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LEGISLATION

Proclamations



New South Wales

Proclamation

under the

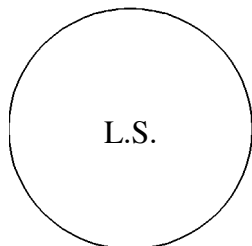
**Workers Compensation and Other Legislation Amendment Act
2004 No 111**

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (2) of the *Workers Compensation and Other Legislation Amendment Act 2004*, do, by this my Proclamation, appoint 16 September 2005 as the day on which Schedule 2 [3] to that Act commences.

Signed and sealed at Sydney, this 14th day of September 2005.

By Her Excellency's Command,



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

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence Schedule 2 [3] to the *Workers Compensation and Other Legislation Amendment Act 2004*, which inserts section 163B (Issue of stop work order to uninsured employer) in the *Workers Compensation Act 1987*.



New South Wales

Proclamation

under the

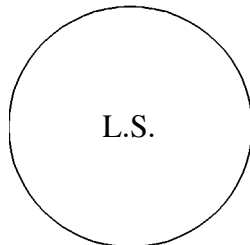
Workplace Surveillance Act 2005 No 47

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Workplace Surveillance Act 2005*, do, by this my Proclamation, appoint 7 October 2005 as the day on which that Act commences.

Signed and sealed at Sydney, this 14th day of September 2005.

By Her Excellency's Command,



BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

Regulations



New South Wales

Workplace Surveillance Regulation 2005

under the

Workplace Surveillance Act 2005

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Workplace Surveillance Act 2005*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to:

- (a) prescribe the form of applications for covert surveillance authorities, and
- (b) prescribe the form of covert surveillance authorities, and
- (c) prescribe the form of reports on the use of covert surveillance authorities, and
- (d) provide for the Minister to be advised of any application for, or issue of, a covert surveillance authority.

This Regulation is made under the *Workplace Surveillance Act 2005*, including sections 23, 28, 35 and 44 (the general regulation-making power).

This Regulation relates to matters of a machinery nature.

Workplace Surveillance Regulation 2005

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Workplace Surveillance Regulation 2005

Clause 1

Workplace Surveillance Regulation 2005

under the

Workplace Surveillance Act 2005

1 Name of Regulation

This Regulation is the *Workplace Surveillance Regulation 2005*.

2 Commencement

This Regulation commences on 7 October 2005.

3 Definitions

- (1) In this Regulation:
the Act means the *Workplace Surveillance Act 2005*.
- (2) In this Regulation, a reference to a Form is a reference to a form set out in Schedule 1.
- (3) Notes included in this Regulation (other than in Schedule 1) do not form part of this Regulation.

4 Forms

- (1) **Form of application for covert surveillance authority**
For the purposes of section 23 (3) of the Act, an application to a Magistrate for a covert surveillance authority is to be in Form 1.
- (2) **Form of covert surveillance authority**
For the purposes of section 28 (1) of the Act, Form 2 is prescribed as the form of a covert surveillance authority.
- (3) **Form of application for variation of authority**
An application made under section 31 of the Act to a Magistrate for the variation of a covert surveillance authority is to be in Form 3.
- (4) **Form of application for cancellation of authority**
An application made under section 31 of the Act to a Magistrate for the cancellation of a covert surveillance authority is to be in Form 4.

Clause 5 Workplace Surveillance Regulation 2005

(5) **Form of report on use of authority**

For the purposes of section 35 (3) of the Act, a report on the use of a covert surveillance authority is to be in Form 5.

(6) **Form of application to judicial member of Industrial Relations Commission for authority**

An application made under section 41 of the Act to a judicial member of the Industrial Relations Commission to issue a covert surveillance authority is to be in Form 6.

(7) **Form of application to judicial member of Industrial Relations Commission for variation of authority**

An application made under section 41 of the Act to a judicial member of the Industrial Relations Commission to vary a covert surveillance authority is to be in Form 7.

(8) **Form of application to judicial member of Industrial Relations Commission for cancellation of authority**

An application made under section 41 of the Act to a judicial member of the Industrial Relations Commission to cancel a covert surveillance authority is to be in Form 8.

5 Records relating to covert surveillance authority

(1) For the purposes of section 33 of the Act, a Magistrate who receives an application for, or issues, a covert surveillance authority is to ensure that the Minister is supplied with written advice of the receipt or issue as soon as practicable after receiving the application or issuing the authority.

(2) Written advice supplied under subclause (1) is to contain only information that is required by the Minister for the purposes of a report under section 42 of the Act.

Note. Section 33 (2) of the Act provides that a Magistrate is to take all reasonable steps to preserve the confidentiality of information contained in records made under section 33 (1) of the Act. However, section 33 (2) of the Act does not prevent the Magistrate from supplying information to the Minister that is required for the purposes of an annual report under section 42 of the Act.

An annual report under section 42 of the Act:

- (a) must include details of the number of covert surveillance authorities sought, and the number of such authorities issued (together with a break down of the kinds of surveillance to which those issued authorities related), during the year to which the report relates, and
- (b) may report on such other matters relating to covert surveillance authorities and the use of covert surveillance as the Minister considers appropriate.

Workplace Surveillance Regulation 2005

Forms

Schedule 1

Schedule 1 Forms

(Clause 3 (2))

Form 1

(Clause 4 (1))

Application under section 23 of the Workplace Surveillance Act 2005 for issue of covert surveillance authority

I, *[insert name of employer or employer's representative applying to Magistrate for issue of covert surveillance authority]* apply under section 23 of the *Workplace Surveillance Act 2005* for the issue of a covert surveillance authority authorising the carrying out of covert surveillance of employees at work for the employer.

1. The following employee, employees or class of employees are suspected, on the following grounds, of being involved in unlawful activity in the workplace:
[state the grounds applicant has for suspecting that a particular employee is or employees are involved in unlawful activity at work. Include the names of those employees where possible]
2. Other managerial or investigative procedures have/have not been undertaken to detect the unlawful activity. The outcome of other managerial or investigative procedures was *[describe what was the outcome of other managerial or investigative procedures]*
3. Other applications for a covert surveillance authority have/have not been made to detect the unlawful activity. The outcome of other applications for a covert surveillance authority was *[describe the outcome of other applications for a covert surveillance authority, including the results of any covert surveillance carried out under a covert surveillance authority]*
4. The following employees and premises/vehicles/computers will regularly or ordinarily be the subject of the covert surveillance:
[describe who (including the names of employees where possible) and what (including premises, vehicles and computers) will regularly and ordinarily be the subject of the covert surveillance]
5. It is proposed that the covert surveillance will be conducted by camera*/computer*/tracking* surveillance.
6. It is proposed to conduct the covert surveillance during the following dates and times:
[specify dates and times during which it is proposed to conduct covert surveillance. Note that any covert surveillance authority that is issued cannot specify a period of longer than 30 days during which it is to remain in force]
7. In accordance with section 23 (4) of the *Workplace Surveillance Act 2005*, the following person/persons are nominated to oversee the conduct of the covert surveillance operation and, for the purpose of section 27 of the Act, are competent and fit to oversee the conduct of the surveillance and have the following experience or qualifications:

Page 5

Workplace Surveillance Regulation 2005

Schedule 1 Forms

[insert full name and address of each person nominated to oversee the conduct of the covert surveillance operation and details of their qualifications, experience and any other information to satisfy the Magistrate that each person designated as a surveillance supervisor is competent and fit to do so (see section 27 (2) and (3))]

8. Verification of the employer's authority for me to act as an employer's representative for the purposes of the covert surveillance operation is attached.
[If applicant is an employer's representative attach verification. If the applicant is the employer, delete this paragraph. Section 23 (2) (h) of the Workplace Surveillance Act 2005 requires an applicant for the issue of a covert surveillance authority who is an employer's representative to include verification acceptable to the Magistrate to whom the application is made of the employer's authority for the person to act as employer's representative for the purposes of the covert surveillance operation.]

Dated

[signature]

[name of applicant]

Note. Under section 23 (5) of the *Workplace Surveillance Act 2005* the Magistrate to whom an application for issue of a covert surveillance authority is made cannot issue the authority unless the information given by the applicant in or in connection with the application is verified before the Magistrate on oath or affirmation or by affidavit. Under section 23 (7) of the Act, the Magistrate to whom the application is made may require the applicant to provide (either orally or in writing) such further information as the Magistrate requires concerning the grounds on which the authority is being sought.

* *Delete whichever is inapplicable.*

Form 2

(Clause 4 (2))

Form of covert surveillance authority

I, *[insert name of Magistrate or judicial member of the Industrial Relations Commission issuing covert surveillance authority]*, under section 23 of the *Workplace Surveillance Act 2005*, issue a covert surveillance authority authorising the carrying out of covert surveillance of employees at work for the employer.

1. The covert surveillance authority is issued for the purpose of:
[state purpose for which the authority has been issued]
2. The following employees are suspected of being involved in the unlawful activity in respect of which this authority has been issued:
[insert the full name and address of each person suspected of being involved]
3. The following employees and premises*/vehicles*/computers* will regularly or ordinarily be the subject of the covert surveillance:
[describe who (including the names of employees where possible) and what (including premises, vehicles and computers) will regularly and ordinarily be the subject of the covert surveillance]

Workplace Surveillance Regulation 2005

Forms

Schedule 1

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4. The covert surveillance authority authorises the use of the following equipment for the covert surveillance of [*describe the premises, place, computer, vehicle or other thing that is to be the subject of covert surveillance and details of the equipment that is authorised to be used for that surveillance*]
5. The covert surveillance is authorised to take place during the following dates and times:
[*specify dates and times during which covert surveillance is authorised. Note that any covert surveillance authority that is issued cannot specify a period of longer than 30 days during which it is to remain in force*]
6. In accordance with section 23 (4) of the *Workplace Surveillance Act 2005*, the following persons are designated as surveillance supervisors to oversee the conduct of the covert surveillance operation:
[*insert full name and address of each person designated to oversee the conduct of the covert surveillance operation*]
7. The covert surveillance authority is issued subject to the following conditions:
- (a) except as provided by paragraph (b), a surveillance supervisor for the authority and any of his or her supervisees must not give any other person access to any surveillance record made as a consequence of the covert surveillance,
 - (b) a surveillance supervisor for the authority and any of his or her supervisees may supply the employer, or employer's representative, only with any portions of a surveillance record made as a consequence of the covert surveillance that are relevant to establishing the involvement of any employee in an unlawful activity while at work for the employer in accordance with the authority conferred by the authority or for identifying or detecting any other unlawful activity at a workplace of the employer or of an employee while at work for the employer,
 - (c) a surveillance supervisor for the authority must erase or destroy (or cause a supervisee to erase or destroy) within 3 months of the expiry of the authority all parts of surveillance records made by the surveillance supervisor or his or her supervisees as a consequence of the covert surveillance that are not required for evidentiary purposes,
 - (d) if, as a consequence of the carrying out of covert surveillance of an employee, the employer or employer's representative takes, or proposes to take, any detrimental action against the employee, the employer or employer's representative must, within a reasonable period after being requested to do so by the employee (or his or her lawyers), give the employee (and his or her lawyers, if any) access to any part of the surveillance record supplied to the employer or employer's representative that relates to the employee or the detrimental action,
- [*specify further conditions (if any) that apply to the covert surveillance authority for the purposes of section 29 of the Workplace Surveillance Act 2005*]
8. Section 35 of the *Workplace Surveillance Act 2005* requires the following:
- (a) The employer or employer's representative to whom a covert surveillance authority is issued must furnish a report in compliance with that section to

Workplace Surveillance Regulation 2005

Schedule 1 Forms

[insert name of Magistrate or judicial member of the Industrial Relations Commission who issued the authority] within 30 days after the expiry of the authority.

- (b) The report is to be in writing, setting out briefly the result of the surveillance carried out and specifying the following:
 - (i) if practicable, the names of any employee who was the subject of the surveillance,
 - (ii) the period during which the surveillance was conducted,
 - (iii) details of the type of surveillance device used and of the type of place where any surveillance device was installed or used,
 - (iv) whether any surveillance device has been removed and, if not, why not,
 - (v) details of the conditions of the covert surveillance authority,
 - (vi) details of any surveillance record made as a consequence of the surveillance,
 - (vii) any action taken or proposed to be taken in light of the information obtained,
 - (viii) any reason why an employee who was the subject of the surveillance should not be informed of the surveillance,
 - (ix) details of any previous use of covert surveillance in connection with suspected unlawful activity with which the authority is concerned.
- (c) The report is to be in Form 5 set out in Schedule 1 to the *Workplace Surveillance Regulation 2005*.
- (d) If [insert name of Magistrate or judicial member of the Industrial Relations Commission who issued the authority] has died, has ceased to be a Magistrate/judicial member of the Industrial Relations Commission or is absent, the report is to be furnished to another Magistrate/judicial member of the Industrial Relations Commission.

9. Section 37 of the *Workplace Surveillance Act 2005* requires the following:

- (a) A person must not make use of or disclose to another person surveillance information or a surveillance record knowing or having reasonable cause to suspect that the information has been obtained or the record made as a result, direct or indirect, of covert surveillance of an employee while at work for an employer carried out or caused to be carried out by the employer unless that use or disclosure is for a relevant purpose as provided by that section.
- (b) If the covert surveillance of an employee was authorised by a covert surveillance authority issued to an employer, only the following use or disclosure of the surveillance information or record is for a relevant purpose:
 - (i) use or disclosure that is authorised or required by the conditions of the covert surveillance authority or an order of a Magistrate under section 35 of the Act,
 - (ii) use or disclosure for a purpose that is directly or indirectly related to establishing whether or not an employee is involved in unlawful activity while at work for the employer in accordance with the authority conferred by the covert surveillance authority,

Workplace Surveillance Regulation 2005

Forms

Schedule 1

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- (iii) use or disclosure for a purpose that is directly or indirectly related to taking disciplinary action or legal proceedings against an employee as a consequence of any alleged unlawful activity while at work for the employer,
 - (iv) use or disclosure for a purpose that is directly or indirectly related to establishing security arrangements or taking other measures to prevent or minimise the opportunity for unlawful activity while at work for the employer of a kind identified by the surveillance record to occur while at work for the employer,
 - (v) use or disclosure that is reasonably believed to be necessary to avert an imminent threat of serious violence to persons or of substantial damage to property,
 - (vi) disclosure to a member or officer of a law enforcement agency for use in connection with the detection, investigation or prosecution of an offence,
 - (vii) use by a member or officer of a law enforcement agency for any purpose in connection with the detection, investigation or prosecution of an offence,
 - (viii) use or disclosure for a purpose that is directly or indirectly related to the taking of proceedings for an offence,
 - (ix) use or disclosure for a purpose that is directly or indirectly related to taking any other action authorised or required by the *Workplace Surveillance Act 2005*.
- (c) If the covert surveillance of an employee was not authorised by a covert surveillance authority, only the following use or disclosure of the information or record is for a relevant purpose:
- (a) disclosure to a member or officer of a law enforcement agency for use in connection with the detection, investigation or prosecution of an offence,
 - (b) use or disclosure for a purpose that is directly or indirectly related to the taking of proceedings for an offence,
 - (c) use by a member or officer of a law enforcement agency for any purpose in connection with the detection, investigation or prosecution of an offence.
- 10.** The covert surveillance authority remains in force from [*specify period for which the covert surveillance authority remains in force*].

Dated

[signature]

[name of Magistrate or judicial
member of the Industrial Relations
Commission]

* Delete whichever is inapplicable.

Workplace Surveillance Regulation 2005

Schedule 1 Forms

Form 3

(Clause 4 (3))

Application under section 31 of the Workplace Surveillance Act 2005 for variation of covert surveillance authority

I, *[insert name of the employee, employer or other person affected by the covert surveillance authority applying to a Magistrate for variation of the authority]* apply under section 31 of the *Workplace Surveillance Act 2005* for the variation of the covert surveillance authority issued to *[insert name of employer or employer's representative to whom authority was issued]* on *[insert date on which authority issued]* by *[insert name of person who issued the authority sought to be varied]* authorising the carrying out of covert surveillance of employees at work for the employer during the period from _____ on _____ 20____, to _____ on _____ 20____ *[insert times and dates specified in the covert surveillance authority as the period during which it is to remain in force]*.

The following are the variations sought to the covert surveillance authority described above: *[describe variation/variations sought by applicant]*

The following are the grounds on which variation of the authority is sought: *[state the ground/grounds on which applicant seeks variation]*

Dated

*[signature]**[name of applicant]***Form 4**

(Clause 4 (4))

Application under section 31 of the Workplace Surveillance Act 2005 for cancellation of covert surveillance authority

I, *[insert name of the employee, employer or other person affected by the covert surveillance authority applying to a Magistrate for cancellation of the authority]* apply under section 31 of the *Workplace Surveillance Act 2005* for the cancellation of the covert surveillance authority issued to *[insert name of employer or employer's representative to whom authority was issued]* on *[insert date on which authority issued]* by *[insert name of person who issued the authority sought to be cancelled]* authorising the carrying out of covert surveillance of employees at work for the employer during the period from _____ on _____ 20____, to _____ on _____ 20____ *[insert times and dates specified in the covert surveillance authority as the period during which it is to remain in force]*.

The following are the grounds on which cancellation of the authority is sought: *[state the ground/grounds on which applicant seeks cancellation]*

Dated

*[signature]**[name of applicant]*

Workplace Surveillance Regulation 2005

Forms

Schedule 1

Form 5

(Clause 4 (5))

Form of report on use of authority

I, *[insert name of the employer or employer's representative]* furnish this report under section 35 (1) of the *Workplace Surveillance Act 2005*, confirming that covert surveillance was carried out in accordance with a covert surveillance authority during the period from _____ on _____ 20____, to _____ on _____ 20____
[insert times and dates specified in the covert surveillance authority as the period during which the covert surveillance was carried out].

1. The following employees were the subject of covert surveillance:
[if practicable, state the name of any employee who was the subject of covert surveillance]
2. The covert surveillance was conducted with *[give details of the types of devices used for conducting covert surveillance]*. These devices were *[give details of the location in which these devices were installed and used]*
3. The devices installed have*/have not* been removed. *[if devices have not been removed, give reasons]*
4. The surveillance record includes the following:
[give details of any surveillance record made as a consequence of the covert surveillance including a summary of any information found during the covert surveillance]
5. The covert surveillance authority was issued subject to the following conditions:
[give details of the conditions that the covert surveillance authority was subject to].
6. As a result of the information found during the covert surveillance, it is proposed that *[insert name of the employer]* will take the following action:
[provide details of the action proposed to be taken as a consequence of the covert surveillance]
7. The employees who were the subject of the surveillance should*/should not* be informed of the covert surveillance for the following reasons:
[give reasons that the employees should not be informed of the covert surveillance]
8. There has*/has not* been any previous use of covert surveillance in connection with suspected unlawful activity with which the authority is concerned. *[give details of any previous use of covert surveillance carried out in connection with suspected unlawful activity with which the authority is concerned]*

Workplace Surveillance Regulation 2005

Schedule 1 Forms

Dated

[signature]

[name of employer or employer's
representative]

* Delete whichever is inapplicable.

Form 6

(Clause 4 (6))

Application under section 41 of the Workplace Surveillance Act 2005 for issue of covert surveillance authority

I, [insert name of employer or employer's representative aggrieved by Magistrate's decision to refuse to issue the covert surveillance authority] apply under section 41 of the *Workplace Surveillance Act 2005* for the issue of a covert surveillance authority authorising the carrying out of covert surveillance of employees at work.

1. A Magistrate refused to issue the covert surveillance authority sought on [insert date of refusal].
2. The following employee, employees or class of employees are suspected, on the following grounds, of being involved in unlawful activity in the workplace:
[state the grounds applicant has for suspecting that a particular employee is or employees are involved in unlawful activity at work. Include the names of those employees where possible]
3. Other managerial or investigative procedures have*/have not* been undertaken to detect the unlawful activity. The outcome of other managerial or investigative procedures was [describe what was the outcome of other managerial or investigative procedures]
4. Other applications for a covert surveillance authority have*/have not* been made to detect the unlawful activity. The outcome of other applications for a covert surveillance authority was [describe the outcome of other applications for a covert surveillance authority, including the results of any covert surveillance carried out under a covert surveillance authority]
5. The following employees and premises*/vehicles*/computers* will regularly or ordinarily be the subject of the covert surveillance:
[describe who (including the names of employees where possible) and what (including premises, vehicles and computers) will regularly and ordinarily be the subject of the covert surveillance]
6. It is proposed that the covert surveillance will be conducted by camera*/computer*/tracking* surveillance.

Workplace Surveillance Regulation 2005

Forms

Schedule 1

-
7. It is proposed to conduct the covert surveillance during the following dates and times:
[specify dates and times during which it is proposed to conduct covert surveillance.
Note that any covert surveillance authority that is issued cannot specify a period of longer than 30 days during which it is to remain in force].
8. In accordance with section 23 (4) of the *Workplace Surveillance Act 2005*, the following person*/persons* are nominated to oversee the conduct of the covert surveillance operation and, for the purpose of section 27 of the Act, are competent and fit to oversee the conduct of the surveillance and have the following experience or qualifications:
[insert full name and address of each person nominated to oversee the conduct of the covert surveillance operation and details of their qualifications, experience and any other information to satisfy the Magistrate that each person designated as a surveillance supervisor is competent and fit to do so (see section 27 (2) and (3))]
9. Verification of the employer's authority for me to act as an employer's representative for the purposes of the covert surveillance operation is attached.
[If applicant is an employer's representative attach verification. If the applicant is the employer, delete this paragraph. Section 23 (2) (h) of the Workplace Surveillance Act 2005 requires an applicant for the issue of a covert surveillance authority who is an employer's representative to include verification acceptable to the Magistrate to whom the application is made of the employer's authority for the person to act as employer's representative for the purposes of the covert surveillance operation.]

Dated

[signature]

[name of applicant]

Note. Section 41 (4) of the *Workplace Surveillance Act 2005* applies Part 4 of the Act to the issue, variation or cancellation of a covert surveillance authority by a judicial member of the Industrial Relations Commission under section 41 of the Act in the same way as it applies to the issue, variation or cancellation by a Magistrate under section 23. Section 23 (2) (h) of the Act requires an applicant for the issue of a covert surveillance authority who is an employer's representative to include verification acceptable to the Magistrate to whom the application is made of the employer's authority for the person to act as the employer's representative. Under section 23 (5) of the Act, the Magistrate to whom an application for issue of a covert surveillance authority is made cannot issue the authority unless the information given by the applicant in or in connection with the application is verified before the Magistrate on oath or affirmation or by affidavit. Under section 23 (7) of the Act, the Magistrate to whom the application is made may require the applicant to provide (either orally or in writing) such further information as the Magistrate requires concerning the grounds on which the authority is being sought.

* *Delete whichever is inapplicable.*

Workplace Surveillance Regulation 2005

Schedule 1 Forms

Form 7

(Clause 4 (7))

Application under section 41 of the Workplace Surveillance Act 2005 for variation of covert surveillance authority

I, *[insert name of the employee, employer or other person affected by the covert surveillance authority applying to a judicial member of the Industrial Relations Commission for variation of the authority]* apply under section 41 of the *Workplace Surveillance Act 2005* for the variation of the covert surveillance authority issued to *[insert name of employer or employer's representative to whom authority was issued]* on *[insert date on which authority issued]* by *[insert name of person who issued the authority sought to be varied]* authorising the carrying out of covert surveillance of employees at work for the employer during the period from on 20 , to on 20 *[insert times and dates specified in the covert surveillance authority as the period during which it is to remain in force]*.

The following are the variations sought to the covert surveillance authority described above: *[describe variation/variations sought by applicant]*.

The following are the grounds on which variation of the authority is sought: *[state the ground/grounds on which applicant seeks variation]*

Dated

*[signature]**[name of applicant]***Form 8**

(Clause 4 (8))

Application under section 41 of the Workplace Surveillance Act 2005 for cancellation of covert surveillance authority

I, *[insert name of the employee, employer or other person affected by the covert surveillance authority applying to a judicial member of the Industrial Relations Commission for cancellation of the authority]* apply under section 41 of the *Workplace Surveillance Act 2005* for cancellation of the covert surveillance authority issued to *[insert name of employer or employer's representative to whom authority was issued]* on *[insert date on which authority issued]* by *[insert name of person who issued the authority sought to be cancelled]* authorising the carrying out of covert surveillance of employees at work for the employer during the period from on 20 , to on 20

[insert times and dates specified in the covert surveillance authority as the period during which it is to remain in force].

Workplace Surveillance Regulation 2005

Forms

Schedule 1

The following are the grounds on which cancellation of the authority is sought:
[state the ground/grounds on which applicant seeks cancellation]

Dated

[signature]

[name of applicant]

Orders



New South Wales

Workers Compensation (Car Travel Allowance) Order 2005

under the

Workers Compensation Act 1987

The WorkCover Authority of New South Wales, in pursuance of section 64 of the *Workers Compensation Act 1987*, makes the following Order.

Dated this 7th day of September 2005.

JON BLACKWELL
Chief Executive Officer
WorkCover Authority

Explanatory note

The object of this Order is to fix the rate at which the cost of travel by private motor vehicle is to be calculated for the purposes of the inclusion of an amount in respect of that travel in the compensation payable to an injured worker.

This Order is made under section 64 of the *Workers Compensation Act 1987*.

Clause 1 Workers Compensation (Car Travel Allowance) Order 2005

Workers Compensation (Car Travel Allowance) Order 2005

under the

Workers Compensation Act 1987

1 Name of Order

This Order is the *Workers Compensation (Car Travel Allowance) Order 2005*.

2 Commencement

This Order commences on 1 October 2005.

3 Rate for travel by private motor vehicle

For the purposes of section 64 (b) of the *Workers Compensation Act 1987*, the cost of, or an amount for, travel by private motor vehicle as referred to in that section is to be calculated:

- (a) in the case of travel on or after 30 June 1987 and before 18 May 1990—at the rate of 28 cents per kilometre, or
- (b) in the case of travel on or after 18 May 1990 and before 1 July 2000—at the rate of 38 cents per kilometre, or
- (c) in the case of travel on or after 1 July 2000 and before 1 October 2005—at the rate of 42 cents per kilometre, or
- (d) in the case of travel on or after 1 October 2005—at the rate of 55 cents per kilometre.

4 Repeal

The *Workers Compensation (Car Travel Allowance) Order 2003* is repealed.

By-laws



New South Wales

University of Western Sydney By-law 2005

under the

University of Western Sydney Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has approved the following By-law made by the Board of Trustees of the University of Western Sydney under the *University of Western Sydney Act 1997*.

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

Explanatory note

The object of this By-law is to provide for certain matters under the *University of Western Sydney Act 1997*, including the following:

- (a) the term of office of the Chancellor and Deputy Chancellors of the University,
- (b) the election by the Board of Trustees of the University (***the Board***) of the Chancellor and Deputy Chancellors,
- (c) the election by staff, students and former students of the University of staff, student and graduate members of the Board,
- (d) the procedures for nomination of appointed members of the Board,
- (e) the making of rules by the Board and officers of the University.

This By-law repeals the *University of Western Sydney By-law 2002*.

This By-law is made under the *University of Western Sydney Act 1997*, including section 40 (the general power to make by-laws).

University of Western Sydney By-law 2005

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Clause 1 University of Western Sydney By-law 2005

Part 1 Preliminary

University of Western Sydney By-law 2005

under the

University of Western Sydney Act 1997

Part 1 Preliminary

1 Name of By-law

This By-law is the *University of Western Sydney By-law 2005*.

2 Definitions

(1) In this By-law:

academic staff member of the Board means the member of the Board referred to in section 12 (1) (d) of the Act.

general staff member of the Board means the member of the Board referred to in section 12 (1) (e) of the Act.

graduate member of the Board means a member of the Board referred to in section 12 (1) (h) of the Act.

Office of the Vice-Chancellor means the Vice-Chancellor, and the other members of staff of the University who assist the Vice-Chancellor to carry out his or her functions.

postgraduate member of the Board means the member of the Board referred to in section 12 (1) (g) of the Act.

Remuneration and Nominations Committee means the Committee of the Board established under clause 21.

the Act means the *University of Western Sydney Act 1997*.

undergraduate member of the Board means the member of the Board referred to in section 12 (1) (f) of the Act.

(2) In this By-law, a reference to full-time employment, in relation to any staff position, is a reference to employment on a basis designated by the Board as a half-time or greater basis.

3 Notes

The notes in the text of this By-law do not form part of this By-law.

University of Western Sydney By-law 2005

Clause 4

Chancellor, Vice-Chancellor and other office holders

Part 2

Part 2 Chancellor, Vice-Chancellor and other office holders

4 Term of office

- (1) For the purposes of section 13 (2) of the Act, the prescribed term of office for the Chancellor is as follows:
 - (a) in the case of a person elected to fill a vacancy in the office of Chancellor that arises because of the expiration of the term of office of the previous Chancellor, 4 years commencing on 1 January next following the election of the person,
 - (b) in any other case, the balance of the term of office of the previous Chancellor.
- (2) For the purposes of section 14 (2) of the Act, the prescribed term of office for a Deputy Chancellor is as follows:
 - (a) in the case of a person elected to fill a vacancy in an office of Deputy Chancellor that arises because of the expiration of the term of office of a previous Deputy Chancellor, 4 years commencing on 1 January next following the election of the person,
 - (b) in any other case, the balance of the term of office of the previous Deputy Chancellor.
- (3) The term of office for a Deputy Chancellor is, if a resolution made by the Board so provides, to be reduced from the period provided for in subclause (2) to such shorter period as may be specified in the resolution to ensure that the term corresponds with the term for which the Deputy Chancellor holds office as a member of the Board.

5 Title of Vice-Chancellor

- (1) For the purposes of section 15 (6) of the Act, the position of Vice-Chancellor may be referred to as President of the University in addition to the title of Vice-Chancellor.
- (2) A position of Deputy Vice-Chancellor may be referred to as Deputy President of the University in addition to the title of Deputy Vice-Chancellor.

6 Membership of committees

The Chancellor may, without specific appointment, exercise the right of membership of any committee established by the Board.

Clause 7	University of Western Sydney By-law 2005
Part 2	Chancellor, Vice-Chancellor and other office holders

7 Appointment of acting Chancellor

The Board is to establish a procedure for the appointment of a Deputy Chancellor to act in the place of the Chancellor during the absence or inability of the Chancellor to act or a vacancy in the office of Chancellor.

University of Western Sydney By-law 2005

Clause 8

Election of Chancellor and other office holders

Part 3

Part 3 Election of Chancellor and other office holders

8 Definition

In this Part:

close of nominations, in relation to an election under this Part, means the date and time by which nominations must be received by the returning officer for the election (as specified in a notice under clause 12).

9 Application of Part

The following persons are to be elected by the Board in the manner provided for by this Part:

- (a) the Chancellor of the University,
- (b) the Deputy Chancellors of the University.

10 When is an election to be held?

An election to fill a vacancy in the office of Chancellor or Deputy Chancellor is to be held (if practicable):

- (a) in the case of a vacancy that arises because of the expiration of the term of office of the current office holder, before the term of office of the current office holder expires, or
- (b) in any other case, within 3 months after the vacancy arises.

11 Returning officer

- (1) The Vice-Chancellor must from time to time appoint a returning officer to conduct an election.
- (2) The returning officer may, subject to this By-law, decide all matters relating to the procedure for conducting an election under this Part.
- (3) Subject to the Act and this By-law, a decision of the returning officer relating to an election, including a decision relating to the eligibility of a candidate or a voter or the result of an election, is final.
- (4) The returning officer is entitled to attend meetings of the Board for the purpose of conducting an election under this Part.

12 Calling of election

- (1) If an election is required to be held under this Part, the returning officer is to give notice of the election to the members of the Board at least 14 days before the meeting at which the election is to be held.

Clause 13	University of Western Sydney By-law 2005
Part 3	Election of Chancellor and other office holders

- (2) The notice must:
- (a) state that an election is to be held for the position or positions concerned, and
 - (b) specify the term of office of the position or positions, and
 - (c) invite members of the Board to nominate candidates for election and specify how nominations are to be made, and
 - (d) specify the date and time by which nominations must reach the returning officer, and
 - (e) provide any other information about the election that the returning officer considers it appropriate to provide.

13 Making of nominations

- (1) A nomination for election to the office of Chancellor or Deputy Chancellor must:
- (a) be made in writing, and
 - (b) be signed by the candidate and 2 members of the Board (other than the candidate), and
 - (c) be received by the returning officer by the close of nominations.
- (2) There must be a separate nomination paper for each candidate and for each position.
- (3) A person may not nominate more than one candidate for each position. If a person nominates more than one candidate, the returning officer is to accept only the first nomination received by the returning officer from that person.
- (4) For the purposes of subclause (3), all of the persons who sign a nomination paper (as provided for by subclause (1) (b)) are taken to have nominated the candidate.
- (5) A candidate nominated for election may not withdraw that nomination after the date and time prescribed under clause 12 (2) (d).

14 Dealing with nominations

If, at the close of nominations for an election:

- (a) there are no valid nominations, the returning officer must report this to the next meeting of the Board and call an election again in the manner provided for by clause 12, or
- (b) there is only one valid nomination, the returning officer is to report this to the next meeting of the Board and the Board may declare the person nominated to be elected, or

University of Western Sydney By-law 2005

Clause 15

Election of Chancellor and other office holders

Part 3

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- (c) there is more than one valid nomination, the returning officer must:
- (i) ensure that the name of each person so nominated is on the agenda for the meeting of the Board at which the ballot is to be conducted, and
 - (ii) conduct a ballot at that meeting as provided for by this Part.

15 Distribution of ballot papers

- (1) The returning officer is to ensure that ballot papers are issued to members of the Board:
 - (a) in person at the meeting at which the ballot is conducted, or
 - (b) by post before the meeting is conducted, but only to members of the Board who request the issue of a postal vote before the close of nominations for the election.
- (2) A separate ballot paper is to be issued for each position for which a ballot is to be conducted.
- (3) The returning officer may issue a duplicate ballot paper to a member of the Board, if the returning officer is satisfied that a ballot paper has been lost or destroyed.

16 Contents of ballot papers

- (1) A ballot paper is to contain the names of the candidates arranged in an order determined by the returning officer by lot.
- (2) A ballot paper is to include or be accompanied by instructions for voting.

17 Method of voting

- (1) Members of the Board may vote in an election:
 - (a) in person at the meeting at which the ballot is conducted, or
 - (b) by post.
- (2) The ballot is to be conducted as a secret ballot.
- (3) Each member of the Board who wishes to vote is to mark a vote on his or her ballot paper by placing the figure "1" opposite the name of the candidate to whom the member wishes to give his or her first preference.

Clause 18 University of Western Sydney By-law 2005

Part 3 Election of Chancellor and other office holders

- (4) If the member of the Board wishes to show his or her order of preference for any or all of the remaining candidates, the member may do so by placing consecutive figures (starting with the figure "2") opposite the names of any of the remaining candidates so as to indicate, in numerical sequence, the member's preference for them.
- (5) The returning officer must collect all completed ballot papers from the members of the Board who are present at the meeting at which the ballot is conducted.
- (6) The returning officer is to determine the procedure for voting by post.

18 Informal ballot papers

- (1) A ballot paper is informal if it has any mark or writing that, in the opinion of the returning officer, would enable any person to identify the voter.
- (2) A ballot paper is informal if the voter has not indicated a clear preference for at least one candidate.
- (3) The returning officer is to reject any informal ballot papers and count the formal ballot papers.

19 Counting of votes

- (1) The returning officer must count the number of first preference votes for each candidate.
- (2) If the candidate who has the highest number of first preference votes has an absolute majority of votes, the returning officer is to declare that candidate the successful candidate.
- (3) If no candidate has an absolute majority of votes, the returning officer must exclude the candidate who has received the fewest number of first preference votes and each of the ballot papers counted to that candidate is to be counted to the continuing candidate next in order of the voter's preference.
- (4) If 2 or more candidates have an equal number of votes at the time that it is necessary to exclude one of them, the candidate to be excluded is to be determined by lot.
- (5) The process referred to in subclauses (3) and (4) is to be continued until:
 - (a) one continuing candidate has an absolute majority of votes, in which case that candidate is to be declared the successful candidate, or

University of Western Sydney By-law 2005

Clause 19

Election of Chancellor and other office holders

Part 3

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- (b) there are only 2 continuing candidates who do not have an equal number of votes, in which case the candidate with the larger number of votes is to be declared the successful candidate (even if the number of votes is below an absolute majority of votes), or
 - (c) there are only 2 continuing candidates who have an equal number of votes, in which case the returning officer is to determine the successful candidate by lot.
- (6) The returning officer is to report the name of the successful candidate to the Board and the Board may declare that candidate elected.
 - (7) In this clause, a reference to a vote is a reference to a formal vote.

Clause 20 University of Western Sydney By-law 2005

Part 4 Appointed members of Board

Part 4 Appointed members of Board

20 Board appointed members

For the purposes of section 12 (1) (c) of the Act, the Board is to appoint 4 external persons as members of the Board.

21 Remuneration and Nominations Committee

The Board is to establish a Remuneration and Nominations Committee consisting of the following persons:

- (a) the Chancellor,
- (b) the Deputy Chancellors,
- (c) the Vice-Chancellor,
- (d) one or more members of the Board who are external persons (within the meaning of section 12 (10) of the Act).

22 Nomination procedures relating to appointed members

- (1) At least 60 days before the term of office of a member of the Board appointed under section 12 (1) (b) or (c) of the Act expires, the Remuneration and Nominations Committee is to identify persons who may be suitable for appointment as such a member.
- (2) The Committee is:
 - (a) to determine which of those persons are to be recommended to the Board:
 - (i) for nomination for consideration for appointment by the Minister, or
 - (ii) for appointment by the Board,as the case may be, and
 - (b) to recommend the length of appointment for each such person, and
 - (c) to forward its recommendations to the Board not less than 30 days before the term of office of the relevant member of the Board expires.
- (3) In determining the persons to be recommended under subclause (2) (a), the Committee is to have regard to:
 - (a) the skills and experience of the current members of the Board, and
 - (b) the matters referred to in section 12 (5) and (6) of the Act.

University of Western Sydney By-law 2005

Clause 22

Appointed members of Board

Part 4

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- (4) The Board is:
- (a) to consider the recommendations forwarded by the Committee, and
 - (b) to determine which of the recommended persons are to be:
 - (i) nominated for consideration for appointment by the Minister, or
 - (ii) appointed by the Board, as the case may be, and
 - (c) to determine:
 - (i) in the case of the persons referred to in paragraph (b) (i), the recommended length of appointment for each such person, or
 - (ii) in the case of the persons referred to in paragraph (b) (ii), the length of appointment for each such person.
- (5) The Chancellor is to forward the determinations referred to in subclause (4) (b) (i) and (c) (i) to the Minister.

Clause 23 University of Western Sydney By-law 2005

Part 5 Staff, student and graduate members of Board

Part 5 Staff, student and graduate members of Board

23 Definitions

(1) In this Part:

close of nominations, in relation to an election, means the date and time by which nominations must be received by the returning officer for the election (as specified in a notice under clause 31 (4)).

close of the ballot, in relation to an election, means the date and time by which ballot papers must be received by the returning officer for the election (as specified in a notice under clause 34 (3)).

(2) For the purposes of this Part, the Board may determine the members of staff who are to be designated as academic staff and the members of staff who are to be designated as general staff.

24 Graduate member of Board

For the purposes of section 12 (1) (h) of the Act, there is to be one graduate member of the Board who is to be an elected member.

25 Application of Part

The elected members of the Board are to be elected in accordance with this Part.

Note. The elected members of the Board are as follows:

- (a) the academic staff member,
- (b) the general staff member,
- (c) the undergraduate member,
- (d) the postgraduate member,
- (e) the graduate member.

26 When is an election to be held?

(1) An election to fill a vacancy in the office of an elected member of the Board is to be held, if practicable, as follows:

- (a) in the case of an election for an academic staff member of the Board—no earlier than 4 months before the end of the current member's term of office and before that term of office ends,
- (b) in the case of an election for a general staff member of the Board—no earlier than 4 months before the end of the current member's term of office and before that term of office ends,
- (c) in the case of an election for an undergraduate member of the Board—in the month of October in the year in which the current member's term of office expires,

University of Western Sydney By-law 2005

Clause 27

Staff, student and graduate members of Board

Part 5

- (d) in the case of an election for a postgraduate member of the Board—in the month of March in the year in which the current member's term of office expires,
 - (e) in the case of an election for a graduate member of the Board—in the month of March in the year in which the current member's term of office expires.
- (2) In the case of an election that is required because of a casual vacancy in the office of an elected member (see clause 43), the election is to be held as soon as practicable after the vacancy occurs.

27 Returning officer

- (1) The Vice-Chancellor must from time to time appoint a returning officer to conduct elections for the elected members of the Board.
- (2) The returning officer may, subject to this By-law, decide all matters relating to the procedure for conducting an election under this Part.
- (3) The election is to be conducted by the returning officer, with the assistance of such persons as the returning officer may appoint to assist in the conduct of the election.
- (4) A candidate for election may not act as a returning officer in the election.
- (5) A candidate for election may nominate a scrutineer to assist in ascertaining the result of the election. However, a candidate for election may not act as a scrutineer.
- (6) Subject to the Act and this By-law, a decision of the returning officer relating to an election, including a decision relating to the eligibility of a candidate or a voter or the result of the election, is final.

28 Rolls of the University

- (1) The Director of Human Resources for the University is to keep the following rolls:
 - (a) a Roll of Academic Staff containing the names of the members of the full-time academic staff employed at the University and who have accepted and started duty in a position with tenure of one year or more,
 - (b) a Roll of General Staff containing the names of the members of the full-time general staff employed at the University and who have accepted and started duty in a position with tenure of one year or more, but whose names are not entered on the Roll of Academic Staff.

Clause 29	University of Western Sydney By-law 2005
Part 5	Staff, student and graduate members of Board

- (2) The Academic Registrar for the University is to keep the following rolls:
 - (a) a Roll of Undergraduate Students containing the names of the students who are enrolled at the University as candidates proceeding to an undergraduate degree, diploma or certificate, but whose names are not entered on the Roll of Academic Staff or the Roll of General Staff,
 - (b) a Roll of Postgraduate Students containing the names of the students who are enrolled at the University as candidates proceeding to a postgraduate degree, diploma or certificate, but whose names are not entered on the Roll of Academic Staff or the Roll of General Staff,
 - (c) a Roll of Graduates containing the names of graduates of the University, but whose names are not entered on the Roll of Academic Staff or the Roll of General Staff.
- (3) The Director of Human Resources and the Academic Registrar for the University:
 - (a) are to give to the returning officer, one week before the close of nominations for an election, a current copy of the rolls required to be kept by this clause, and
 - (b) are to ensure that the returning officer is notified of any changes to those rolls occurring after the copy is given to the returning officer and before the close of nominations.
- (4) The returning officer must ensure that copies of the rolls are available for the University by the close of nominations for an election.

29 Graduates of University to be invited to enrol

- (1) At least 2 months before the conduct of an election for a graduate member, the returning officer for the election is to publish a notice inviting graduates of the University or its predecessor institutions to register to vote in the election.
- (2) The notice is to be published in such newspapers or other publications as the returning officer considers appropriate.
- (3) The notice is to include information on how to register to vote.

University of Western Sydney By-law 2005

Clause 30

Staff, student and graduate members of Board

Part 5

30 Qualifications for candidates and voters

- (1) The qualifications for election for a position as a member of the Board and voting at an election are as follows:
 - (a) **Academic staff member**

The qualifications for election as an academic staff member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on the Roll of Academic Staff at the close of nominations for the relevant election.
 - (b) **General staff member**

The qualifications for election as a general staff member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on the Roll of General Staff at the close of nominations for the relevant election.
 - (c) **Undergraduate member**

The qualifications for election as an undergraduate member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on the Roll of Undergraduate Students at the close of nominations for the relevant election.
 - (d) **Postgraduate member**

The qualifications for election as a postgraduate member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on the Roll of Postgraduate Students at the close of nominations for the relevant election.
 - (e) **Graduate member**

The qualifications for election as a graduate member of the Board, and the qualifications for voting at such an election, are that the candidate or voter, as the case may be, must have his or her name entered on the Roll of Graduates at the close of nominations for the relevant election.
- (2) A person may not stand for election for more than one position as a member of the Board, even if his or her name is entered on more than one Roll kept under this By-law.
- (3) An election is not invalid merely because of the failure or refusal of a returning officer or other person assisting a returning officer to issue voting papers to, or to accept a vote from, a person who is included in the relevant Roll.

Clause 31 University of Western Sydney By-law 2005

Part 5 Staff, student and graduate members of Board

31 Calling of election

- (1) If an election for an elected member of the Board is required to be held, the returning officer:
 - (a) is to publish a notice referred to in subclause (4) on the Internet by means of the website of the University, and
 - (b) may publish the notice in such other places or in such other manner as the returning officer considers appropriate (including, for example, by electronic or ordinary mail, the University's internal mail system or the University's notice boards).
- (2) The notice is to be published, as referred to in subclause (1) (a), no less than 7 days before the day nominations close in the election.
- (3) If practicable, the election is to be completed, and the result of the election declared, no later than 8 weeks after publication of the notice.
- (4) The notice must:
 - (a) state that an election is to be held for the position or positions concerned, and
 - (b) specify the term of office of the position or positions, and
 - (c) invite people to stand for election to the position or positions, and
 - (d) specify how nominations for election are to be made, and
 - (e) specify the date and time by which nominations must reach the returning officer, and
 - (f) specify the qualifications for election and for voting in the election, and
 - (g) provide any other information about the election that the returning officer considers it appropriate to provide.

32 Making of nominations

- (1) A nomination of a candidate for an election of a member of the Board must:
 - (a) be made in writing, and
 - (b) be signed by the candidate and 2 other people who are eligible to vote in the election, and
 - (c) be received by the returning officer by the close of nominations.
- (2) There must be a separate nomination paper for each candidate and for each position.

University of Western Sydney By-law 2005

Clause 33

Staff, student and graduate members of Board

Part 5

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- (3) A person may not nominate more than one candidate for the same position on the Board. If a person nominates more than one candidate, the returning officer is to accept only the first nomination received by the returning officer from that person.
 - (4) For the purposes of subclause (3), all of the persons who sign a nomination paper (as provided for by subclause (1) (b)), are taken to have nominated the candidate.
 - (5) A candidate nominated for election may not withdraw that nomination after the date and time prescribed under clause 31 (4) (e).

33 Dealing with nominations

- (1) If 2 or more nominations of persons for election to the same position on the Board are accepted by the returning officer, there must be a ballot for the position concerned.
- (2) If only one nomination of a person for election to a position on the Board is accepted by the returning officer, the returning officer is to declare the person nominated to be elected.
- (3) If there are no valid nominations for election to a position on the Board, the returning officer is to call an election again in accordance with clause 31.

34 Notice of ballot

- (1) If a ballot is required, the returning officer:
 - (a) is to publish a notice referred to in subclause (3) on the Internet by means of the website of the University, and
 - (b) may publish the notice in such other places or in such other manner as the returning officer considers appropriate (including, for example, by electronic or ordinary mail, the University's internal mail system or the University's notice boards).
- (2) The notice is to be published, as referred to in subclause (1) (a), not less than 14 days before the day the ballot closes.
- (3) A notice of ballot must:
 - (a) state that there will be a ballot for the position or positions concerned, and
 - (b) specify how people may vote in the ballot (including how ballot papers will be distributed to eligible voters), and
 - (c) specify the date and time by which ballot papers must reach the returning officer, and
 - (d) provide any other information about the ballot that the returning officer considers it appropriate to provide.

Clause 35 University of Western Sydney By-law 2005

Part 5 Staff, student and graduate members of Board

35 Conduct of ballot

- (1) Ballot papers may be distributed by post or by requiring eligible voters to attend a specified place or places managed or controlled by the University, at a specified date and time, in order to receive a ballot paper and vote in the election.
- (2) In the case of a ballot that is conducted by requiring eligible voters to attend a place:
 - (a) the returning officer is to ensure that each eligible voter who attends the specified place at the specified date and time receives a ballot paper, and
 - (b) the returning officer is to ensure that each eligible voter who applied for a postal vote before the close of nominations is posted a ballot paper.
- (3) In the case of a ballot conducted by post, the returning officer is to ensure that a ballot paper is posted to each eligible voter no less than 14 days before the close of the ballot.
- (4) The returning officer may, on receipt of a written application, issue a duplicate ballot paper to an eligible voter, if the returning officer is satisfied that a ballot paper has been lost or destroyed.
- (5) The fact that a person whose name is on the relevant Roll of the University did not receive a ballot paper does not invalidate the election.
- (6) In this clause, a reference to an eligible voter is a reference to a person whose name is on the relevant Roll of the University at the date of the close of nominations for the election.

36 Material to accompany ballot papers

Each ballot paper is to be accompanied by:

- (a) instructions for voting, and
- (b) a form of declaration of identity and entitlement to vote, and
- (c) 2 envelopes, one marked "Voting paper" and the other addressed to the returning officer.

37 Contents of ballot paper

- (1) Each ballot paper is to contain the names of the candidates in the order determined by the returning officer.
- (2) The returning officer is to determine the order of the candidates on the ballot paper by lot.

University of Western Sydney By-law 2005

Clause 38

Staff, student and graduate members of Board

Part 5

38 Method of voting

- (1) Each voter who wishes to vote is to mark a vote on the ballot paper by placing the figure "1" opposite the name of the candidate to whom the voter wishes to give his or her first preference.
- (2) If the voter wishes to show his or her order of preference for any or all of the remaining candidates, the voter may do so by placing consecutive figures (starting with the figure "2") opposite the names of any of the remaining candidates so as to indicate, in numerical sequence, the voter's preference for them.
- (3) The voter must then:
 - (a) place his or her ballot paper, without anything else, in the envelope marked "Voting paper", and
 - (b) place that envelope, and the declaration of identity and entitlement to vote, in the envelope that is addressed to the returning officer, and
 - (c) send or deliver the envelopes to the returning officer by the close of the ballot.

39 Procedure on close of ballot

When the ballot is closed, and not before, the returning officer must, in the presence of those scrutineers who choose to be present:

- (a) open all the envelopes addressed to the returning officer, and
- (b) confirm that each declaration of identity and entitlement to vote has been signed by an eligible voter, and
- (c) separate those declarations from the envelopes containing the ballot papers, and
- (d) open all the envelopes containing ballot papers and take out the ballot papers, and
- (e) count the votes, and determine the result of the ballot, in the manner referred to in clause 41.

40 Informal ballot papers

- (1) A ballot paper is informal if it has any mark or writing that, in the opinion of the returning officer, would enable any person to identify the voter.
- (2) A ballot paper is informal if it has not been initialled by the returning officer.
- (3) A ballot paper is informal if the voter has not indicated a clear preference for at least one candidate.

Clause 41 University of Western Sydney By-law 2005

Part 5 Staff, student and graduate members of Board

- (4) The returning officer is to reject any informal ballot papers and count the formal ballot papers.

41 Counting of votes

- (1) Votes must be counted by the returning officer in accordance with this clause.
- (2) The returning officer must count the number of first preference votes for each candidate.
- (3) If the candidate who has the highest number of first preference votes has an absolute majority of votes, the returning officer is to declare that candidate elected.
- (4) If no candidate has an absolute majority of votes, the returning officer must exclude the candidate who has received the fewest number of first preference votes and each of the ballot papers counted to that candidate is to be counted to the continuing candidate next in order of the voter's preference.
- (5) If 2 or more candidates have an equal number of votes at the time that it is necessary to exclude one of them, the candidate to be excluded is to be determined by lot.
- (6) The process referred to in subclauses (4) and (5) is to be continued until:
- (a) one continuing candidate has an absolute majority of votes, in which case that candidate is to be declared elected, or
 - (b) there are only 2 continuing candidates who do not have an equal number of votes, in which case the candidate with the larger number of votes is to be declared elected (even if the number of votes is below an absolute majority of votes), or
 - (c) there are only 2 continuing candidates who have an equal number of votes, in which case the candidate to be elected is to be determined by lot and the successful candidate is to be declared elected.
- (7) In this clause, a reference to a vote is a reference to a formal vote.

42 Terms of office of elected members

- (1) For the purposes of clause 1 (1) (c) of Schedule 1 to the Act:
- (a) the term of office of a person elected as an academic staff member, a general staff member or an undergraduate member of the Board is 2 years commencing on 1 January next following his or her election, and

University of Western Sydney By-law 2005

Clause 43

Staff, student and graduate members of Board

Part 5

- (b) the term of office of a person elected as a postgraduate member of the Board is 2 years commencing on 1 July next following his or her election.
- (2) For the purposes of clause 1 (1) (d) of Schedule 1 to the Act, the term of office of a person elected as a graduate member of the Board is 4 years commencing on 1 July next following his or her election.
- (3) If the office of an elected member of the Board becomes vacant otherwise than because of the expiration of the term of office of the office holder, and a person is appointed or elected to fill the vacancy, the term of office of that person is the residue of that term.

43 Filling of casual vacancy

- (1) Subclauses (2) and (3) apply for the purposes of clause 3 (3) of Schedule 1 to the Act.
- (2) If there is a casual vacancy in the office of academic staff member, general staff member, undergraduate member or postgraduate member of the Board, the following provisions apply:
 - (a) if the vacancy occurs within the first 12 months of the term of that office, a person is to be elected in accordance with this By-law to hold the office for the residue of the term,
 - (b) in any other case, the Board must appoint a person who is qualified to hold that office to hold the office of that member for the residue of the term.
- (3) If there is a casual vacancy in the office of graduate member of the Board, the Board must appoint the runner up in the most recent election for that position to hold the office of that member for the residue of the term. However, if the office cannot be filled in that way, the following provisions apply:
 - (a) if the casual vacancy occurs within the first 24 months of the term of office of the graduate member, a person is to be elected in accordance with this By-law to hold the office for the residue of the term,
 - (b) in any other case, the Board must appoint a person who is qualified to hold that office to hold the office of that member for the residue of the term.
- (4) In this clause:

casual vacancy in an office means a vacancy that occurs in that office otherwise than because of the expiration of the term of office.

runner up in an election means the person who, in the vote counting process at the election, was the last remaining candidate for election aside from the person who was declared elected.

Clause 44 University of Western Sydney By-law 2005

Part 6 Rules

Part 6 Rules

44 Rules

- (1) The Board may make rules for or with respect to any or all of the matters for or with respect to which rules may be made under the Act.
- (2) The Vice-Chancellor may make rules (not inconsistent with the rules of the Board) for the good conduct of the University.

Note. Section 41 (1) of the Act provides that the by-laws may empower any authority (including the Board) or an officer of the University to make rules (not inconsistent with the Act or the by-laws) for or with respect to matters for which by-laws may be made, except the matters referred to in sections 3 (2), 12 (1) (c)–(h) and (8), 13 (2), 14 (2), 22 (1) (e) and (f) and 40 (1) (b) of the Act and clauses 1 (1) (c) and (d) and 3 of Schedule 1 to the Act.

45 Publication of rules

- (1) If the Board makes a rule, the Board:
 - (a) must ensure that the rule is published on the Internet by means of the website of the University and may publish the rule by any other method (including, for example, by electronic or ordinary mail), and
 - (b) must ensure that copies of the rule are made available for inspection at the Office of the Vice-Chancellor.
- (2) If the Vice-Chancellor makes a rule, the Vice-Chancellor:
 - (a) must ensure that the rule is published on the Internet by means of the website of the University and may publish the rule by any other method (including, for example, by electronic or ordinary mail), and
 - (b) must ensure that copies of the rule are made available for inspection at the Office of the Vice-Chancellor.

46 What if rules are inconsistent?

If the Vice-Chancellor makes a rule that is inconsistent with a rule made by the Board, the rule made by the Board prevails to the extent of the inconsistency.

Note. Section 41 (3) of the Act provides that in the event of any inconsistency between a by-law and a rule, the by-law prevails to the extent of the inconsistency.

University of Western Sydney By-law 2005

Clause 47

Miscellaneous

Part 7

Part 7 Miscellaneous

47 Repeal and savings

- (1) The *University of Western Sydney By-law 2002* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *University of Western Sydney By-law 2002*, had effect under that By-law continues to have effect under this By-law (but only to the extent that it relates to this By-law and is not inconsistent with this By-law and the acts, matters or things done under this By-law).
- (3) In particular, any rule made pursuant to a provision of the repealed By-law is taken to have been made pursuant to the corresponding provision of this By-law (subject to clause 19 of Schedule 4 to the Act).

Note. Clauses 18 and 19 of Schedule 4 to the Act continue in force the by-laws and rules made under the *University of Western Sydney Act 1988*.

OFFICIAL NOTICES

Appointments

PARRAMATTA PARK TRUST ACT 2001

Department of Tourism, Sport and Recreation

Appointment of Trustees to the Parramatta Park Trust

It is hereby notified that:

1. in pursuance of Part 2, section 5 of the Parramatta Park Act 2001, the persons named in the Schedule hereto be appointed trustees of the Parramatta Park Trust for a period commencing on 2 September 2005 and terminating on 1 September 2009, and
2. in pursuance to Schedule 2(1) to the said Act, Mr Tom UREN, A.O., be appointed as Chairperson of the Parramatta Park Trust.

SCHEDULE

Tom UREN, A.O.,
Elaine EVANS,
John LANDAU,
Julia FINN,
Penelope PIKE,
Alan OVERTON, A.M., and
Jackie PUCKERIDGE.

Department of Lands

DUBBO OFFICE

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

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

NOTIFICATION OF CLOSING OF ROADS

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

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

Description

*Local Government Area of Narromine;
Land District of Dubbo.*

Lots 1 and 2, DP 1085279, Parish of Wirrigai, County of Ewenmar (not being land under the Real Property Act).

File No.: DB02 H 406.

Notes: On closing, the title for Lot 1 shall remain vested in the State of New South Wales as Crown Land.

On closing, the title for Lot 2 shall remain vested in Narromine Shire Council as Operational Land.

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

GRANTING OF A WESTERN LANDS LEASE

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

The lease is subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder.

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

Initial rent will be \$100.00 per annum and re-assessed thereafter annually on 1 April of each year.

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

IAN MACDONALD, M.L.C.,
 Minister for Natural Resources

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

Western lands Lease 14532 was granted to Robert George HEWLETT and Donna Elizabeth HEWLETT, comprising Lot 23, DP 1073508 (folio identifier 23/1073508), of 2497 square metres at Lightning Ridge, for the purpose of “Domestic Garden and Dam” for a term of 20 years commencing 6 September 2005 and expiring 5 September 2025.

Papers: WLL 14532.

**CONDITIONS AND RESERVATIONS ATTACHED TO
 WESTERN LANDS LEASE 14532**

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
- (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1st July in each year.
- (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
 “GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- (b) Notwithstanding any other provision of this Agreement:
 - (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
 - (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee’s own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The land leased shall be used only for the purpose of Domestic Garden and Dam
- (10) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.

- (11) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (12) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessee shall not erect or permit any person to erect any buildings or to extend any existing buildings on the land leased except in accordance with Walgett Shire Council's "Camps Guidelines" for Camps in the Opal Fields of Lightning Ridge or in accordance with plans and specifications approved by the Council.
- (16) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (17) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (18) The lessee shall not erect any fence on the leased area or interfere with or impede the use of any existing track or road on the leased land or adjacent to the leased land, except with the permission of the Commissioner.
- (19) The Crown shall not be responsible to the lessee or the lessee's successors in title for the provision of access to the leased land.
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GRAFTON OFFICE
76 Victoria Street (Locked Bag 10), Grafton NSW 2460
Phone: (02) 6640 2000 Fax: (02) 6640 2035

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Land District – Grafton;
L.G.A. – Clarence Valley Council.*

Roads Closed: Lot 51, DP 1082007 at Woodford Island, Parish Woodford, County Clarence.

File No.: GF03 H 237.

SCHEDULE

On closing, the land within Lot 51, DP 10856739 becomes vested in Clarence Valley Council as operational land for the purposes of the Local Government Act 1993.

Councils Reference: P00901.

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

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
George Jess WAGENER.	Yorklea Public Hall Trust.	Dedication No.: 540087. Public Purpose: Public hall. Notified: 1 October 1954. File No.: GF81 R 260.

For a term commencing 8 October 2005 and expiring
7 April 2006.

MAITLAND OFFICE

Cnr Newcastle Road & Banks Street (PO Box 6), East Maitland NSW 2323

Phone: (02) 4934 2280 Fax: (02) 4934 2252

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	COLUMN 2	COLUMN 3
The person for the time being holding the office of Councillor, Gosford City Council (ex-officio member).	Gosford Showground Trust.	Dedication No.: 570055. Public Purpose: Showground. Notified: 10 January 1912. File No.: MD80 R 220/7.
The person for the time being holding the office of Director of N.S.W. Greyhound Breeders, Owners and Trainers' Association Limited (ex-officio member).		
The person for the time being holding the office of Director of N.S.W. Greyhound Breeders, Owners and Trainers' Association Limited (ex-officio member).		
The person for the time being holding the office of Director of N.S.W. Greyhound Breeders, Owners and Trainers' Association Limited (ex-officio member).		
The person for the time being holding the office of Director of N.S.W. Greyhound Breeders, Owners and Trainers' Association Limited (ex-officio member).		
Cathryn Anne SODER (new member), Jennifer WINSLADE (new member), Stephen David McINTOSH (new member), Roma Frances STONESTREET (re-appointment), Percival William FLETCHER (re-appointment), Roland SODER (re-appointment).		

Term of Office

For a term commencing the date of this notice and expiring 15 September 2010.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Paul Selwyn MAISH (new member).	Dooralong Community (R1001059) Reserve Trust.	Reserve No.: 1001059. Public Purpose: Public recreation and community purposes. Notified: 27 March 1998. File No.: MD83 R 29/2.

Term of Office

For a term commencing the date of this notice and expiring 15 January 2009.

ORANGE OFFICE**92 Kite Street (PO Box 2146), Orange NSW 2800****Phone: (02) 6393 4300 Fax: (02) 6362 3896****NOTIFICATION OF CLOSING OF A ROAD**

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

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

Description

Land District and Shire – Parkes

Road Closed: Lot 10, DP 1085995, Parish Bindogundra, County Ashburnham.

File No.: OE04 H 460.

Note: On closing, title to the land comprised in Lot 10 remains vested in the Crown.

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

Description

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

Lot 101, DP 1086141 at Sylvania, Parish Sutherland (Sheet 5), County Cumberland.

File No.: MN04 H 52.

Note: On closing, title for the land in Lot 101 remains vested in Sutherland Shire Council as operational land.

PLAN OF MANAGEMENT FOR CROWN RESERVE AT BURWOOD UNDER PART 5, DIVISION 6 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 2000

A DRAFT plan of management has been prepared for the Crown Reserve at Burwood described hereunder, which is under the trust management of Burwood Council.

Inspection of the draft plan can be made at Council Chambers, Condor Street, Burwood; Burwood Library, 4 Marmaduke Street, Burwood and can be viewed on Council's website: <http://www.burwood.nsw.gov.au>.

Representations are invited from the public on the draft plan. The plan will be on exhibition from Friday, 16 September 2005, for a period of 28 days. Submissions will be received up to 14 October 2005 and should be sent to Eugene Sarich, Development Review and Business Manager, Burwood Council, PO Box 240, Burwood NSW 1805.

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

Description of Reserve

*Land District – Metropolitan; L.G.A. – Burwood;
Parish – Concord; County – Cumberland.*

Crown Reserve: Burwood Park (P500132), proclaimed for public park on 28 July 1885, comprising Lot 1, DP 54247, being about 4.085 hectares.

Location: Bounded by Burwood Road and Park Road, Burwood.

File No.: MN02 R 67.

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

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
The person for the time being holding the office of Conservation Field Officer, Chaffey Dam, State Water, Northern Area (ex-officio member).	Bowling Alley Point Recreation Reserve Trust.	Reserve No.: 96568. Public Purpose: Public recreation. Notified: 28 January 1983. Locality: Bowling Alley Point. File No.: TH89 R 16/3.
The person for the time being holding the office of President, Nundle Fishing Club (ex-officio member).		
The person for the time being holding the office of Councillor, Tamworth Regional Council (ex-officio member).		

Term of Office

For a term commencing the date of this notice and expiring 12 June 2008.

TAREE OFFICE**102-112 Victoria Street (PO Box 440), Taree NSW 2430****Phone: (02) 6552 2788 Fax: (02) 6552 2816****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	COLUMN 2
Land District: Taree. Local Government Area: Great Lakes Council. Locality: Tuncurry. Lot 2, DP 1083779. Parish: Tuncurry. County: Gloucester. Area: 2228 square metres. File No.: TE05 R 38.	Reserve No.: 1010968. Public Purpose: Port facilities and services.

Notes: (i) Any leases or licences current for this land remain unaffected by this notice.

(ii) Affected parts of Reserves R69453 for beacon site, R69455 for wharf and access, R69457 for access and R56146 from sale and lease generally are revoked by this notification.

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	COLUMN 2
Tuncurry Port Reserve Trust.	Reserve No.: 1010968. Public Purpose: Port facilities and services. Notified: This day. File No.: TE05 R 38.

Department of Natural Resources

WATER ACT 1912

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

Ian John FARLEY and Cheryl Lenore FARLEY for a pump on the Allyn River on Lot 11//1044137, Parish of Holywell, County of Durham, for water supply for stock and domestic purposes (exempt from current embargo) (Reference: 20SL061547).

Ian John FARLEY and Cheryl Lenore FARLEY for a pump on the Allyn River on Lot 11//1044137, Parish of Holywell, County of Durham, for water supply for stock and domestic purposes (exempt from current embargo) (Reference: 20SL061548).

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 Natural Resources,
PO Box 2213, Dangar NSW 2309.

WATER ACT 1912

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

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

Murrumbidgee Valley

W F MONTAGUE PTY LTD for 2 pumps and 4 bywash dams on an unnamed watercourse, Lot 1, DP 616858, 1 pump on Little Gilmore Creek, Lot 1, DP 126420, 1 pump and 3 bywash dams on an unnamed watercourse, Lot 4, DP 8416, all Parish of Selwyn, County of Wynyard, for irrigation of 50 hectares (apples) (replacement licence – additional works – no increase in allocation) (Reference: 40SL71068).

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 Natural Resources,
PO Box 156, Leeton NSW 2705

WATER ACT 1912

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

George SIDIROPOULOS for a pump on an unnamed watercourse on Lot 1//881757, Parish of Kooree, County of Northumberland, for water supply for industrial purposes (chicken shed) and the irrigation of 6.0 hectares (stonefruit and avocados) (part replacement licence – part replaces 10SL024246) (no increase in authorised area – no increase in annual water entitlement) (not subject to the 1995 Hawkesbury/Nepean Embargo) (Reference: 10SL056675) (GA2:493325).

Nicholina VASSALLO and Saviour VASSALLO for a pump on the Hawkesbury River on Lot 11C//164991, Parish of St Matthew, County of Cumberland, for the irrigation of 17.0 hectares (turf) (part replacement licence – permanent transfer of 40.0 megalitres from 10SL021917) (no increase in authorised area – no increase in annual water entitlement) (not subject to the 1995 Hawkesbury/Nepean Embargo) (Reference: 10SL056674) (GA2:493326).

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

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

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

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

WATER ACT 1912

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

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

Namoi River Valley

PROTEN TAMWORTH LIMITED for a pump on the Peel River located on Lot 7005, DP 93868 (R54094), Parish of Somerton, County of Parry, for industrial purposes (105 megalitres – low security) (replacement licence – change of pump site – existing entitlement) (105 megalitres – low security) (LO Papers: 90SL100844) (GA2:472302).

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

GEOFF CAMERON,
Manager,
Resource Access

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

Department of Planning



New South Wales

Cabonne Local Environmental Plan 1991 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01077/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Cabonne Local Environmental Plan 1991 (Amendment No 22)

Cabonne Local Environmental Plan 1991 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cabonne Local Environmental Plan 1991 (Amendment No 22)*.

2 Aims of plan

This plan aims to reclassify the public land to which this plan applies, being land owned by the Orange City Council, from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Cabonne, being Lot 10, DP 1034198, Euchareena Road, Molong, as shown edged heavy black on the map marked “Cabonne Local Environmental Plan 1991 (Amendment No 22)” deposited in the office of Cabonne Council.

4 Amendment of Cabonne Local Environmental Plan 1991

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

Cabonne Local Environmental Plan 1991 (Amendment No 22)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 41

Insert after clause 40:

41 Classification and reclassification of public land as operational land

- (1) The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*, subject to this clause.
- (2) Land described in Part 1 of Schedule 5:
 - (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.
- (3) Land described in Columns 1 and 2 of Part 2 of Schedule 5, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land except:
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 5, and
 - (b) any reservations that except land out of a Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).
- (4) ... In this clause, *the relevant amending plan*, in relation to land described in Part 2 of Schedule 5, means the local environmental plan that inserted the land description in that Part.
- (5) Before the relevant amending plan inserted a description of land into Part 2 of Schedule 5, the Governor approved of subclause (3) applying to the land.

Cabonne Local Environmental Plan 1991 (Amendment No 22)

Schedule 1 Amendments

[2] **Schedule 5**

Insert after Schedule 4:

Schedule 5 Classification and reclassification of public land as operational land

(Clause 41)

Part 1 Interests not changed

Locality	Description
Molong	
Euchareena Road	Lot 10, DP 1034198, as shown edged heavy black on the map marked "Cabonne Local Environmental Plan 1991 (Amendment No 22)".

Part 2 Interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged



New South Wales

Cessnock Local Environmental Plan 1989 (Amendment No 114)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (NEW0000202/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 114)

Cessnock Local Environmental Plan 1989 (Amendment No 114)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 114)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 6 (b) (the Proposed Open Space Zone) to Zone No 2 (a) (the Residential "A" Zone) under *Cessnock Local Environmental Plan 1989*.

3 Land to which plan applies

This plan applies to Lots 7 and 8, DP 13484, Chidgey Street, Cessnock, as shown edged heavy black and lettered "2 (a)" on the map marked "Cessnock Local Environmental Plan 1989 (Amendment No 114)" deposited in the office of Cessnock City Council.

4 Amendment of Cessnock Local Environmental Plan 1989

Cessnock Local Environmental Plan 1989 is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Cessnock Local Environmental Plan 1989 (Amendment No 114)



New South Wales

Hastings Local Environmental Plan 2001 (Amendment No 43)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G91/00247/S69; 32.2004.0006.1)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 43)

Hastings Local Environmental Plan 2001 (Amendment No 43)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hastings Local Environmental Plan 2001 (Amendment No 43)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to Zone 1 (r1) Rural Residential under *Hastings Local Environmental Plan 2001* to facilitate rural residential development.

3 Land to which plan applies

This plan applies to part Lot 4, DP 614729 (1718 Oxley Highway, Kings Creek) and Lot 1, DP 1019564 and part Lot 4, DP 228363, Oxley Highway, Kings Creek, as shown edged heavy black, coloured light brown and lettered "1 (r1)" on the map marked "Hastings Local Environmental Plan 2001 (Amendment No 43)" 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 43)



New South Wales

Newcastle Local Environmental Plan 2003 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N04/00076/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Newcastle Local Environmental Plan 2003 (Amendment No 2)

Newcastle Local Environmental Plan 2003 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Newcastle Local Environmental Plan 2003 (Amendment No 2)*.

2 Aims of plan

This plan aims to amend *Newcastle Local Environmental Plan 2003* to enable development for the purposes of seniors housing to be carried out with development consent in accordance with *State Environmental Planning Policy (Seniors Living) 2004* on the land to which this plan applies.

3 Land to which plan applies

This plan applies to Lot 5, DP 654265, known as 138 Lake Road, Elernmore Vale, as shown edged heavy black on the map marked "Newcastle Local Environmental Plan 2003 (Amendment No 2)" deposited in the office of Newcastle City Council.

4 Amendment of Newcastle Local Environmental Plan 2003

Newcastle Local Environmental Plan 2003 is amended as set out in Schedule 1.

Newcastle Local Environmental Plan 2003 (Amendment No 2)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 26A

Insert after clause 26:

26A Development for certain additional purposes

- (1) Nothing in this plan prevents a person, with the consent of the consent authority, from carrying out development on land referred to in Schedule 8 for a purpose specified in relation to that land in that Schedule, subject to such conditions (if any) as are so specified.
- (2) Subclause (1) does not affect the application to or in respect of development to which this clause applies of such of the provisions of this plan as are not inconsistent with that subclause or with a consent granted by the consent authority in respect of the development.

[2] Schedule 8

Insert after Schedule 7:

Schedule 8 Development for certain additional purposes

(Clause 26A)

Lot 5, DP 654265, known as 138 Lake Road, Elmore Vale, as shown edged heavy black on the map marked "Newcastle Local Environmental Plan 2003 (Amendment No 2)"

Seniors housing (within the meaning of *State Environmental Planning Policy (Seniors Living) 2004*), comprising a residential care facility with a maximum capacity of 120 beds, subject to the following conditions:

- (a) compliance with *State Environmental Planning Policy (Seniors Living) 2004* as if that policy (clause 4 excepted) applied to the land,
- (b) the making of a development application to the Council within 5 years after the date of gazettal of *Newcastle Local Environmental Plan 2003 (Amendment No 2)*,
- (c) an appropriate Asset Protection Zone (APZ), as determined by the NSW Rural Fire Service, to be provided wholly within the boundaries of the land.



New South Wales

Shellharbour Rural Local Environmental Plan 2004 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (WOL2000677/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Shellharbour Rural Local Environmental Plan 2004 (Amendment No 2)

Shellharbour Rural Local Environmental Plan 2004 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Shellharbour Rural Local Environmental Plan 2004 (Amendment No 2)*.

2 Aims of plan

This plan aims to amend *Shellharbour Rural Local Environmental Plan 2004* to change the adoption date for the development control plans relating to exempt and complying development referred to in that Plan.

3 Land to which plan applies

This plan applies to all land to which *Shellharbour Rural Local Environmental Plan 2004* applies.

4 Amendment of Shellharbour Rural Local Environmental Plan 2004

Shellharbour Rural Local Environmental Plan 2004 is amended as set out in Schedule 1.

Shellharbour Rural Local Environmental Plan 2004 (Amendment No 2)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 11 Exempt and complying development

Omit “Development Control Plan No 9/98 (*Shellharbour City Council—Exempt Development Control Plan*), as amended on 18 June 2003” from clause 11 (1).

Insert instead “*Shellharbour Development Control Plan No 11/98 for Exempt Development*, as in force on 4 May 2005”.

[2] Clause 11 (2)

Omit “Development Control Plan No 11/98 (*Shellharbour City Council—Complying Development Control Plan*), as in force on 11 December 2002”.

Insert instead “*Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force on 4 May 2005”.

[3] Clause 11 (4)

Omit “Development Control Plan No 11/98 (*Shellharbour City Council—Complying Development Control Plan*)”.

Insert instead “*Shellharbour Development Control Plan No 11/98 for Complying Development*”.



New South Wales

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P03/00378/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wollondilly Local Environmental Plan 1991 (Amendment No 56)*.

2 Aims of plan

The aims of this plan are:

- (a) to provide for a residential zone for comprehensive development (Zone No 2 (e)) under *Wollondilly Local Environmental Plan 1991* (the *principal plan*), and
- (b) to allow, with the consent of Wollondilly Shire Council, development for the purpose of home enterprises (amongst other development) within Zone No 2 (e), and
- (c) to make provision in the principal plan for the protection of environmentally sensitive land, and
- (d) to rezone certain land:
 - (i) to permit comprehensive, well designed, residential development that is environmentally sensitive and complements the natural environment, and
 - (ii) to permit a range of retail, commercial, recreational, community, employment and education uses to meet the needs of residents of the locality (including a golf course development that will make use of treated effluent, resulting from residential and other development, for irrigation purposes), and
 - (iii) to integrate new development with the township of Wilton, and
 - (iv) to ensure that the continuation or expansion of coal mining operations (including associated surface infrastructure) under mining leases or exploration licences is not unduly constrained by residential development, and
 - (v) to encourage development that is undertaken in pursuit of sustainable development principles, and

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Clause 3

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- (vi) to protect and manage environmentally significant areas and the watercourses within those areas, and
 - (vii) to prohibit certain development including development for the purpose of multiple dwellings.

3 Land to which plan applies

To the extent that this plan rezones land, it applies to Lot 101, DP 1045369 and Lot 6, DP 836296, generally east of the Hume Highway and north of Picton Road, near Wilton, as shown edged heavy black on the map marked “Wollondilly Local Environmental Plan 1991 (Amendment No 56)”, deposited in the office of Wollondilly Shire Council.

Otherwise this plan applies to all of the land to which *Wollondilly Local Environmental Plan 1991* applies.

4 Amendment of Wollondilly Local Environmental Plan 1991

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

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Definitions

Insert in alphabetical order in clause 6 (1):

environmentally significant land map means the map marked “Wollondilly Local Environmental Plan 1991 Environmentally Significant Land Map” as amended by the maps (or specified sheets of the maps) marked as follows:

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

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

Insert in appropriate order:

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

[3] Clause 9 Zones indicated on the map

Insert after the matter relating to Zone No 2 (d):

Zone No 2 (e) (Residential “E” Comprehensive Development Zone)—black edging and lettered “2 (e)”.

[4] Clause 10 Zone objectives and development control table

Insert after the matter relating to Zone No 2 (d):

Zone No 2 (e) (Residential “E” Comprehensive Development Zone)

1 Objectives of zone

The objectives of this zone are:

- (a) to provide for the comprehensive development of land for primarily residential and recreational purposes in a way that is environmentally sensitive and complements the natural environment, and
- (b) to permit a range of retail, commercial, recreational, community, employment and education uses to meet the needs of residents of the locality, and
- (c) to enable the appropriate location within the zone of gas drainage infrastructure required for underground coal mining, having regard to the impact on the amenity of

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Amendments

Schedule 1

residential areas, and to ensure that such infrastructure is designed in accordance with industry best practice guidelines, where existing, and

- (d) to ensure that development has regard to any applicable mine subsidence requirements of the Mine Subsidence Board, and
- (e) to encourage development that meets sustainable development principles, including integrated water cycle management and high quality, water sensitive, urban design practices, and
- (f) to encourage development that demonstrates a high quality of urban design and building design, including optimisation of passive solar design and energy efficiency, and
- (g) to provide for pedestrian and bicycle access to and within development, and
- (h) to encourage local employment by facilitating home-based business and employment opportunities.

2 Without development consent

Nil.

3 Only with development consent

Any purpose other than a purpose included in Item 2 or 4.

4 Prohibited

Abattoirs; advertising structures; agriculture; amusement centres; bulk stores; caravan parks; earth moving establishments; extractive industries; generating works; industries referred to in Schedule 2; institutions; junk yards; liquid fuel depots; motels; motor showrooms; multiple dwellings; plant and equipment hire; roadside stalls; sawmills; stock and sale yards; turf farming; warehouses.

[5] Clause 14C

Insert after clause 14B:

14C Home enterprises

- (1) Development of land to which this plan applies for the purpose of home enterprises must not be carried out except as provided by this clause, despite any other provision of this plan.

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Schedule 1 Amendments

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- (2) Development of the kind referred to in subclause (1) may be carried out on land within Zone No 2 (e) but only with the consent of the consent authority.
- (3) In this clause:
home enterprise means the use of a dwelling or the land on which a dwelling is located, or of another building associated with a dwelling on any such land, for the purpose of an office, light industry or business, but only if:
- (a) the use is undertaken by the permanent residents of the dwelling, whether or not others are employed, and
 - (b) the use does not interfere unreasonably in any way with the amenity of adjoining properties or the locality in which the dwelling is situated, and
 - (c) the use does not involve the public display or retail sale of any goods from the premises, and does not include a different land use defined in clause 6, and
 - (d) the use does not employ more than 4 non-residents at any one time or have a floor space exceeding 50 square metres, and
 - (e) the use does not involve a brothel.

[6] Clauses 48–50

Insert after clause 47:

48 Limitations on development within Zone No 2 (e)

A development control plan relating to land within Zone No 2 (e) may recommend restrictions on specific types of development allowed with consent on the land.

49 Environmentally significant land

- (1) This clause applies to all land shown on the environmentally significant land map with diagonal hatching and specified in Schedule 7.
- (2) The objectives of designating land as environmentally significant land and for development of that land are as follows:
 - (a) to identify environmentally significant land, and
 - (b) to maintain biodiversity, and
 - (c) to retain and enhance the natural functions of riparian corridors, and

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Amendments

Schedule 1

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- (d) to provide for controlled pedestrian and bicycle access to, and sensitively integrated fire trails on, such land, and
 - (e) to allow for controlled recreational uses having regard to environmentally significant values of the land, and
 - (f) to protect items and places of Aboriginal heritage significance, and
 - (g) to enable the appropriate location on such land of gas drainage infrastructure required for underground coal mining, having regard to environmentally significant values of the land, and to ensure that such infrastructure is designed in accordance with industry best practice guidelines, where existing.
- (3) Before granting consent to the carrying out of development on land to which this clause applies, the consent authority must be satisfied that the development:
- (a) would substantially retain existing vegetation, and
 - (b) would not adversely affect to a significant extent:
 - (i) the ecological value of the existing bushland vegetation, or
 - (ii) native fauna, or
 - (iii) the scenic qualities of the locality.
- (4) Before granting consent to the carrying out of development on land to which this clause applies, the consent authority must consider whether:
- (a) the locality has high biological diversity, and
 - (b) the locality contains:
 - (i) a disjunct population of native species or a species that is near the limit of its geographic range, or
 - (ii) riparian vegetation, or
 - (iii) vegetation associated with wetlands, and
 - (c) the land has connective importance as, or as part of, a corridor of bushland forming a connection that allows for the potential passage of species of flora or fauna between two or more areas of bushland, and
 - (d) the vegetation is adequately represented on land in the general locality, and
 - (e) the land is important as a site along a migratory route for wildlife, and

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Schedule 1 Amendments

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- (f) the land functions as an important drought refuge for wildlife, and
 - (g) clearing of the land would be likely to contribute significantly to:
 - (i) soil erosion, or
 - (ii) salinisation of soil or water, or
 - (iii) acidification of soil, or
 - (iv) landslip, or
 - (v) deterioration in the quality of surface or ground water, or
 - (vi) increased flooding, or
 - (h) there is any need to conserve all or some of the bushland because:
 - (i) of its unusually good condition or its significance as a sample of its type, or
 - (ii) the development will increase the perimeter of the bushland, and so the ratio of the boundary to the area of the bushland, making it more vulnerable to negative impacts, or
 - (iii) there is an archaeological site that has Aboriginal heritage significance on the land.
- (5) Consent must not be granted to development on land to which this clause applies for the purpose of gas drainage infrastructure required for underground coal mining unless:
- (a) the consent authority is satisfied, after consultation with the Department of Primary Industries, and taking into account the environmentally significant values of the land, that the location of the infrastructure is appropriate, and
 - (b) the consent authority is satisfied that the design of the infrastructure is in accordance with industry best practice guidelines, where existing.

50 Development of certain land, Lot 101 DP 1045369 and Lot 6 DP 836296, Wilton

Schedule 8 has effect with respect to land at Wilton Park described in that Schedule.

[7] Schedule 1, heading

Omit "Items of the environmental heritage" from the heading.

Insert instead "Heritage items".

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Amendments

Schedule 1

[8] Schedule 1

Insert after item 4 under the heading “**WILTON**”:

- 5 Aboriginal shelter sites at Lot 101 DP 1045369 (Wilton).

[9] Schedules 7 and 8

Insert after Schedule 6:

Schedule 7 Environmentally significant land

(Clause 49 (1))

Location	Property description
<u>Wilton</u> Condell Park Road	Part of Lot 101, DP 1045369, known as “Wilton Park”

Schedule 8 Special provisions for land at Wilton Park

(Clause 50)

1 Land to which Schedule applies

The provisions of this Schedule apply to Lot 101, DP 1045369, and Lot 6, DP 836296, near Wilton, as shown edged heavy black on the map marked “Wollondilly Local Environmental Plan 1991 (Amendment No 56)”.

2 Development control plan for the land

- (1) Consent must not be granted to a development application relating to the land to which this Schedule applies unless a development control plan for the land has been approved by the consent authority.
- (2) If the consent authority has not approved a development control plan for the land within 60 days after the date of publication in the Gazette of *Wollondilly Local Environmental Plan 1991 (Amendment No 56)*, the consent authority must determine any development application made in respect of the land after the expiration of that period even though no development control plan has been approved by the consent authority.

Page 9

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Schedule 1 Amendments

3 Residential development

- (1) Consent must not be granted to a subdivision that creates an allotment if the consent authority is of the opinion that the allotment will be used for residential purposes unless the consent authority is satisfied that:
 - (a) the allotment is capable of being serviced by a reticulated sewerage system that allows treated water to be supplied to residences for watering gardens and to any golf course within the land to which this Schedule applies for the purpose of its irrigation, and
 - (b) the allotment will be supplied by an adequate water supply and serviced by an adequate reticulated sewerage system of the kind referred to in paragraph (a), and
 - (c) if the allotment includes land the surface of which is or, after any proposed filling has been carried out, will be below the 1 percent annual event probability post-mining flood level, appropriate flood control measures can be taken or imposed to ensure that any residential building on the allotment will not be detrimentally affected by flooding.
- (2) Consent must not be granted to residential development:
 - (a) on land the surface of which is or, or after any proposed filling has been carried out, will be below the 1 percent annual event probability post-mining flood level, or
 - (b) if the floor level of any habitable part of a residential building resulting from the carrying out of the development will be less than the height above that flood level that is considered by the consent authority as adequate to avoid any adverse effect from flooding.
- (3) Consent must not be granted to a subdivision for the purpose of residential development in the vicinity of a sewage treatment plant unless the consent authority:
 - (a) has considered an odour impact study:
 - (i) that identifies the land potentially affected by offensive odour from the plant, and
 - (ii) that is prepared in accordance with such relevant requirements of the consent authority, the Department of Environment and Conservation and Sydney Water Corporation, as have been notified to, and are available from, the council, and

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Amendments

Schedule 1

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- (b) is satisfied that the development will be located at an appropriate distance away from the plant and in accordance with any guidelines adopted by the consent authority for the location of dwelling-houses in proximity to sewage treatment plants.
- (4) Consent must not be granted to residential development unless the consent authority:
- (a) has considered the likely impact on the proposed development of authorised underground coal mining operations in the vicinity, and
 - (b) has considered a report prepared by a suitably qualified and experienced coal geologist that examines the risk relating to geological anomaly within the coal resource under the land the subject of the proposed development, and
 - (c) is satisfied, after consultation with the Department of Primary Industries, that the proposed development is not likely to unduly constrain underground coal mining.
- (5) Consent must not be granted to a subdivision for the purpose of residential development unless:
- (a) the consent authority has considered any guidelines adopted by the consent authority for the location of dwelling-houses in proximity to gas drainage boreholes (being guidelines prepared by the consent authority after consultation with the Department of Primary Industries, the Department of Planning and the Department of Environment and Conservation), and
 - (b) the consent authority has considered, in consultation with the Department of Primary Industries, whether any exploration:
 - (i) that is required in the vicinity in connection with authorised underground coal mining operations, and
 - (ii) that the consent authority considers is likely to have an impact on or be impacted on, by the proposed development,has been completed and, if not completed, the scheduled, and the likely, time for its completion, and
 - (c) the consent authority has considered, in consultation with the Department of Primary Industries, whether the proposed development is likely to unduly constrain the continuation or expansion of authorised underground coal mining operations in the vicinity, and

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Schedule 1 Amendments

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- (d) the consent authority has identified, in consultation with the Department of Primary Industries, appropriate sites for air vent shafts and gas drainage boreholes, in connection with authorised underground coal mining operations, in approved locations on or in the vicinity of the land the subject of the proposed development.
 - (6) Consent must not be granted to development for the purpose of gas drainage infrastructure required in connection with authorised underground coal mining operations unless the consent authority is satisfied:
 - (a) that the infrastructure is or will be designed in accordance with industry best practice guidelines, where existing, and
 - (b) the infrastructure will be located in an approved location.

4 Further restriction on subdivision for purpose of residential development

- (1) Consent must not be granted to a subdivision for the purpose of residential development that will create a lot with an area of less than 40 hectares unless:
 - (a) the Director-General has certified in writing to the council that satisfactory arrangements have been made for contributions to the provision of regional transport infrastructure and services in relation to the land comprising that lot, and
 - (b) the provisions of any agreement for those or any other contributions relating to the proposed development have been complied with.
- (2) The object of contributions referred to in subclause (1) (a) is to require assistance towards the provision of regional transport infrastructure and services to satisfy needs that will arise from intensive urban development of land to which this Schedule applies.
- (3) The reference in subclause (1) to a lot of less than 40 hectares does not include a reference to any such lot:
 - (a) that is identified in the certificate of the Director-General as a residue lot, or
 - (b) that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities or any other public purpose.

Wollondilly Local Environmental Plan 1991 (Amendment No 56)

Amendments

Schedule 1

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- (4) This clause does not apply to a subdivision of land for the purpose of rectifying an encroachment on any existing allotment.
 - (5) *State Environmental Planning Policy No 1—Development Standards* does not apply to development to which this clause applies.
 - (6) This clause has effect despite any other provisions of this plan.

5 Development in vicinity of heritage items

- (1) Consent must not be granted to the erection of a building or the carrying out of a work within 250 metres of a heritage item unless the consent authority has considered a conservation management plan for the item.
- (2) Subclause (1) operates in addition to, and does not derogate from, any other provision of this plan relating to heritage items.

6 Definitions

In this Schedule:

approved location in relation to coal mining infrastructure (including air vent shafts and gas drainage boreholes) means:

- (a) a location shown for such infrastructure on the map marked “Wollondilly Local Environmental Plan 1991 (Amendment No 56) Coal Mining Infrastructure Map”, or
- (b) a location that has been approved by the Director-General of the Department of Primary Industries for such infrastructure.

conservation management plan means a document prepared to the satisfaction of the council that establishes the heritage significance of an item or place and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

authorised underground coal mining operations means underground coal mining operations carried out under mining leases or exploration licences.

Department of Primary Industries

Agriculture

NOXIOUS WEEDS ACT 1993

Appointment of Member to Noxious Weeds Advisory Committee

I, IAN MACDONALD MLC, NSW Minister for Primary Industries, pursuant to Section 58 of the Noxious Weeds Act 1993, appoint Peter SEMPLE, nominee of RailCorp, to the Noxious Weeds Advisory Committee for a term commencing on the date hereof and expiring on 31 December 2007.

Dated this 5th day of August 2005.

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

Explanatory Note: This fishing closure prohibits the taking of all species of oysters for commercial, aquaculture or recreational purposes from the waters of the Hawkesbury River and Patonga Creek. The taking of oysters and related activity for aquaculture purposes is subject to a quarantine order made under section 183 of the Fisheries Management Act 1994 and the provisions of Part 6 of that Act. Details regarding the quarantine order are available from the Biosecurity Manager, NSW Department of Primary Industries at Port Stephens Fisheries Centre 02 4982 1232 and NSW Department of Primary Industries web site www.dpi.nsw.gov.au.

EXHIBITED ANIMALS PROTECTION ACT 1986

Appointment of Member Exhibited Animals Advisory Committee

I, Ian Macdonald MLC, Minister for Primary Industries, pursuant to section 6(4)(b) of the Exhibited Animals Protection Act 1986, appoint Mr William Meikle to the Exhibited Animals Advisory Committee, for a three year term of office from the date of this letter.

Dated this 16th day of August 2005.

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

FISHERIES MANAGEMENT ACT 1994

Order under Section 183 – Quarantine Order
QX Disease

Hawkesbury River and Patonga Creek

I, Douglas Frazer Hocking, Acting Deputy Director-General Agriculture, Fisheries and Regional Relations, pursuant to section 183 of the Fisheries Management Act 1994, (“the Act”) and with the delegated authority of the NSW Minister for Primary Industries and the Director-General of NSW Department of Primary Industries under sections 227 and 228 of that Act, do by this order:

1. revoke the ‘Notification - Quarantine Area’ for the Hawkesbury River and Patonga Creek published in NSW Government Gazette No. 54 on 13 May 2005 at page 1708, and any order revived as a result of this revocation;
2. declare the Hawkesbury River and Patonga Creek to be a quarantine area, (“the quarantine area”), because of the presence or suspected presence of the declared disease marteiliosis (QX disease);
3. prohibit the taking of all species of oysters from the quarantine area otherwise than in accordance with this order;
4. exclude sections 185 and 186 of the Fisheries Management Act 1994 with respect to oysters taken from the quarantine area or any part of the quarantine area in accordance with this order;
5. subject to paragraph 6 below, require all holders of aquaculture permits within the quarantine area to only take oysters from the quarantine area under the following conditions:
 - a. Oysters taken from aquaculture permit areas in the Hawkesbury River may be relocated to aquaculture permit areas in the Hawkesbury River.
 - b. Oysters taken from aquaculture permit areas in Patonga Creek may be relocated to aquaculture permit areas in Patonga Creek or the Hawkesbury River.
 - c. Oysters taken from aquaculture permit areas in Patonga Creek and Hawkesbury River may be relocated to aquaculture permit areas in the Georges River and Botany Bay, including their bays and tributaries, subject to the oyster shipment logbook protocol.

FISHERIES MANAGEMENT ACT 1994

Notification under Section 8 – Fishing Closure

Hawkesbury River and Patonga Creek

I, Douglas Frazer Hocking, Acting Deputy Director-General Agriculture, Fisheries and Regional Relations, pursuant to section 8 of the Fisheries Management Act 1994, (“the Act”) and with the delegated authority of the NSW Minister for Primary Industries and the Director-General of NSW Department of Primary Industries under sections 227 and 228 of that Act, do by this notification:

1. revoke the fishing closure notification for the Hawkesbury River and Patonga Creek published in NSW Government Gazette No. 54 on 13 May 2005 at page 1708, and any notification revived as a result of this revocation; and
2. prohibit the taking of all species of oysters in all waters of the Hawkesbury River, including its bays and tributaries, and all waters of Patonga Creek with the following exception:
 - (i) Oysters may be taken pursuant to the provisions of any quarantine order that applies to those waters and that may be in place at the relevant time.

This notification will be effective for a period of five years from the date of publication.

D. F HOCKING,
Acting Deputy Director-General
Agriculture, Fisheries and Regional Relations
NSW Department of Primary Industries

- d. Oysters may be taken and used for human consumption provided that they are depurated in depuration plants located in or adjacent to the quarantine area or in accordance with a protocol approved by the Deputy Director-General Agriculture, Fisheries and Regional Relations.
- e. Oysters may be taken and culled in or adjacent to the quarantine area, subject to conditions 5a – d, or in accordance with a protocol approved by the Deputy Director-General Agriculture, Fisheries and Regional Relations.
- f. Oysters and/or oyster cultivation material and infrastructure may only be taken for disposal or relocation to places approved by the Deputy Director-General Agriculture, Fisheries and Regional Relations and in accordance with protocols approved by that officer.
6. require all holders of aquaculture permits within the quarantine area to follow all directions of a fisheries officer made under section 183(4) (b) of the Act.

Definitions

In this order:

"Hawkesbury River" includes all bays and tributaries of the Hawkesbury River, together with the banks and foreshores and any jetty, wharf, boat ramp or land used for aquaculture purposes in the immediate vicinity of its waters;

"Patonga Creek" includes the banks and foreshores and any jetty, wharf, boat ramp or land used for aquaculture purposes in the immediate vicinity of its waters.

This order shall be in force for a period of five years from the date of publication.

D. F. HOCKING,
Acting Deputy Director-General
Agriculture, Fisheries and Regional Relations
NSW Department of Primary Industries

Explanatory Note: The object of this order is to ensure an effective control program regarding the disease marteiliosis (QX disease) which affects Sydney rock oysters. Copies of the protocols regarding the taking and possession of oysters under this order are available from NSW Department of Primary Industries, Port Stephens Fisheries Centre, Taylors Beach Road, Taylors Beach phone 02 4982 1232.

Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(05-251)

No. 2571, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), area of 62 units, for Group 1, dated 5 September 2005. (Cobar Mining Division).

(05-252)

No. 2572, BIACIL PTY LTD (ACN 099 826 972), area of 100 units, for Group 1, dated 5 September 2005. (Armidale Mining Division).

(05-253)

No. 2573, INDEPENDENCE GROUP NL, area of 254 units, for Group 1, dated 5 September 2005. (Cobar Mining Division).

(05-254)

No. 2574, AUSTRALIAN DOLOMITE COMPANY PTY LIMITED (ACN 000 810 551), area of 4 units, for Group 2, dated 7 September 2005. (Orange Mining Division).

(05-255)

No. 2575, ZEDEX MINERALS LIMITED (ACN 107 523 428), area of 87 units, for Group 1, dated 7 September 2005. (Armidale Mining Division).

(05-256)

No. 2576, ILUKA RESOURCES LIMITED (ACN 008 675 018), area of 441 units, for Group 10, dated 8 September 2005. (Wagga Wagga Mining Division).

(05-257)

No. 2577, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), area of 90 units, for Group 1, dated 8 September 2005. (Wagga Wagga Mining Division).

IAN MACDONALD, M.L.C.,
Minister for Natural Resources,
Minister for Primary Industries
and Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(05-187)

No. 2506, now Exploration Licence No. 6463, REPUBLIC GOLD LIMITED (ACN 106 399 311), County of Georgiana, Map Sheet (8829, 8830), area of 28 units, for Group 1, dated 5 September 2005, for a term until 5 September 2007.

(05-217)

No. 2536, now Exploration Licence No. 6462, MOLY MINES LIMITED (ACN 103 295 521), Counties of Murray and St Vincent, Map Sheet (8826, 8827), area of 100 units, for Group 1, dated 1 September 2005, for a term until 31 August 2007. As a result of the grant of this title, Exploration Licence No. 6138 and Exploration Licence No. 6351 have ceased to have effect.

IAN MACDONALD, M.L.C.,
Minister for Natural Resources,
Minister for Primary Industries
and Minister for Mineral Resources

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

(T92-0565)

Exploration Licence No. 4619, PROVIDENCE GOLD AND MINERALS PTY LTD (ACN 004 881 789), area of 4 units. Application for renewal received 8 September 2005.

(T93-0804)

Exploration Licence No. 4702, PROVIDENCE GOLD AND MINERALS PTY LTD (ACN 004 881 789), area of 8 units. Application for renewal received 8 September 2005.

(T99-0123)

Exploration Licence No. 5623, MILLENNIUM MINERALS (OPERATIONS) PTY LIMITED (ACN 077 507 521), area of 41 units. Application for renewal received 8 September 2005.

(C02-0210)

Exploration Licence No. 5993, CREEK RESOURCES PTY LTD (ACN 100 228 886) and BETALPHA PTY LTD (ACN 105 663 518), area of 97 hectares. Application for renewal received 7 September 2005.

(T03-0092)

Exploration Licence No. 6142, NEWCREST OPERATIONS LIMITED (ACN 009 221 505) and AURIONGOLD EXPLORATION PTY LIMITED (ACN 067 813 932), area of 153 units. Application for renewal received 2 September 2005.

IAN MACDONALD, M.L.C.,
Minister for Natural Resources,
Minister for Primary Industries
and Minister for Mineral Resources

RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authority has been renewed:

(T03-0013)

Exploration Licence No. 6087, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), County of Ashburnham, Map Sheet (8531), area of 45 units, for a further term until 2 June 2007. Renewal effective on and from 5 September 2005.

IAN MACDONALD, M.L.C.,
Minister for Natural Resources,
Minister for Primary Industries
and Minister for Mineral Resources

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(T00-0049)

Exploration Licence No. 5756, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Cunningham and County of Kennedy, Map Sheet (8332), area of 5 units. Cancellation took effect on 6 September 2005.

IAN MACDONALD, M.L.C.,
Minister for Natural Resources,
Minister for Primary Industries
and Minister for Mineral Resources

Roads and Traffic Authority

ROADS ACT 1993

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

NARRABRI 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 Road Trains may be used subject to any requirements or conditions set out in the Schedule.

IAN McCALLUM,
General Manager,
Narrabri Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Narrabri Shire Council Road Train Notice No. 1/2005.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until 30 June 2008, unless it is amended or repealed earlier.

4. Application

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

5. Routes

Road Train routes within the Narrabri Shire Council.

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R.T.	N/A	Saleyards Lane, Narrabri	Intersection SH17 (Newell Highway) and Saleyards Lane	Intersection of Namoi Street and Saleyards Lane	Maximum Speed limit 50km/hr

ROADS ACT 1993

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

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

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

SCHEDULE
1. Citation

This Notice may be cited as the Shoalhaven City Council B-Doubles Notice No. 1/2005.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2010, unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Shoalhaven City Council.

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	BTU Road, Nowra Hill	Princes Highway (SH1)	Entrance to Boral Timbers, BTU Road	Entrance and exit at Boral Timbers to be sealed from edge of bitumen to boundary

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT

Order

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

IAN KINGSLEY,
Commissioner for Vocational Training

Commencement

1. This Order takes effect from the date of publication in the NSW Government Gazette.

Amendment

2. The Apprenticeship and Traineeship Orders are amended by:

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

Manufacturing

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of making a Vocational Training Order

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

CITATION

The order is cited as the Manufacturing Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

(i) **Full-time**

Training shall be given, via direct entry, for a nominal term of:

<i>Qualification</i>	<i>Nominal Term</i>
Certificate III in Competitive Manufacturing MCM30104	24 months
Certificate IV in Competitive Manufacturing* MCM40104	36 months

or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

* person who has completed the Certificate III in Competitive Manufacturing (MCM30104) and who seeks to achieve the Certificate IV in Competitive Manufacturing (MCM40104) will be entitled to credit for unit/s of competency already completed based on the Competitive Manufacturing Training Package MCM04 qualification packaging rules. Where such an assessment of credit is made by the Registered Training Organisation, the nominal term of training for the Certificate IV in Competitive Manufacturing will be appropriately reduced.

(ii) **Part-time**

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

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

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

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competence specified in the Competitive Manufacturing Training Package.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

- Certificate III in Competitive Manufacturing
MCM30104
- Certificate IV in Competitive Manufacturing
MCM40104

AVAILABILITY FOR INSPECTION

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

ASSOCIATIONS INCORPORATION ACT 1984

Transfer of Incorporation Pursuant to Section 48 (4)(a)

TAKE NOTICE that the company "Condobolin Automotive Sports Club Limited" formerly registered under the provisions of the Corporations Act 2001 is now incorporated under the Associations Incorporation Act 1984 as "Condobolin Auto Sports Club Incorporated" effective 13 September 2005.

CHRISTINE GOWLAND,
Manager, Finance
Delegate of Commissioner
Office of Fair Trading

Newcastle	10.00am	31 October 2005 (2 weeks) Sittings cancelled
Nowra	10.00am	10 April 2006 (1 week) Sittings cancelled, matters moved to Batemans Bay
Orange	10.00am	7 November 2005 (week cancelled)
Parramatta	10.00am	8 May 2006 (2 weeks) In lieu of 8 May 2006 (6 weeks)
Parramatta	10.00am	12 June 2006 (2 weeks)
Taree	10.00am	1 May 2006 (2 weeks) In lieu of 1 May 2006 (3 weeks)
Wagga Wagga	10.00am	8 May 2006 (2 weeks) In lieu of 8 May 2006 (3 weeks)
Wollongong	10.00am	30 January 2006 (4 weeks) In lieu of 30 January 2006 (5 weeks)
Wollongong	10.00am	22 May 2006 (3 weeks) In lieu of 22 May 2006 (5 weeks)

Dated this 9th day of September 2005.

R. O. BLANCH,
Chief Judge

CO-OPERATIVES ACT 1992

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

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

Riverlands Sunnyside Co-operative Limited.

Dated this 13th day of September 2005.

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

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Direction to add Fluorine to a Public Water Supply

I, Robyn Kruk, Director-General of the Department of Health, with the advice of the Fluoridation of Public Water Supplies Advisory Committee, and pursuant to section 6A of the Fluoridation of Public Water Supplies Act 1957, do hereby direct the Bellinger Shire Council to add fluorine to the Lower Bellinger and Dorrigo water supplies under its management and control.

This direction is subject to the following terms and conditions:

1. The Bellinger Shire Council may only add fluorine to the Lower Bellinger and Dorrigo water supplies in accordance with any provisions, directions or approvals made under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act as amended from time to time, and the Fluoridation of Public Water Supplies Regulation 2002.
2. The Bellinger Shire Council shall maintain the content of fluorine in the Lower Bellinger and Dorrigo water supplies at a target concentration level of 1.0 mg/L with an overall accuracy of +/- 5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies.
3. The Bellinger Shire Council shall have commenced the upward adjustment of fluorine in the Lower Bellinger and Dorrigo water supplies by no later than 30 September 2006, unless otherwise approved by the Chief Dental Officer of NSW Health or that officer's approved representative.

Signed at Sydney this twelfth day of September 2005.

ROBYN KRUK,
Director-General

DISTRICT COURT OF NEW SOUTH WALES

Direction

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

Wollongong	10.00 a.m.	7 November 2005 (1 week) sitting cancelled
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Dated this 9th day of September 2005.

R. O. BLANCH,
Chief Judge

DISTRICT COURT OF NEW SOUTH WALES

Direction

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

Wollongong	10.00am	27 February 2006 (1 week)
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Dated this 9th day of September 2005.

R. O. BLANCH,
Chief Judge

DISTRICT COURT OF NEW SOUTH WALES

Direction

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

Batemans Bay	10.00am	8 May 2006 (1 week)
Bega	10.00am	8 May 2006 (1 week) Sittings cancelled, matters moved to Batemans Bay

**FLUORIDATION OF PUBLIC WATER SUPPLIES
ACT 1957**

Notification of approval of addition of Fluorine to a Public
Water Supply (Mudgee)

PURSUANT to section 6 of the Fluoridation of Public Water Supplies Act 1957, I, Robyn Kruk, Director-General of the Department of Health, do hereby approve an application by the Mid-Western Regional Council to add fluorine to the public water supply under its control (in this notification referred to as the "Mudgee Water Supply").

This approval is subject to the following terms and conditions:

1. The Mid-Western Regional Council may only add fluorine to the Mudgee Water Supply in accordance with this approval and any provisions, directions or approvals made or varied from time to time under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act as in force from time to time, and the Fluoridation of Public Water Supplies Regulation 2002 or any subsequent Regulation made in its place; and
2. The Mid-Western Regional Council shall maintain the content of fluorine in the Mudgee Water Supply at a target concentration level of 1.0 mg/L with an overall accuracy of +/- 5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies; and
3. The Mid-Western Regional Council shall have commenced the upward adjustment of fluorine in the Mudgee Water Supply by no later than 31 August 2006, unless otherwise approved by the Chief Dental Officer of NSW Health or that officer's approved representative.

Signed at Sydney this ninth day of September 2005.

ROBYN KRUK,
Director-General

**FLUORIDATION OF PUBLIC WATER SUPPLIES
ACT 1957**

Notification of approval of addition of Fluorine to a Public
Water Supply (Gulgong)

PURSUANT to section 6 of the Fluoridation of Public Water Supplies Act 1957, I, Robyn Kruk, Director-General of the Department of Health, do hereby approve an application by the Mid-Western Regional Council to add fluorine to the public water supply under its control (in this notification referred to as the "Gulgong Water Supply").

This approval is subject to the following terms and conditions:

1. The Mid-Western Regional Council may only add fluorine to the Gulgong Water Supply in accordance with this approval and any provisions, directions or approvals made or varied from time to time under the Fluoridation of Public Water Supplies Act 1957, the Code of Practice for the Fluoridation of Public Water Supplies made under that Act as in force from time to time, and the Fluoridation of Public Water Supplies Regulation 2002 or any subsequent Regulation made in its place; and

3. The Mid-Western Regional Council shall maintain the content of fluorine in the Gulgong Water Supply at a target concentration level of 1.0 mg/L with an overall accuracy of +/- 5% and within an operating range of not more than 1.5 mg/L and not less than 0.9 mg/L and generally in accordance with the provisions of Part 10 of the Code of Practice for the Fluoridation of Public Water Supplies; and

3. The Mid-Western Regional Council shall have commenced the upward adjustment of fluorine in the Gulgong Water Supply by no later than 31 August 2006, unless otherwise approved by the Chief Dental Officer of NSW Health or that officer's approved representative.

Signed at Sydney this ninth day of September 2005.

ROBYN KRUK,
Director-General

FORESTRY ACT, 1916

Revocation of Dedication

IN pursuance of Section 19B of the Forestry Act, 1916, I, IAN MACDONALD, Minister for Primary Industries, being the Minister of the Crown charged with the administration of the Forestry Act, 1916, having considered a report from the Forestry Commission of New South Wales and being of the opinion that the hereinafter described land should be made available for the purpose of ACCESS which is a Public purpose within the meaning of Section 87 of the Crown Lands Act, 1989, DO HEREBY revoke the dedication of the hereinafter described land.

Sydney, 16 September, 2005

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

EASTERN DIVISION

*Land District of Bellingen;
Coffs Harbour City & Bellingen Shire Council Area;
North East Forestry Region*

The part of Pine Creek State Forest No. 537, dedicated 3rd August, 1917, being also part of Pine Creek National Forest No. 17 declared 3rd May, 1940, in the Parish of North Bellingen, County of Raleigh, being the land within Lot 131 in Deposited Plan 1071516, having an area of about 9.636 hectares. (71217)

GEOGRAPHICAL NAMES ACT 1966

Notice of Determination of Address Locality Names and
Boundaries

Within the Gwydir Local Government Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day assigned the following names and boundaries for address localities in the Gwydir Local Government Area as shown on map GNB5030.

The names and boundaries for the address localities in the Gwydir Local government Area are; Back Creek, Balfours Peak, Bangheet, Barraba, Bingara, Biniguy, Blue Nobby, Boonal, Tulloona, Bundarra, Cobbadah, Copeton, Crooble,

Croppa Creek, Delungra, Dinoga, Elcombe, Gineroi, Graman, Gravesend, Gulf Creek, Gundamulda, Ironbark, Keera, Myall Creek, North Star, Pallal, Riverview, Rocky Creek, Upper Bingara, Upper Horton, Warialda Rail, Warialda, Yallaroo.

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

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143
BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

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

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

Proposed Name: Macartney Oval
Designation: Reserve
L.G.A.: Randwick City Council
Parish: Botany
County: Cumberland
L.P.I. Map: Botany Bay
1:100,000 Map: Sydney 9130
Reference: GNB 5040

Proposed Name: Bob-a-Day Park
Designation: Reserve
L.G.A.: Randwick City Council
Parish: Botany
County: Cumberland
L.P.I. Map: Botany Bay
1:100,000 Map: Sydney 9130
Reference: GNB 5040

Proposed Name: The Coast Hospital Memorial Park
Designation: Reserve
L.G.A.: Randwick City Council
Parish: Botany
County: Cumberland
L.P.I. Map: Botany Bay
1:100,000 Map: Sydney 9130
Reference: GNB 5040

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

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143
Bathurst NSW 2795

INTERGOVERNMENTAL AGREEMENT – CRIMES AT SEA

This Agreement is made on 16 November 2000

Between

the Commonwealth of Australia
the State of New South Wales
the State of Victoria
the State of Queensland
the State of Western Australia
the State of South Australia
the State of Tasmania
the Northern Territory

GIVEN THAT

- (a) the Commonwealth and the States have agreed to a cooperative scheme to apply the criminal law of the States extraterritorially in the areas adjacent to the coast of Australia; and
- (b) the cooperative scheme is given the force of law by the following laws:
 - (i) Crimes at Sea Act 2000 (Commonwealth);
 - (ii) Crimes at Sea Act 1998 (New South Wales);
 - (iii) Crimes at Sea Act 1999 (Victoria);
 - (iv) Crimes at Sea Act 2000 (Queensland) [as anticipated];
 - (v) Crimes at Sea Act 2000 (Western Australia);
 - (vi) Crimes at Sea Act 1998 (South Australia);
 - (vii) Crimes at Sea Act 1999 (Tasmania);
 - (viii) Crimes at Sea Act 2000 (Northern Territory) [as anticipated]; and
- (c) clause 5 of the cooperative scheme authorises the making of an intergovernmental agreement providing for the division of responsibility for administering and enforcing the law relating to crimes at sea.

Clause 1

THE COMMONWEALTH AND THE STATES AGREE AS FOLLOWS

1. Definitions

In this Agreement:

adjacent area means an area where the law of a State is applied by Commonwealth law.

adjacent State, in relation to an adjacent area, means the State whose laws are applied to that area by Commonwealth law.

applied laws, in relation to a State, means the substantive and procedural laws applied to the State by clauses 2 and 3 of the cooperative scheme.

arrival State means the participating State in which an Australian ship next arrives, with the alleged offender on board, after an offence has been committed on or from that ship within the adjacent area of another participating State.

Australian ship has the meaning given by clause 1 of the cooperative scheme.

authority has the meaning given in clause 3 of the cooperative scheme.

Commonwealth means the Commonwealth of Australia.

cooperative scheme means the legislative and administrative scheme for applying and enforcing criminal law in the areas adjacent to the coast of Australia, set out in Schedule 1 to the Crimes at Sea Act 2000 (Commonwealth).

participating State means a State that is party to the cooperative scheme and this Agreement.

State has the meaning given by clause 1 of the cooperative scheme.

2. Duty etc of an authority of an adjacent State

An authority (other than a court) of a State that has a power, duty or function (other than a power, duty or function involving the exercise of judicial power) under a provision of the criminal law of that State that is also an applied law, has a corresponding power, duty or function under the applied law.

3. International obligations to be observed

In exercising or performing powers, duties and functions under the cooperative scheme, the parties and their agencies must act so as to avoid any breach by Australia of its international obligations, in particular under the United Nations Convention on the Law of the Sea, having regard especially to the responsibilities of Australia with respect to ships of the Australian flag, and to the rights of other countries in the maritime areas to which the arrangements in this Agreement apply.

4. Application of primary responsibility

- (1) In respect of an alleged offence in an adjacent area, the adjacent State has primary responsibility for taking investigation and prosecution action under its applied laws in any of the following circumstances:
 - (a) the conduct occurs on, from or in relation to, a fixed or floating platform or other installation in that area;
 - (b) the conduct occurs on or from an Australian ship and the next place of entry to Australia is, or is intended to be at the time the conduct occurs, within that State;
 - (c) the alleged offender is an Australian citizen whose next place of entry to Australia is, or is intended to be at the time the conduct occurs, within that State.
- (2) However:
 - (a) the arrival State has primary responsibility for taking investigation and prosecution action if the conduct occurs on or from an Australian ship and the next place of entry to Australia is within that State; and
 - (b) the Commonwealth has primary responsibility for taking investigation and prosecution action in respect of any alleged offence on or from an Australian Defence Force ship when it is outside the limits of a State.

5. Investigatory etc decision to conform to standard

A decision of an authority of the State (or the Commonwealth) having primary responsibility under clause 4 whether to investigate, or further investigate, or prosecute or seek extradition, must be taken in the same manner and subject to the same considerations and policies as apply to decisions in relation to other similar alleged offences against the laws of that State or the Commonwealth.

6. Undertaking to consult

- (1) Where more than one party may take investigation or prosecution action in relation to the same alleged offence, the parties concerned must consult at the request of any of them on how the matter should be dealt with.
- (2) If, following consultation, it appears that one of those parties may more conveniently take action to investigate or prosecute the alleged offence, it should do so.

7. Undertaking to assist other parties

Bearing in mind the possible difficulties for any single party of taking action at sea in relation to an alleged offence:

- (a) any other party must, on request, give whatever assistance it considers practicable to the party with primary responsibility in relation to the alleged offence; and
- (b) the Commonwealth must, on a request for assistance being made to the Attorney-General of the Commonwealth by the Attorney-General of the State with primary responsibility in relation to the alleged offence, use its best endeavours to secure that assistance from any relevant Commonwealth department, body or agency (including the Australian Defence Force, the Australian Customs Service and the Australian Federal Police), and any such assistance may include:
 - (i) the gathering of evidence; or
 - (ii) the provision of investigating personnel; or
 - (iii) the provision of transport, communication facilities or information.

8. Date of effect

This agreement comes into effect on the commencement of Schedule 1 to the Crimes at Sea Act 2000 of the Commonwealth.

SIGNED by the Honourable Minister for Justice)
 And Customs)
 of the Commonwealth of Australia)
 In the presence of:) Amanda Vanstone
Paul Griffiths

SIGNED by the Honourable Attorney-General)
 of the State of New South Wales)
 in the presence of:) Bob Debus
John Dietrich

SIGNED by the Honourable Attorney-General)
 of the State of Victoria)
 In the presence of:) Rob Hulls
Ruvani Wickremesinghe

SIGNED by the Honourable Attorney-General)
 of the State of Queensland)
 in the presence of:) Rod Welford
Constance Johnson

SIGNED by the Honourable Attorney-General)
 of the State of Western Australia)
 in the presence of:) Peter Foss
J Thomson

SIGNED by the Honourable Attorney-General)
of the State of South Australia)
in the presence of:) Trevor Griffin
J. Selth

SIGNED by the Honourable Attorney-General)
of the State of Tasmania)
in the presence of:) Peter Patmore
P. Maloney

SIGNED by the Honourable Attorney-General)
of the Northern Territory)
in the presence of:) Denis Burke
Paul Manuell

INSTITUTE OF TEACHERS ACT 2004

2005 NSW INSTITUTE OF TEACHERS ELECTION

PURSUANT to the provisions of the Institute of Teachers Act 2004 and the regulation thereunder, the Electoral Commissioner for New South Wales will conduct a ballot to elect:

- FIVE (5) MEMBERS TO REPRESENT GOVERNMENT SCHOOL TEACHERS (AT LEAST 2 MEMBERS WHO MUST BE RURAL TEACHERS)
- ONE (1) MEMBER TO REPRESENT GOVERNMENT PRIMARY SCHOOL PRINCIPALS
- ONE (1) MEMBER TO REPRESENT GOVERNMENT SECONDARY SCHOOL PRINCIPALS
- ONE (1) MEMBER TO REPRESENT CATHOLIC SYSTEMIC SCHOOL TEACHERS
- ONE (1) MEMBER TO REPRESENT CATHOLIC SYSTEMIC SCHOOL PRINCIPALS
- ONE (1) MEMBER TO REPRESENT INDEPENDENT SCHOOL TEACHERS

to the Quality Teaching Council.

NOMINATIONS

Nominations are invited from any person who is enrolled under the Institute of Teachers Act 2004 in the following categories.

QUALIFICATIONS TO BE NOMINATED

General qualifications

A person is qualified to be nominated as a candidate for an election if the person:

- (a) has the qualifications specified below, and
- (b) has not served more than one full term as a member of the Council (whether an elected member, an appointed member or the chairperson), and
- (c) is not a candidate for another category of election, and

Election of representatives of government school teachers

Any person who, at the time of nomination:

- (a) is enrolled as a person employed to teach (other than as a principal) in a government school, and

- (b) is employed full-time or part time as a teacher in a government school,

is qualified to be nominated as a candidate for an election of one or more representatives of government school teachers.

Election of representative of government primary school principals

Any person who, at the time of nomination:

- (a) is enrolled as a person employed as a principal in a government primary school, and
- (b) holds a substantive position, and undertakes duties, as a principal in a government primary school,

is qualified to be nominated as a candidate for an election of the representative of government primary school principals.

Election of representative of government secondary school principals

Any person who, at the time of nomination:

- (a) is enrolled as a person employed as a principal in a government secondary school, and
- (b) holds a substantive position, and undertakes duties, as a principal in a government secondary school,

is qualified to be nominated as a candidate for an election of the representative of government secondary school principals.

Election of representatives of Catholic systemic school teachers

Any person who, at the time of nomination:

- (a) is enrolled as a person employed to teach (other than as a principal) in a Catholic systemic school, and
- (b) is employed full-time or part time as a teacher in a Catholic systemic school,

is qualified to be nominated as a candidate for an election of the representative of Catholic systemic school teachers.

Election of representative of Catholic systemic school principals

Any person who, at the time of nomination:

- (a) is enrolled as a person employed as a principal in a Catholic system school, and
- (b) holds a substantive position, and undertakes duties, as a principal in a Catholic systemic school,

is qualified to be nominated as a candidate for an election of the representative of Catholic systemic school principals.

Election of representative of independent school teachers

Any person who, at the time of nomination:

- (a) is enrolled as a person employed to teach (whether or not as a principal) in a non-government school that is not a Catholic systemic school, and
- (b) is employed full-time or part time as a teacher, or the duties of a principal, in a non-government school that is not a Catholic systemic school,

is qualified to be nominated as a candidate for an election of the representative of independent school teachers.

QUALIFICATIONS FOR NOMINATING CANDIDATES

A person is qualified to nominate a candidate for an election of a particular category only if the person is, at the time of nomination, also qualified to be nominated as a candidate for that category.

A nomination must be made by at least 2 persons (other than the candidate) who are qualified to nominate a candidate for that category of election.

A Statutory Declaration in Support of Candidature (Form 1) may be completed by each candidate, details from which will be included in a Candidate Information Sheet which will accompany ballot papers when despatched.

Forms of nomination and Statutory Declarations in Support of Candidature (Form 1) are available from the State Electoral Office, telephone (02) 9200 5999, or from the NSW Institute of Teachers, telephone 1800 739 338.

CLOSE OF NOMINATIONS

NOMINATIONS AND STATUTORY DECLARATIONS IN SUPPORT OF CANDIDATURE MUST BE RECEIVED BY THE RETURNING OFFICER, STATE ELECTORAL OFFICE, NOT LATER THAN **NOON, WEDNESDAY 5 OCTOBER 2005**. THEY MAY BE HAND DELIVERED TO THE STATE ELECTORAL OFFICE, LEVEL 20, 207 KENT STREET, SYDNEY; POSTED TO PO BOX 693 GROSVENOR PLACE NSW 1220 OR FAXED TO (02) 9200 5939.

Any defects in a nomination or alterations or additions to a Statutory Declaration in Support of Candidature must be rectified by the candidate prior to the close of nominations. Any candidate wishing to withdraw a nomination must do so in writing so as to be received by the Returning Officer prior to the close of nominations.

Should a ballot be necessary, a draw to determine the order of candidates' names on the ballot paper will be held at 10.00 a.m. Thursday, 6 October 2005, at the State Electoral Office. All candidates, or their representatives, are invited to be present to witness the draw.

VOTING

Should a ballot be necessary, a postal ballot will be conducted to close at Noon, Wednesday 23 November 2005.

ENTITLEMENT TO VOTE

Any person is entitled to vote at an election of the category for which the person is specified on the electoral list as being entitled to vote at the close of the electoral list.

The roll for this election will close at Noon, Wednesday 5 October 2005.

Teachers are advised to check their enrolment status and current address with the NSW Institute of Teachers, telephone 1800 739 338.

Any enquiries concerning this election should be directed to the State Electoral Office, telephone (02) 9200 5999 or 1300 135 736.

BRIAN DECELIS,
Returning Officer
State Electoral Office

LOCAL GOVERNMENT ACT 1993

Pacific Palms Sewerage

Vesting of land and easement in MidCoast County Council

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

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

Schedule

LAND

Lot 2 in Deposited Plan 859640 (SB52082)

INTEREST IN LAND

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

Deposited Plan 1022650 (SB55121) as:

'(F) PROPOSED EASEMENT FOR SEWER PIPELINE 2 WIDE'.

DoC Reference 200

LOCAL GOVERNMENT ACT 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

BOMBALA COUNCIL declares with the approval of Her Excellency the Governor, that the lands described in the schedule below excluding any mines or deposits of minerals in those lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of open space.

Dated at Bombala this 6th day of September 2005.

DAVID RAWLINGS,
General Manager

Schedule

Lot 7, DP 1057588
Lot 1 of section 12 in DP758239
Lot 2 of section 12 in DP758239
Lot 4 of section 12 in DP758239

LOCAL GOVERNMENT ACT 1993

Shoalhaven Northern Reuse Effluent Management System

Vesting of easement in Shoalhaven City Council

THE Minister for Energy and Utilities of the State of New South Wales, declares that the easement described in the Schedule hereto, which was acquired for the purpose of the Shoalhaven Northern Reuse Effluent Management System Scheme is vested in Shoalhaven City Council.

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

Schedule

INTEREST IN LAND

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

Deposited Plan 1065113 (SB55444) as:

‘(A) PROPOSED EASEMENT FOR SEWER PIPELINE 8 WIDE’ within Lot 4 in Deposited Plan 620282 and Lot 1 in Deposited Plan 5487

DoC Reference 295

NATIONAL PARKS AND WILDLIFE ACT 1974

Brindabella National Park and State Conservation Area
Plan of Management

A DRAFT plan of management for Brindabella National Park and Brindabella State Conservation Area has been prepared and is on exhibition until 19 December 2005.

Copies of the plan are available free of charge from the NPWS offices at 6 Rutledge Street, Queanbeyan (tel.: 6299 2929) and 7A Adelong Street, Tumut (tel.: 6947 7000). The plans are also on the NPWS website: www.nationalparks.nsw.gov.au.

Written submissions on these plans must be received by The Planner, Brindabella National Park and SCA, Department of Environment and Conservation, PO Box 472, Tumut NSW 2720, by Monday, 19 December 2005.

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

PUBLIC WORKS ACT, 1912

Land Acquisition (Just Terms Compensation) Act 1991
Bathurst Water Supply Augmentation Stage E
Ben Chifley Dam Upgrade
Compulsory Acquisition

THE Minister for Energy and Utilities, with the approval of Her Excellency the Governor-in-Council, declares that the land and interests in land described in the Schedule hereto (“the land” and “the interest in land”), are acquired by compulsory process under s.19(1) of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work within the meaning of the Public Works Act 1912.

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

Schedule

Land

Lot 31 in Deposited Plan 859300
Lot 32 in Deposited Plan 859300
Lot 33 in Deposited Plan 859300
Lot 134 in Deposited Plan 1032664
Lot 136 in Deposited Plan 1032664

Interest in Land

Easement rights as described under the heading Flood in the terms set out hereunder over the site shown in:

Deposited Plan 859300 (SB52130) as:

‘(A) EASEMENT FOR FLOOD VARIABLE WIDTH’ within Lot 1 Deposited Plan 125745.

Rights to be Acquired:

Easement to Flood

An easement or right to use the surface of the land by causing to flow, be and remain thereon such waters as shall from time to time flow, be and remain thereon as a consequence of the construction and maintenance of Ben Chifley Dam (part of the Bathurst Water Supply Scheme).

NSW Department of Commerce ref. 243.

FREEDOM OF INFORMATION ACT, 1989

Section 14(1) (b) and (3)

Summary of Affairs of the
NSW Scientific Committee

June, 2005

INTRODUCTION

The NSW Scientific Committee was established in 1996 following the enactment of the Threatened Species Conservation Act (TSC Act).

The Scientific Committee is an independent committee and consists of 11 Scientists appointed by the Minister for the Environment. The membership of the Committee currently includes 10 scientists from the following organisations:

Australian Museum
CSIRO
Ecological Society of Australia
Entomological Society of Australia
Department of Environment and Conservation
Botanic Gardens Trust
Department of Primary Industries – NSW Agriculture and Forests NSW
Tertiary educational institution

FUNCTIONS OF THE COMMITTEE

The principal functions of the Committee as listed in Section 128 of the TSC Act are to:

- (a) determine which species are to be listed as threatened species* and to advise the Director General of the Department of Environment and Conservation (DEC) on the identification of their critical habitat,
- (b) determine which populations are to be listed as endangered populations and to advise the Director General DEC on the identification of their critical habitat,
- (c) determine which ecological communities are to be listed as endangered ecological communities and to advise the Director General DEC on the identification of their critical habitat,
- (d) determine which threatening processes are to be listed as key threatening processes,
- (e) review draft joint management agreements and the performance of parties under executed joint management agreements,

- (f) advise the Director-General DEC on the exercise of the Director-General's functions under the TSC Act,
- (g) advise the Minister on any matter relating to the conservation of threatened species, populations or ecological communities that is referred to the Committee by the Minister or that the Committee considers appropriate.

* The phrase "Threatened species" includes both endangered species listed on Schedule 1 of the Act and vulnerable species listed on Schedule 2. Species includes all plants and animals except 'fish' as defined in the Fisheries Management Act 1994 and Fisheries Management Amendment Act 1997 and is not restricted to species of flowering plant or vertebrate animal.

POLICY DOCUMENTS

The Committee makes Determinations regarding the listing, removal or amendment of threatened species, populations, ecological communities and key threatening processes in the Schedules of the TSC Act. Provisional Listing, Preliminary and Final Determinations made by the Committee are placed on public exhibition for 8 weeks. These Determinations are available to the public as indicated below:

Final Determination Booklets –

These booklets include the Final Determinations and the Provisional Listing Determinations made by the Committee. Limited stocks of these booklets for the following years are available at no charge.

1999 Final Determinations
2000 Final Determinations

Internet

Determinations made by the Committee are available on the web site of the National Parks and Wildlife Service www.nationalparks.nsw.gov.au. Determinations are also available from the DEC Information Centre, Level 14, 59-61 Goulburn Street, Sydney. The National Parks and Wildlife Service is part of the Department of Environment and Conservation.

The following final determinations and provisional listing determinations have been made by the Scientific Committee between 1st July 2004 and 30th June 2005. These determinations may include final determinations to list and remove species, populations and ecological communities in the Schedules, change the conservation status of species (eg change a species from a vulnerable species to an endangered species and vice versa) reject proposals to list species and reject proposals to remove species from the Schedules. Refer to the individual determinations for details of the Committee's decision.

Determinations relating to species nominations and proposals

Refer to the individual determinations for details of the Committee's decision.

Aprasia inaurita
Boronia hapalophylla
Commersonia rosea
Diuris ochroma
Eucalyptus castrensis
Galium australe
Genoplesium baueri
Goodenia sp. "Nocoleche"
Lindernia alsinoides
Mormopterus 'Species 6'
Nitella partita
Phyloria kundagungan

Phyloria loveridgei
Phyloria pughii
Phyloria richmondensis
Prasophyllum bagoensis
Pseudonaja modesta
Pultenaea maritima
Pultenaea stuartiana

Determinations relating to population nominations and proposals

Refer to the individual determinations for details of the Committee's decision.

- *Acacia pendula* population, in Hunter Catchment
- Cobaki Lakes and Tweed Heads West population of the Long-nosed Potoroo *Potorous tridactylus* in the Tweed LGA
- *Cryptandra longistaminea* population in the vicinity of Ellandgrove Road, South Grafton
- *Eucalyptus camaldulensis* population in the Hunter Catchment
- *Eucalyptus oblonga* population at Bateau Bay in Wyong LGA
- Woronora Plateau population of *Callitris endlicheri* "Black Cypress Pine"

Determinations relating to ecological community nominations and proposals

Refer to the individual determinations for details of the Committee's decision.

- Brigalow – Gidgee woodland/shrubland in the Mulga Lands and Darling Riverine Plains Bioregions
- Freshwater Wetlands on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions
- Fuzzy Box Woodland on alluvial soils of the South Western Slopes, Darling Riverine Plains and Brigalow Belt South Bioregions
- Lower Hunter Spotted Gum – Ironbark Forest in the Sydney Basin Bioregion
- Montane Peatlands and Swamps of the New England Tableland, NSW North Coast, Sydney Basin, South East Corner, South Eastern Highlands and Australian Alps bioregions
- River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions
- Subtropical Coastal Floodplain Forest of the NSW North Coast bioregion
- Swamp Oak Floodplain Forest of the NSW North Coast, Sydney Basin and South East Corner bioregions
- Swamp Sclerophyll Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions

Determinations relating to Key threatening process nominations & proposals

Refer to the individual determinations for details of the Committee's decision.

- Competition and habitat degradation by Feral Goats
- Predation, habitat degradation, competition and disease transmission by Feral Pigs, *Sus scrofa*

Statement of Affairs

The Statement of Affairs for the NSW Scientific Committee is available from the Committee's Executive Officer.

Contact Arrangements

For information regarding access to documents and assistance with applications for access to documents under the Freedom of Information Act, please contact the Committee's Executive Officer Suzanne Chate. Business hours are: 9:00am to 4:30 pm

Applications under the Freedom of Information Act must be in writing and be accompanied by the application fee of \$30.00. An application form can be obtained from the Committee's Executive Officer.

FOI applications should be forwarded to:

Suzanne Chate
Executive Officer
NSW Scientific Committee
C/- PO Box 1967
HURSTVILLE NSW 2220

Tel: (02) 9585 6940

Dr Lesley Hughes
Chairperson
Scientific Committee

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

BALRANALD SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easements over Land

BALRANALD SHIRE COUNCIL declares, with the approval of Her Excellency the Governor, that the easements described in the Schedule below are acquired by compulsory process in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of drainage. Dated at Balranald this 23rd day of September 2005. LAURIE CARTER, General Manager, Balranald Shire Council, PO Box 120, Balranald NSW 2715.

SCHEDULE

Easement to drain water 4 wide within Lot 40, DP 751170, as shown in DP 1077795.

Easement to drain water 4 wide within Lot 45, DP 751170, as shown in DP 1077795.

Easement to drain water 4 wide within Lot 7026, DP 1028203, as shown in DP 1077795. [1627]

BANKSTOWN CITY COUNCIL

Reversal of One Way flow in Winders Lane, Revesby

COUNCIL hereby advises that pursuant to sections 115 to 118 of the Roads Act and in accordance with the authority delegate to it by the Roads and Traffic Authority, it proposes to reverse the one-way traffic movement in Winders Lane to flow from Swan Street to Simmons Street as part of the traffic management plan for the Revesby Shopping Centre.

This one-way traffic movement is planned to be introduced shortly after the completion of kerb and gutter adjustment works in Winders adjacent to Simmons Street.

Written submissions regarding this proposal are sought and should be forwarded by 10th October 2005, by post marked: Attention: Traffic Engineer, Bankstown City Council, PO Box 8, Bankstown NSW 1885, or by facsimile 9707 9495.

Further information regarding this proposal can be obtained by contacting the Traffic Engineer on 9707 9428. RICHARD COLLEY, General Manager, Bankstown City Council, P.O. Box 8, Bankstown NSW 1885. [1611]

BEGA VALLEY SHIRE COUNCIL

Local Government Act 1993

Dedication of Land as Drainage Reserve

NOTICE is hereby given by the Bega Valley Shire Council pursuant to section 50 of the Local Government Act 1993, that the land described in the Schedule below is hereby vested in Council as a Drainage Reserve. D. G. JESSON, General Manager, Bega Valley Shire Council, PO Box 492, Bega NSW 2550.

SCHEDULE

Lot 101, Deposited Plan 31400. [1625]

COBAR SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

COBAR SHIRE COUNCIL declares with the approval of Her Excellency the Governor that the lands described in the Schedule below, excluding any mines or deposits of minerals in the land are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of a public road and a bulk grain storage depot and facilities. Dated at Cobar this 9th day of September 2005. S. WALL, General Manager, Cobar Shire Council, PO Box 223, Cobar NSW 2835.

SCHEDULE

Lots 170 and 171, DP 1064650. [1626]

DENILIQUIN COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Deniliquin Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of industrial development and resale. Dated at Deniliquin this 25th day of May 2005. G. HALEY, General Manager, Deniliquin Council, PO Box 270, Deniliquin NSW 2710.

SCHEDULE

Lot 31, DP 1076018. [1613]

GREATER HUME SHIRE COUNCIL

Roads Act 1993, Part 10

Dedication of Land as Public Road

GREATER HUME 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. GENERAL MANAGER, Greater Hume Shire Council, PO Box 99, Holbrook NSW 2644.

SCHEDULE

Lot 1, DP 43151 Parish of Holbrook, County of Goulburn. [1619]

MAITLAND CITY COUNCIL

Roads Act 1993

Dedication of Public Road

NOTICE is hereby given that Maitland City Council in pursuance of section 16 of the Roads Act 1993, and a resolution of Council dated 24th February 2004, declares Bonar Street Maitland (north of Les Darcy Drive), Parish of Maitland, County of Northumberland, as public road. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland NSW 2320. (Ref No.: 222/51). [1622]

MAITLAND CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Lands as Public Road

NOTICE is hereby given that Maitland City Council in pursuance of section 10 of the Roads Act 1993, dedicates the following Council owned land as public road. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland NSW 2320.

SCHEDULE

Lot 1, DP 770675; Lot 1, DP 651260; Lots 2 and 3, DP 378196; Lot 29, DP 61259; Lot 2, DP 546992 and Land in Conv BK 4273 No. 994. [1623]

MUSWELLBROOK SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that Muswellbrook Shire Council in pursuance of section 10 of the Roads Act 1993, dedicates the land held by it and described in the Schedule below as Public Road. STEPHEN McDONALD, Acting General Manager, Muswellbrook Shire Council, PO Box 122, Muswellbrook NSW 2333.

SCHEDULE

Lot 10 in Deposited Plan 1084150. [1621]

SHOALHAVEN CITY COUNCIL

NOTICE is hereby given that sewer mains have been laid and are available for connection to some properties fronting Quinns Lane, South Nowra (as described below) as from the date of this gazettal.

Lots 1-6, DP 731299 and Lots 10-12, DP 827954.

Plans of the sewer mains may be inspected at Shoalhaven City Council Offices, Bridge Road, Nowra, from 9:00 a.m. to 5:00 p.m., Monday to Friday. R. PIGG, General Manager, PO Box 42, Nowra NSW 2541. [1617]

TAMWORTH REGIONAL COUNCIL

Roads Act 1993, Section 162

Roads (General) Regulation 2000, Part 2, Division 2

Naming of Public Roads

NOTICE is hereby given that in pursuance of the abovementioned Act and Regulation the roads named in those sections of roads as described hereunder.

Description	New Name
Unnamed road of Martin Lane, Locality of Piallamore.	Top Oakey Lane.
Lower Somerton Road off Rushes Creek Road (previous Manilla Area), Locality of Rushes Creek.	Sherwood Road.
Boggabri Road between River Street and Gunnedah Boundary (previous Manilla Area), Localities of Manilla, New Mexico and Wongo Creek.	Rangari Road.
Dungowan Road from Armidale Road to Village of Dungowan then to Village of Nundle, Localities of Nemingha, Piallamore, Dungowan, Woolomin, Bowling Alley Point and Nundle.	Nundle Road.
Somerton-Manilla Road (old Parry Area) and Somerton Road (old Manilla Area), between Village of Somerton to MR63, Localities of Somerton and Klori.	Somerton Road.
Halls Creek Road (old Parry Area) and Wisemans Arm Road (old Manilla Area), from Garthowen Road to Halls Creek Road (Manilla), Localities of Garthowen and Halls Creek.	Wisemans Arm Road.
Halls Creek Road (old Manilla Area) and Bendemeer-Manilla Road (old Parry Area), from Strafford Street (Manilla) to Charles Street (Bendemeer), Localities of Manilla, Halls Creek Road and Bendemeer.	Halls Creek Road.
Marsden Park Road from Calala Lane Intersection to Middlebrook Road Intersection (old Parry Area), Localities of Calala and Loomerah.	Marsden Park Road.
Middlebrook Road (old Parry Area), from the intersection of New England Highway to Lindsays Gap Road (old Nundle Area), Localities of Goonoo, Loomerah and Garoo.	Middlebrook Road.
Longarm Road and Barraba-Gunnedah Road (old Barraba and Manilla Areas), from MR63 to Rangari Road (MR357), Localities of Longarm and Borah Creek.	Longarm Road.
Crow Mountain Road (old Barraba Area), from Woodsreef Road to Pera Linton Road, Localities of Woodsreef.	The Mine Road.
Lindsays Gap Road/Wallabadah Road from Liverpool Plains Shire Boundary to Nundle Road, Localities of Nundle and Garoo.	Lindsays Gap Road.

G. INGLIS, General Manager, Tamworth Regional Council, PO Box 555, Tamworth NSW 2340. [1612]

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 113, DP 240922 being part of Murray Road, Corrimal, as shown shaded and outlined in heavy black on the accompanying plan.



[1624]

YASS VALLEY COUNCIL

Tree Preservation Order

NOTICE is given that Yass Valley Council has adopted a new Tree Preservation Order under the provisions of Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, as adopted by Clause 6 of the Yass Local Environmental Plan 1987.

The Order prohibits tree damaging activities without Council approval. A number of exemptions and conditions apply to the removal of trees under this Order. For more information, the Tree Preservation Order is available at Yass Valley Council's Administration Building, 209 Comur Street, Yass and is also available on the Yass Valley Council website www.yassvalley.nsw.gov.au. KERRY McMURRAY, General Manager, Yass Valley Council, PO Box 6, Yass NSW 2582.

[1620]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FRANCESCO CIMINO, late of Conflenti, Italy, retired, who died on 8th September 2004, 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 Angelina Fama on 2nd September 2005. REES & TUCKERMAN, Solicitors, 1st Floor, 678 Pittwater Road (PO Box 34), Brookvale NSW 2100, (DX 831, Sydney), tel.: (02) 9905 1469. [1614]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DESMOND LORIMER SMITH, late of 24 Rosemont Avenue, Mortdale, in the State of New South Wales, who died on 14th June 2005, must send particulars of their claim to the executor, Margery Joyce Smith, c.o. Colin J. Duff, Solicitor, Level 1, 7 Morts Road, Mortdale NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 9th August 2005. COLIN J. DUFF, Solicitor, Level 1, 7 Morts Road, Mortdale NSW 2223, (DX 11307, Hurstville), tel.: (02) 9570 2022. [1615]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HOLLIE ROSELYN SKIDMORE, late of Wirreanda Village, West Pennant Hills, in the State of New South Wales, registered nurse, who died on 7th June 2005, must send particulars of his/her claim to the executor, John Barry Skidmore, c.o. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby NSW 2077, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executor has notice. Probate was granted in New South Wales on 31st August 2005. COLLINS & THOMPSON, Solicitors, 8 Coronation Street, Hornsby NSW 2077. [1618]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MARGARET JEAN THOMPSON ISHERWOOD, late of Sylvania, in the State of New South Wales, widow, who died on 26th May 2005, must send particulars of their claim to the executor, Jeanette Margaret Isherwood, c.o. Truman Hoyle Lawyers, 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 8th August 2005. TRUMAN HOYLE LAWYERS, Level 18, 68 Pitt Street, Sydney NSW 2000 (DX 263, Sydney), tel.: (02) 9226 9888. Reference: DLS(SR)4556. [1628]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BETTY MAY COX, late of 11 Berripa Close, East Ryde, in the State of New South Wales, who died on 21st June 2005, must send particulars of his claim to the executors, c.o. John S. Fordham, Solicitor, 12 Station Street, West Ryde NSW 2114, 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 2nd September 2005. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde NSW 2114 (PO Box 107, West Ryde NSW 1685), (DX 27551, West Ryde), tel.: (02) 9858 1533. Reference: JSF.KS.05164. [1629]

COMPANY NOTICES

NOTICE of meeting of members.—RIGEL PTY LIMITED, ACN 000 413 338.—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovenamed company will be held at the offices of Steel Walsh & Murphy of 103 Kendal Street, Cowra NSW 2794, on the 30th September 2005, for the purpose of laying before the meeting the liquidator's final account and report and giving any explanation thereof. Dated this 29th day of August 2005. REGINALD THOMAS CASSIDY, Chartered Accountant, 103 Kendal Street, Cowra NSW 2794. [1610]

NOTICE of voluntary liquidation.—BIRD (PROTECTIVE CLOTHING) PTY LTD, ACN 001 051 921 (in liquidation).—Notice is hereby given in accordance with section 491(2) of the Corporations Law that at an extraordinary general meeting of the members of the abovenamed company held on Wednesday, 7th September 2005, the following special resolution was duly passed: "That the company be wound up as a members' voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidator so desire" and that Roger Duncan Ellinson be appointed liquidator for the purpose of such winding up. Dated at Sydney this 8th day of September 2005. R. D. ELLINSON, Liquidator, c.o. Selingers, Chartered Accountants, CitiSite House, Level 11, 155 Castlereagh Street, Sydney NSW 2000 (GPO Box 4951, Sydney NSW 2001), tel.: (02) 9283 2444. [1616]

NOTICE of voluntary winding up.—POWERFORM ELECTRIC CONTROLS OF AUSTRALIA PTY LTD, ACN 000 883 027.—Notice is hereby given pursuant to section 491(2)(b) of the Corporations Act 2001, that at a general meeting of the abovenamed company held on 9th September 2005, it was resolved that the company be wound up voluntarily as a members' voluntary winding up and that for such a purpose Anthony Francis Hackett be appointed liquidator. Dated 9th September 2005. ANTHONY FRANCIS HACKETT, Liquidator, c.o. Castletons, Chartered Accountants, Suite 1, 4th Floor, 3 Carlingford Road, Epping NSW 2121 (PO Box 569, Epping NSW 1710), tel.: (02) 9869 8900. [1631]

NOTICE inviting formal proof of debt or claim.—POWERFORM ELECTRIC CONTROLS OF AUSTRALIA PTY LTD, ACN 000 883 027.—Take notice that creditors of the company, whose debts or claims have not already been admitted, are required within 45 days of the date of this notice, to prove their debts or claims and to establish any title they may have to priority by delivering or sending through the post to me at my address a formal proof of debt or claim in accordance with Form 535 or 536 of the Corporations Act 2001, containing their respective debts or claims. If they do not, they will be excluded from: (a) the benefit of any distribution made before their debts or claims are proved or their priority is established; and (b) objecting to the distribution. Form of proof may be obtained from me. Dated 9th September 2005. ANTHONY FRANCIS HACKETT, Liquidator, c.o. Castletons, Chartered Accountants, Suite 1, 4th Floor, 3 Carlingford Road, Epping NSW 2121 (PO Box 569, Epping NSW 1710), tel.: (02) 9869 8900. [1632]

OTHER NOTICES

"TAKE NOTICE that the partnership previously conducted by Richard Glen Trethowan and Dean William Mills trading as BEROWRA AUTOBODY REPAIRS from premises rear 8 Berowra Waters Road, Berowra NSW, was as and from 26th May 2005, dissolved". E. PHILIPS & COMPANY, Solicitors, 149 Pacific Highway, Hornsby NSW 2077 (PO Box 383, Hornsby NSW 1630), tel.: (02) 9476 4888. Reference: ERP: MNP:05078. [1630]