme Court or District Court, the associate Judge or judicial registrar) may direct.

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

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- (2) If any step has been taken for the enforcement of a judgment or order and the Supreme Court or District Court varies or sets aside the judgment or order on appeal under this Division, the Supreme Court or District Court may make such orders for reinstatement as the Supreme Court or District Court thinks fit.

[56] Rule 45.18 Disposal of proceedings referred or removed

Omit “of any proceedings to the court under this Division”.

Insert instead “to the court of any proceedings before a registrar”.

[57] Rule 45.20 Applications generally

Insert at the end of the rule:

- (6) This rule does not apply to:
- (a) an order to which Part 80 rule 23A (1) or Part 80A rule 21 (1) of the *Supreme Court Rules 1970* applies, or
 - (b) an order to which rule 16.1 of the *Supreme Court (Corporations) Rules 1999* applies, or
 - (c) a direction, order, decision or other act of a registrar in relation to the functions of the Court under the *Mutual Recognition Act 1992* of the Commonwealth or the *Trans-Tasman Mutual Recognition Act 1997* of the Commonwealth.

[58] Schedule 1 Application of rules

Omit “*Local Courts Act 1970*” wherever occurring in the matter in Column 2 in relation to a Local Court.

Insert instead “*Local Courts Act 1982*”.

[59] Schedule 1

Omit “Rule 6.13 (b)” from Column 4 in relation to a Local Court sitting in its Small Claims Division.

[60] Schedule 1

Omit “, 3, 4” from the matter relating to Part 7 in Column 4 in relation to a Local Court sitting in its Small Claims Division.

[61] Schedule 1

Insert in appropriate order in Column 4 in relation to a Local Court sitting in its Small Claims Division:

Part 17

Uniform Civil Procedure Rules (Amendment No 1) 2005

Schedule 1 Amendments

[62] Schedule 1

Omit “Parts 24, 25, 26 and 27” from Column 4 in relation to a Local Court sitting in its Small Claims Division.

Insert instead “Parts 24, 25, 26, 27, 28 and 29”.

[63] Schedule 1

Omit “Rules 29.7 and 29.9” from Column 4 in relation to a Local Court sitting in its Small Claims Division.

[64] Schedule 1

Omit “Rules 36.8, 36.15 and 36.16” from Column 4 in relation to a Local Court sitting in its Small Claims Division.

Insert instead “Rule 36.8”.

[65] Schedule 2 Local rules that prevail over these rules

Insert in appropriate order in the matter relating to the *Supreme Court Rules 1970*:

Part 14 (Commercial List)	Rules 2, 3, 4 and 5
Part 14A (Technology and Construction List)	Rules 3 and 4
Part 51 (Court of Appeal)	All rules in that Part
Part 55 (Contempt)	Rule 7
Part 67 (Defamation)	Rules 11 and 11C
Part 68 (Administration of estates; execution of trusts)	Rule 5
Part 70 (Trustee Act rules)	Rules 3 and 12
Part 71A (<i>Service and Execution of Process Act 1992</i> (Commonwealth))	Rule 8
Part 73 (Adoption of Children)	All rules in that Part
Part 76 (Protective business)	All rules in that Part
Part 78 (Probate)	All rules in that Part
Part 80 (<i>Companies (New South Wales) Code and Corporations Law</i>)	All rules in that Part
Part 80A (<i>Corporations Law</i> and ASC Law)	All rules in that Part
Part 81 (Intellectual property)	Rule 5
Part 82 (<i>Public Notaries Act 1997</i>)	Rules 2 and 7

Uniform Civil Procedure Rules (Amendment No 1) 2005

Amendments

Schedule 1

[66] Schedule 6 Proceedings in respect of which originating process may be served outside Australia

Omit “the following proceedings:”.

Insert instead “the following circumstances:”.

[67] Schedule 7 Expert witness code of conduct

Omit “the preceding paragraph” from clause 3 (5).

Insert instead “subclause (4)”.



New South Wales

Uniform Civil Procedure Rules (Amendment No 2) 2005

under the

Civil Procedure Act 2005

The Uniform Rules Committee made the following rules of court under the *Civil Procedure Act 2005* on 1 August 2005.

Jennifer Atkinson
Secretary of the Rule Committee

Rule 1 Uniform Civil Procedure Rules (Amendment No 2) 2005

Uniform Civil Procedure Rules (Amendment No 2) 2005

under the

Civil Procedure Act 2005

1 Name of Rules

These Rules are the *Uniform Civil Procedure Rules (Amendment No 2) 2005*.

2 Commencement

These Rules commence on the commencement of section 9 of the *Civil Procedure Act 2005*.

3 Amendment of Uniform Civil Procedure Rules 2005

The *Uniform Civil Procedure Rules 2005* are amended as set out in Schedule 1.

Uniform Civil Procedure Rules (Amendment No 2) 2005

Amendments

Schedule 1

Schedule 1 Amendments

(Rule 3)

[1] Rule 1.9

Omit the rule. Insert instead:

1.9 **Objections to production of documents and answering of questions founded on privilege** (cf SCR Part 36, rule 13; DCR Part 28, rule 16)

- (1) This rule applies in the following circumstances:
 - (a) if the court orders a person, by subpoena or otherwise, to produce a document to the court or to an authorised officer,
 - (b) if a party requires another party, by notice under rule 34.1, to produce a document to the court or to an authorised officer,
 - (c) if a question is put to a person in the course of an examination before the court or an authorised officer,but does not apply in circumstances in which Part 3.10 of the *Evidence Act 1995* or Part 3.10 of the *Evidence Act 1995* of the Commonwealth applies.
- (2) In subrule (1), **authorised officer** means:
 - (a) any officer of the court, or
 - (b) any examiner, referee, arbitrator or other person who is authorised by law to receive evidence.
- (3) A person may object to producing a document on the ground that the document is a privileged document or to answering a question on the ground that the answer would disclose privileged information.
- (4) A person objecting under subrule (3) may not be compelled to produce the document, or to answer the question, unless and until the objection is overruled.
- (5) For the purpose of ruling on the objection:
 - (a) evidence in relation to the claim of privilege may be received from any person, by affidavit or otherwise, and
 - (b) cross-examination may be permitted on any affidavit used, and
 - (c) in the case of an objection to the production of a document, the person objecting may be compelled to produce the document.

Uniform Civil Procedure Rules (Amendment No 2) 2005

Schedule 1 Amendments

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- (6) This rule does not affect any law that authorises or requires a person to withhold a document, or to refuse to answer a question, on the ground that producing the document, or answering the question, would be injurious to the public interest.

[2] Schedule 1 Application of rules

Omit “Parts 44, 45 and 46” from Column 4 in relation to a Local Court sitting in its Small Claims Division.

Insert instead “Part 44, except for rule 44.1”.

OFFICIAL NOTICES

Appointments

AGRICULTURAL INDUSTRY SERVICES ACT 1998

Election of Members to Riverina Citrus
an Agricultural Industry Services Committee

IN pursuance of the provisions of the Agricultural Industry Services (Riverina Citrus) Regulation 2002, the following persons have been elected to the Committee of Riverina Citrus:

Frank BATTISTEL,
Domenic MANCINI,
Jim MINATO,
Glenn MORRIS,
Wayne ROBINSON, and
Joseph VALENZISI,

for a term commencing 8 June 2005 and expiring on 7 June 2008.

Dated this 30th day of June 2005.

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

CROWN LANDS ACT 1989

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 hereunder, 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.

SANDRA NORI, M.P.,
Minister for Tourism and Sport and Recreation
and Minister for Women

Schedule

COLUMN 1	COLUMN 2	COLUMN 3
Robert EDWARDS (re-appointment)	Newcastle Showground and Exhibition Centre	Reserve No: 570083
Susan MACLEOD (re-appointment)	Trust	Public Purpose: Showground
John FITZGERALD (re-appointment)		Notified: 2 August 1906
Catherine CROLL (re-appointment)		File No.: 03/PG/224
Dudley Robert SADDINGTON (re-appointment)		
Ray WARRY (re-appointment)		
The person for the time being holding the office of Regional Co-ordinator, Hunter Region, Premier's Department (ex-officio member)		

Term of Office

For a term commencing the date of this notice and expiring
22 July 2006.

EDUCATION ACT 1990

Notification of Appointment to the Board of Studies

I, CARMEL TEBBUTT, Minister for Education and Training, in pursuance of Schedule 1, Clause 8 of the Education Act 1990, appoint Mr John Patrick GELLING as a Member of the Board of Studies, being a nominee provided by section 100(3)(k) of the said Act, for a term commencing on and from 1 September 2005 until 31 August 2008.

CARMEL TEBBUTT, M.L.C.,
Minister for Education and Training

STATE RECORDS ACT 1998

Appointment of Member

Board of the State Records Authority of New South Wales

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

- (i) Graham READ, pursuant to section 69(2)(b) and (4)(b)
(new appointment)

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

Department of Infrastructure, Planning and Natural Resources

Infrastructure and Planning



New South Wales

Albury Local Environmental Plan 2000 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (Q02/00086/PC)

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

Clause 1 Albury Local Environmental Plan 2000 (Amendment No 4)

Albury Local Environmental Plan 2000 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Albury Local Environmental Plan 2000 (Amendment No 4)*.

2 Aims of plan

This plan aims:

- (a) to rezone certain land to which this plan applies from the Employment Area Zone to the Living Area Zone, and
- (b) to rezone certain land to which this plan applies from the Urban Fringe Zone to the Living Area Zone, and
- (c) to rezone certain land to which this plan applies from the Environment Protection Zone to the Living Area Zone, and
- (d) to rezone certain land to which this plan applies from the Urban Fringe Zone to the Environment Protection Zone, and
- (e) to rezone certain land to which this plan applies from the Urban Fringe Zone to the Employment Area Zone, and
- (f) to rezone certain land to which this plan applies from the Environment Protection Zone to the Open Space Zone, and
- (g) to apply the provisions of clause 18 (2) and (3) of *Albury Local Environmental Plan 2000* relating to the erection of dwelling-houses and development for the purpose of medium density housing and integrated housing to certain land to which this plan applies, and
- (h) to make it clear that development carried out on certain land to which this plan applies may be complying development, and
- (i) to make further provision with respect to complying development.

3 Land to which plan applies

- (1) This plan applies:
 - (a) in relation to the aim set out in clause 2 (a)—to Lot 18, DP 10432, Lot 17, DP 10432 and Lot 1, DP 107393, and

Albury Local Environmental Plan 2000 (Amendment No 4)

Clause 4

-
- (b) in relation to the aim set out in clause 2 (b)—to Part Lot 3, DP 1014892, Part Lot 2, DP 1014892 and Lot 21, DP 625950, and
 - (c) in relation to the aim set out in clause 2 (c)—to Part Lot 3, DP 1014892 and Part Lot 2, DP 1014892, and
 - (d) in relation to the aim set out in clause 2 (d)—to Lot 1, DP 1014892, and
 - (e) in relation to the aim set out in clause 2 (e)—
 - (i) to Lot 20, DP 862667, Lot 21, DP 862667, Lot 22, DP 862667, Lot 32, DP 871025, Lot 31, DP 871025, Lot 12, DP 235671, Lot 13, DP 235671, Lot 1, DP 129993, Lot Y, DP 415049, Lot 1, DP 129967, Lot 1, DP 327302, Lot A, DP 399390 and Part Lot 1, DP 655536, and
 - (ii) to the railway line and the land on which it is situated adjacent to the above-mentioned land, and
 - (f) in relation to the aim set out in clause 2 (f)—to Lots 1, 2, 3, 4, 6, 7, 8, 9 and 10, Section 112, DP 758013, Crown Reserve 620083 (excluding Lots 5, 8, Part Lot 6 and Part Lot 10, DP 1005404) and Lots 2, 3, 4, Part Lot 6 and Part Lot 10, DP 1005404,

being the land shown with distinctive colouring on Sheets 1 and 2 of the map marked “Albury Local Environmental Plan 2000 (Amendment No 4)” deposited in the office of Albury City Council.

- (2) In relation to the aims set out in clause 2 (g) and (h), this plan applies to the land as shown by black square hatching on Sheet 1 of the map marked “Albury Local Environmental Plan 2000 (Amendment No 4)” deposited in the office of the Council of the City of Albury.
- (3) Schedule 1 [6] and [10] to this plan apply to the land bordered to the north by Lot 1, DP 241503 and Part Lot 1, DP 130037, to the west by the 260 metre contour AHD, to the south by Lot 16, DP 10432 and Wagga Road/Hume Highway and to the east by the Hume Highway.
- (4) Schedule 1 [7]–[9] to this plan apply to all of the land to which the *Albury Local Environmental Plan 2000* applies.

4 Amendment of Albury Local Environmental Plan 2000

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

Albury Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert “(or sheets of maps)” after “amended by the maps” in the definition of *the map* in clause 5 (1).

[2] Clause 5 (1), definition of “the map”

Insert in appropriate order:

Albury Local Environmental Plan 2000 (Amendment No 4)—
Sheets 1 and 2

[3] Clause 18 Dwelling-houses in the Living Area Zone

Omit “and Allambie Road” from clause 18 (2).

Insert instead “, Allambie Road and Ettamogah.”

[4] Clause 18 (3)

Omit “and Allambie Road”.

Insert instead “, Allambie Road and Ettamogah”.

[5] Clause 39 What is complying development?

Insert “but not including the Ettamogah area,” after “(shown on the map by black square hatching),” in clause 39 (3) (i).

[6] Clause 39 (6) and (7)

Insert before the Table to clause 39:

- (6) A reference in the Table to this clause to the Ettamogah Rural Residential Estate is a reference to the land bordered to the north by Lot 1, DP 241503 and Part Lot 1, DP 130037, to the west by the 260 metre contour AHD, to the south by Lot 16, DP 10432 and Wagga Road/Hume Highway and to the east by the Hume Highway.
- (7) A reference in the Table to this clause to *Albury Development Control Plan 2000* is a reference to that plan as in force on the commencement of *Albury Local Environmental Plan 2000 (Amendment No 4)*.

Albury Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

[7] Clause 39, Table

Omit the matter relating to Streetscape from the second column of the matter relating to Detached dwelling-house on allotments over 1500 square metres.

Insert instead:

Streetscape/building siting

- Complies with:
 - (a) the minimum street setbacks and building envelopes provided in Schedule 4, or
 - (b) any setback required by a building envelope for the site specified by the *Albury Development Control Plan 2000*, or
 - (c) if it is a dwelling in the Ettamogah Rural Residential Estate, a setback of at least 70 metres from the Hume Highway carriageway, or
 - (d) a setback of at least 25 metres from Lot 21, DP 625950 being the property known as “Muniong”,
 whichever is or provides the greater setback
- In the case of a two storey dwelling-house, despite the requirements of Schedule 4, the side setbacks comply with:
 - (a) buildings being at least 2 metres from the side boundary, or
 - (b) any setback required by a building envelope for the site specified by the *Albury Development Control Plan 2000*, or
 - (c) a setback of at least 25 metres from Lot 21, DP 625950 being the property known as “Muniong”,
 whichever is or provides the greater setback
- Any dwelling-house facing a public street has a front door and:
 - (a) a window to a habitable room facing the street, or
 - (b) a window or windows totalling at least 1.5 square metres facing the street
- Any carport or garage facing a public street has a width of not more than 7 metres or 50% of the frontage, whichever is the lesser
- A minimum of one sealed, uncovered car parking space, of minimum dimensions 2.5 metres × 5.0 metres, is provided on-site, behind the required building setback

Albury Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

Building design

- All ancillary buildings are to be located behind the front building line of the dwelling-house in the Ettamogah Rural Residential Estate
- The total area of detached ancillary buildings is to be not more than 80 square metres in the Ettamogah Rural Residential Estate
- Fencing in the Ettamogah Rural Residential Estate:
 - (a) in the case of boundary fencing—is to be of post and wire construction, and
 - (b) in the case of internal fencing—is to be of impervious fencing material such as brick or timber palings and only used to contain an area of not more than 40 square metres,
 but metal fences (including colorbond) are not permitted in any circumstances

[8] Clause 39, Table

Insert “or achieves at least a 3½ star rating under the *House Energy Rating Scheme* (NatHERS)” after “energy in a building” in the matter under the heading “Energy efficiency” in the second column of the matter relating to Detached dwelling-house on allotments over 1500 square metres.

[9] Clause 39, Table

Omit the matter relating to Bulk and scale from the second column of the matter relating to Detached dwelling-house on allotments over 1500 square metres.

Insert instead:

Bulk and scale

- The ground floor level of the structure at any point is not more than 1 metre above natural ground level
- The distance between the floor level and the underside of the eaves is not more than 2.7 metres for a single storey house and not more than 5.5 metres for a two storey house
- The distance between the floor level and the underside of the eaves is not more than 2.7 metres for a single storey house and not more than 5.0 metres for a two storey house in the Ettamogah Rural Residential Estate
- The roof pitch is not more than 30 degrees and any openings are flush with the roof

Albury Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

[10] Clause 39, Table

Insert before the matter relating to Spas and swimming pools:

Detached dwelling-house on allotments over 4000 square metres in the Ettamogah Rural Residential Estate

Any of the following development on allotments over 4000 square metres in the Ettamogah Rural Residential Estate:

- (a) the erection of a detached dwelling-house,
- (b) alterations and additions to a detached dwelling-house,
- (c) development (including single storey garages) ancillary to or incidental to a detached dwelling house

General requirements

- One dwelling-house per allotment
- In the Living Area Zone only

Building siting

- Front setback complies with:
 - (a) buildings being setback at least 10 metres from the front boundary of the property, or
 - (b) any setback required by a building envelope for the site specified by the *Albury Development Control Plan 2000*,
whichever is the greater setback
- Side setback complies with:
 - (a) buildings being set back at least 5 metres from side boundaries, or
 - (b) any setback required by a building envelope for the site specified by the *Albury Development Control Plan 2000*,
whichever is the greater setback

Albury Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

-
- Rear setback complies with:
 - (a) buildings being setback at least 10 metres from rear property boundary, or
 - (b) any setback required by a building envelope for the site specified by the *Albury Development Control Plan 2000*, or
 - (c) no building being permitted above the 240 metre AHD contour, or
 - (d) no building being permitted within the Fire Protection Zone, or
 - (e) dwellings being erected no closer than 70 metres to the Hume Highway carriageway, or
 - (f) buildings being erected not closer than 25 metres to Lot 21, DP 625950 being the property known as "Muniong",whichever is the greater setback or building restriction
 - No building being erected at a place where slope exceeds 20 degrees

Bulk and scale

- The ground floor level of the structure at any point is not more than 1 metre above natural ground level
- The distance between the floor level and the underside of the eaves is not more than 2.7 metres for a single storey house and not more than 5.0 metres for a two storey house

Albury Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

Building design

- All ancillary buildings are to be located behind the front building line of the dwelling-house
- The total area of detached ancillary buildings is not more than 80 square metres
- Fencing:
 - (a) in the case of boundary fencing—is to be of post and wire construction, and
 - (b) in the case of internal fencing—is to be of impervious fencing material such as brick or timber palings and only used to contain an area of not more than 40 square metres,but metal fences (including colorbond) are not permitted in any circumstances

Energy efficiency

- The dwelling-house complies with the *Victoria Additions: Vic 1—Energy Efficiency*, to the *Building Code of Australia*, in respect of the use of energy in a building or achieves at least a 3 star rating under the *House Energy Rating Scheme* (NatHERS)

Open space and landscaping

- Tree and shrub species are planted along side and rear boundaries achieving a minimum height of not less than 3 metres at maturity
- Tree and shrub species are planted to screen outdoor living areas, impervious fences and ancillary buildings from public view



New South Wales

Ballina Local Environmental Plan 1987 (Amendment No 59)

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*. (G94/00207/PC)

BOB DEBUS, M.P.,
for Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Clause 1 Ballina Local Environmental Plan 1987 (Amendment No 59)

Ballina Local Environmental Plan 1987 (Amendment No 59)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Ballina Local Environmental Plan 1987 (Amendment No 59)*.

2 Aims of plan

The aims of this plan are:

- (a) to rezone the land to which this plan applies to Zone No 1 (b) Rural (Secondary Agricultural Land) Zone, Zone No 2 (a) Living Area Zone, Zone 6 (a) Open Space Zone and Zone 7 (a) Environmental Protection (Wetlands) Zone under the *Ballina Local Environmental Plan 1987*, and
- (b) to allow, with the consent of the Council, the subdivision of part of the land to which the plan applies into several allotments and the subsequent development of that land for specified purposes, and
- (c) to allow, with the consent of the Council, the creation of not more than 2 allotments with dwelling entitlements on part of the land to which this plan applies, and
- (d) to assist in the conservation of a new item of environmental heritage on the land.

3 Land to which plan applies

- (1) To the extent that this plan rezones land and lists a new item of environmental heritage it applies to Lots 1–5, DP 253428, Lots 1 and 3, DP 253429, Lot 8, DP 747825 and Lots 9 and 10, DP 851865, North Creek Road, Lennox Head, as shown by distinctive colouring, edging and lettering on the map marked “Ballina Local Environmental Plan 1987 (Amendment No 59)” deposited in the office of Ballina Shire Council.

Ballina Local Environmental Plan 1987 (Amendment No 59)

Clause 4

-
- (2) To the extent that this plan allows the subdivision and subsequent development of the land, it applies to so much of the land that is rezoned to Zone 7 (a) Environmental Protection (Wetlands) Zone or Zone 1 (b) Rural (Secondary Agricultural Land) Zone.
 - (3) To the extent that this plan allows the creation of not more than 2 allotments with dwelling entitlements, it applies to so much of the land that is rezoned Zone 1 (b) Rural (Secondary Agricultural Land) Zone or Zone 7 (a) Environmental Protection (Wetlands) Zone.

4 Amendment of Ballina Environmental Plan 1997

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

Ballina Local Environmental Plan 1987 (Amendment No 59)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

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

Ballina Local Environmental Plan 1987 (Amendment No 59)

[2] Clause 33A

Insert before clause 34:

33A Development of land adjacent to North Creek Road, Lennox Head

- (1) This clause applies to the land zoned Zone 7 (a) Environmental Protection (Wetlands) Zone or Zone 1 (b) Rural (Secondary Agricultural Land) Zone as shown by distinctive colouring, edging and lettering on the map marked "Ballina Local Environmental Plan 1987 (Amendment No 59)" deposited in the office of the council.
- (2) Despite any other provision of this plan, the council may consent to the subdivision of the land to which this clause applies into:
 - (a) not more than 2 allotments with dwelling entitlements provided that the council is satisfied that any dwellings to be constructed on such land are to be located within land zoned Zone 1 (b) Rural (Secondary Agricultural Land) Zone, and
 - (b) any number of allotments for uses such as environmental protection works, infrastructure and the like.

[3] Schedule 1

Insert after item 32:

- 33** Dry stone wall, adjacent to Lots 1, 2 and part Lot 3, DP 253428, North Creek Road, Lennox Head.



Hastings Local Environmental Plan 2001 (Amendment No 19)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G03/00021/S69; E.350.10.320)

BOB DEBUS, M.P.,
for Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 19)

Hastings Local Environmental Plan 2001 (Amendment No 19)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 19)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone 1 (a1) Rural to Zone 2 (a1) Residential under *Hastings Local Environmental Plan 2001* to implement Hastings Council's *Kew/Kendall Urban Release Strategy 1998*.

3 Land to which plan applies

This plan applies to part of Lot 2, DP 1019318, being part of 117 Kendall Road, Kew, as shown edged heavy black and lettered "2 (a1)" on the map marked "Hastings Local Environmental Plan 2001 (Amendment No 19)" deposited in the office of Hastings Council.

4 Amendment of Hastings Local Environmental Plan 2001

Hastings Local Environmental Plan 2001 is amended by inserting in appropriate order in Part 2 of Schedule 6 the following words:

Hastings Local Environmental Plan 2001 (Amendment No 19)



New South Wales

Hurstville Local Environmental Plan 1994 (Amendment No 61)

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*. (S03/01669/S69)

BOB DEBUS, M.P.,
for Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Clause 1 Hurstville Local Environmental Plan 1994 (Amendment No 61)

Hurstville Local Environmental Plan 1994 (Amendment No 61)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hurstville Local Environmental Plan 1994 (Amendment No 61)*.

2 Aims of plan

This plan aims to amend a provision in *Hurstville Local Environmental Plan 1994* relating to multiple dwellings for seniors and people with a disability so as to apply a site density control for such development.

3 Land to which plan applies

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

4 Amendment of Hurstville Local Environmental Plan 1994

Hurstville Local Environmental Plan 1994 is amended by omitting clause 11AA (3) and by inserting instead the following subclause:

- (3) The maximum number of dwellings permissible in development under this clause is to be calculated on the basis of:
 - (a) if situated in a foreshore scenic protection area—one dwelling for every 435 square metres of site area, or
 - (b) in any other case—one dwelling for every 275 square metres of site area.



New South Wales

Ku-ring-gai Local Environmental Plan No 204

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*. (SRE0000045/S69)

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

Clause 1 Ku-ring-gai Local Environmental Plan No 204

Ku-ring-gai Local Environmental Plan No 204

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Ku-ring-gai Local Environmental Plan No 204*.

2 Aims of plan

This plan aims:

- (a) to allow the strata subdivision of certain dual occupancies, and
- (b) to allow the carrying out of development for the purpose of child care centres, and
- (c) to rezone certain land to Zone No 2 (d3) under the *Ku-ring-gai Planning Scheme Ordinance (the Ordinance)*.

3 Land to which plan applies

- (1) To the extent that this plan allows strata subdivision of certain dual occupancies, it applies to land within Zone Nos 2 (c1), 2 (c2) and 2 (d3) under the Ordinance that is the subject of a development consent for development allowed by Part 3 of *State Environmental Planning Policy No 53—Metropolitan Residential Development*.
- (2) To the extent that this plan allows child care centres, it applies to all land within Zone Nos 2 (c1), 2 (c2) and 2 (d3) under the Ordinance.
- (3) To the extent that this plan rezones land, it applies to land fronting 26–28 Turramurra Avenue, Turramurra and 33–35 Gilroy Road, Turramurra, as shown coloured light scarlet, with dark red edging and lettered “2 (d3)” on the map marked “Ku-ring-gai Local Environmental Plan No 204” deposited in the office of Ku-ring-gai Council.

4 Amendment of Ku-ring-gai Planning Scheme Ordinance

The *Ku-ring-gai Planning Scheme Ordinance* is amended as set out in Schedule 1.

Ku-ring-gai Local Environmental Plan No 204

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Insert in appropriate order in the definition of *Scheme map* in clause 4 (1):

Ku-ring-gai Local Environmental Plan No 204

[2] Clause 23 Development control table

Insert “child care centres;” after “boarding-houses;” wherever occurring in Column 3 of the matter relating to Zone Nos 2 (c1), 2 (c2) and 2 (d3) in the Table to the clause.

[3] Clause 25NA

Insert at the end of Part 3A:

25NA Strata subdivision of dual occupancies

Despite any other provision of this Ordinance, the Council may grant consent to the subdivision, under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*, of any land within Zone No 2 (c1), 2 (c2) or 2 (d3) that is the subject of a development consent for development allowed by Part 3 of *State Environmental Planning Policy No 53—Metropolitan Residential Development*.



New South Wales

Lismore Local Environmental Plan 2000 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G03/00029/S69)

BOB DEBUS, M.P.,
for Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Clause 1 Lismore Local Environmental Plan 2000 (Amendment No 15)

Lismore Local Environmental Plan 2000 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 15)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 1 (d) (the Investigation Zone) to Zone No 2 (a) (the Residential Zone) under *Lismore Local Environmental Plan 2000*.

3 Land to which plan applies

This plan applies to Lot 91 and parts of Lots 88–90, DP 1010714, part of Lot 83, DP 883344 and part of the road reserve of Trinity Drive, Goonellabah, as shown edged heavy black and lettered “2 (a)” on the map marked “Lismore Local Environmental Plan 2000 (Amendment No 15)” deposited in the office of Lismore City Council.

4 Amendment of Lismore Local Environmental Plan 2000

Lismore Local Environmental Plan 2000 is amended by inserting in appropriate order in the definition of *the map* in Schedule 7 the following words:

Lismore Local Environmental Plan 2000 (Amendment No 15)



New South Wales

Lismore Local Environmental Plan 2000 (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*. (G04/00150/S69)

BOB DEBUS, M.P.,
for Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Clause 1 Lismore Local Environmental Plan 2000 (Amendment No 22)

Lismore Local Environmental Plan 2000 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 22)*.

2 Aims of plan

This plan aims to allow, with the consent of Lismore City Council, a rural residential subdivision of the land to which this plan applies to create a maximum of 9 rural residential lots.

3 Land to which plan applies

This plan applies to Lot 1, DP 973151, 364A Eltham Road, Eltham.

4 Amendment of Lismore Local Environmental Plan 2000

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

Lismore Local Environmental Plan 2000 (Amendment No 22)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 4 Additional development on certain land

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

Lot 1, DP
973151, 364A
Eltham Road,
Eltham

Rural residential subdivision to create a maximum of 9 rural residential lots in accordance with the master plan prepared by Newton Denny Chapelle dated May 2004 (a copy of which is deposited in the office of the Council) and adopted by the Council on 8 March 2005.

Consent must not be granted to the development unless the application is made within 3 years after the commencement of *Lismore Local Environmental Plan 2000 (Amendment No 22)*.

Federation Drive must be upgraded to a 6-metre wide seal on an 8-metre formation from the property boundary to the intersection with Johnston Road. The upgrade is to be completed prior to the release of the subdivision certificate for any lot proposed.



New South Wales

Mudgee Local Environmental Plan 1998 (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*. (S04/01316/S69)

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

Clause 1 Mudgee Local Environmental Plan 1998 (Amendment No 6)

Mudgee Local Environmental Plan 1998 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Mudgee Local Environmental Plan 1998 (Amendment No 6)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 1 (c2) (Rural—Residential) to Zone No 2 (a) (Residential) under *Mudgee Local Environmental Plan 1998*.

3 Land to which plan applies

This plan applies to Lot 1, DP 668767, Lot 1, DP 651708 and Lot 198, DP 756894, corner of Broadhead Road and Lions Drive, Mudgee, as shown edged heavy black on the map marked “Mudgee Local Environmental Plan 1998 (Amendment No 6)” deposited in the office of the Mid-Western Regional Council.

4 Amendment of Mudgee Local Environmental Plan 1998

Mudgee Local Environmental Plan 1998 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Mudgee Local Environmental Plan 1998 (Amendment No 6)



New South Wales

Parkes Local Environmental Plan 1990 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/02378/PC)

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

Clause 1 Parkes Local Environmental Plan 1990 (Amendment No 5)

Parkes Local Environmental Plan 1990 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Parkes Local Environmental Plan 1990 (Amendment No 5)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 1 (c) (the Rural (Small Holdings) Zone) to Zone No 2 (v) (the Urban and Village Zone) under *Parkes Local Environmental Plan 1990*.

3 Land to which plan applies

This plan applies to Lot 13, DP 835033 (fronting Highland Avenue) and part of Highland Avenue, Parkes, as shown edged heavy black and lettered "2 (v)" on the map marked "Parkes Local Environmental Plan 1990 (Amendment No 5)" deposited in the office of Parkes Shire Council.

4 Amendment of Parkes Local Environmental Plan 1990

Parkes Local Environmental Plan 1990 is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Parkes Local Environmental Plan 1990 (Amendment No 5)



New South Wales

Rockdale Local Environmental Plan 2000 (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*. (S02/01335/S69)

BOB DEBUS, M.P.,
for Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Clause 1 Rockdale Local Environmental Plan 2000 (Amendment No 22)

Rockdale Local Environmental Plan 2000 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Rockdale Local Environmental Plan 2000 (Amendment No 22)*.

2 Aim of plan

The aim of this plan is to substitute the definitions of *AS 2021*, *attic* and *gross floor area*, and to amend the definitions of *attached dual occupancy* and *height*, in *Rockdale Local Environmental Plan 2000*.

3 Land to which plan applies

This plan applies to all land within the City of Rockdale to which *Rockdale Local Environmental Plan 2000* applies.

4 Amendment of Rockdale Local Environmental Plan 2000

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

Rockdale Local Environmental Plan 2000 (Amendment No 22)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 8 Definitions

Omit the definitions of *AS 2021*, *attic* and *gross floor area* from clause 8 (1).

Insert instead:

AS 2021 means Australian Standard AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction* published by Standards Australia on 10 August 2000.

attic means a habitable area contained wholly within the roof space of a building, but only if:

- (a) the roof space is formed by a series of single angled roof planes reaching an apex or ridge, and
- (b) the roof planes transect the ceiling of the floor below, and
- (c) the habitable area is not enclosed by any vertical external walls such as gable ends (but the habitable area may contain dormer windows).

gross floor area means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1,400 millimetres above each floor level, but does not include the following:

- (a) columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external walls,
- (b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space, and vertical air-conditioning ducts,
- (c) in the case of a dwelling house or dual occupancy development that includes a garage or garages, a total of 20 square metres of garage area for each such dwelling house or dual occupancy,
- (d) in the case of any development other than that referred to in paragraph (c), car parking needed to meet any requirements of the Council and any internal access to it,
- (e) space for the loading or unloading of goods.

[2] Clause 8 (1), definition of “attached dual occupancy”

Omit “party walls”. Insert instead “common walls”.

Page 3

Rockdale Local Environmental Plan 2000 (Amendment No 22)

Schedule 1 Amendments

[3] Clause 8 (1), definition of “height”

Insert “immediately below that point” after “ground level”.

Natural Resources

WATER ACT 1912

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

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

Barwon/Darling River Valley

Kim Marie KEECH and Kevin Bruce KEECH for a pump on the Barwon River, Lot 4022, Portion DP 766495, Parish of Yamby, County of Narran, for industrial (feedlot) purpose (this application is a change of purpose of an existing entitlement 80SL48286 ('A' Class) – no additional annual volumetric allocation involved) (Reference: 80SL96219).

FORT BOURKE PTY LTD for 1 pump on the Darling River, Lot 6709, DP 822028, Parish of Pera, County of Gundabooka, for irrigation of 10 hectares (citrus plantings) (replacement of existing license 80SL96049 ('A' Class) – this application is to transfer an existing entitlement to another pumpsite which is an existing work – no additional annual volumetric allocation) (Reference: 80SL96221).

Mervyn William Asmus GORDON for 5 pumps on the Darling River, Lot 4357, DP 767194 and Lot 118, DP 751867, Parish of East Bourke, County of Cowper, for irrigation of 972 hectares (to amalgamate existing entitlements 80SL27578H ('C' Class); 80SL36894 ('B' Class); 80SL46156 ('B' Class); 80SL95184 ('B' Class, industrial) and 80SL46156 ('A' Class) – the subject application also seeks to change the purpose of entitlement 80SL95184 (noted previously) – pumps consist of 1 x 'C' Class, 2 x 'B' Class and 1 x 'A' Class – no additional annual volumetric allocation involved) (Reference: 80SL96220).

GA2:472221.

Any inquires regarding the above should be directed to the undersigned (telephone: (02) 6872 2144).

Written objections to the applications specifying grounds thereof, may be made to any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Office at Bourke, within twenty-eight (28) days as prescribed by the Act.

ALLAN AMOS,
Natural Resource Project Officer
(Resource Access)

Department of Infrastructure, Planning and
Natural Resources.
PO Box 342, Bourke NSW 2840.

WATER ACT 1912

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

Ronald VELLA and Pauline Daphne VELLA for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (exempt from current embargo) (Reference: 20SL061512).

John David CORBETT-HANGER and Jennifer May WATTS for a pump on the Pages River on part Road Reserve north of Lot 5, section 4, DP 758490, Parish of Alma, County of Brisbane, for water supply for domestic purposes (exempt from current embargo) (Reference: 20SL061511).

Alison Jane HUNNISETT for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (property Lot 3, section 13, DP 758490 – exempt from current embargo) (Reference: 20SL061495).

Alison Jane HUNNISETT for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (property Lot 4, section 13, DP 758490 – exempt from current embargo) (Reference: 20SL061496).

Alison Jane HUNNISETT for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (property Lot 5, section 13, DP 758490 – exempt from current embargo) (Reference: 20SL061497).

Alison Jane HUNNISETT for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (property Lot 6, section 13, DP 758490 – exempt from current embargo) (Reference: 20SL061498).

Alison Jane HUNNISETT for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (property Lot 7, section 13, DP 758490 – exempt from current embargo) (Reference: 20SL061499).

Alison Jane HUNNISETT for a pump on the Pages River on part Lot 7002, DP 93623, Parish of Alma, County of Brisbane, for water supply for domestic purposes (property Lot 9, section 13, DP 93623 – exempt from current embargo) (Reference: 20SL061500).

Margaret CARTER for pump on Stewarts Brook on Lot Pt 2, DP 748985 and Lots 2 and 3, DP 958272, all Parish of Belltrees, County of Durham, for irrigation of 10.5 hectares (lucerne, replacement licence with additional pump site) (Reference: 20SL061508).

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

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.

VICKI McBRIDE,
A/Resource Access Manager,
Hunter Region

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

WATER ACT 1912

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

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

Lachlan River Valley

Carl Lawrence HILDER for a dam and pump on Stony Creek on 2330//754611, Parish of Young, County of Mont eagle, for conservation of water for stock and domestic purposes and irrigation of 6 hectares (horticulture) (new licence – splitting of existing licence and entitlement) (Reference: 70SL091036) (GA2:466383).

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

VIV RUSSELL,
Resource Access Manager,
Central West Region

Department of Infrastructure, Planning and
Natural Resources,
PO Box 136, Forbes NSW 2871.

SUPERMIX CONCRETE PTY LIMITED (Eunony Bridge Road Quarry), for a bore on Part Lot 4, DP 751405, Parish of Eunanoreenya, County of Clarendon, for industrial purposes (sand/gravel washing). (new licence – the application is in accordance with policy and complies as a Mid Murrumbidgee Groundwater Zone embargo exemption) (Reference: 40BL190651).

CARWOOLA PASTORAL COMPANY PTY LIMITED for a bore on Lot 33, DP 596573, Parish of Yanununbeyan, County of Murray, for irrigation purposes (Lucerne – 50 hectares) (new licence) (Reference: 40BL190650).

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 2 September 2005, as prescribed by the Act.

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

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

WATER ACT 1912

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

Stanley James DUDGEON and Valerie Merline DUDGEON for a pump on Rous River Road South, Lot 28, DP 250242, Parish Chillingham, County Rous, for water supply for domestic purposes and water supply for domestic purposes to the occupiers of Lot 28, DP 250242 (new licence) (Reference: GRA6129804) (GA2:476121).

Any enquiries regarding the above should be directed to the undersigned (telephone: (02) 6640 2000).

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

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

WATER ACT 1912

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

Murrumbidgee Valley

Kenneth Robert Albert TYSON (Tarcoola Quarry), for a bore on Lot 4, DP 740222, Parish of South Wagga Wagga, County of Wynyard, for industrial purposes (sand/gravel washing) (new licence – the application is in accordance with policy and complies as a Mid Murrumbidgee Groundwater Zone embargo exemption) (Reference: 40BL190649).

WATER ACT 1912

AN application under Part 8 within a proclaimed (declared) local area under section 5(4) of the Water Act 1912.

An application for an approval under section 137(1)(a) within a proclaimed (declared) local area as generally described hereunder have been received from:

Murrumbidgee Valley

TWYNAM PASTORAL COMPANY PTY LIMITED for two earthen levees and a regulator on Mungadal Lagoon, PT Lot 11, DP 756773, Parish of Mungadal, County of Waradery, for prevention of inundation of land by floodwaters, being a project by the Murrumbidgee Wetlands Working Group and NSW Fisheries Freshwater Habitat grant program to facilitate improved habitat for native fish and other wetland fauna and flora (new approval) ((Reference: 40CW804624).

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

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

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

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

Department of Lands

GOULBURN OFFICE

159 Auburn Street (PO Box 748), Goulburn NSW 2580

Phone: (02) 4828 6725 Fax: (02) 4828 6730

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

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

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

SCHEDULE 1

*Parish – Burrawang; County – Camden;
Land District – Moss Vale;
Shire – Shoalhaven City Council.*

Description: Crown road separating Lot 101 from Lot 102, DP 1002426.

SCHEDULE 2

Roads Authority: Shoalhaven City Council.

Council's Reference: 7438-02 lab.

File No.: GB04 H 1:jk.

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

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

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

SCHEDULE 1

*Parish and Town – Gundaroo; County – Murray;
Land District – Queanbeyan; Shire – Yass Valley.*

Description: Crown road west of Lots 11, 12, 13, 14 and 15, section 21, DP 758488 and end Crown road – extension of Harp Street.

SCHEDULE 2

Roads Authority: Yass Valley Council.

Council's Reference: RD.02545 - 1062.

File No.: GB04 H 18:jk.

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

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

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

SCHEDULE 1

*Parish and Town – Gundaroo; County – Murray;
Land District – Queanbeyan; Shire – Yass Valley.*

Description: Crown road west of Lots 11, 12, 13, 14 and 15, section 21, DP 758488 and end Crown road – extension of Harp Street.

SCHEDULE 2

Roads Authority:

Council's Reference: RD.02545 - 1062.

File No.: GB04 H 18.

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

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

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

SCHEDULE 1

*Parish – Breadalbane; County – Argyle;
Land District – Goulburn; Shire – Goulburn Mulwaree.*

Description: Crown road separating Lot 1, DP 1027870 from Lot 99, DP 750006 and Crown road south of Lots 68, DP 750006 and Lot A, DP 322327.

SCHEDULE 2

Roads Authority: Goulburn Mulwaree Council.

Council's Reference: 2003/0457/DA.

File No.: GB04 H 444.

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

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

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

SCHEDULE
COLUMN 1

Short Street Reserve Trust.

COLUMN 2

Reserve No.: 90937.
Public Purpose: Public
recreation.
Notified: 14 October 1977.
File No.: GF05 R 83.

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE
COLUMN 1

Nambucca Shire Council.

COLUMN 2

Short Street Reserve Trust.

COLUMN 3

Reserve No.: 90937.
Public Purpose: Public
recreation.
Notified: 14 October 1977.
File No.: GF05 R 83.

GRIFFITH OFFICE**2nd Floor, Griffith City Plaza,****120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680****Phone: (02) 6962 7522 Fax: (02) 6962 5670****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
COLUMN 1

Geoffrey Harold
WRIGHT
(re-appointment),
Arthur Joseph
IRONS
(re-appointment),
Warwick Hunter
ANDERSON
(re-appointment).

COLUMN 2

Sandigo Recreation and Hall Trust.

COLUMN 3

Reserve No.: 89786.
Public Purpose: Public
recreation and public hall.
Notified: 30 April 1976.
File No.: GH89 R 162/1.

Term of Office

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

SCHEDULE 2**COLUMN 1**

Shirley PILON
(new member),
Robert PILON
(new member),
Robert John
BLACKSTOCK
(re-appointment),
Victor Travis
McCLINTOCK
(re-appointment).

COLUMN 2

Tallimba Public Hall Reserve Trust.

COLUMN 3

Reserve No.: 57128.
Public Purpose: Public hall.
Notified: 6 June 1924.
File No.: GH93 R 46/2.

Term of Office

For a term commencing this day and expiring 4 August
2010.

HAY OFFICE**126 Lachlan Street (PO Box 182), Hay NSW 2711****Phone: (02) 6993 1306 Fax: (02) 6993 1135****NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

Description

Land District of Deniliquin; Council of Murray.

Lots 1, 2 and 3 of DP 1069508, Parish of Derrulaman,
County of Townsend.

File No.: HY03 H 37.

Note: On closing, title for the land comprised in Lots 1, 2 and 3 remains vested in the Murray Shire Council as operational land.

MAITLAND OFFICE**Cnr Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4934 2280 Fax: (02) 4934 2252****ROADS ACT 1993****ORDER**

Transfer of Crown Roads to a Council

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

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

SCHEDULE 2

Roads Authority: Singleton Council.

File No.: MD03 H 214.

Council's Reference: SA33/2004.

SCHEDULE 1

*Parish – Putty and Tupa; County – Hunter;
Land District – Singleton;
Local Government Area – Singleton.*

That part of the Crown public road 20.115 wide and variable width being Box Gap Road, Putty, commencing at its intersection with Putty Valley Road being the prolongation of the north eastern boundary of Lot 35, DP 753810 extending generally south westerly about 5.6 kilometres and terminating at the southern boundary of Lot 14, DP 753816 being the prolongation of the common boundary of Lots 14 and 19, DP 753816.

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

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

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

Inspection of this draft assessment can be made at <http://lands/LandManagement/CrownLandAssessments>, or at the Department of Lands Offices at 5 O'Keefe Avenue, Nowra, and Suite 2, Bega Centre, 106 Auckland Street, at the Eurobodalla Shire Council Chambers, Vulcan Street, Moruya and at the Narooma Post Office, 106 Wagonga Street, Narooma during normal business hours.

Representations are invited on the draft assessment. These may be made in writing for a period commencing from 29 June 2005 and ending 5 August 2005 and should be sent to the Land Assessment Officer, Department of Lands, PO Box 309, Nowra NSW 2541.

Reason for Assessment: To assist in the consideration of appropriate future land use and management options.

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

Description

*Land District – Moruya;
Local Government Area – Eurobodalla Shire;
Parish – Wagonga; County – Dampier.*

Crown Lands comprising Lots 219–224, DP 45809; Lot 233, DP 729164; Lot 7022, DP 1053765 and unsurveyed Crown Land generally located on the western shore of Barlows Bay at Wagonga Inlet.

File No.: NA05 H 132.

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

RESERVATION OF CROWN LAND

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

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

SCHEDULE

COLUMN 1

Land District: Molong.
Local Government Area:
Cabonne Shire Council.
Locality: Yeoval.
Lot 7009, DP No. 1084861,
Parish Buckinbah,
County Gordon.
Area: 1.2 hectares.
File No.: OE81 H 463/1.

COLUMN 2

Reserve No.: 1010908.
Public Purpose: Environmental
protection.

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

Schedule

COLUMN 1

NSW State
Emergency Service,
Lachlan Division

COLUMN 2

Gooloogong SES
Reserve Trust

COLUMN 3

Reserve No. 1010688
Public Purpose:
Government Purposes
Notified: 24 March 2005
File Reference: OE81R101/1

ESTABLISHMENT OF RESERVE TRUST

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

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

Schedule

COLUMN 1

Gooloogong SES Reserve Trust

COLUMN 2

Reserve No. 1010688
Public Purpose:
Government Purposes
Notified: 24 March 2005
File Reference: OE81R101/1

SYDNEY METROPOLITAN OFFICE
Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150
(PO Box 3935, Parramatta NSW 2124)
Phone: (02) 8836 5300 Fax: (02) 8836 5365

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

 Descriptions

*Land District – Metropolitan;
 L.G.A. – Parramatta*

Lot 1, DP 1083570 at Rydalmere, Parish Field of Mars (Sheet 3), County Cumberland.

MN03H290.

Notes:

1. On closing, title for the land in lot 1 remains vested in Parramatta City Council as operational land.
2. The road is closed subject to the easement to drain water 3 wide, the easement for underground cables 2 wide, the easement for water supply purposes 2.5 and 6.095 wide, the easement for gas mains 3 wide as shown in DP 1083570.

APPOINTMENT OF ADMINISTRATOR

PURSUANT to Section 117 of the Crown Lands Act, 1989, the person named in Column 1 of the Schedule hereunder is appointed to be the administrator of the reserve trust named in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

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

 Schedule

COLUMN 1	COLUMN 2	COLUMN 3
Ivan John WEBBER	Woronora General Cemetery and Crematorium Trust	Area at Woronora dedicated for the purpose of general cemetery in the <i>Government Gazettes</i> of 2 April 1895, 18 September 1925 (addn) and 16 December 1927 (addn) Dedication No. 500540 File No. MN84R188

For a term of six (6) months commencing 19 July 2005.

PLEASE NOTE THAT THE DEPARTMENT OF LANDS' SYDNEY METROPOLITAN OFFICE AT VALENTINE AVE PARRAMATTA WILL HAVE NEW TELEPHONE CONTACTS AS FROM 28 JULY 2005.

THE SWITCH WILL BE 8836 5300 FAX NO'S WILL BE CROWN LANDS-COMMERCIAL 8836 5362 SOIL SERVICES 8836 5363 TWEED RIVER PROJECT 8836 5364 CROWN LANDS GENERAL 8836 5365

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

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

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

SCHEDULE

COLUMN 1

Land District: Gunnedah.
L.G.A.: Liverpool Plains Shire Council.
Locality: Mema.
Reserve No.: 54869.
Public Purpose: Quarry.
Notified: 30 September 1921.
File No.: TH04 H 1.

COLUMN 2

The whole being Lot 31,
DP 755509, Parish of Mema,
County of Pottinger, of an area
of 4.047 hectares.

ADDITION TO CROWN LAND DEDICATED FOR A PUBLIC PURPOSE

PURSUANT to section 81 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the Schedule hereunder is added to the dedicated Crown land specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

COLUMN 1

Land District: Quirindi
Local Government Area:
Upper Hunter Shire
Council
Locality: Murrurundi
Lot: 1 D.P. No.: 1019316
Parish: Murrurundi
County: Brisbane,
Area: 6.21 hectares.
File No: TH79R390

COLUMN 2

Dedication No: 600027
Public Purpose:
Permanent Common
Notified: 17 June 1873
Lots: 7016 and 7018
D.P. No's.: 1059557 and 1059560
Parish: Murrurundi
County: Brisbane
New Area: 313.88ha

TAREE OFFICE**102-112 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 – Kempsey;
Local Government Area – Nambucca*

Road closed: Lot 1, DP 1083268 (subject to Easement for Water Supply created by DP 1067522) at Warrell Creek. Parish of Warrell, County of Raleigh.

File No.: TE04 H 1.

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

ESTABLISHMENT OF RESERVE TRUST AND APPOINTMENT OF CORPORATION TO MANAGE THE RESERVE TRUST

PURSUANT to sections 92 (1) and 95 of the Crown Lands Act 1989 the reserve trust specified in Column 1 hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified thereto in Column 3 and the corporation specified in Column 2 hereunder is appointed to manage the affairs of the reserve trust specified in Column 1 of the Schedule.

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

SCHEDULE

COLUMN 1

Rookhurst Reserve
(R210075) Trust

COLUMN 2

Gloucester Council

COLUMN 3

Reserve No:210075
Public Purpose:
Public Recreation
Notified: 10 November 1989
File:TE89R1

Roads and Traffic Authority

ROADS ACT 1993

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

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

K. YATES,
General Manager,
Wyong Shire Council
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Wyong Shire Council B-Doubles Notice No. 1 2005.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 October 2010, 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 Wyong Shire Council.

Type	Road No.	Road Name	Starting point	Finishing point	Conditions
25	000	Coleridge Road, Bateau Bay	The Entrance Road	The Entrance Bus Depot Entry	Entry between 7:00 pm and 10:00 pm Fridays. Entry between 7:00 am and 10:00 am Saturdays. Exit between 1:00 pm and 3:00 pm Sundays.

ROADS ACT 1993

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

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

MICHAEL DOYLE,
Traffic Engineer,
Baulkham Hills Shire Council
1 August 2005

SCHEDULE

Part 1 – General

1.1 Citation

This Notice may be cited as Baulkham Hills Shire Council 4.6m High Vehicle Notice No. 1/ 2005.

1.2 Commencement

This Notice takes effect from the date of gazettal.

1.3 Effect

This Notice remains in force until 31 December 2007, unless it is amended or repealed earlier.

1.4 Application

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

1.5 Limitations

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

Part 2 – Vehicle Classes

2.1 Class 1 Vehicles

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

2.2 Class 2 vehicles

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

2.3 Class 3 vehicles

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

Part 3 – Routes

3.1 Routes

4.6m high vehicles routes within the Baulkham Hills Shire Council.

Road	Starting Point	Finishing Point
Carrington Road, Castle Hill	Showground Road	Victoria Avenue

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

Notice of Compulsory Acquisition and Dedication as
Public Road 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 and further dedicates the land 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 that piece or parcel of Crown land situated in the Bellingen Shire Council area, Parish of Leigh and County of Fitzroy, shown as Lot 13 Deposited Plan 245549, being part of the land resumed as severed land by notification in Government Gazette No 114 of 31 August 1973 on page 3777.

(RTA Papers FPP 5M2045; RO 33.1345)

Other Notices

CONTAMINATED LAND MANAGEMENT ACT 1997

Environment Protection Authority

Declaration of remediation site

Section 21 of the Contaminated Land Management Act
1997

Declaration No: 21078

The EPA declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The site comprises 66 Memorial Avenue, Woy Woy, NSW (Lot 100 in DP 871941, currently a service station), a portion of the adjoining Council footpath and nature strip and a portion of Memorial Avenue, in the local government area of Gosford.

A drawing showing the site is attached.

2. Nature of the substances causing the contamination:

- Petroleum hydrocarbons (characterised mainly by C6-C9); and
- Benzene.

3. Nature of harm that the substance may cause:

The EPA has considered the matters in s.9 of the Act and on the basis of the information available found that the site is contaminated in such a way as to present a significant risk of harm for the following reasons:

- Groundwater at the site is contaminated with separate phase petroleum hydrocarbons including benzene, a human carcinogen.
- The contaminated groundwater has migrated beyond the boundary of the service station site and, if left unchecked, may continue to flow towards residential areas nearby and ultimately Brisbane Waters.
- The contamination has degraded the quality of the groundwater and may adversely affect beneficial uses of the groundwater, which is used locally for domestic purposes. There is also a risk that workers may be accidentally exposed to the contamination via inhalation of volatile hydrocarbon vapours in future excavation works. The volatile hydrocarbon vapours may also accumulate in existing service lines and pits at potentially explosive concentrations.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

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

- Whether the EPA should issue a remediation order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Department of Environment and Conservation
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to: 02 9995 5930

by not later than 2 September 2005.

CAROLYN STRANGE,
Director Contaminated Sites
Department of Environment and Conservation

Date: 1 August 2005.

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently an area covered by a declaration issued under the Act. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is removed.



CO-OPERATIVES ACT 1992**CHANGE OF NAME**

IT is hereby notified that on 27 July 2005, I registered a change of name for *2 Til 5 Youth Theatre Co-op Ltd* to *Tantrum Theatre Co-operative Limited*.

Dated this 27 day of July 2005.

JANINE CROSS,
Delegate of The Registrar of Co-operatives

and the office of the Geographical Names Board, Land and Property Information, 346 Panorama Avenue, Bathurst NSW 2795, for a period of one month from 3 August 2005.

Any person wishing to make comment upon this proposal may within one (1) month of the date of this notice write to the Secretary of the Board with that comment.

WARWICK WATKINS,
Chairperson

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

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Determine Address Locality Names and Boundaries within the Gwydir Local Government Area

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to determine the address locality names and boundaries in the Tenterfield Local Government Area as shown on map GNB5030/A.

The proposed names and boundaries as shown on map GNB5030/A may be viewed at Gwydir Council Chambers at Warialda and Bingara, North Star Council Depot and Store, Croppa Creek Store, Gravesend Post Office, Coolatai Hotel, Upper Horton Club Notice Board, Barraba Library and the office of the Geographical Names Board, Land and Property Information, 346 Panorama Avenue, Bathurst NSW 2795, for a period of one month from 3 August 2005.

Any person wishing to make comment upon this proposal may within one (1) month of the date of this notice write to the Secretary of the Board with that comment.

WARWICK WATKINS,
Chairperson

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

GEOGRAPHICAL NAMES ACT 1966

Notice of Assignment of Geographical Names and Boundaries for Address Localities in Wollongong Council Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the names and boundaries of the following Sixty Nine Address Localities in the Wollongong Local Government area, as shown on map GNB3686:

Austinmer, Avon, Avondale, Balgownie, Bellambi, Berkeley, Brownsville, Bulli, Cataract, Cleveland, Clifton, Coalcliff, Coledale, Coniston, Cordeaux, Cordeaux Heights, Corrimal, Cringila, Dapto, Darkes Forest, Dombarton, East Corrimal, Fairy Meadow, Farmborough Heights, Fernhill, Figtree, Gwyneville, Haywards Bay, Helensburgh, Horsley, Huntley, Kanahooka, Keiraville, Kembla Granga, Kembla Heights, Koonawarra, Lake Heights, Lilyvale, Maddens Plains, Mangerton, Marshall Mount, Mount Keira, Mount Kembla, Mount Ousley, Mount Pleasant, Mount Saint Thomas, North Wollongong, Otford, Penrose, Port Kembla, Primbee, Russell Vale, Scarborough, Spring Hill, Stanwell Park, Stanwell Tops, Tarrawanna, Thirroul, Towradgi, Unanderra, Warrawong, West Wollongong, Windang, Wollongong, Wombarra, Wongawilli, Woonona, Woronora Dam, Yallah

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

WARWICK WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Determine Address Locality Names and Boundaries within the Tenterfield Local Government Area

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to determine the address locality names and boundaries in the Tenterfield Local Government Area as shown on map GNB3807/A.

The proposed names and boundaries as shown on map GNB3807/A may be viewed at Tenterfield Shire Council Administration Office, 247 Rouse Street, Tenterfield, Tenterfield Library, Stanthorpe Library, Drake Library, Urbenville Library, Bolivia Progress Association, Liston Hall Committee, Liston and District Progress Association, Legume Progress Association, Mingoola Hall management Committee, Wallangarra/Jennings Progress Association, Drake School of Arts and Progress Association, Urbenville Progress Association, Torrington War Memorial & Recreation Reserve Trust, Torrington & District Progress Association, Steinbrook Progress Association, Wallangarra Post Office, Tabulam Post Office, Drake Postal Agency, The Summit Post Office, Ballandean Post Office, Tenterfield Post Office, Emmaville Post Office, Deepwater Post Office, Texas Post Office, Stanthorpe Post Office, Legume Post Office, Killarney Post Office, Urbenville Post Office, Woodenbong Post Office

LANDCOM CORPORATION ACT 2001

Order Under Section 17 of, and Schedule 1 to, the Landcom Corporation Act 2001

I, Minister for Infrastructure and Planning, and Minister for Natural Resources, pursuant to section 17 of, and Schedule 2 to, the Landcom Corporation Act 2001, order that the land described in the Schedule annexed to this Order, being land vested in the New South Wales Land and Housing Corporation on 31 December 2001, is hereby transferred to Landcom. This Order is to take effect on and from the date hereof.

Dated this 13th day of July 2005.

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

SCHEDULE

L.G.A./Locality: Blacktown City Council/Kellyville Ridge.

Lot No.: 54.

Plan Type: Deposited Plan.

Plan No.: 1083979.

Street Name: Filante Place.

Title Area: 815.1 square metres.

NATIONAL PARKS & WILDLIFE ACT, 1974

Notice

I, the Honourable RJ DEBUS MP, Attorney General and Minister for the Environment do, by this notice pursuant to section 58ZE of the National Parks & Wildlife Act, 1974 (the Act) reappoint Mr Alan Griffin as Administrator to the Jenolan Caves Reserve Trust (the Trust) for the period from 1 August 2005 to 31 July 2006 unless extended pursuant to the Act. During the period of his appointment, the Administrator will have all of the functions of the Trust as specified in sections 58W, 58ZB, 58ZC and 58ZD of the Act as well as any other duties in the approved terms of appointment. Mr Griffin is seconded to the role of Administrator from his current role in Premier's Department NSW. The secondment is under Section 86, Temporary staff transfers (secondments), of the Public Sector Employment and Management Act, 2002 and Mr Griffin will retain his current salary and conditions.

Signed and sealed this 31st day of May, 2005

BOB DEBUS, M.P.,
Attorney General and Minister for the Environment

GOD SAVE THE QUEEN

NATIONAL PARKS AND WILDLIFE ACT 1974

Sea Acres Nature Reserve

Amendments to Plan of Management

AMENDMENTS to the plan of management for Sea Acres Nature Reserve have been prepared and are on exhibition until 7 November 2005.

Copies of the amendments are available free of charge from the NPWS Mid North Coast Regional Office, 152 Horton Street, Port Macquarie (phone 6586 8300). The amendments are also on the NPWS website: www.nationalparks.nsw.gov.au.

Written submissions on the amendments must be received by The Planner, Sea Acres Nature Reserve, National Parks & Wildlife Service, PO Box 61, Port Macquarie, NSW 2444 by 7 November 2005.

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

POISONS AND THERAPEUTIC GOODS ACT 1966

Order Under Clause 171(1)
Poisons and Therapeutic Goods Regulation 2002

Withdrawal of Drug Authority

IN accordance with the provisions of Clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002, an order has been made on Dr Miriam Marguerite ADAIR of Suite 3, Level 1, 776 Pacific Highway, Gordon NSW 2072, prohibiting her, until further notice, as a medical practitioner from having possession of and supplying drugs of addiction as authorised by Clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by Clause 76 of the Regulation.

This order is to take effect on and from Friday, 22 July 2005.

ROBYN KRUK,
Director-General

Department of Health, New South Wales,
Sydney, Monday, 18 July 2005.

PROFESSIONAL STANDARDS ACT 1994

Notification Pursuant to Section 32(2)
Investigative and Remedial Engineers Scheme

PURSUANT to section 32(2) of the Professional Standards Act 1994, I approve an extension of the Investigative and Remedial Engineers Scheme to 4 December 2006.

BOB DEBUS, M.P.,
Attorney General

TRANSPORT ADMINISTRATION ACT 1988 NO 109

THE Minister for Transport has approved of the closure of the following railway level crossing under section 99 B of the Transport Administration Act 1998 No 109:

Railway Level Crossing at Bombo on the
South Coast Rail Line at rail kilometres 117.246

All rights, easements and privileges in relation to this railway level crossing are now extinguished.

JOHN ARTHUR WATKINS, M.P.,
Minister for Transport

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

COOTAMUNDRA SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Road – Cootamundra Shire

NOTICE is hereby given that Council pursuant to section 162 of the Roads Act 1993, has named the following roads in the Cootamundra Shire:

Description	Name
Newly created access road off Hurley Street to "Bass Villas".	Bass Terrace.

S. GODBEE, General Manager, Cootamundra Shire Council, PO Box 420, Cootamundra NSW 2590. [1488]

GLOUCESTER SHIRE COUNCIL

Roads Act 1993, Part 10

Dedication of Land as Public Road

GLOUCESTER SHIRE COUNCIL hereby gives notice pursuant to Part 10 of the Roads Act 1993, that the land detailed in the Schedule hereto is formally dedicated as Public Road. N. S. McLEOD, General Manager, Gloucester Shire Council, PO Box 11, Gloucester NSW 2422.

SCHEDULE

All the land situated near Bundook, in the Parish of Tiri and Gloucester, County of Gloucester, shown in the "Plan of Barrington River, Bakers Creek and Belbora Creek Roads, Gloucester Estate", (Catalogued as Ms4513 Md in the Department of Lands) surveyed by John Miller and Co, being transferred to Gloucester Council by agreement on the 29th September 1911. Excluding those roads previously closed and granted prior to the date of this Notification. [1495]

KU-RING-GAI COUNCIL

Roads Act 1993, Section 162.1

Naming of Roads

NOTICE is hereby given that Council in pursuance of section 162.1 of the Roads Act 1993, has resolved:

Description of Road	Name
Those roads in the subdivision off Bradfield Road, Lindfield.	Squadron Court, Brevet Avenue.

Authorised by resolution of Council 19th July 2005. BRIAN BELL, General Manager, Ku-ring-gai-Council, Locked Bag 1056, Pymble NSW 2073. [1487]

TENTERFIELD SHIRE COUNCIL

Road Re-Naming

NOTICE is hereby given that Tenterfield Shire Council, as a roads authority under Part 10, Division 4 of the Roads Act 1993 and Division 2 of the Roads (General) Regulation 2000, has renamed the roads as described in the following table:

Location/Current Road Name	New Road Name
From MR 622 at Legume northwards to NSW/Qld Border – Legume – Border Road (MR 189).	Killarney Road.
From MR 622 at Amosfield northwards to NSW/Qld Border – Stanthorpe – Amosfield Road (MR 290).	Amosfield Road.

From Mt Lindesay Road (MR 622) at Lower Acacia northwest to the NSW/Qld Border – Lower Acacia – Border Road.	Barlows Gate Road.
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MARK ARNOLD, General Manager, Tenterfield Shire Council, PO Box 214, Tenterfield NSW 2372. [1497]

TWEED SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has approved the name of the road to be dedicated in plan of subdivision as follows:

Road in the Subdivision of Lot 3, DP 873716 at Bilambil Heights as Steamboat Court.

Authorised by the delegated officer. GENERAL MANAGER, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah NSW 2484. [1482]

WOLLONGONG CITY COUNCIL

Roads Act 1993, Section 10

Road Dedication

PURSUANT to section 10 of the Roads Act 1993, Wollongong City Council hereby dedicates the following Council land as public road. R. J. OXLEY, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre NSW 2521

SCHEDULE

The land comprised in Lots 13, 14 and 15 in Deposited Plan 1045292, Princes Highway, Wollongong, as shown shaded and outlined in heavy black on the accompanying plan.



[1491]

WOLLONGONG CITY COUNCIL

Roads Act 1993, Section 10

Road Dedication

PURSUANT to section 10 of the Roads Act 1993, Wollongong City Council hereby dedicates the following Council land as public road. R. J. OXLEY, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre NSW 2521.

SCHEDULE

The land comprised in Lot 105, DP 240922 at Murray Road, Corrimal, as shown shaded and outlined in heavy black on the accompanying plan.



[1492]

WOLLONGONG CITY COUNCIL

Roads Act 1993, Section 10

Road Dedication

PURSUANT to section 10 of the Roads Act 1993, Wollongong City Council hereby dedicates the following Council land as public road. R. J. OXLEY, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre NSW 2521.

SCHEDULE

The land comprised in lot 119 in Deposited Plan 240922, Murray Road, Corrimal, as shown shaded and outlined in heavy black on the accompanying plan.



[1493]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ENID JOAN DONNOLLEY, late of Mona Vale, in the State of New South Wales, widow, who died on 29th April 2005, must send particulars of their claim to the executor, Sabina Louise Donnelly, c.o. Stephen R. W. Reed, Solicitor, Level 18, 68 Pitt Street, Sydney NSW 2000, within one (1) calendar month from the publication of this notice. After that time the assets of the estate and the property 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 26th July 2005. STEPHEN R. W. REED, Solicitor, Level 18, 68 Pitt Street Sydney NSW 2000 (DX 263, Sydney), tel.: (02) 9221 6700. Reference: SR. [1486]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FRANCESCA PILATI, late of Padstow, in the State of New South Wales, widow, who died on 4th May 2005, must send particulars of his claim to the executors, Dino Peter Pilati, Sonia Caterina Quagliotto and Ida Ivana McFadyen, c.o. Olliffe & Co., Solicitors, Suite 7, 1-5 Jacobs Street, Bankstown NSW 2200, within one (1) calendar month from the publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 15th July 2005. OLLIFFE & CO., Solicitors, Suite 7, 1-5 Jacobs Street (PO Box 145), Bankstown NSW 2200 (DX 11213, Bankstown), tel.: (02) 9790 3903. Reference: TDO.AB. [1483]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BRADLEY JOHN CHILDS, late of A/47 Botany Road, Alexandria, in the State of New South Wales, company manager, who died on 6th October 2004, must send particulars of the claim to the executors, Paul James Offord Mulhearn and Michael Alexander Perrie, c.o. Licardy, Harris & Company, Solicitors, Suite 507, 180 Ocean Street, Edgecliff NSW 2027, 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 executors have notice. Probate was granted in New South Wales on 8th July 2005. LICARDY, HARRIS & COMPANY, Solicitors, Suite 507, 180 Ocean Street, Edgecliff NSW 2027. Reference: R. A. Licardy. [1484]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of NORMA SHIRLEY WINTON, late of Stanwell Park, in the State of New South Wales, retired TAFE head teacher, who died on 21st April 2005, must send particulars of his claim to the executor, c.o. Rees & Tuckerman, Solicitors, 678 Pittwater Road, Brookvale NSW 2100, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales to Beverley Jean Tuckerman on 25th July 2005. REES & TUCKERMAN, Solicitors, 678 Pittwater Road (PO Box 34), Brookvale NSW 2100 (DX 831, Sydney), tel.: (02) 9905 1469. [1485]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DOROTHY WHITFIELD CASE, late of Cherrybrook, in the State of New South Wales, who died on 7th March 2005, must send particulars of his claim to the executors, Geoffrey Richard Case and Lesley Frances White, c.o. Newnhams Solicitors, 122 Castlereagh Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 20th June 2005. NEWNHAMS SOLICITORS, 7th Floor, Highmount House, 122 Castlereagh Street, Sydney NSW 2000 (DX665, Sydney), tel.: (02) 9264 7788. Reference: BLM:BR. [1489]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of VERA SKLAN, late of 120 High Street, Hunters Hill, in the State of New South Wales (formerly of Unit 10, 19-25 Flood Street, Bondi, in the said state), retired legal secretary, who died on 5th June 2005, must send particulars of the claim to the executors, Vivien Ruth Gorney and David Bernard Issac Gorney, c.o. Home Wilkinson Lowry, Lawyers, Norwest Business Park, 12 Century Circuit, Baulkham Hills NSW 2153, within one (1) calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 14th July 2005. HOME WILKINSON LOWRY, Lawyers, Suite 310, Level 3, Norwest Central Building 12, Norwest Business Park, 12 Century Circuit, Baulkham Hills NSW 2153 (DX 18507, Castle Hill), tel.: (02) 8270 8600. Reference: SPN: JGS:51364. [1490]

COMPANY NOTICES

NOTICE of final meeting.—NORWEST INSURANCE BROKERS PTY LTD, ACN 001 526 781 (in voluntary liquidation).—Notice is hereby given that pursuant to section 509 of the Corporations Act 2001, that the final meeting of members of the abovenamed company will be held at 10:00 a.m., on 2nd September 2005, at the offices of Casey Bates, Suite 2, Level 6, 20 Smith Street, Parramatta NSW 2124, for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and hearing any explanation that may be given by the liquidator. Dated this 5th day of August 2005. ROBERT GEORGE BATES, Liquidator, c.o. Casey Bates, Chartered Accountants, Suite 2, Level 6, 20 Smith Street (PO Box 3373), Parramatta NSW 2124. [1496]

NOTICE of voluntary winding up.—J & M A GROOM PTY LTD, ACN 001 505 399.—Notice is hereby given pursuant to the Corporations Law that at a general meeting of the abovenamed company duly convened and held at Level 6, 12-14 Ormonde Parade, Hurstville, on 2nd August 2005, the following resolutions were duly passed: Special Resolution:

“That it has been proved to the satisfaction of this meeting of members of the abovenamed company that the company cannot by reason of its liabilities continue in business and it is advisable to wind up same and accordingly that the company be wound up voluntarily”. Ordinary Resolution: “That Mr Geoffrey Stewart Turner, Chartered Accountant of 6th Floor, 12-14 Ormonde Parade, Hurstville, be appointed Liquidator for the purpose of winding up the company”. Dated this 2nd day of August 2005. JOHN GROOM, Director, c.o. G S Turner & Co., Level 6, 12-14 Ormonde Parade, Hurstville NSW 2220. [1498]

NOTICE of voluntary winding up.—RIGEL PTY LIMITED, ACN 000 413 338 (in liquidation).—At a general meeting of the abovenamed company, duly convened and held at “The Stables”, 7 Carleton Street, Cowra NSW 2794, on 29th July 2005, the following special resolution was passed: “That the company be wound up as a members’ voluntary liquidation and that the assets of the company be distributed in whole or in part to the members in specie should the liquidator so desire”. Dated this 21st day of July 2005. REGINALD THOMAS CASSIDY, Chartered Accountant, 103 Kendal Street, Cowra NSW 2794. [1499]

OTHER NOTICES

MISSING PERSONS

JAMES ANGUS ARCHIBALD MCDONALD, SYDNEY IAN MCDONALD and GORDON EARL MCDONALD being relatives of VERONICA MARGARET FIELD deceased, late of 91 Station Street, Lewisham, NSW, widow. Any person knowing the whereabouts of, or having any information regarding the marriage, death and/or children of JAMES ANGUS ARCHIBALD MCDONALD, born on 27th July 1886, at Ironbung, to Archibald McDonald and Margaret McDonald (nee Bell), SYDNEY IAN MCDONALD, born on 20th January 1933, at Pennant Hills, to Sydney Ernest McDonald and Esther McDonald (nee Todd) and GORDON EARL MCDONALD born on 14th April 1934, at Paddington to Richard Milton McDonald and Maud Mildred McDonald (nee Moran) is asked to contact BROCK PARTNERS, Solicitors, Level 4, 213 Clarence Street, Sydney NSW 2000, tel.: (02) 9299 2931. Reference: PGM. [1494]

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