



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 92**  
**Friday, 14 July 2006**

Published under authority by Government Advertising

## LEGISLATION

### Proclamations



New South Wales

## Proclamation

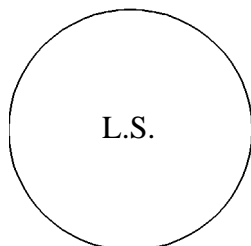
under the

**Drug Misuse and Trafficking Amendment (Hydroponic Cultivation) Act 2006 No 57**

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Drug Misuse and Trafficking Amendment (Hydroponic Cultivation) Act 2006*, do, by this my Proclamation, appoint 14 July 2006 as the day on which that Act commences.  
Signed and sealed at Sydney, this 12th day of July 2006.

By Her Excellency's Command,



L.S.

BOB DEBUS, M.P.,  
Attorney General

GOD SAVE THE QUEEN!



New South Wales

## Proclamation

under the

Security Industry Amendment Act 2005 No 63

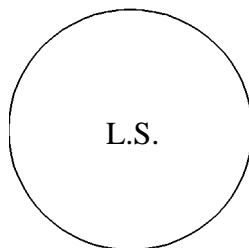
MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Security Industry Amendment Act 2005*, do, by this my Proclamation, appoint 14 July 2006 as the day on which the following provisions of that Act commence:

- (a) section 3,
- (b) Schedule 1 [5]–[7],
- (c) so much of Schedule 1 [8] as inserts section 6 (2A) in the *Security Industry Act 1997*.

Signed and sealed at Sydney, this 12th day of July 2006.

By Her Excellency's Command,



CARL SCULLY, M.P.,  
Minister for Police

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence the provisions of the *Security Industry Amendment Act 2005* that exempt law enforcement agencies and officers from the requirements of the *Security Industry Act 1997*.

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# Regulations

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New South Wales

## Commercial Agents and Private Inquiry Agents Amendment (Miscellaneous) Regulation 2006

under the

Commercial Agents and Private Inquiry Agents Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Commercial Agents and Private Inquiry Agents Act 2004*.

CARL SCULLY, M.P.,  
Minister for Police

### Explanatory note

The object of this Regulation is to amend the *Commercial Agents and Private Inquiry Agents Regulation 2006*:

- (a) so that the operator licence fee exemption that applies to sole traders is extended to individuals who are also sole operators but work under a corporate structure, and
- (b) so that a licensee is required to disclose his or her name, licence number and the purpose of a telephone call only at the beginning of initial telephone contact with a person and whenever subsequently asked and only if that person is the debtor, person under investigation or other interested person, and
- (c) to clarify that a corporation that carries on a business of providing accounting services, an incorporated legal practice and a solicitor corporation are not required to hold a master licence.

This Regulation is made under the *Commercial Agents and Private Inquiry Agents Act 2004*, including sections 5, 12 and 39 (the general regulation-making power).

Clause 1 Commercial Agents and Private Inquiry Agents Amendment  
(Miscellaneous) Regulation 2006

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## **Commercial Agents and Private Inquiry Agents Amendment (Miscellaneous) Regulation 2006**

under the

Commercial Agents and Private Inquiry Agents Act 2004

### **1 Name of Regulation**

This Regulation is the *Commercial Agents and Private Inquiry Agents Amendment (Miscellaneous) Regulation 2006*.

### **2 Amendment of Commercial Agents and Private Inquiry Agents Regulation 2006**

The *Commercial Agents and Private Inquiry Agents Regulation 2006* is amended as set out in Schedule 1.

Commercial Agents and Private Inquiry Agents Amendment  
(Miscellaneous) Regulation 2006

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 10 Certain persons not required to hold master licence

Insert after clause 10 (1) (d):

- (d1) any corporation that carries on a business of providing accounting services,
- (d2) any incorporated legal practice or solicitor corporation,

### [2] Clause 14 Application fees

Omit clause 14 (5). Insert instead:

- (5) Despite subclauses (1)–(4), no fee is payable in relation to an application by an individual for the granting, renewal, restoration, amendment or replacement of an operator licence if the application is made together with:
  - (a) a similar application by that individual for the granting, renewal, restoration, amendment or replacement of a master licence, or
  - (b) a similar application by a proprietary company (within the meaning of the *Corporations Act 2001* of the Commonwealth) for the granting, renewal, restoration, amendment or replacement of a master licence so long as:
    - (i) the company employs only that individual to carry out commercial agent activities or private inquiry agent activities, and
    - (ii) the individual is a director of the company and any other director of the company is the spouse, parent, sibling, son or daughter of the individual.

### [3] Clause 25

Omit the clause. Insert instead:

#### **25 Licensees to give name and licence number to interested persons when conducting business by telephone**

- (1) A licensee who is carrying on business under a master licence by telephone, or carrying out licensable activities under an operator licence by telephone, must advise an interested person to whom he or she is speaking, at the beginning of the licensee's first telephone call to that person and whenever asked during that or any subsequent telephone call:
  - (a) of his or her name and licence number, and

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Commercial Agents and Private Inquiry Agents Amendment  
(Miscellaneous) Regulation 2006

Schedule 1 Amendments

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- (b) of the purpose of the call.  
Maximum penalty: 50 penalty units.
- (2) In this clause, an *interested person* means:
- (a) if the telephone call relates to debt collection—the debtor,  
or
  - (b) if the telephone call relates to the investigation of a  
person—the person being investigated, or
  - (c) if the telephone call relates to the service of process—the  
person on whom legal process is to be served, or
  - (d) if the telephone call relates to the repossession of goods—  
the person who is holding the goods.



New South Wales

## Firearms (General) Amendment (Practising at Ranges) Regulation 2006

under the

Firearms Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Firearms Act 1996*.

CARL SCULLY, M.P.,  
Minister for Police

### Explanatory note

The objects of this Regulation are:

- (a) to expressly authorise the holder of a firearms licence issued for the purpose of recreational hunting/vermin control, primary production, vertebrate pest animal control or animal welfare to use a firearm at an approved shooting range for the purpose of sighting in or patterning the firearm, and
- (b) to remove the requirement that firearms safety training courses may only be conducted on premises that have been approved by the Commissioner of Police.

This Regulation is made under the *Firearms Act 1996*, including section 8 (3) and section 88 (the general regulation-making power).

Clause 1 Firearms (General) Amendment (Practising at Ranges) Regulation 2006

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## **Firearms (General) Amendment (Practising at Ranges) Regulation 2006**

under the

Firearms Act 1996

### **1 Name of Regulation**

This Regulation is the *Firearms (General) Amendment (Practising at Ranges) Regulation 2006*.

### **2 Amendment of Firearms (General) Regulation 1997**

The *Firearms (General) Regulation 1997* is amended as set out in Schedule 1.



Firearms (General) Amendment (Practising at Ranges) Regulation 2006

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 31A

Insert after clause 31:

#### 31A Practising at approved ranges

- (1) The authority conferred by a licence issued for the genuine reason of recreational hunting/vermin control, primary production, vertebrate pest animal control or animal welfare extends to the use of a firearm by the licensee at an approved shooting range, on such occasions as may reasonably be required, for the purposes of:
  - (a) sighting in the firearm, which includes the sight alignment or tuning of the firearm, familiarisation with or testing of ammunition and practising on targets, or
  - (b) in the case of a shotgun—patterning the shotgun, which includes the adjusting or aligning of the shotgun, familiarisation with or testing of ammunition and practising on stationary or moving clay targets.
- (2) Nothing in this clause authorises:
  - (a) the holder of a licence referred to in this clause to participate in competitions or activities conducted by a shooting club that require the use of a firearm (except those activities referred to in subclause (1)), or
  - (b) the use of a shooting range otherwise than in accordance with the approval of the shooting range, including any conditions subject to which the approval was granted.
- (3) It is a condition of the approval of a shooting range under Part 8 that the holder of a shooting range approval:
  - (a) is to ensure that any person using the shooting range under this clause is supervised while doing so by a person appointed by the holder of the approval, and
  - (b) is to cause the following information to be recorded:
    - (i) the particulars of the licence of the person,
    - (ii) the category and calibre of the firearm being used, and
  - (c) is to make any such records available for inspection by a police officer or the Commissioner.

## Firearms (General) Amendment (Practising at Ranges) Regulation 2006

## Schedule 1 Amendments

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(4) Subclause (3) extends to an approval in force as at the commencement of this clause.

**[2] Clause 109A Exemptions relating to persons undertaking firearms safety training courses**

Omit clause 109A (3) (a). Insert instead:

(a) while participating in the course, and

**[3] Clause 109A (4) (a)**

Omit “at approved premises”.

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## Other Legislation

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New South Wales

### Notice adjusting description of lands

under the

National Park Estate (Southern Region Reservations) Act 2000

I, the Director-General of the Department of Environment and Conservation (*the Department*), with the approval of the Minister administering the *National Parks and Wildlife Act 1974*, the Minister administering the *Forestry Act 1916* and the Minister administering the *Crown Lands Act 1989*, and pursuant to section 10 of the *National Park Estate (Southern Region Reservations) Act 2000 (the Act)*, adjust the description of lands in Schedule 2 to the Act by amending that Schedule as set out in Schedule 1 to this notice.

In accordance with section 10 (5) of the Act, I certify that the adjustments effected by this notice will not result in any significant reduction in the size or value of national park estate land or State forest land.

In accordance with section 10 (9) of the Act, I declare that:

- (a) the following land is part of Lake Conjola Entrance Road, Lake Conjola and, accordingly, is vested in the roads authority for that public road under the *Roads Act 1993*:
  - (i) lots 2, 3 and 4 DP 1067884,
  - (ii) the land shown coloured orange, and the land shown coloured purple, on the plan numbered DP 1067884 that is held by the Department, and
- (b) the land shown coloured pink on the plan numbered DP 1067884 that is held by the Department is part of Stewart Street, Lake Conjola and, accordingly, is vested in the roads authority for that public road under the *Roads Act 1993*, and
- (c) the land shown coloured blue on the plan numbered DP 1067884 that is held by the Department is part of Havilland Street, Lake Conjola and, accordingly, is vested in the roads authority for that public road under the *Roads Act 1993*, and

Notice adjusting description of lands

Explanatory note

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- (d) lots 5 and 6 DP 1067884 cease to be part of any public road and, accordingly, are divested from the relevant roads authorities and become part of Narrawallee Creek Nature Reserve subject to the relevant provisions of the Act applicable to Schedule 2 to the Act.

Director-General of the Department of Environment and Conservation

Dated this                      day of                      .

Notice adjusting description of lands

Amendments

Schedule 1

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## Schedule 1 Amendments

**[1] Schedule 2 Crown lands reserved as national park or state recreation area or dedicated as nature reserve**

Omit the third and fourth paragraphs of clause 23. Insert instead:

An area of about 36 hectares, being the land designated as 85-05 on the diagram catalogued Misc R 00084 (Third Edition) in the Department of Environment and Conservation, excluding any part of lot 3 DP 1067884 within that land.

An area of about 29 hectares, being the land designated as 85-06 on the diagram catalogued Misc R 00084 (Third Edition) in the Department of Environment and Conservation, excluding any part of lot 1 DP 1067884 within that land.

**[2] Schedule 2, clause 54**

Omit the first paragraph. Insert instead:

An area of about 165 hectares, being the land designated as 574-01 on the diagram catalogued Misc R 00084 (Third Edition) in the Department of Environment and Conservation and lots 5 and 6 DP 1067884, excluding:

- (a) any part of lots 1, 2 and 4 DP 1067884 within that land, and
- (b) the land shown coloured purple on the plan numbered DP 1067884 that is held by the Department.

**OFFICIAL NOTICES****Appointments****COMMUNITY RELATIONS COMMISSION AND  
PRINCIPLES OF MULTICULTURALISM ACT 2000**

## Appointment of Part-Time Member

HER Excellency the Governor, with the advice of the Executive Council and pursuant to section 7 of the Community Relations Commission and Principles of Multiculturalism Act 2000, has re-appointed Mr Michael MARX, AM, as Deputy Chairperson of the Community Relations Commission until 15 March 2009.

The Hon. M. IEMMA, M.P.,  
Premier and Minister for Citizenship

**COMMUNITY RELATIONS COMMISSION AND  
PRINCIPLES OF MULTICULTURALISM ACT 2000**

## Appointment of Part-Time Member

HER Excellency the Governor, with the advice of the Executive Council and pursuant to section 7 of the Community Relations Commission and Principles of Multiculturalism Act 2000, has re-appointed Mr Nedjelko MARUNCIC, OAM, as a part-time Commissioner of the Community Relations Commission until 8 March 2009.

The Hon. M. IEMMA, M.P.,  
Premier and Minister for Citizenship

**STOCK DISEASES ACT 1923**

## Appointment of Inspectors

I, ALAN COUTTS, Acting Director-General of NSW Department of Primary Industries, pursuant to section 6(1) of the Stock Diseases Act 1923 ('the Act'), appoint the persons named in the Schedule as Inspectors under the Act.

**SCHEDULE**

James Christopher ABELL, and  
Shaun Carroll LEARMONTH.

Dated this 4th day of July 2006.

ALAN COUTTS,  
Acting Director-General,  
NSW Department of Primary Industries

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## Department of Lands

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**ARMIDALE OFFICE**  
**108 Faulkner Street, Armidale NSW 2350**  
**Phone: (02) 6772 5488 Fax (02) 6771 5348**

### ERRATUM

IN the notification appearing in the *Government Gazette* of 23 June 2006, Folio 4690, under the heading "Appointment of Trust Board Members", Schedule 1, Column 1, the spelling of the name Cristine Crampton is incorrect and should be replaced with Christine Crampton.

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

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

**ADDITION TO A WESTERN LANDS LEASE**

IT is hereby notified that in pursuance of section 35C of the Western Lands Act 1901, the land particularised hereunder has been added to the undermentioned Western Lands Lease.

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

SCHEDULE

Western Lands Lease No.: 13840.

Name of Lessees: John ABENI and Carrol ABENI.

Area Added: Lot 1820, DP 1087423, Parish of Cuttagullyaroo, County of Robinson, of 308.9 hectares (Folio Identifier 1820/1087423).

Total Area Following Addition: Lot 1002, DP 1034781 and Lot 1820, DP 1087423, Parishes of Booroondarra and

Cuttagullyaroo, County of Robinson, of 5994.9 hectares (Folio Identifiers 1002/1034781 and 1820/1087423).

Date of Addition: 12 January 2006.

Conditions: Unaltered.

Administrative District: Cobar.

Shire: Cobar.

**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 Leases specified in the following Schedule have been granted.

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder.

The land is to be used only for the purpose of Residence.

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

The Conditions and Reservations annexed to the leases are those published in the *Government Gazette* of 18 February 2005, Folios 434 and 435.

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

SCHEDULE

*Administrative District – Walgett North; L.G.A. – Walgett; Parish – Wallangulla; County – Finch.*

WLL No.	Name of Lessee	Lot	Deposited Plan	Folio Identifier	Area (m <sup>2</sup> )	Term of Lease	
						From	To
WLL14640	Hemi James FOX HILL	55	1073508	55/1073508	2645	07-07-2006	06-07-2026
WLL14638	Horst HOFER	47	1057617	47/1057617	2469	07-07-2006	06-07-2026
WLL14626	Alan Robert TAYLOR	56	1076808	56/1076808	1837	07-07-2006	06-07-2026
WLL14621	Carol WADLEY	134	1076808	134/1076808	2824	07-07-2006	06-07-2026
WLL14567	Ronald BARNES	68	1073508	68/1073508	3327	07-07-2006	06-07-2026
WLL14592	Joseph BINI	91	1076808	91/1076808	1106	07-07-2006	06-07-2026
WLL14655	Michael John HOSCHKE	81	1073508	81/1073508	2626	07-07-2006	06-07-2026



**GRANTING OF A WESTERN LANDS LEASE**

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

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

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

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

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

*Administrative District – Broken Hill;  
Shire – Broken Hill City Council;  
Parish – Picton; County – Yancowinna.*

Western lands Lease 14574 was granted to Broken Hill Kart Club Incorporated, comprising Lot 5864, DP 757298 (folio identifier 5864/757298), of 4.047 hectares at Broken Hill, for the purpose of "Racecourse (Go Karts)" for a term of 40 years commencing 3 July 2005 and expiring 2 July 2045.

**CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14574**

- (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 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 agrees to occupy use and keep the Premises at the risk of the lessee and hereby releases to the full extent permitted by law the Lessor from all claims and demands of every kind resulting from any accident damage or injury occurring therein and the lessee EXPRESSLY AGREES that the Lessor shall have no responsibility or liability for any loss of or damage to fixtures and/or the personal property of the lessee.  
(c) The lessee expressly agrees that the obligations of the lessee under this clause shall continue after the expiration or other determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The lessee will (without in any way limiting the liability of the lessee under any other provision of this lease) forthwith take out and thereafter during the Term keep current a public risk insurance policy for \$10,000,000 for any one claim (or such other reasonable amount as the Minister may from time to time specify in writing to the lessee) whereby the Minister shall during the continuance of this lease be indemnified against all actions suits claims demands proceedings losses damages compensations costs charges and expenses mentioned or referred to in this lease to which the Minister shall or may be liable.
- (5) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (6) The rent shall be due and payable annually in advance on 1 July in each year.
- (7) (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.
- (8) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (9) 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.
- (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 land leased shall be used only for the purpose of "Racecourse (Go Karts)".
- (13) 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.
- (14) 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.
- (15) 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.
- (16) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (17) The lessee shall comply with the provisions of the Water Management Act 2000 and any regulations made in pursuance of that Act.
- (18) The lessee shall effectively prevent any interference with the amenity of the locality by reason of the emission from the land leased of noise, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil or otherwise, and when directed by the Commissioner shall abate that interference forthwith.
- (19) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local Government area.
- (20) 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.
- (21) 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.
- (22) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (23) The lessee will advise the lessor of the name, address and telephone number of the lessee's company secretary, that person being a person nominated as a representative of the company in respect of any dealings to be had with the company. The lessee agrees to advise the lessor of any changes in these details.
- (24) Any change in the shareholding of the lessee's company, which alters its effective control of the lease from that previously known to the Commissioner, shall be deemed an assignment by the lessee.
- (25) Where any notice or other communication is required to be served or given or which may be convenient to be served or given under or in connection with this lease it shall be sufficiently executed if it signed by the company secretary.
- (26) A copy of the company's annual financial balance sheet or other financial statement which gives a true and fair view of the company's state of affairs as at the end of each financial year is to be submitted to the Minister upon request.

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#### GRANTING OF A WESTERN LANDS LEASE

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

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

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

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

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

*Administrative District – Balranald; Shire – Balranald;  
Parish – Boocathan; County – Caira.*

Western lands Lease 14642 was granted to Tupra Estates Pty Limited, comprising Lot 3872, DP 766345 (folio identifier 3872/766345) of 2583 hectares at Balranald, for the purpose of "Grazing" for a term of 40 years commencing 29 June 2006 and expiring 28 June 2046.

Papers: WLL 14642.

CONDITIONS AND RESERVATIONS ATTACHED TO  
WESTERN LANDS LEASE 14642

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
- (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
- “GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee’s own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (10) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (11) The land leased shall be used only for the purpose of Grazing.
- (12) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or

- hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (16) The lessee shall 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.
- (17) 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.
- (18) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (19) The lessee shall not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
- (20) The lessee shall erect gates on roads within the land leased when and where directed by the Commissioner for public use and shall maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (21) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee shall not obstruct access or passage by any member of the public to or along the bank.
- (22) Any part of a reserve for travelling stock, camping or water supply within the land leased shall, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee shall post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing the land leased, the lessee shall provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities shall be erected and maintained to the satisfaction of the Commissioner. The lessee shall not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.
- (23) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.
- (24) The lessee shall comply with requirements of section 18DB of the Western Lands Act 1901 which provides that, except in the circumstances referred to in subsection (4) of that section, any native vegetation on the land the subject of the lease, and any part of the land that is protected land, must not be cleared except in accordance with the Native Vegetation Conservation Act 1997.
- (25) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Department has first been obtained and any condition to which the consent is subject under subsection (6) is complied with.
- (26) Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing or firewood, carefully preserve all timber, scrub, vegetative cover and any regeneration thereof (except noxious plants and those "woody weeds" specified in Clause 28(1) and parts 9 and 13 in Schedule 4 of the Regulations) on the following parts of the land leased:
- between the banks of, and within strips at least 20 metres wide along each bank of, any creek or defined watercourse;
  - within strips at least 30 metres wide on each side of the centre line of any depression, the sides of which have slopes in excess of 1 (vertically) in 4 (horizontally), that is, approximately 14 degrees;
  - where the slopes are steeper than 1 (vertically) in 3 (horizontally), that is, approximately 18 degrees;
  - within strips not less than 60 metres wide along the tops of any ranges and main ridges;
  - not in contravention of section 21CA of the Soil Conservation Act 1938.
- In addition to the foregoing requirements of this condition, the lessee shall preserve on so much of the land leased as is not the subject of a clearing licence (where possible, in well distributed clumps or strips) not less than an average of 30 established trees per hectare, together with any other timber, vegetative cover or any regeneration thereof which may, from time to time, be determined by the Commissioner to be useful or necessary for soil conservation or erosion mitigation purposes or for shade and shelter.
- (27) The lessee shall not interfere with the timber on any of the land leased which is within a State forest, timber reserve or flora reserve unless authorisation has been obtained under the provisions of the Forestry Act 1916 and shall not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and shall not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless a clearing licence has been issued pursuant to section 18DB of the Western Lands Act 1901, but the lessee may take such timber as the lessee may

- reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.
- (28) The lessee shall take all necessary steps to protect the land leased from bush fire.
- (29) The lessee shall, as the Commissioner may from time to time direct, foster and cultivate on the land leased such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.
- (30) Whenever so directed by the Commissioner, the lessee shall, on such part or parts of the land leased as shall be specified in the direction, carry out agricultural practices, or refrain from agricultural practices, of such types and for such periods as the Commissioner may in the direction specify.
- (31) The lessee shall not overstock, or permit or allow to be overstocked, the land leased and the decision of the Commissioner as to what constitutes overstocking shall be final and the lessee shall comply with any directions of the Commissioner to prevent or discontinue overstocking.
- (32) The lessee shall, if the Commissioner so directs, prevent the use by stock of any part of the land leased for such periods as the Commissioner considers necessary to permit of the natural reseeding and regeneration of vegetation and, for that purpose, the lessee shall erect within the time appointed by the Commissioner such fencing as the Commissioner may consider necessary.
- (33) The lessee shall furnish such returns and statements as the Commissioner may from time to time require on any matter connected with the land leased or any other land (whether within or outside the Western Division) in which the lessee has an interest.
- (34) The lessee shall, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and shall keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (35) The lessee shall not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry license under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.
- (36) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997.
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**GOULBURN OFFICE**  
**159 Auburn Street (PO Box 748), Goulburn NSW 2580**  
**Phone: (02) 4824 3700 Fax: (02) 4822 4287**

**NOTIFICATION OF CLOSING OF A 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 public road and the rights of passage and access that previously existed in relation to the road are extinguished. Upon 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

**SCHEDULE**

## Description

Parish: Collector.

County: Argyle.

Land District: Goulburn.

L.G.A.: Upper Lachlan.

Lot 1, DP 1097646 (not being land under the Real Property Act).

File No.: GB04 H 449:JK.

Note: On closing, the title for the land in Lot 1, DP 1097646 remains vested in the State of New South Wales as Crown Land.

**ROADS ACT 1993****ORDER**

## Transfer of Crown Road to a Council

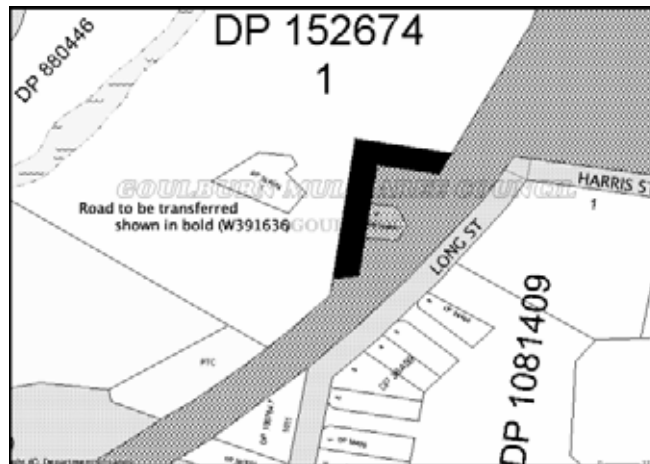
IN pursuance of the provisions of section 151 of the Act, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

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

**SCHEDULE 1**

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

Description: Crown road southeast of Lot 1, DP 145674 as shown by solid black colour on diagram below.

**SCHEDULE 2**

Roads Authority: Goulburn Mulwaree Council.

File No.: GB06 H 376:jk.

Council's Reference: JS:JS 23Jun2006.

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

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the 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**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Michelle NANCARROW (new member), Richard TURNER (new member), Wayne Grantley NANCARROW (re-appointment), Dallas John PIVA (re-appointment).	Bilbul Recreation Reserve Trust.	Reserve No.: 55678. Public Purpose: Public recreation. Notified: 22 September 1922.
		Reserve No.: 69351. Public Purpose: Public recreation and addition. Notified: 9 August 1940. File No.: GH87 R 3/2.

**Term of Office**

For a term commencing the date of this notice and expiring 13 July 2011.

**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**

**APPOINTMENT OF ADMINISTRATOR**

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

TONY KELLY, MLC.,  
Minister for Lands

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2.</b>	<b>COLUMN 3</b>
Greg NANCE	Bondi Baths (R100245) Reserve Trust	Bondi Baths Reserves comprising R100245 notified on the 19 November, 1993 for the purpose of Public Recreation and R1002900 notified for the purposes of Community and Sporting Facilities and Community Services File Ref.:MN99R30

For a term of six (6) months commencing 13 April, 2006.

**REVOCATION OF DEDICATION OF CROWN LAND FOR A PUBLIC PURPOSE**

PURSUANT to section 84 of the Crown Lands Act 1989, the dedication of Crown land specified in Column 1 of the Schedule hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
Land District: Metropolitan City: Randwick Parish: Botany County: Cumberland Locality: Maroubra Lot: 7063 DP 94098; Lot: 7087 DP 94097 Dedication for: Drainage purposes Date of notification: 18 September 1925 Dedication No.: 1000130 File No.: MN95H86	Part, within Lot 7063, DP 94098 being Lot 100, DP 109440 comprising an area of 45.7m2.

**TAMWORTH OFFICE****25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340****Phone: (02) 6764 5100 Fax: (02) 6766 3805****ROADS ACT 1993****ORDER**

Transfer of Crown Road to Council

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

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

**SCHEDULE 1**

*Parish – Wombramurra; County – Parry;  
Land District – Tamworth;  
L.G.A. – Tamworth Regional Council*

Crown public road described as within Lot 31, 16 and 17 in DP 755349 and part Crown public road west of Lot 31, DP 755349 (northern 135 metres) and Lot 17, DP 755349 (northern 165 metres).

**SCHEDULE 2**

Roads Authority: Tamworth Regional Council.  
File No.: TH05 H 425.

**TAREE OFFICE****98 Victoria Street (PO Box 440), Taree NSW 2430****Phone: (02) 6591 3500 Fax: (02) 6552 2816****APPOINTMENT OF RESERVE TRUST AS TRUSTEE  
OF A RESERVE**

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, 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**

Laurieton Homes for the  
Aged Reserve (R93246)  
Trust.

**COLUMN 2**

Reserve No.: 1011688.  
Public Purpose: Access.  
Notified: 30 June 2006.  
File No.: TE06 R 19.



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## Department of Natural Resources

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### WATER ACT 1912

Notice under Section 22B of the Water Act 1912

THE Department of Natural Resources pursuant to section 22B of the Water Act 1912, being satisfied that the quantity of water available or likely to be available in the Boomi River, unregulated Barwon River and unregulated Darling River (Barwon/Darling River System) all upstream of Lake Wetherell is insufficient to meet all requirements with respect to the taking of water therefrom, hereby gives notice to all holders of permits, authorities and licences issued under Part 2 of the Water Act 1912, that are denoted to be "B" and "C" class water entitlements, that as from midday, 14 July 2006, extraction of water from those above named rivers is hereby suspended until further notice.

GA2:494476.

DAVID HARRISS,  
Executive Director,  
Water Management,  
Department Natural Resources

## Department of Primary Industries

### STOCK MEDICINES ACT 1989

Authorisation of Inspector

I, B. D. BUFFIER, Director-General of NSW Department of Primary Industries, pursuant to section 48 of the Stock Medicines Act 1989 ('the Act'), authorise the person named in the Schedule as an Inspector under the Act.

#### SCHEDULE

Charlotte Anne CAVANAGH.

Dated this 26th day of June 2006.

B. D. BUFFIER,  
Director-General,  
NSW Department of Primary Industries

### STOCK DISEASES REGULATION 2004

Order Pursuant to Clauses 14 and 15

Exemptions from the Requirement for Cattle to be Identified for Transaction Purposes

Type, Specifications and Manner of Attachment for Transaction Identifiers for Cattle

I, B. D. BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to Clauses 14(2), 15(1) and 15(2) of the Stock Diseases Regulation 2004 ("the Regulation"), do hereby:

1. revoke the Order published in the *New South Wales Government Gazette* No. 111 of 1 July 2004, on pages 5574 to 5576, and any order revived as a result of this revocation; and
2. approve that Division 2 of Part 3 of the Regulation does not apply in relation to cattle in the circumstances specified in Schedule 1; and
3. approve the type, specifications and manner of attachment for transaction identifiers for cattle specified in Schedule 2.

#### SCHEDULE 1

All cattle, other than cattle that are sent to a saleyard for sale or an abattoir for slaughter from a property that has been assigned the status of T1F, T2F, T3F, T1V, T2V, T3V or T4 in accordance with appendix 14.9 to the Terms of Use for the National Livestock Identification System Database, as approved by SAFEMEAT and published from time to time by Meat and Livestock Australia.

#### SCHEDULE 2

A transaction identifier for cattle must be a ratchet or wrap-around tail tag with the following specifications:

- (a) made of durable plastic; and
- (b) red in colour; and
- (c) printed with the property identification code of the appropriate property in characters that are black, upper case and at least 7 mm high.

The identifier must be attached securely around the tail immediately above the brush in a manner that allows the property identification code to be clearly read when the tag is attached.

Note: The Terms of Use for the National Livestock Identification System Database are available at [www.nlis.mla.com.au](http://www.nlis.mla.com.au) or by contacting Meat and Livestock Australia on 1800 654 743.

Signed this 7th day of July 2006.

B. D. BUFFIER,  
Director-General,  
NSW Department of Primary Industries

### MINERAL RESOURCES

NOTICE is given that the following applications have been received:

#### EXPLORATION LICENCE APPLICATIONS

(06-4065)

No. 2769, SOUTHERN GOLD LIMITED (ACN 107 424 519), area of 99 units, for Group 1, dated 26 June 2006. (Orange Mining Division).

(06-4073)

No. 2778, CENTAURUS RESOURCES PTY LTD (ACN 120 281 969), area of 43 units, for Group 1, dated 30 June 2006. (Orange Mining Division).

(06-4074)

No. 2779, PLATSEARCH NL (ACN 003 254 395), area of 39 units, for Group 1, dated 30 June 2006. (Orange Mining Division).

(06-4077)

No. 2782, GEOSEARCH INTERNATIONAL LIMITED (ACN 112 231 802), area of 3 units, for Group 1, dated 6 July 2006. (Inverell Mining Division).

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

NOTICE is given that the following applications have been granted:

#### EXPLORATION LICENCE APPLICATIONS

(05-3345)

No. 2644, now Exploration Licence No. 6594, DELLWORTH PTY LIMITED (ACN 002998192), County of Durham, Map Sheet (9133), area of 1557 hectares, for Group 9, dated 7 July 2006, for a term until 6 July 2009.

(06-0063)

No. 2647, now Exploration Licence No. 6582, AMEROD EXPLORATION LIMITED (ACN 108 574 250), County of Harden, Map Sheet (8528), area of 16 units, for Group 1, dated 23 June 2006, for a term until 22 June 2008.

(06-0095)

No. 2676, now Exploration Licence No. 6583, GALLIPOLI MINING PTY LTD (ACN 106 559 317), County of Harden, Map Sheet (8628), area of 97 units, for Group 1, dated 26 June 2006, for a term until 25 June 2008.

(06-0096)

No. 2677, now Exploration Licence No. 6576, Katrina Peta DOWNES, County of Bligh, Map Sheet (8733), area of 20 units, for Group 1, dated 20 June 2006, for a term until 19 June 2008.

(06-0101)

No. 2682, now Exploration Licence No. 6575, Megan ROBERTS, County of Wellington, Map Sheet (8732), area of 90 units, for Group 1, dated 20 June 2006, for a term until 19 June 2008.

(06-0106)

No. 2686, now Exploration Licence No. 6570, TIRONZ PTY LIMITED (ACN 118 491 581), Counties of Richmond and Rous, Map Sheet (9539, 9540), area of 95 units, for Group 1 and Group 10, dated 8 June 2006, for a term until 7 June, 2008. As a result of the grant of this title, Exploration Licence No. 6451 has partly ceased to have effect.

(06-0121)

No. 2698, now Exploration Licence No. 6579, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Cairn and Wakool, Map Sheet (7528, 7627, 7628, 7629), area of 1492 units, for Group 10, dated 23 June 2006, for a term until 22 June 2008.

(06-0122)

No. 2699, now Exploration Licence No. 6580, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Cadell, Cairn, Wakool and Waradgery, Map Sheet (7726, 7727, 7728, 7729), area of 1583 units, for Group 10, dated 23 June 2006, for a term until 22 June 2008.

(06-0123)

No. 2700, now Exploration Licence No. 6581, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Cadell, Townsend, Wakool and Waradgery, Map Sheet (7726, 7727, 7728, 7826), area of 632 units, for Group 10, dated 23 June 2006, for a term until 22 June 2008.

(06-0125)

No. 2702, now Exploration Licence No. 6574, MINEX (AUST) PTY LTD (ACN 091 546 708), County of Buccleuch, Map Sheet (8527), area of 43 units, for Group 1, dated 19 June 2006, for a term until 18 June 2008.

#### PETROLEUM APPLICATION

(05-5354)

No. 77, now Petroleum Exploration Licence No. 451, RED SKY ENERGY PTY LIMITED (ACN 099 116 275), area of 140 blocks, for petroleum, dated 4 July 2006, for a term until 3 July 2008. (Cobar Mining Division). For exact location details refer to the Department's NSW State Map of Petroleum Titles.

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

NOTICE is given that the following applications have been withdrawn:

#### EXPLORATION LICENCE APPLICATIONS

(06-0222)

No. 2740, PLATSEARCH NL (ACN 003 254 395), County of Fitzgerald and County of Killara, Map Sheet (7636, 7637). Withdrawal took effect on 14 June 2006.

(06-0223)

No. 2741, PLATSEARCH NL (ACN 003 254 395), County of Fitzgerald, County of Ularara and County of Yantara, Map Sheet (7537). Withdrawal took effect on 27 June 2006.

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

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

(T91-0066)

Exploration Licence No. 4022, ALKANE EXPLORATION LTD (ACN 000 689 216), area of 23 units. Application for renewal received 6 July 2006.

(C96-2028)

Exploration Licence No. 5337, NEWCASTLE COAL COMPANY PTY LTD (ACN 074 900 208), area of 2379 hectares. Application for renewal received 4 July 2006.

(T02-0021)

Exploration Licence No. 5983, ISOKIND PTY LIMITED (ACN 081 732 498), area of 11 units. Application for renewal received 11 July 2006.

(T02-0038)

Exploration Licence No. 5986, OMYAAUSTRALIA PTY LIMITED (ACN 001 682 533), area of 5 units. Application for renewal received 5 July 2006.

(T02-0429)

Exploration Licence No. 6114, MORNING STAR GOLD NL (ACN 003 312 721) and CENTRAL WEST GOLD NL (ACN 003 078 591), area of 6 units. Application for renewal received 5 July 2006.

(T03-0969)

Exploration Licence No. 6281, CONARCO MINERALS PTY LTD (ACN 102 750 890), area of 16 units. Application for renewal received 7 July 2006.

(T04-0045)

Exploration Licence No. 6286, MATILDA RESOURCES PTY LTD (ACN 106 708 838), area of 49 units. Application for renewal received 11 July 2006.

(T86-0334)

Exploration (Prospecting) Licence No. 1094, Robert Patrick HEWETT, area of 2 units. Application for renewal received 10 July 2006.

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

#### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(04-4977)

Exploration Licence No. 5292, COAL AND ALLIED OPERATIONS PTY LIMITED (ACN 000 023 656), Counties of Durham, Hunter and Northumberland, Map Sheet (9132, 9133), area of 2880 hectares, for a further term until 27 April 2010. Renewal effective on and from 6 July 2006.

(T98-1178)

Exploration Licence No. 5726, TRI ORIGIN MINERALS LTD (ACN 062 002 475), Counties of Argyle and Murray, Map Sheet (8827), area of 3 units, for a further term until 9 May 2008. Renewal effective on and from 23 June 2006.

(C00-1012)

Exploration Licence No. 5824, MAITLAND MAIN COLLIERIES PTY LTD (ACN 000 012 652), AMCI (GC) PTY LIMITED (ACN 097 238 349), JFE STEEL

AUSTRALIA (GC) PTY LTD (ACN 113 447 466), JS GLENNIES CREEK PTY LTD (ACN 113 447 055), NS GLENNIES CREEK PTY LIMITED (ACN 113 447 331) and POS-GC PTY LTD (ACN 113 446 414), County of Durham, Map Sheet (9133), area of 1102 hectares, for a further term until 18 March 2011. Renewal effective on and from 6 July 2006.

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

**EXPIRY**

Mining Purposes Lease No. 503 (Act 1906), CEMENT AUSTRALIA (KANDOS) PTY LIMITED (ACN 004 158 972), Parish of Rylstone, County of Roxburgh. This title expired on 7 July 2006.

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

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**TRANSFERS**

(06-3182)

Exploration Licence No. 6302, formerly held by RESOURCE MANAGEMENT AND DEVELOPMENT PTY LTD (ACN 078 902 191), has been transferred to COBAR CONSOLIDATED RESOURCES LIMITED (ACN 118 684 576). The transfer was registered on 6 July 2006.

(06-3182)

Exploration Licence No. 6303, formerly held by RESOURCE MANAGEMENT AND DEVELOPMENT PTY LTD (ACN 078 902 191), has been transferred to COBAR CONSOLIDATED RESOURCES LIMITED (ACN 118 684 576). The transfer was registered on 6 July 2006.

(06-3182)

Exploration Licence No. 6482, formerly held by RESOURCE MANAGEMENT AND DEVELOPMENT PTY LTD (ACN 078 902 191), has been transferred to COBAR CONSOLIDATED RESOURCES LIMITED (ACN 118 684 576). The transfer was registered on 6 July 2006.

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

**GAME AND FERAL ANIMAL CONTROL ACT 2002****ORDER****Declaration of public lands for hunting for the purposes of the *Game and Feral Animal Control Act 2002***

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to section 20 of the *Game and Feral Control Act 2002*, after having had regard to the matters set out in section 20(4), declare that game animals on public land described in the Schedules below may be hunted by persons duly licensed, subject to the relevant terms contained in each of the Schedules.

NOTE: This declaration is limited to game animals prescribed in section 5(1) and section 5(2) of the *Game and Feral Control Act 2002*.

Dated this 4<sup>th</sup> day of July 2006.

**IAN MACDONALD MLC**  
**Minister for Primary Industries**

**Schedule 1**  
**Badja State Forest****Terms****1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Badja State Forest**

Badja State Forest is located approximately 50 km east of the township of Cooma. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Badja State Forest area: 7516 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

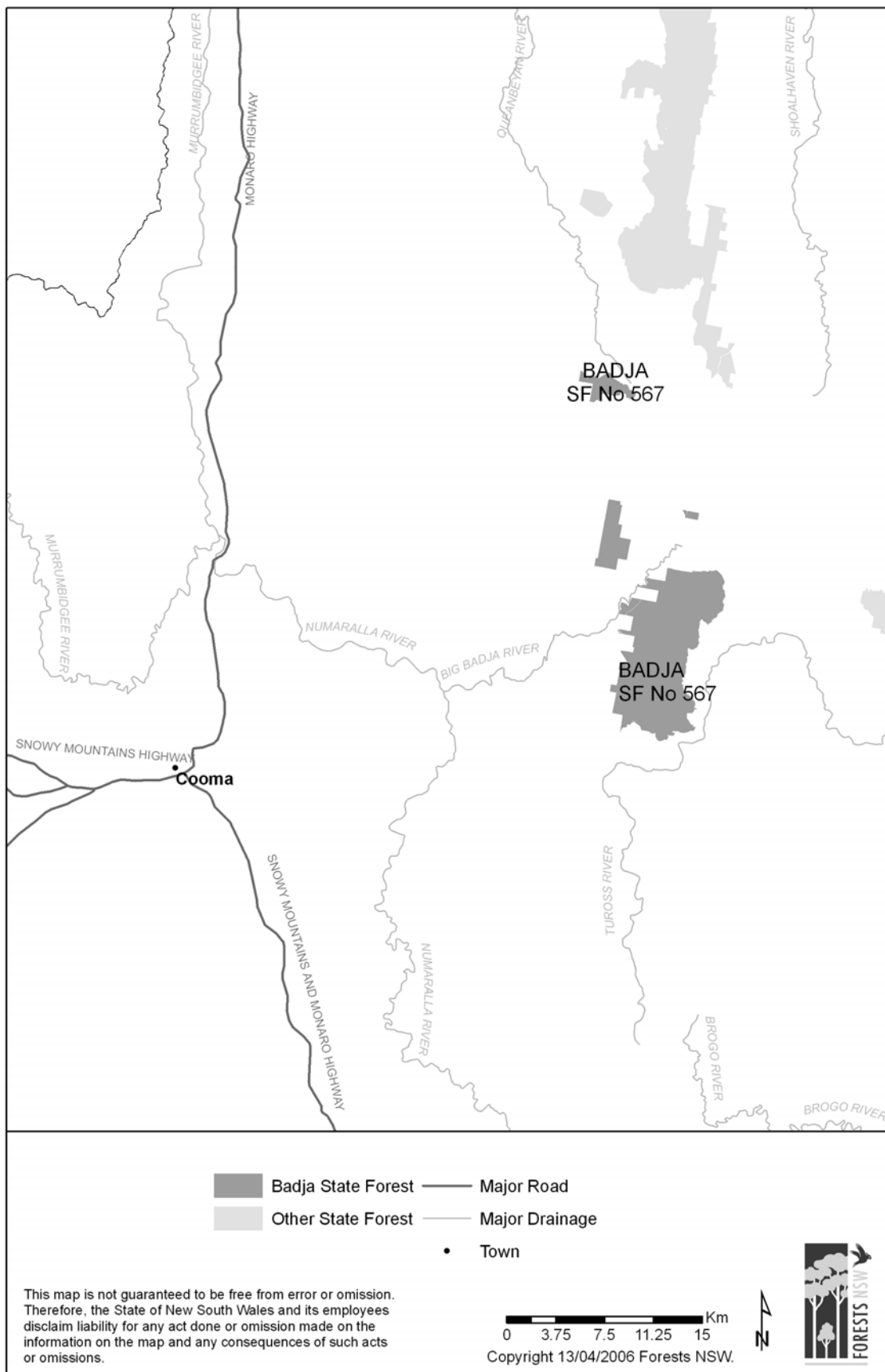
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

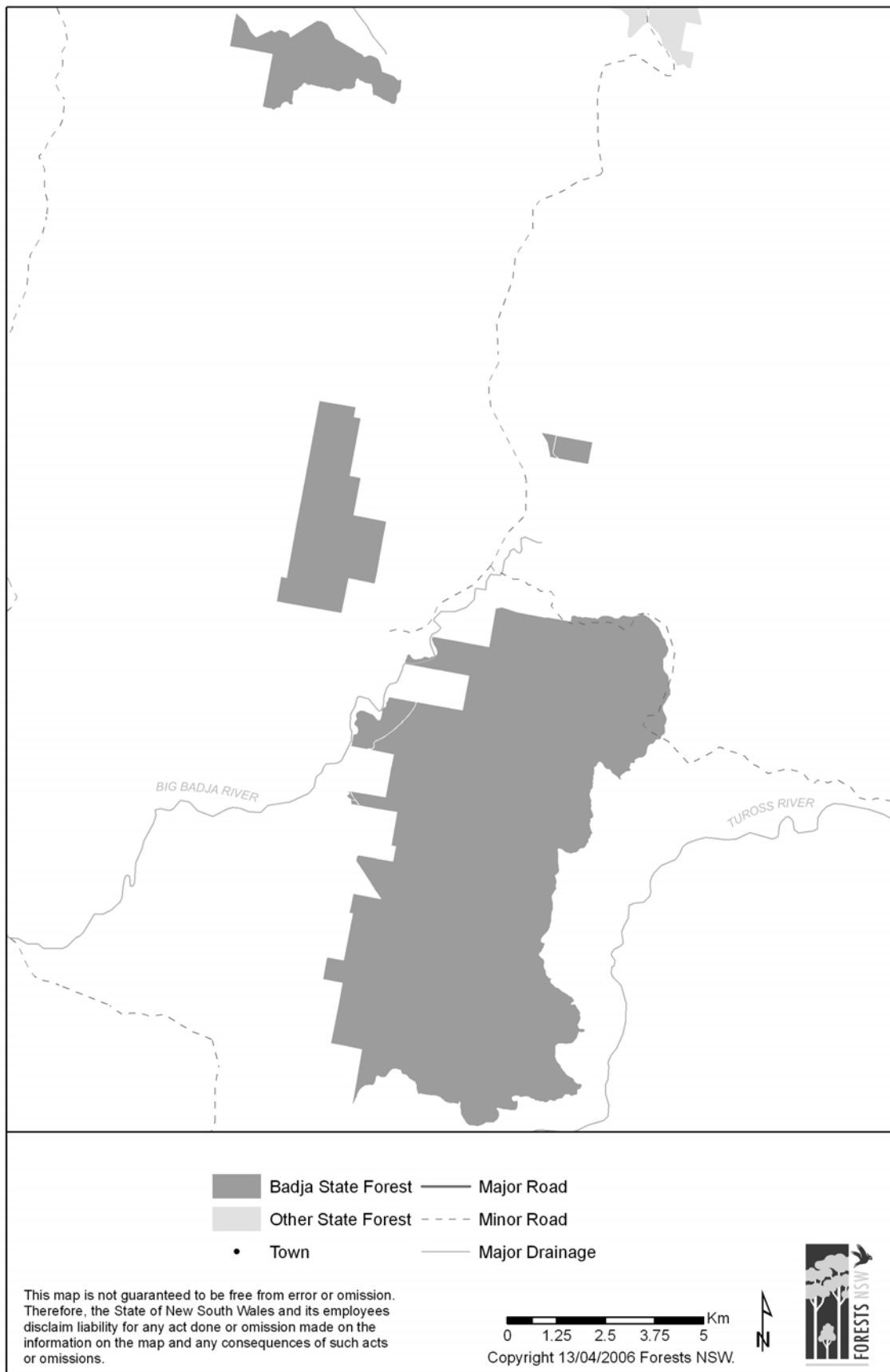
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



### APPENDIX 'B' – Location Map



**Schedule 2  
Ben Bullen State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Ben Bullen State Forest**

Ben Bullen State Forest is located approximately 2 km east of the township of Cullen Bullen. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Ben Bullen State Forest area: 7812 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

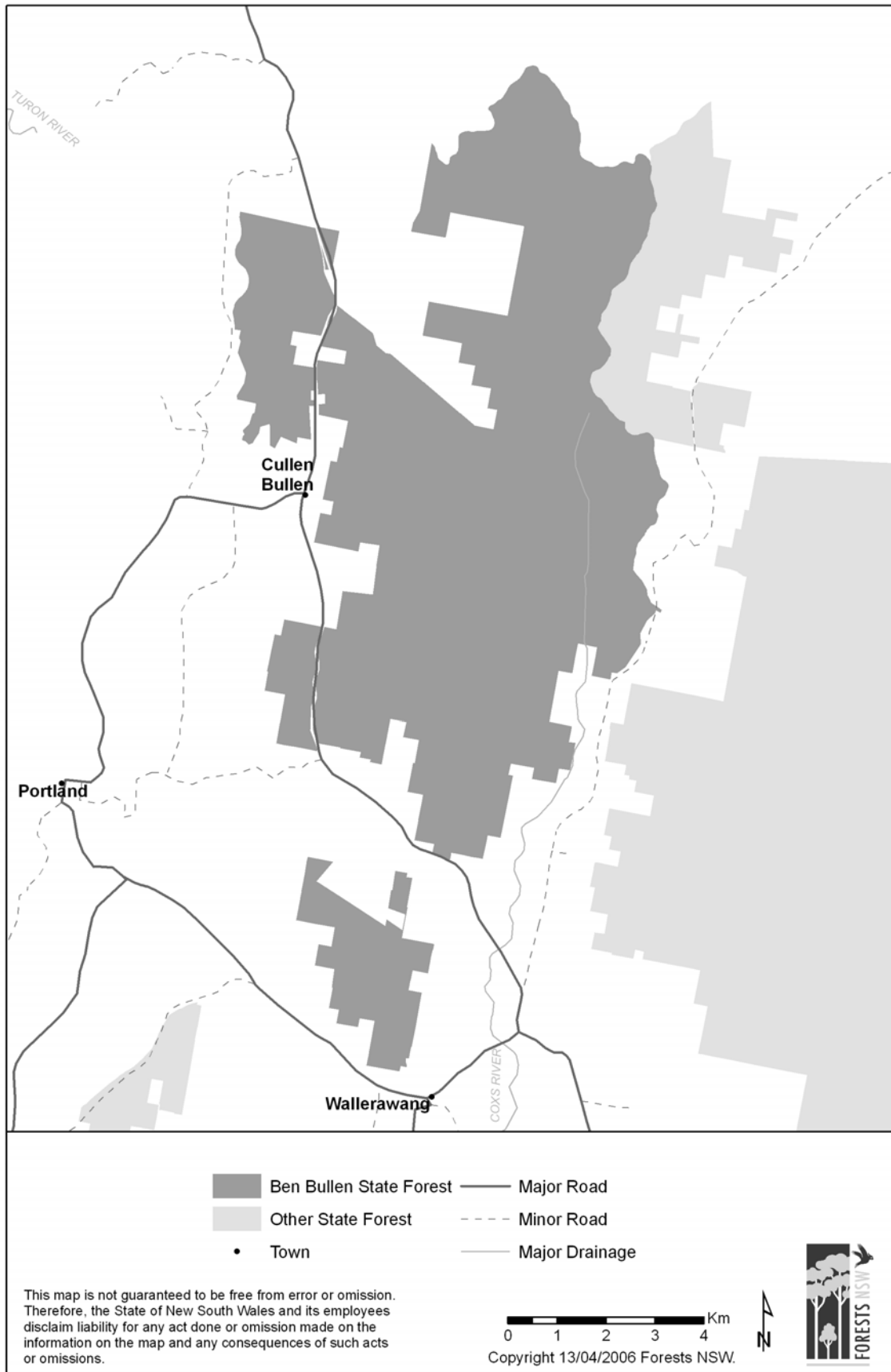


APPENDIX 'A' – Locality Map



This map is not guaranteed to be free from error or omission. Therefore, the State of New South Wales and its employees disclaim liability for any act done or omission made on the information on the map and any consequences of such acts or omissions.

APPENDIX 'B' – Location Map



**Schedule 3  
Benandarah State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Benandarah State Forest**

Benandarah State Forest is located approximately 5 km north of the township of Batemans Bay. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Benandarah State Forest area: 2489 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

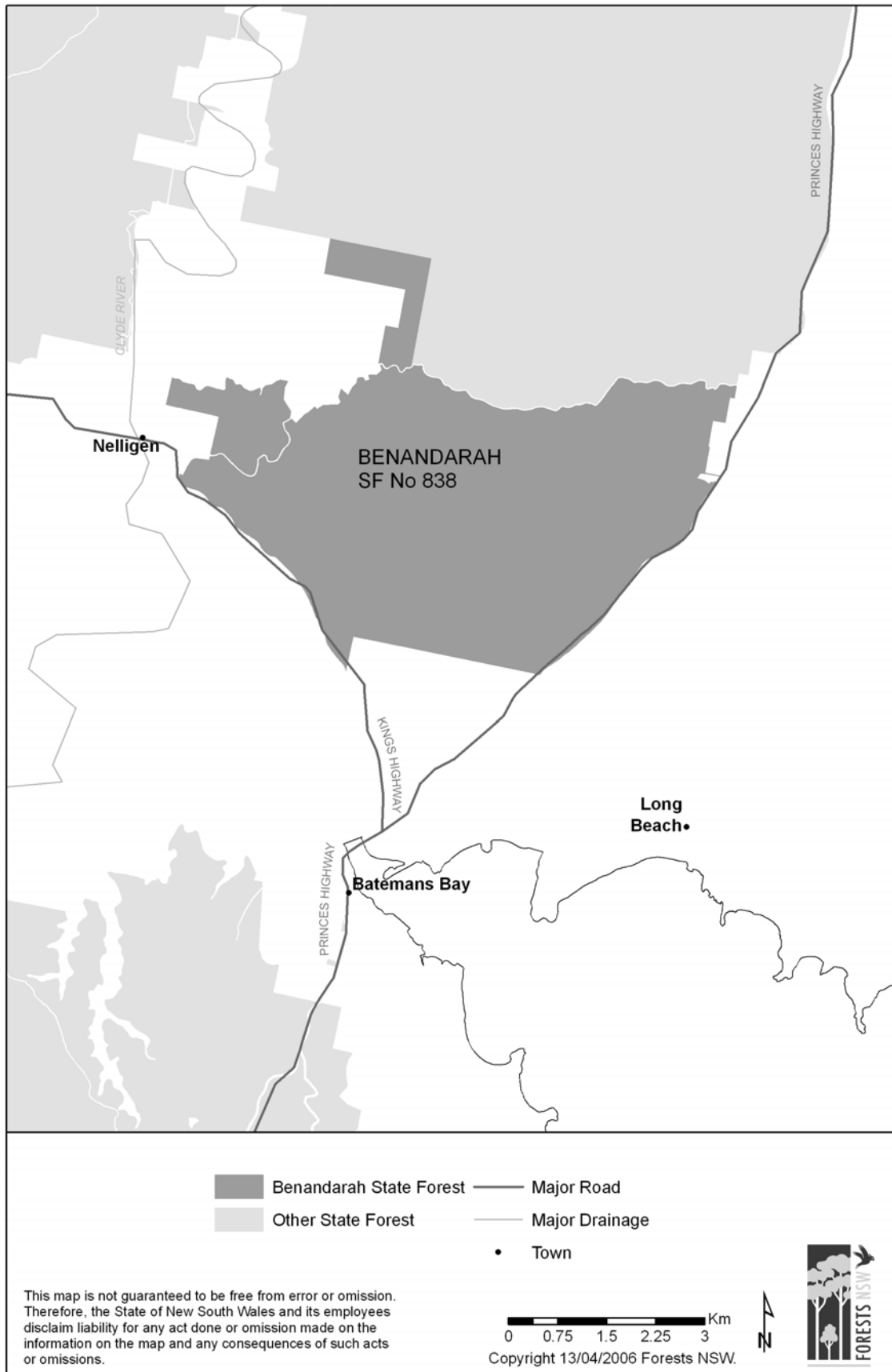
A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

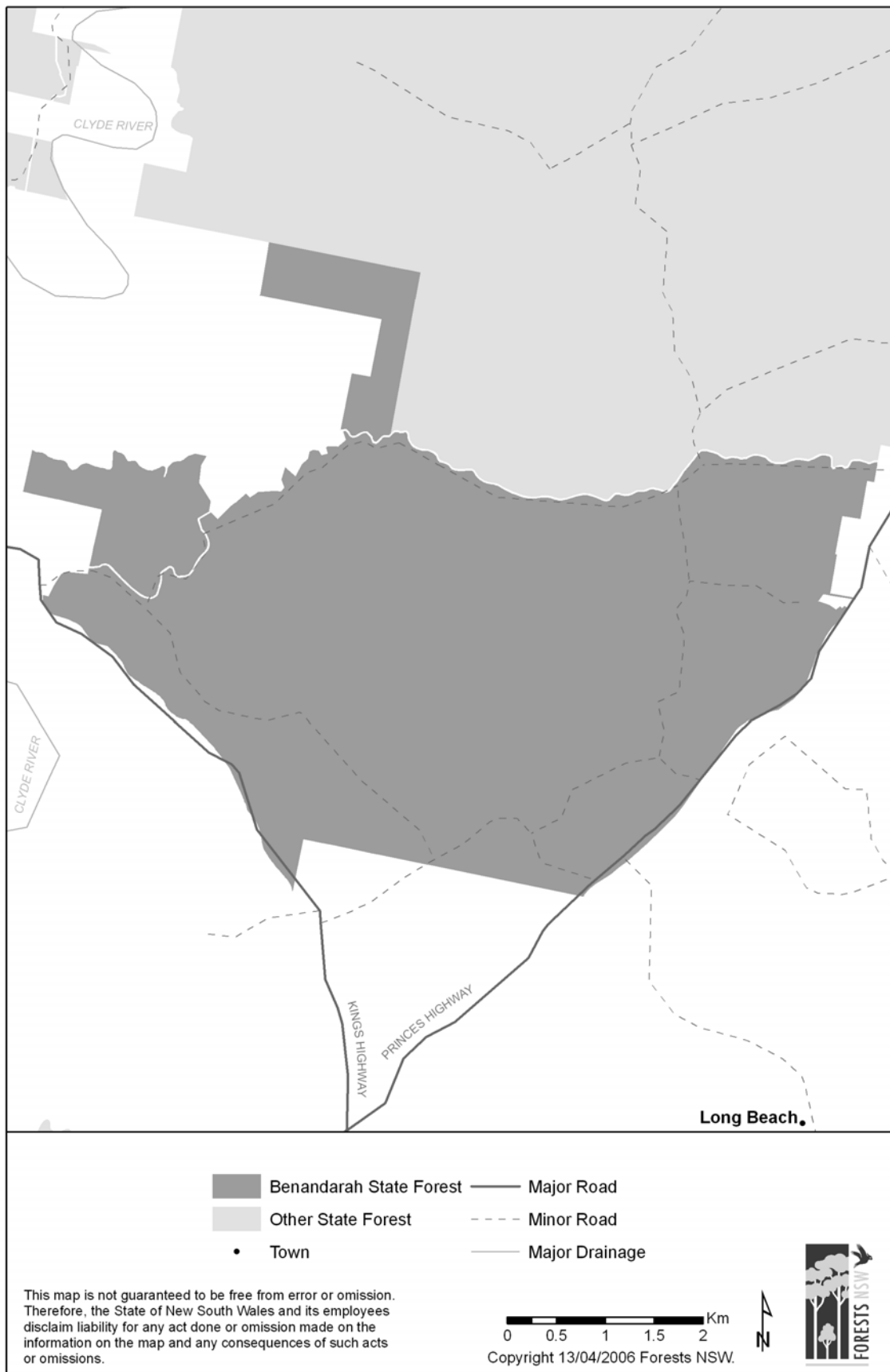
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

**APPENDIX 'A' – Locality Map**



### APPENDIX 'B' – Location Map



**Schedule 4  
Bermagui State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Bermagui State Forest**

Bermagui State Forest is located approximately 3 km west of the township of Bermagui. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Bermagui State Forest area: 1864 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

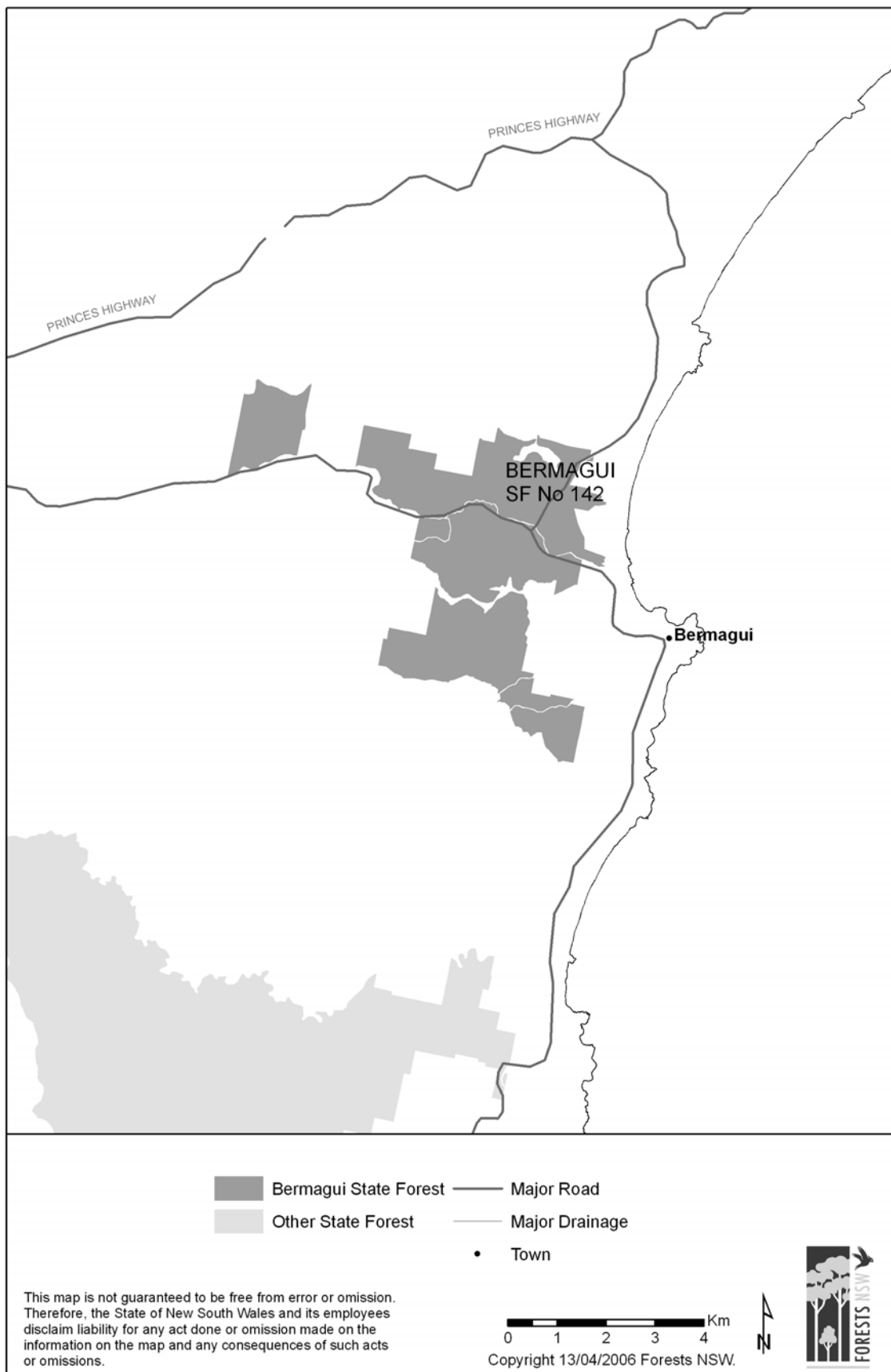
A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

### APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 5  
Bodalla State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Bodalla State Forest**

Bodalla State Forest is located approximately 5 km south west of the township of Bodalla. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Bodalla State Forest area: 23987 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

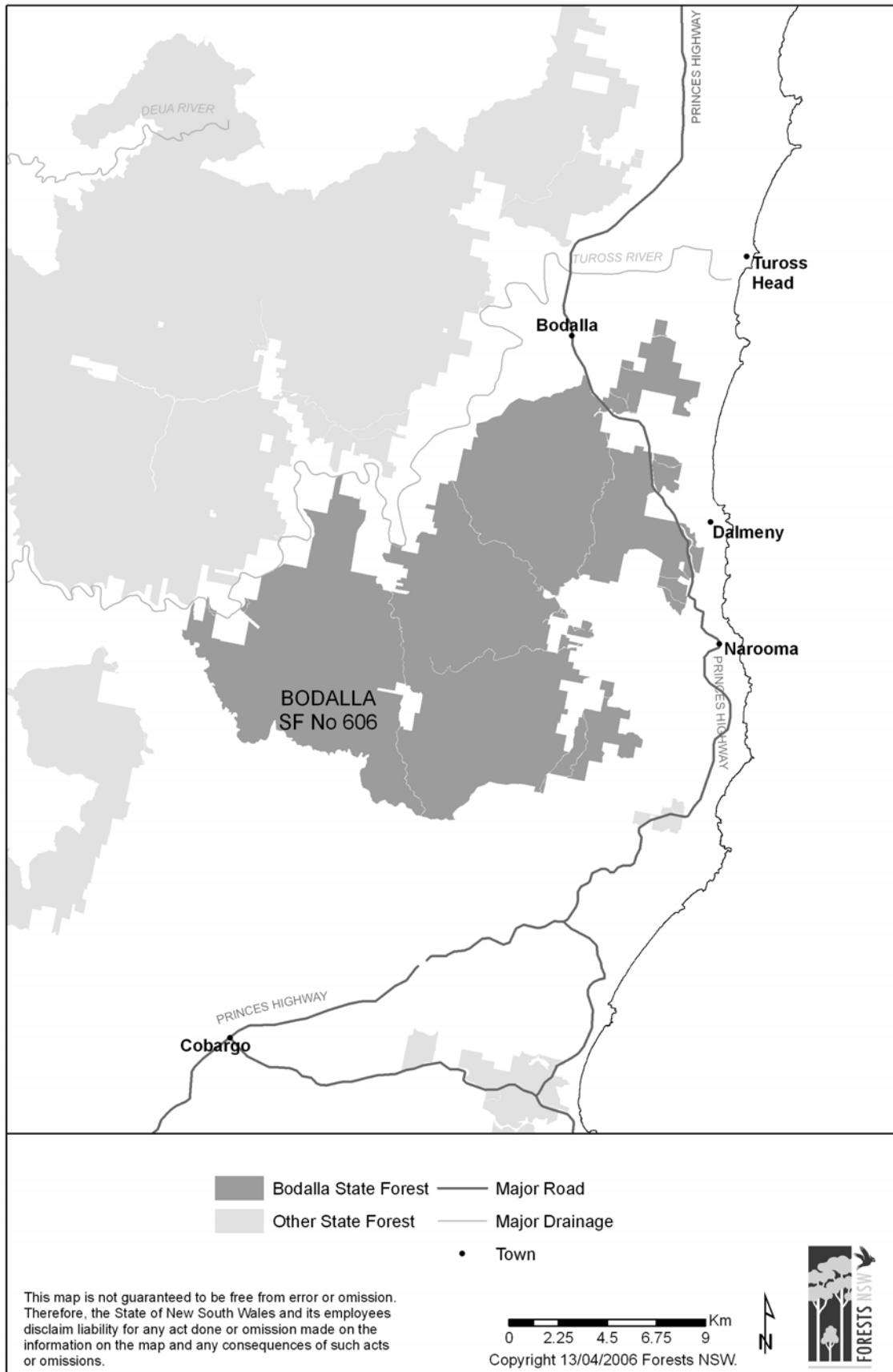
A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

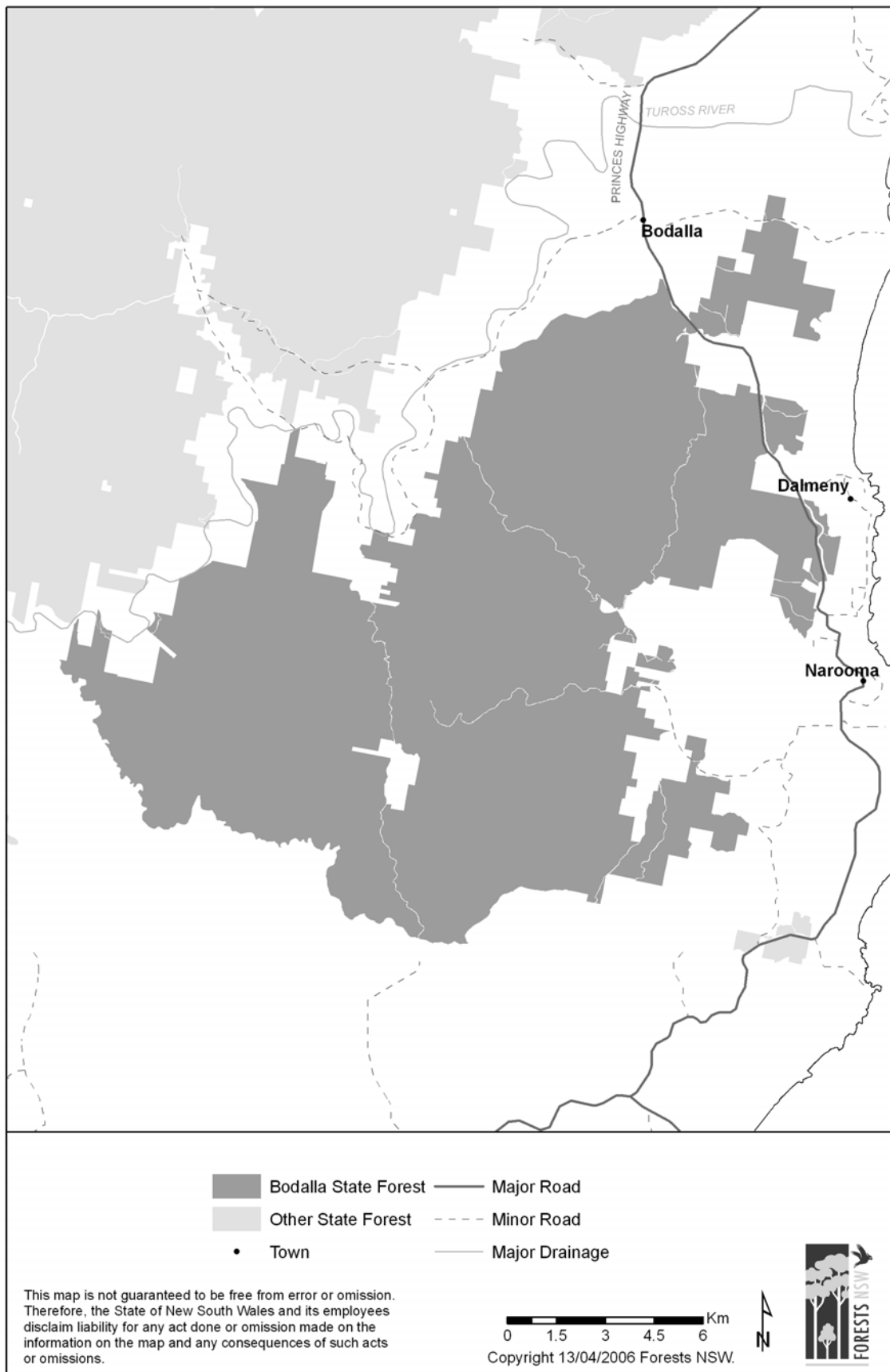
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

**APPENDIX 'A' – Locality Map**



APPENDIX 'B' – Location Map



**Schedule 6**  
**Bolaro State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Bolaro State Forest**

Bolaro State Forest is located approximately 10 km west of the township of Batemans Bay. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Bolaro State Forest area:1810 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

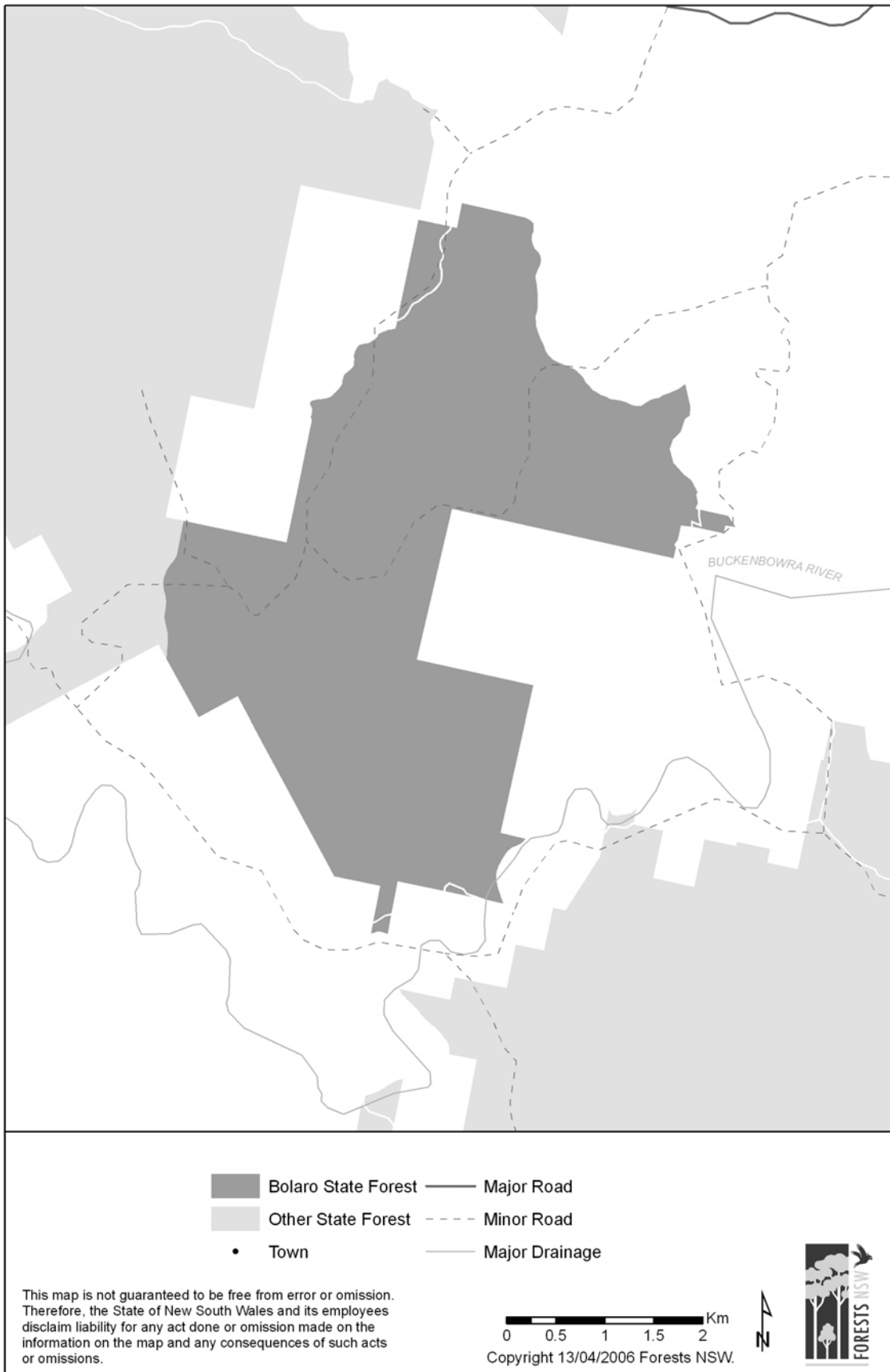
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 7**  
**Boyne State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Boyne State Forest**

Boyne State Forest is located approximately 10 km north of the township of Batemans Bay. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Boyne State Forest area:6195 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

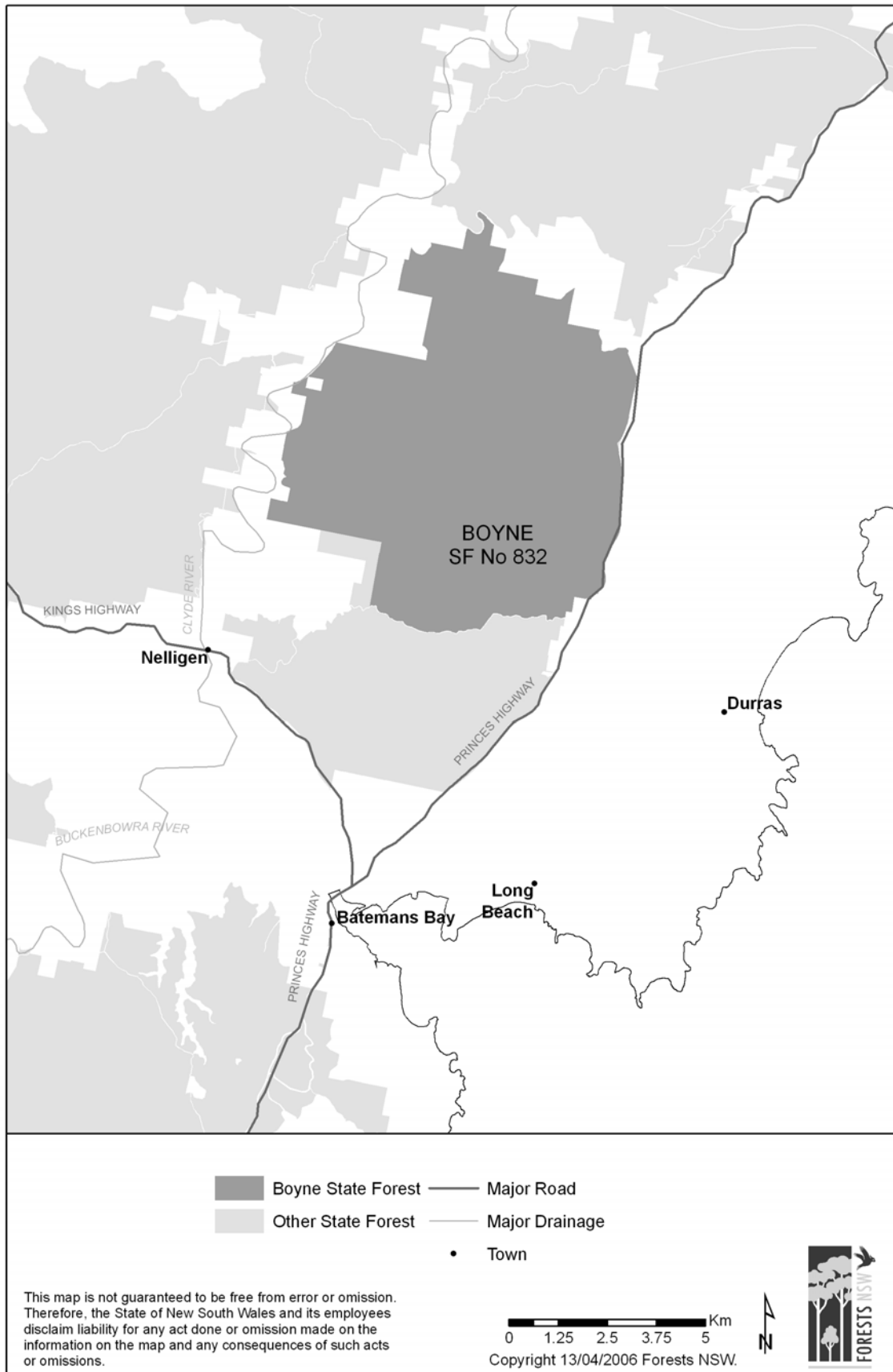
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

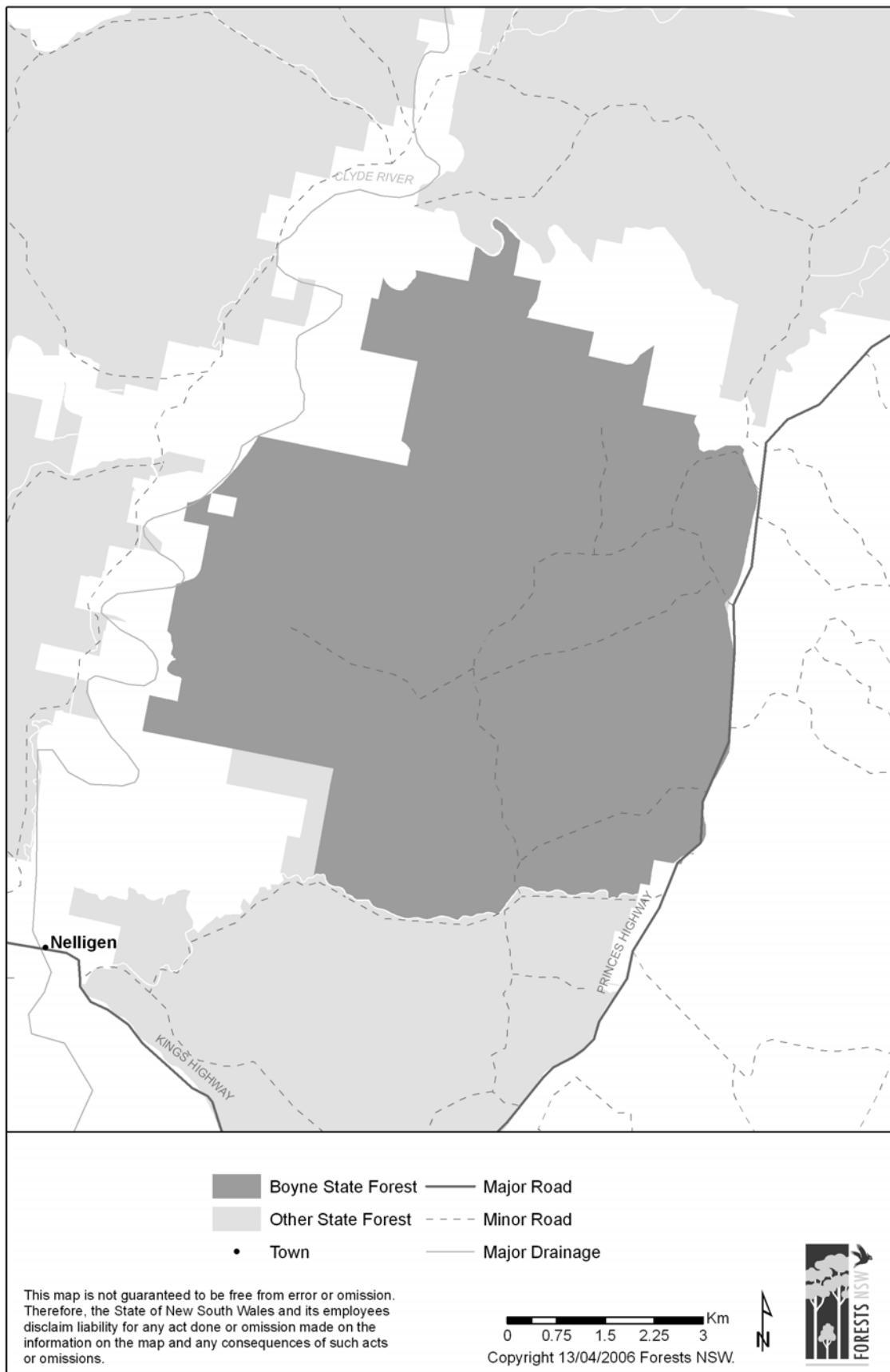
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

**APPENDIX 'A' – Locality Map**





APPENDIX 'B' – Location Map



**Schedule 8  
Bruces Creek State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Bruces Creek State Forest**

Bruces Creek State Forest is located approximately 40 km south of the township of Eden. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Bruces Creek State Forest area: 911 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

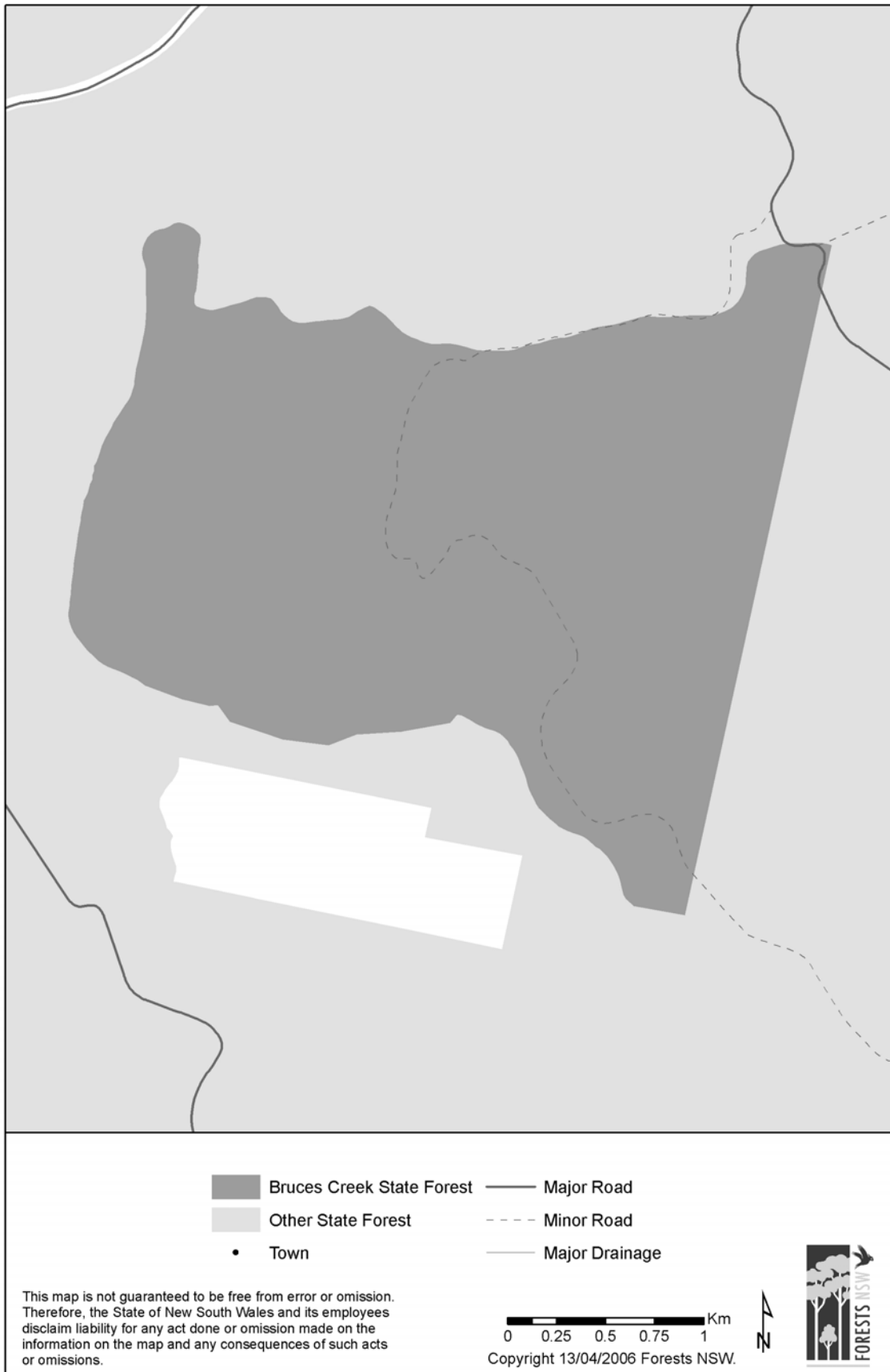
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

**APPENDIX 'A' – Locality Map**



APPENDIX 'B' – Location Map



**Schedule 9  
Buckenbowra State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Buckenbowra State Forest**

Buckenbowra State Forest is located approximately 10 km west of the township of Nelligen. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Buckenbowra State Forest area: 5024 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

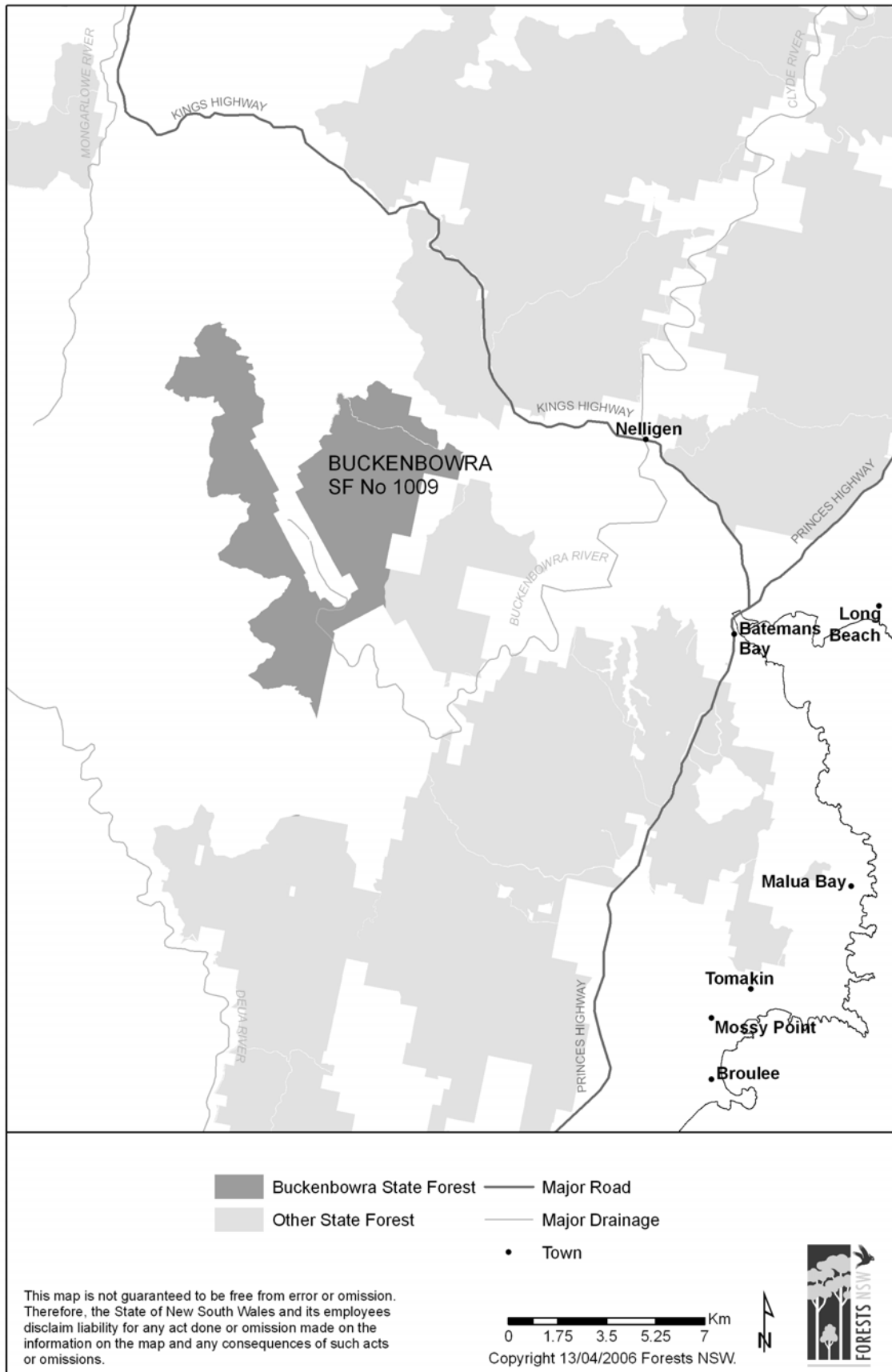
A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

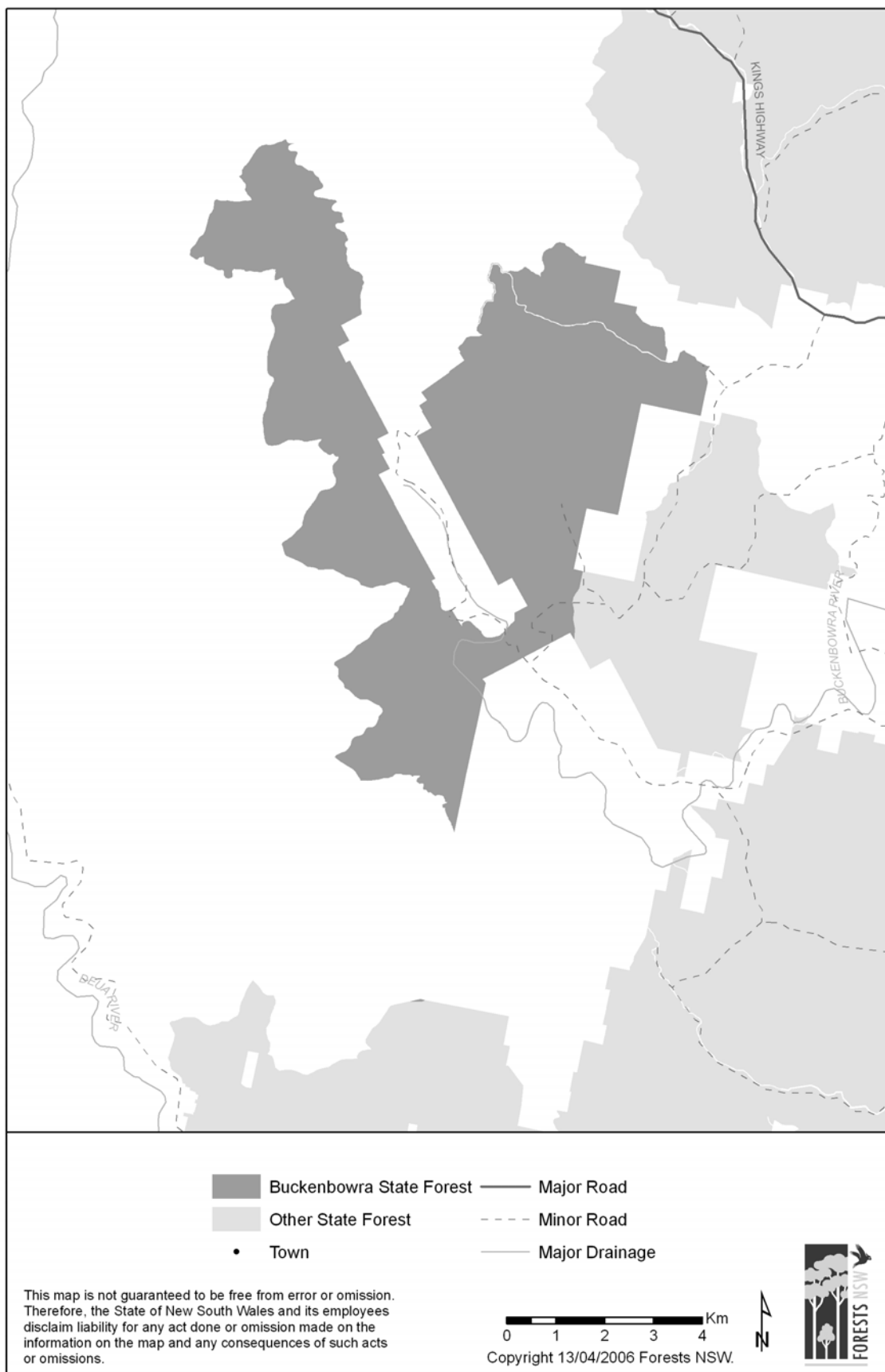
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 10  
Cathcart State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Cathcart State Forest**

Cathcart State Forest is located approximately 18 km west of the township of Candelo. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Cathcart State Forest area: 1655 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area, for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

(b) Comply with all conditions in the written permission; and

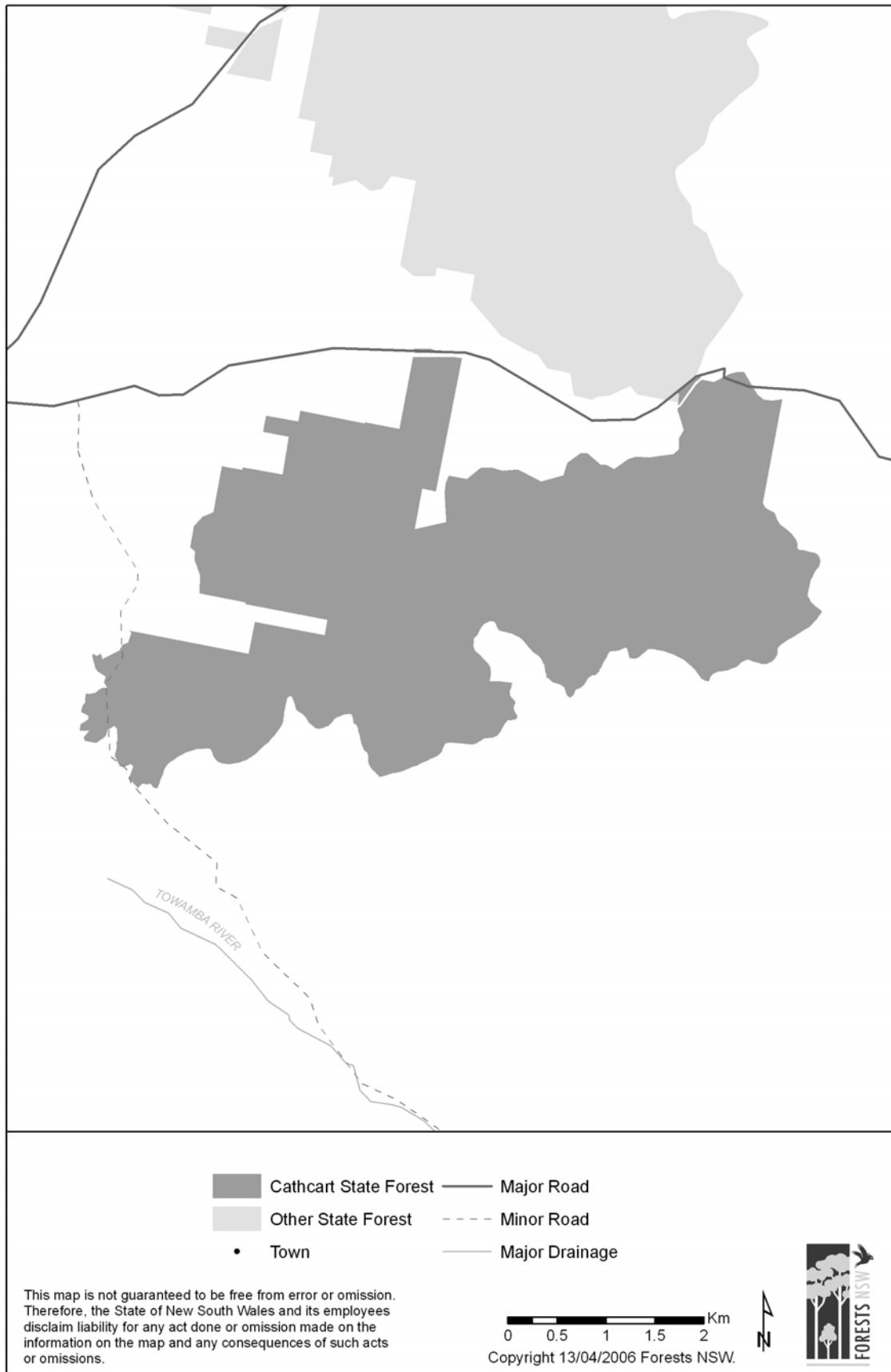
(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



### APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 11  
Clyde State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Clyde State Forest**

Clyde State Forest is located approximately 25 km north of the township of Nelligen. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Clyde State Forest area: 3565 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

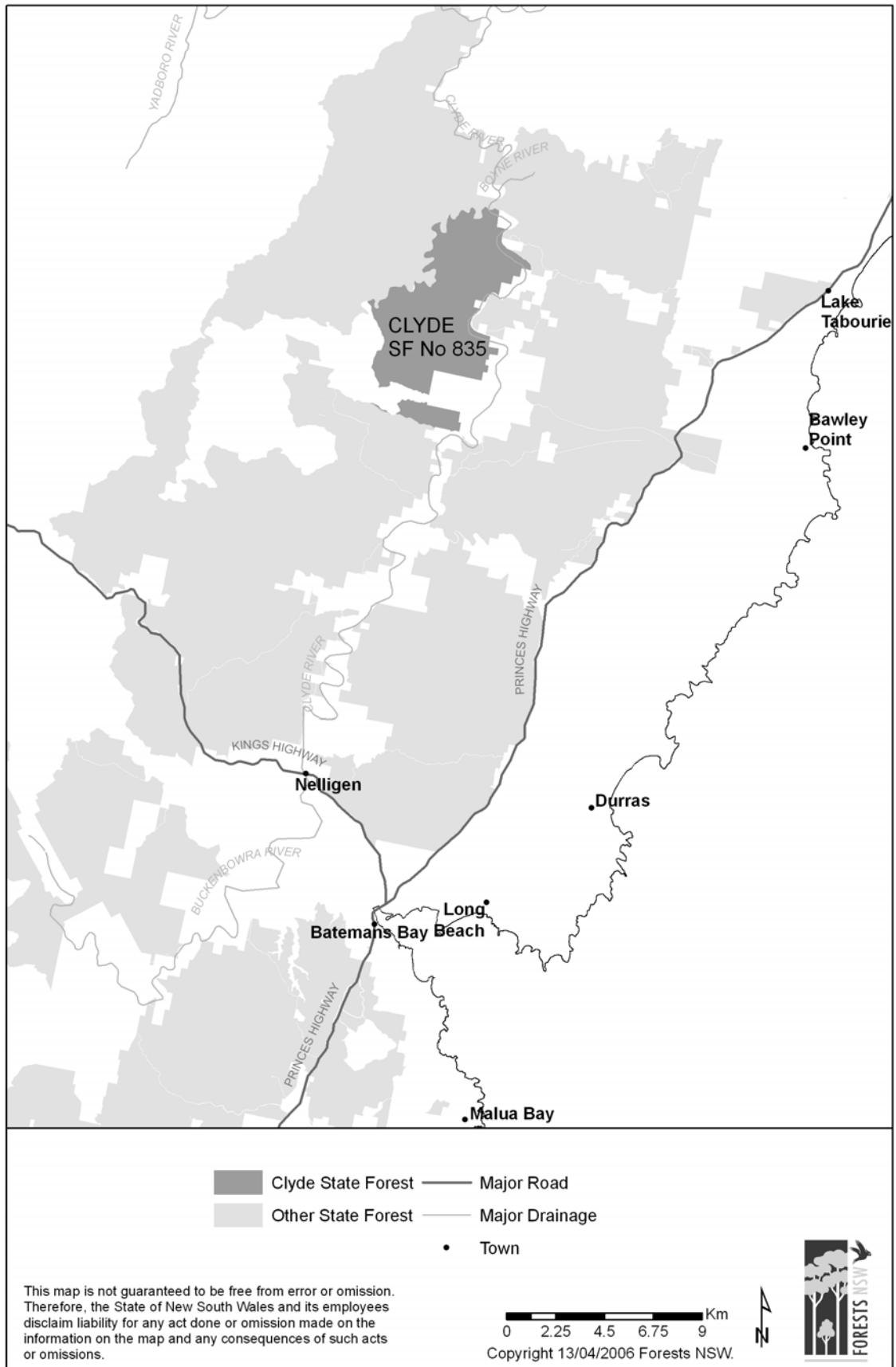
A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

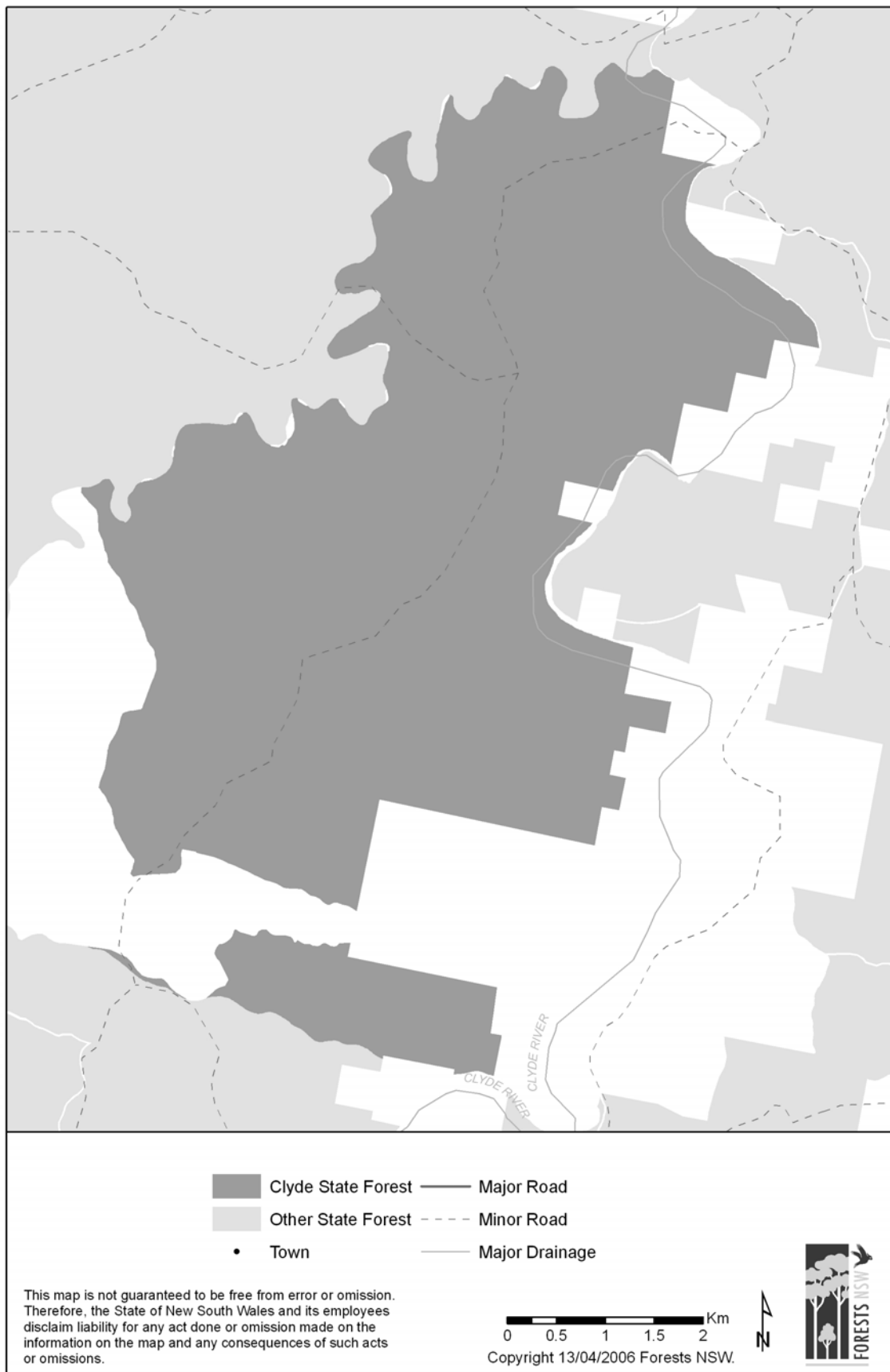
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

### APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 12**  
**Coolangubra State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Coolangubra State Forest**

Coolangubra State Forest is located approximately 15 km east of the township of Bombala. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Coolangubra State Forest area: 10454 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

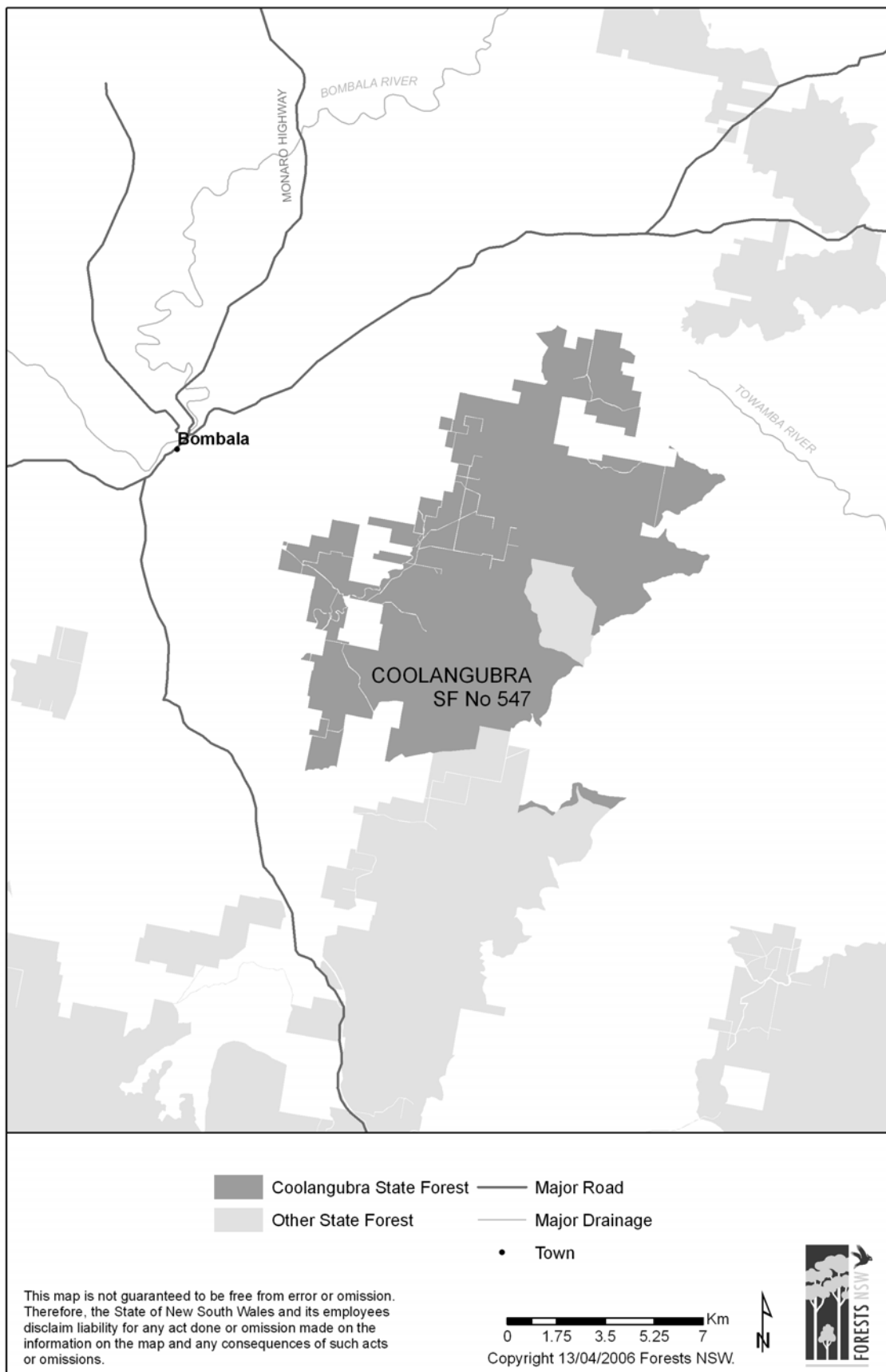
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

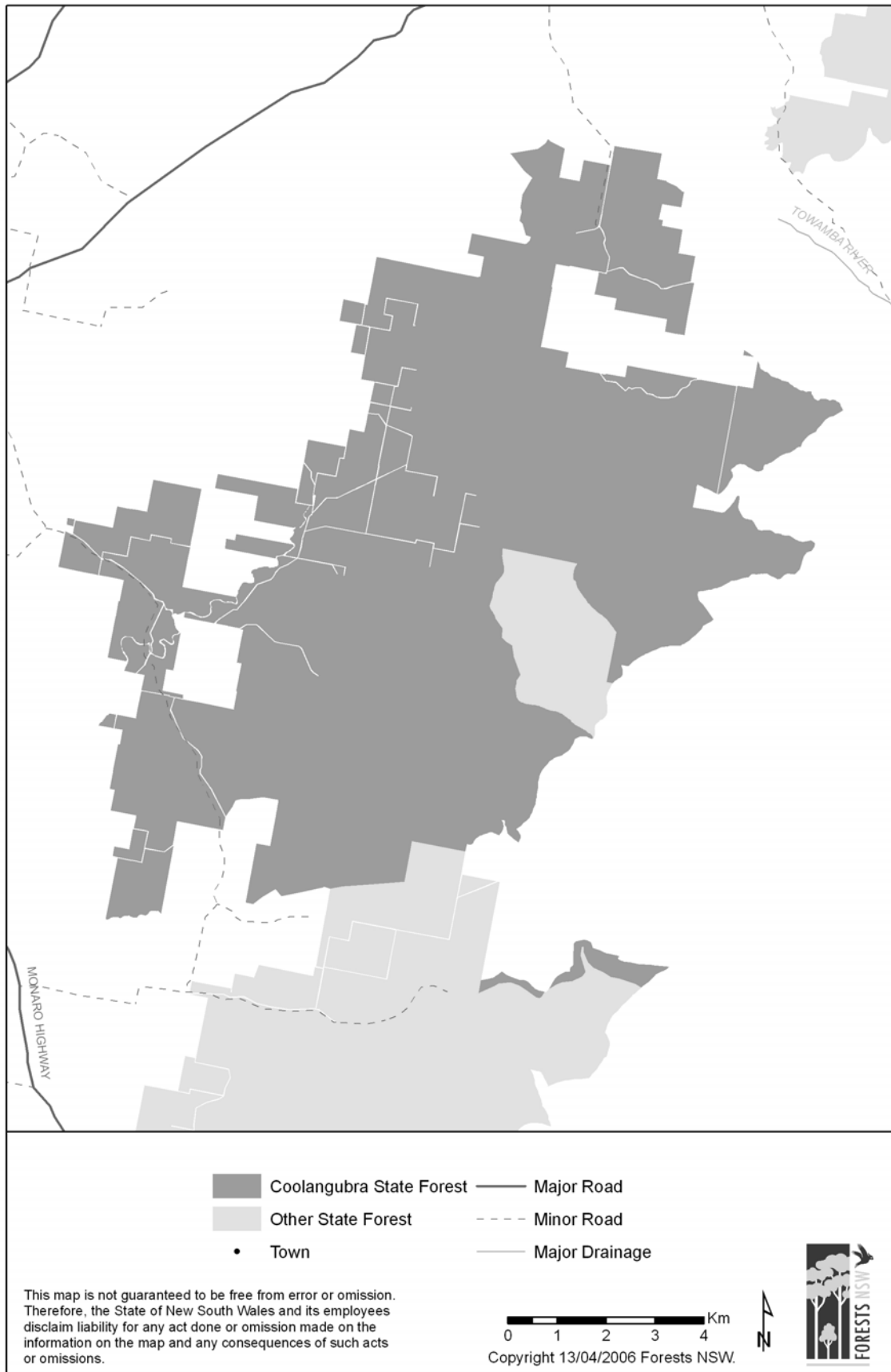
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 13  
Coricudgy State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Coricudgy State Forest**

Coricudgy State Forest is located approximately 30 km east of the township of Rylstone. A Locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Coricudgy State Forest area: 7392 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

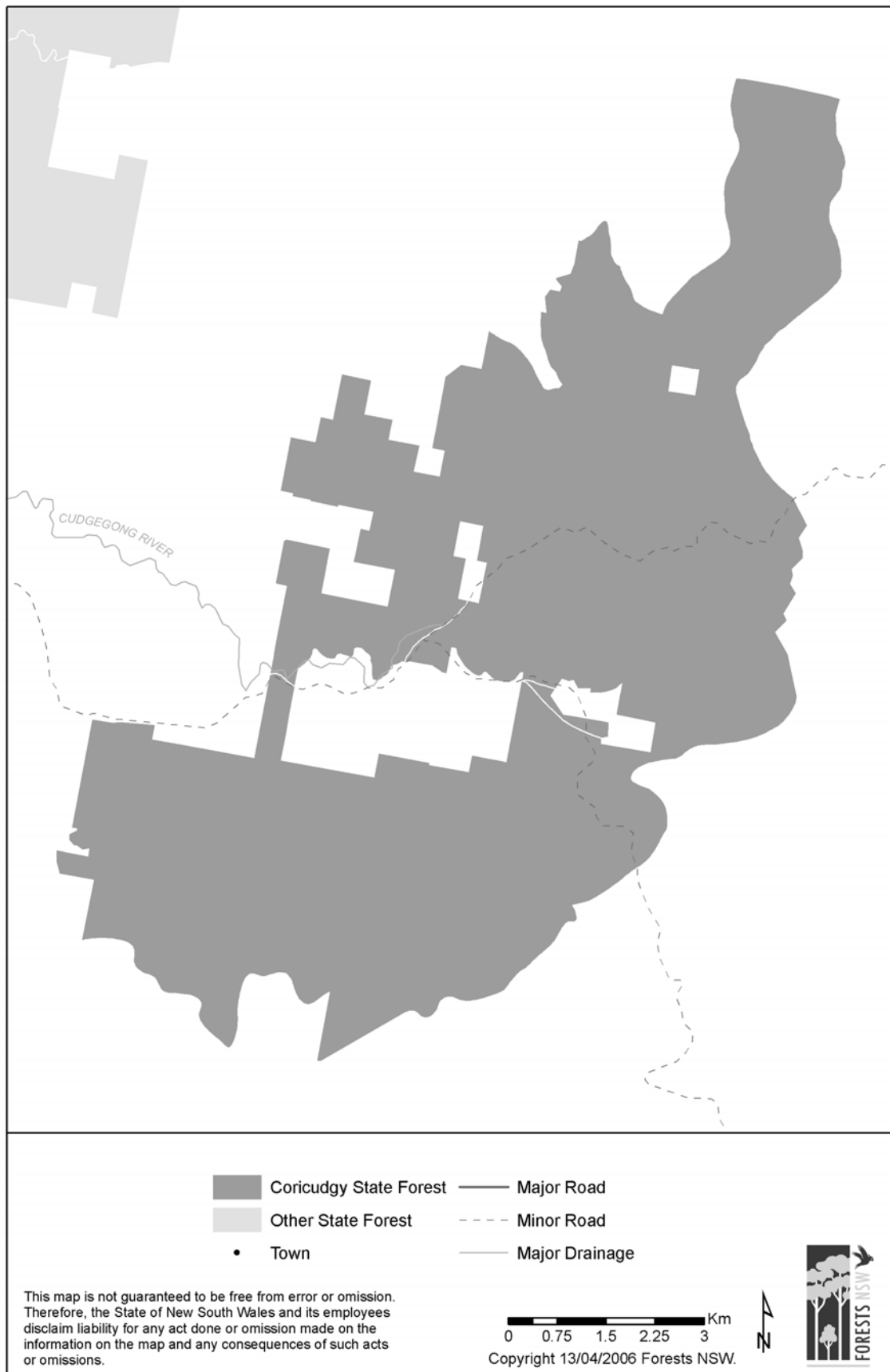
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 14  
Dampier State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Dampier State Forest**

Dampier State Forest is located approximately 5 km west of the township of Bodalla. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Dampier State Forest area: 33671 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

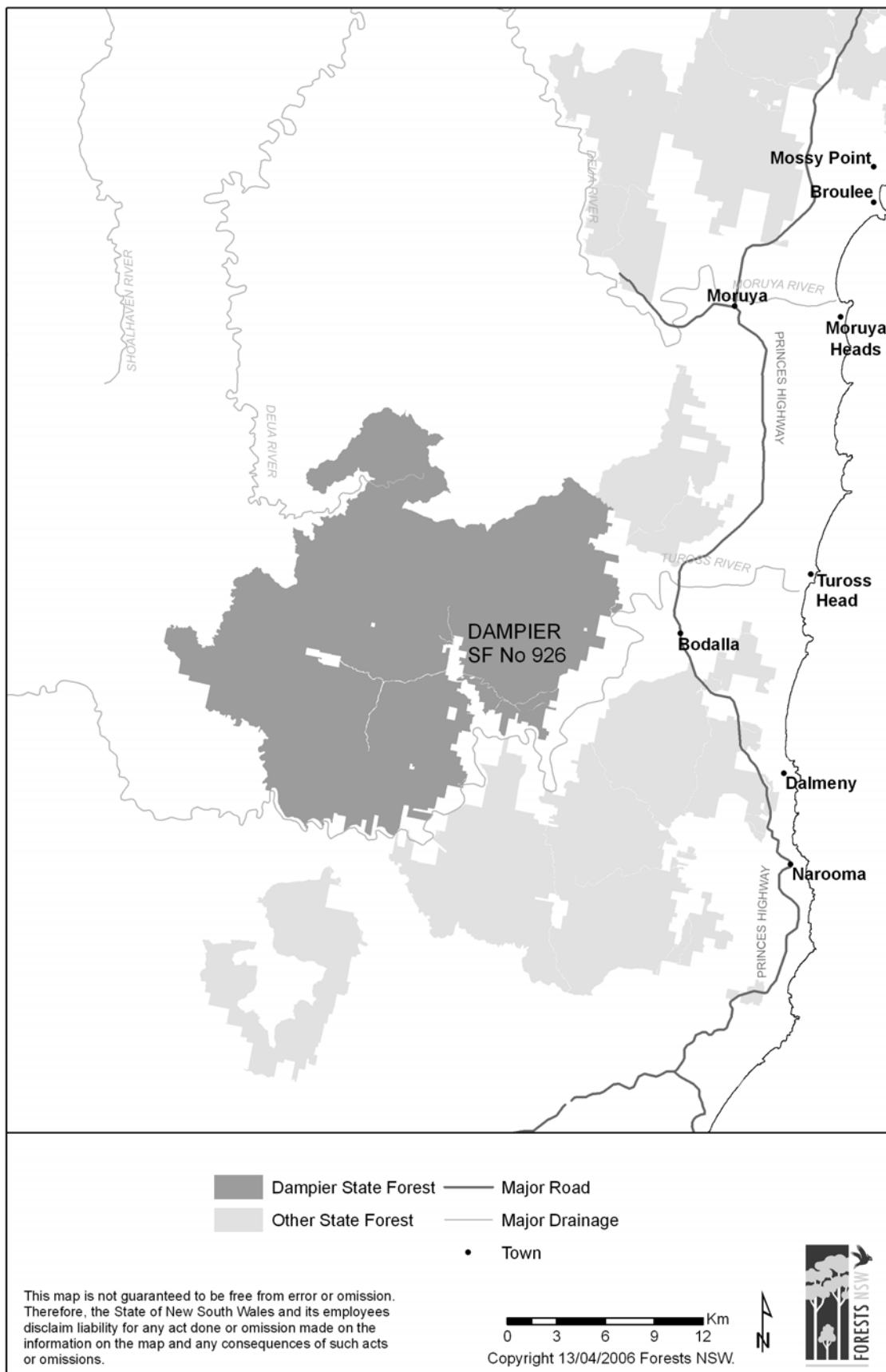
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

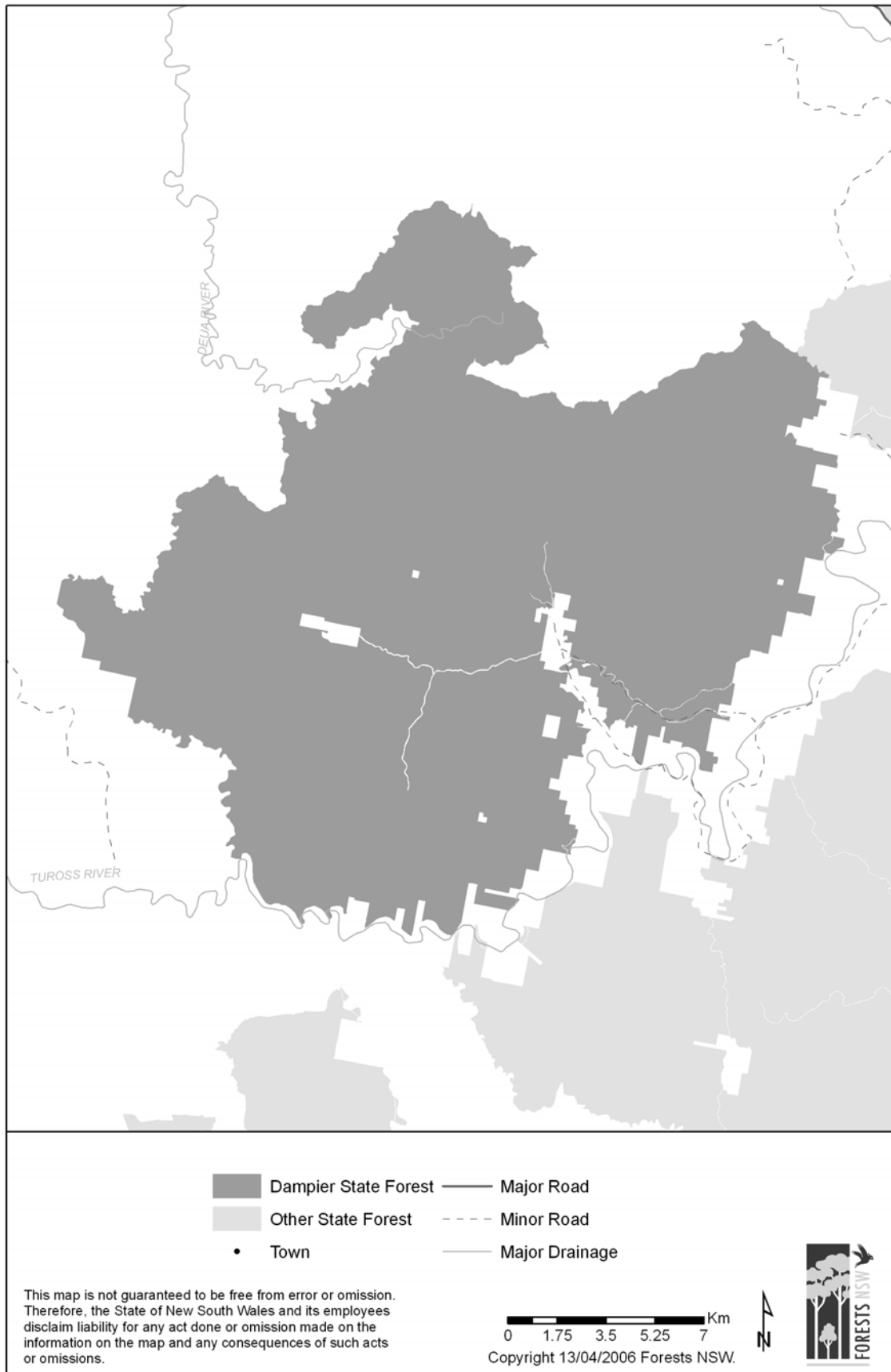
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 15**  
**Dog Rocks State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Dog Rocks State Forest**

Dog Rocks State Forest is located approximately 20 km west of the township of Oberon. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Dog Rocks State Forest area: 3521 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

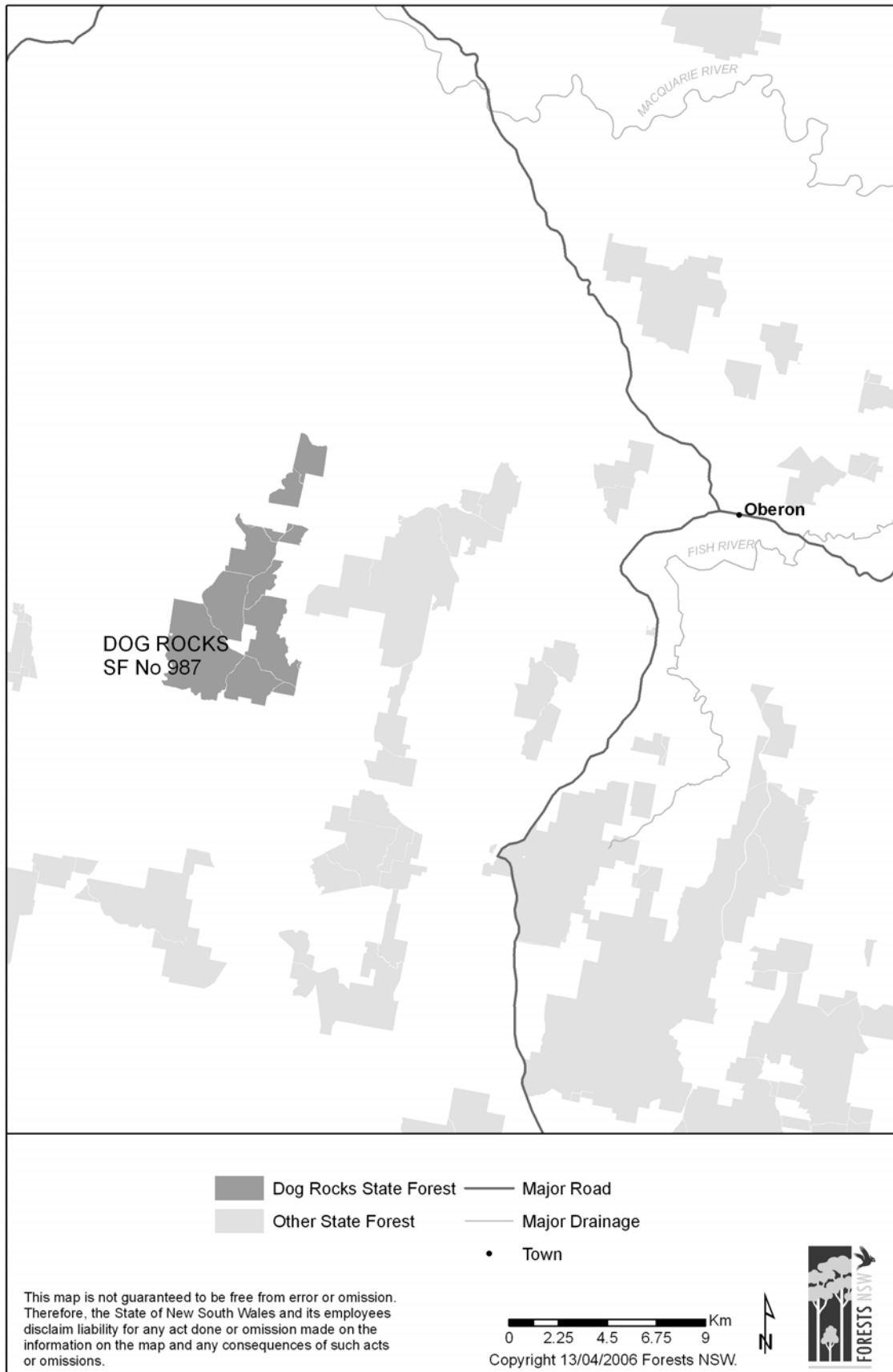
A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

(b) Comply with all conditions in the written permission; and

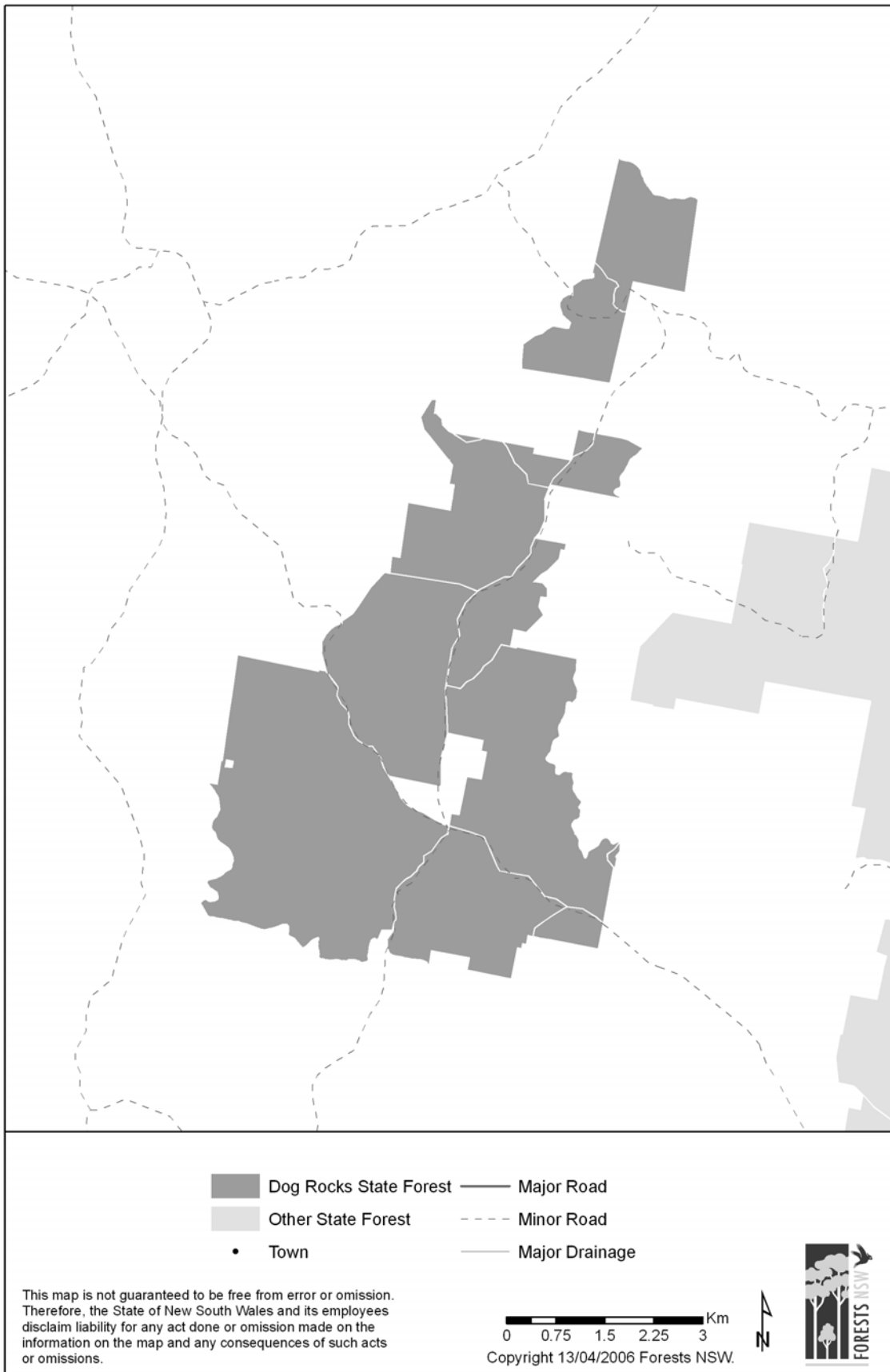
(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 16  
East Boyd State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to East Boyd State Forest**

East Boyd State Forest is located approximately 15 km south of the township of Eden. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. East Boyd State Forest area: 18607 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

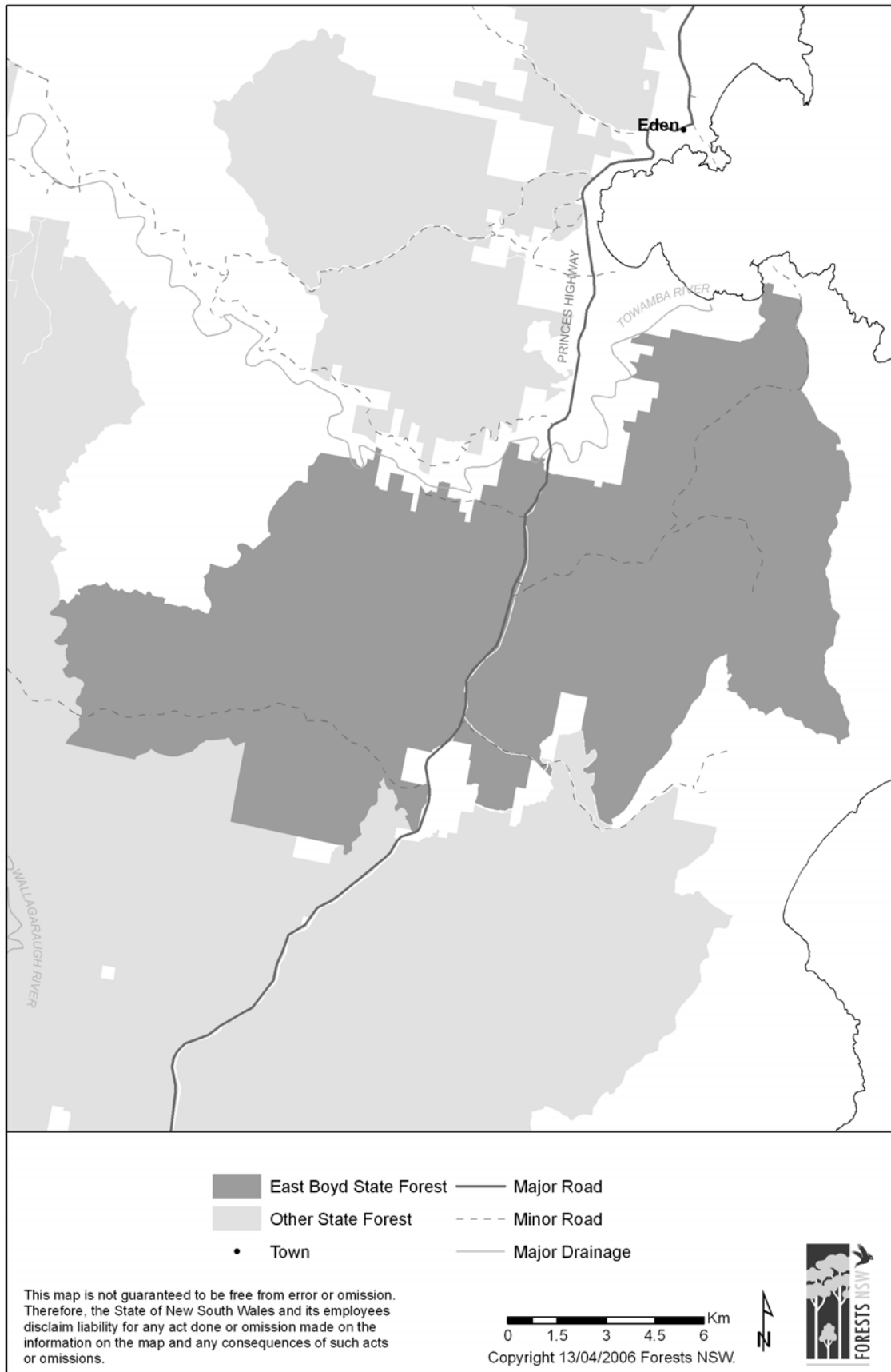
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 17**  
**Essington State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Essington State Forest**

Essington State Forest is located approximately 15 km west of the township of Oberon. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Essington State Forest area: 4330 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

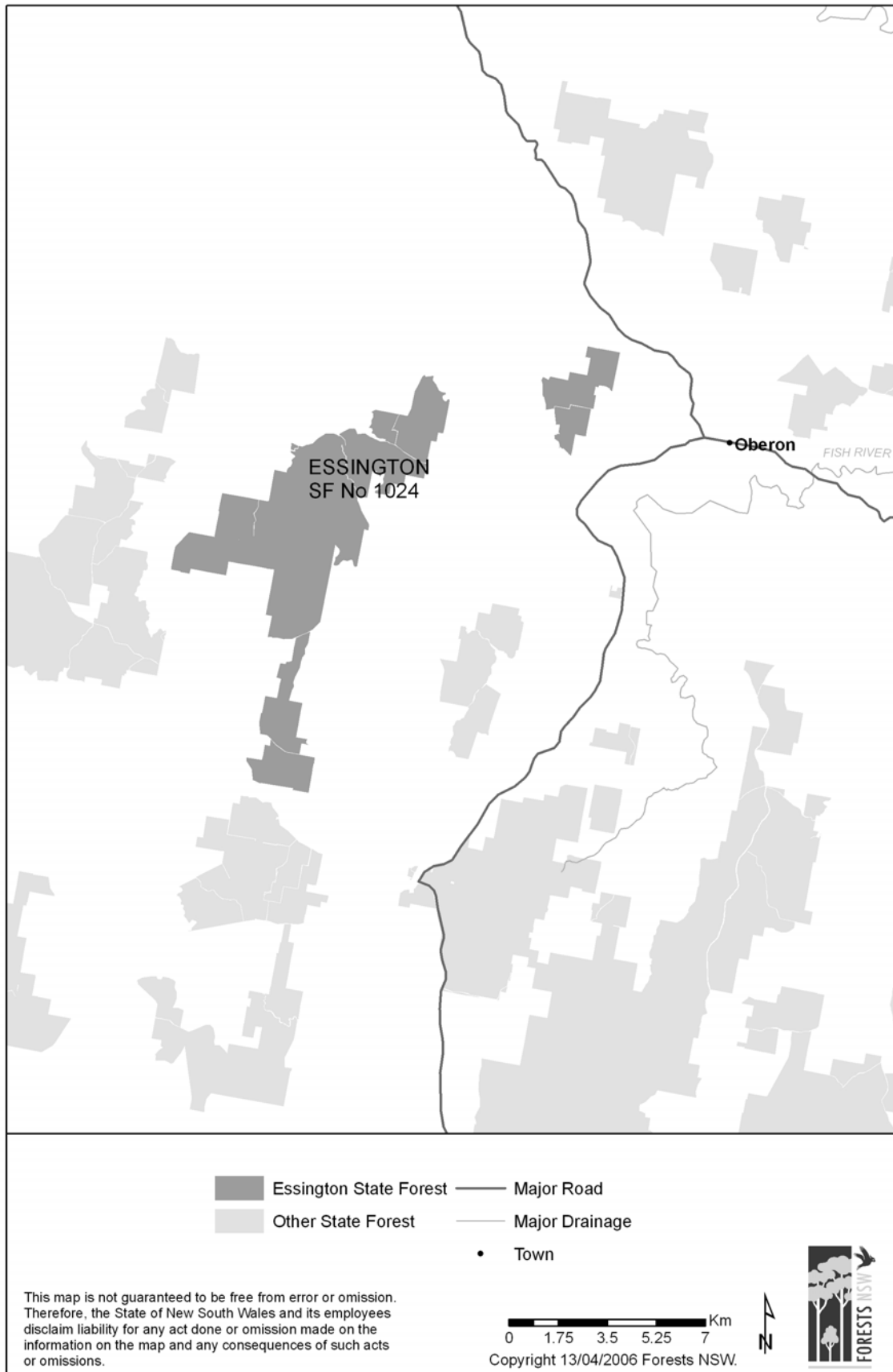
A person who hunts on the lands declared must:

(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;

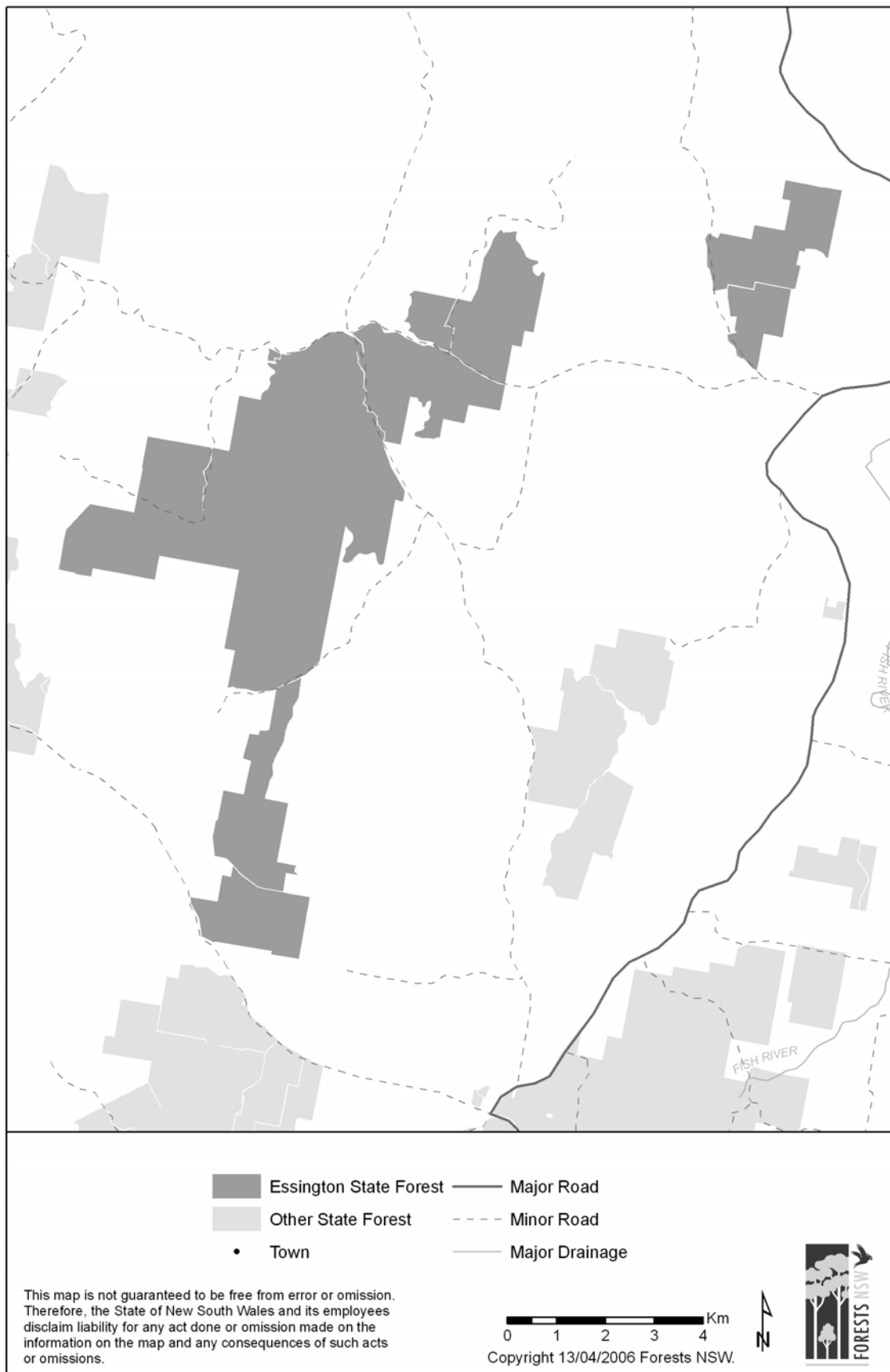
(b) Comply with all conditions in the written permission; and

(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 18  
Flat Rock State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Flat Rock State Forest**

Flat Rock State Forest is located approximately 10 km west of the township of Lake Tabourie. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Flat Rock State Forest area: 4829 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

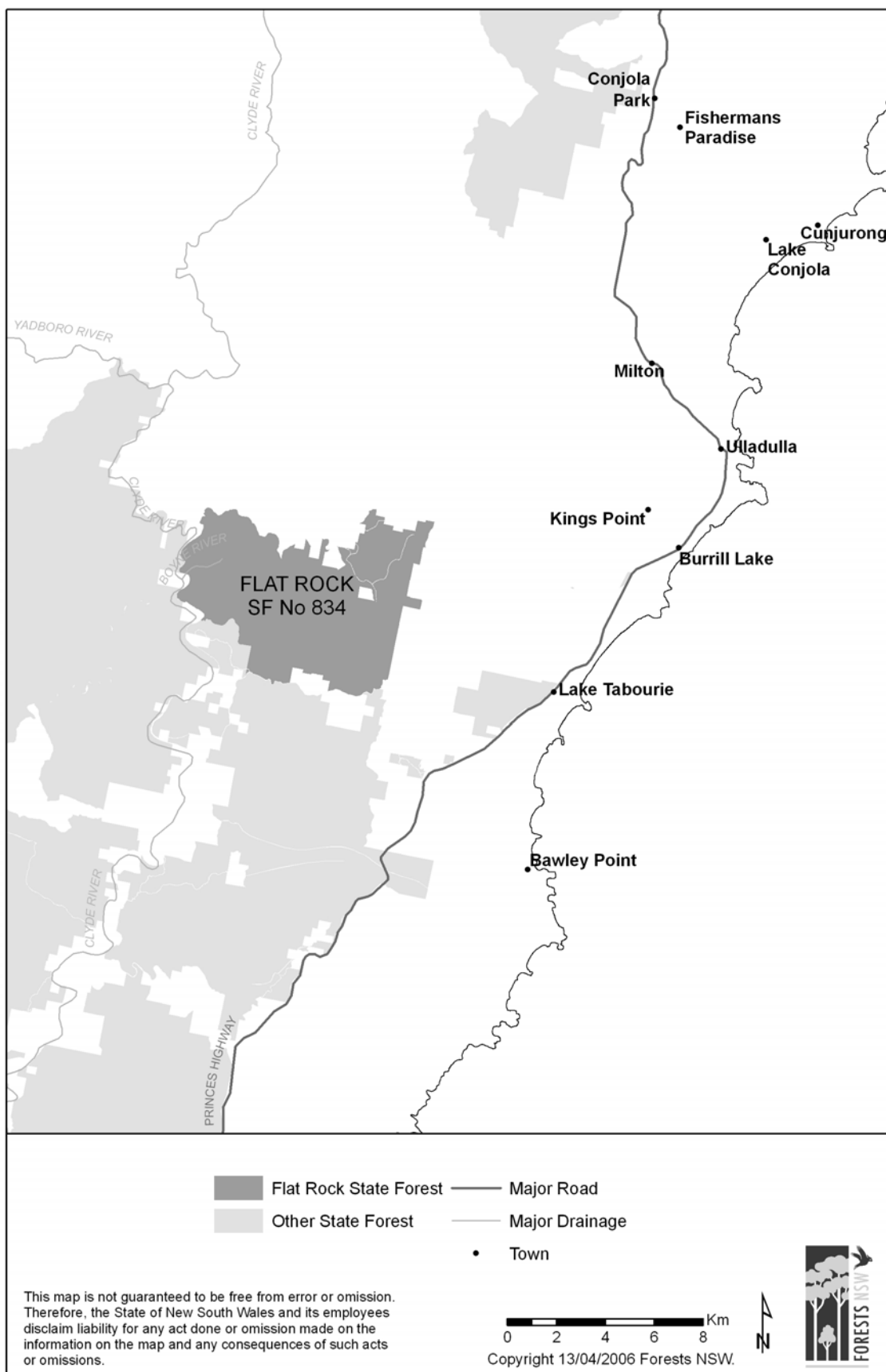
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

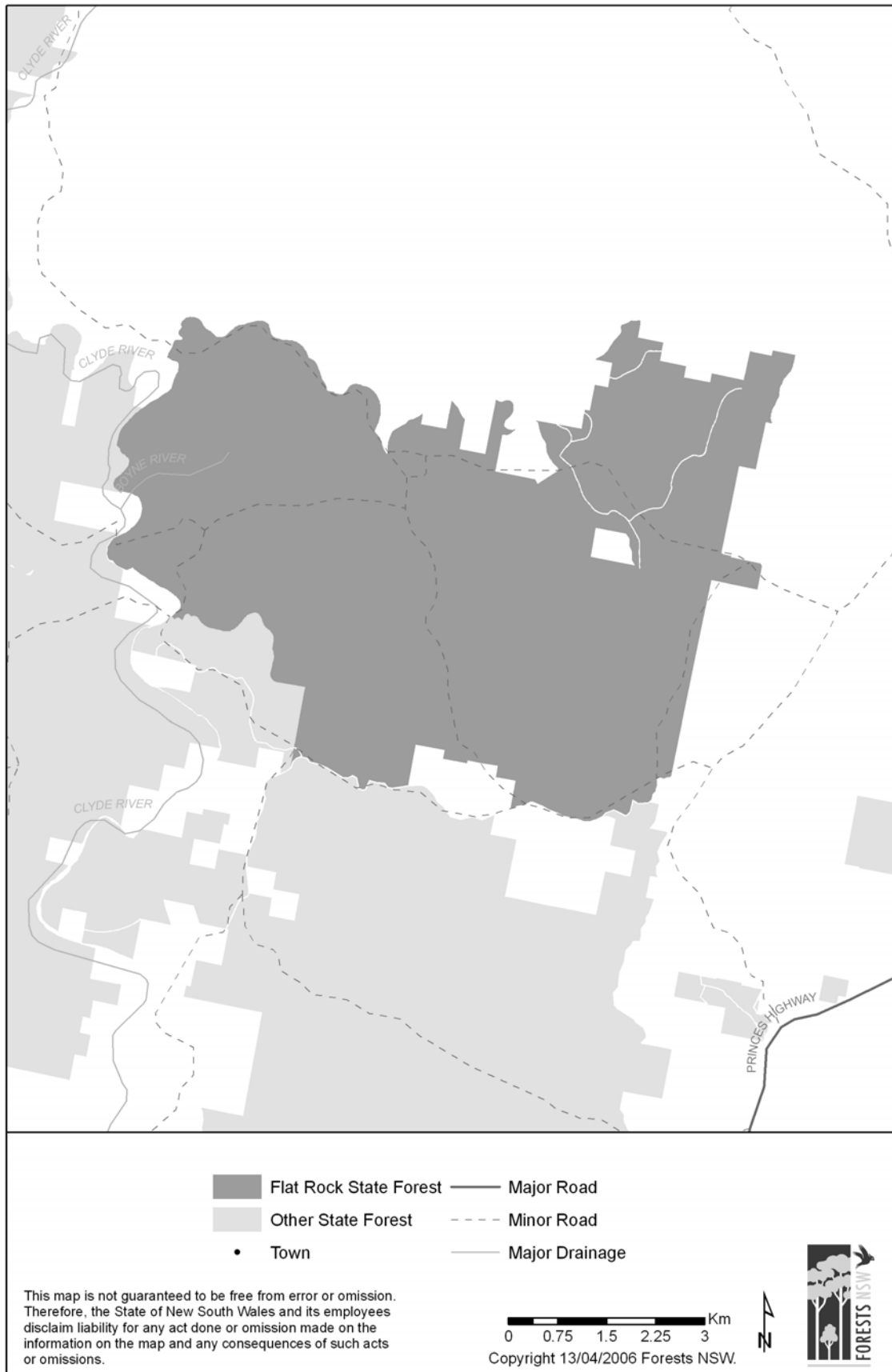
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 19  
Green Hills State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Green Hills State Forest**

Green Hills State Forest is located approximately 5 km west of the township of Batlow. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Green Hills State Forest area: 25800 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

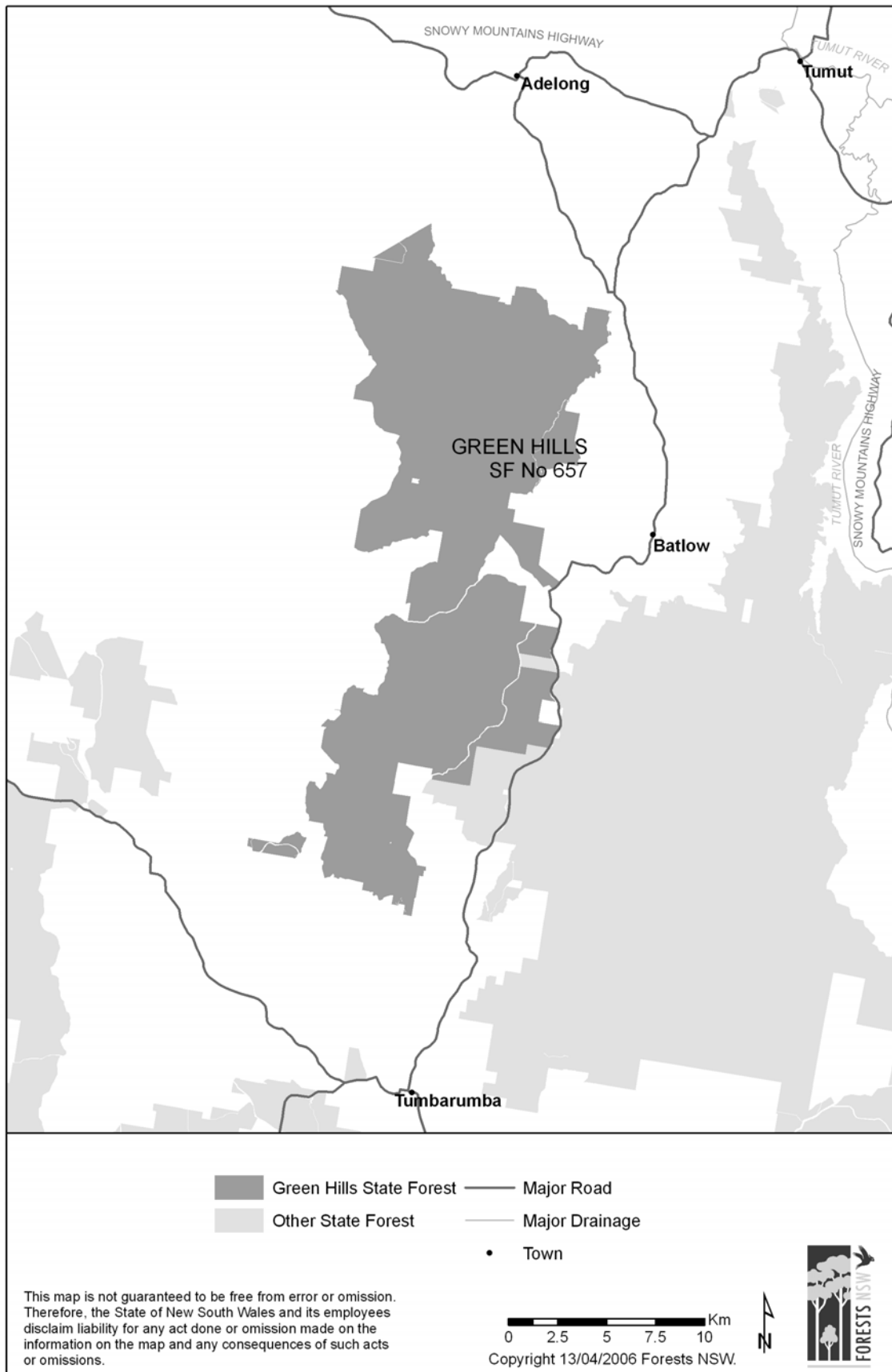
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

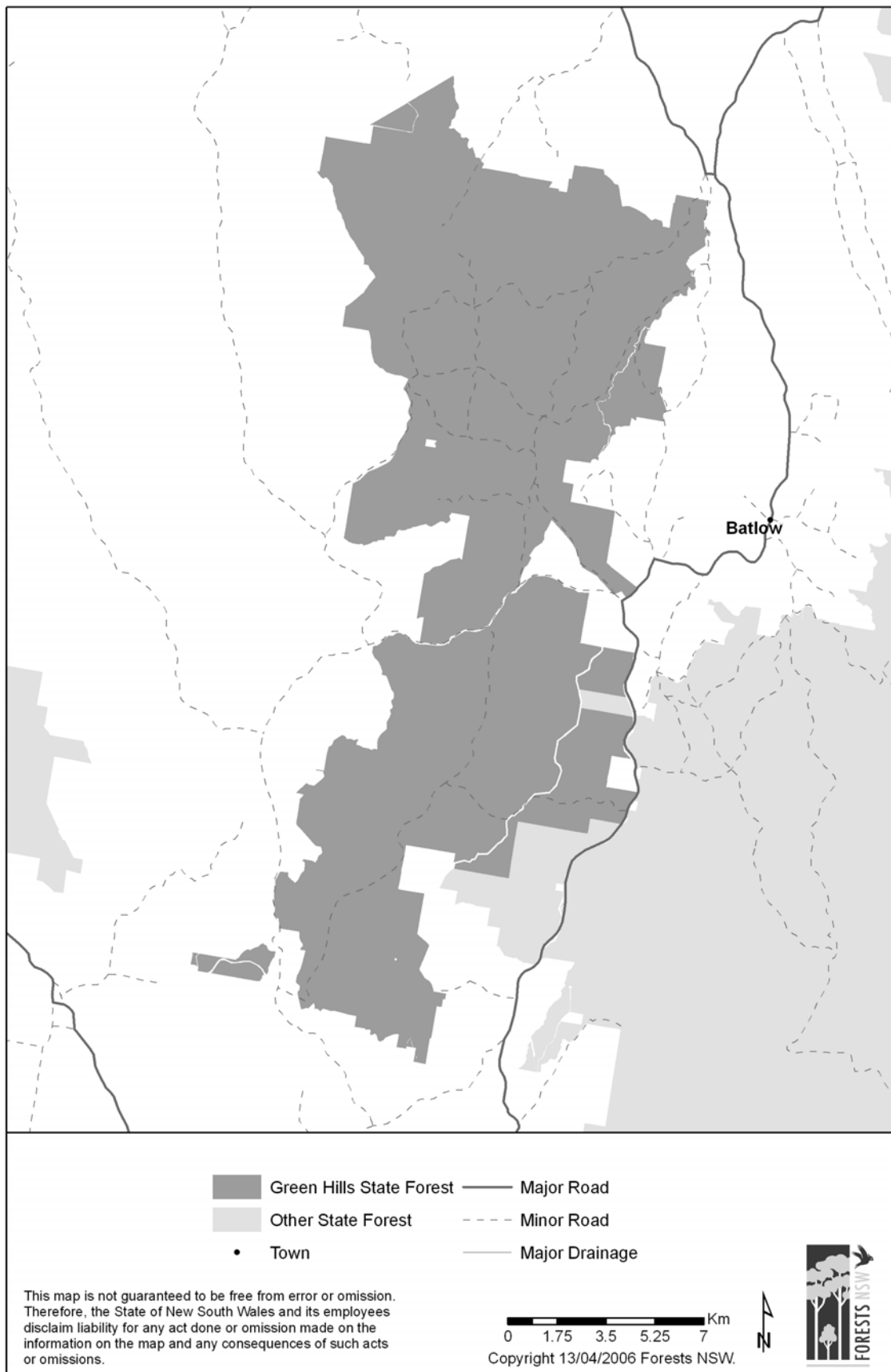
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 20  
Gurnang State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Gurnang State Forest**

Gurnang State Forest is located approximately 30 km S of the township of Oberon. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Gurnang State Forest area: 12835 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

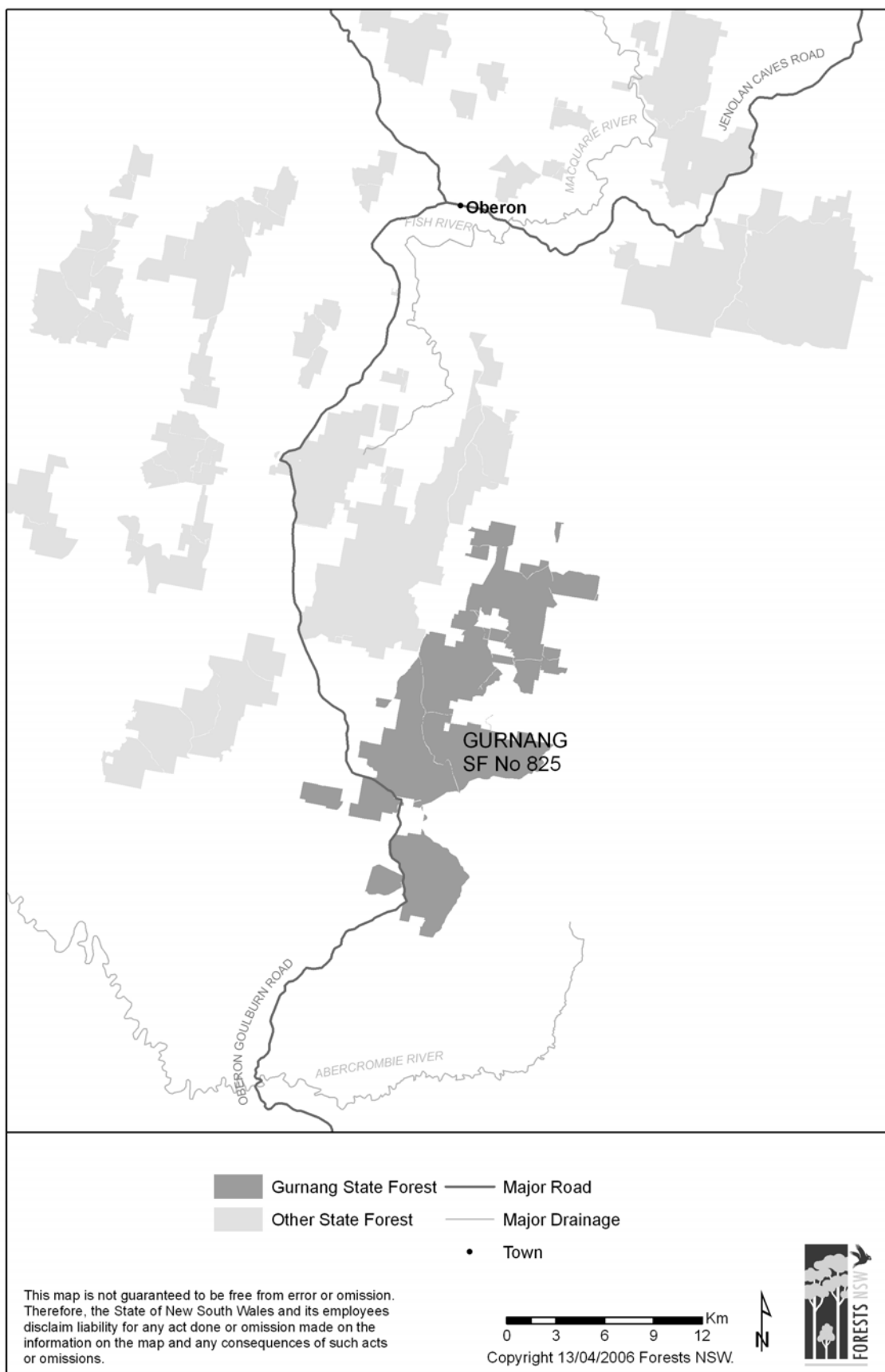
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

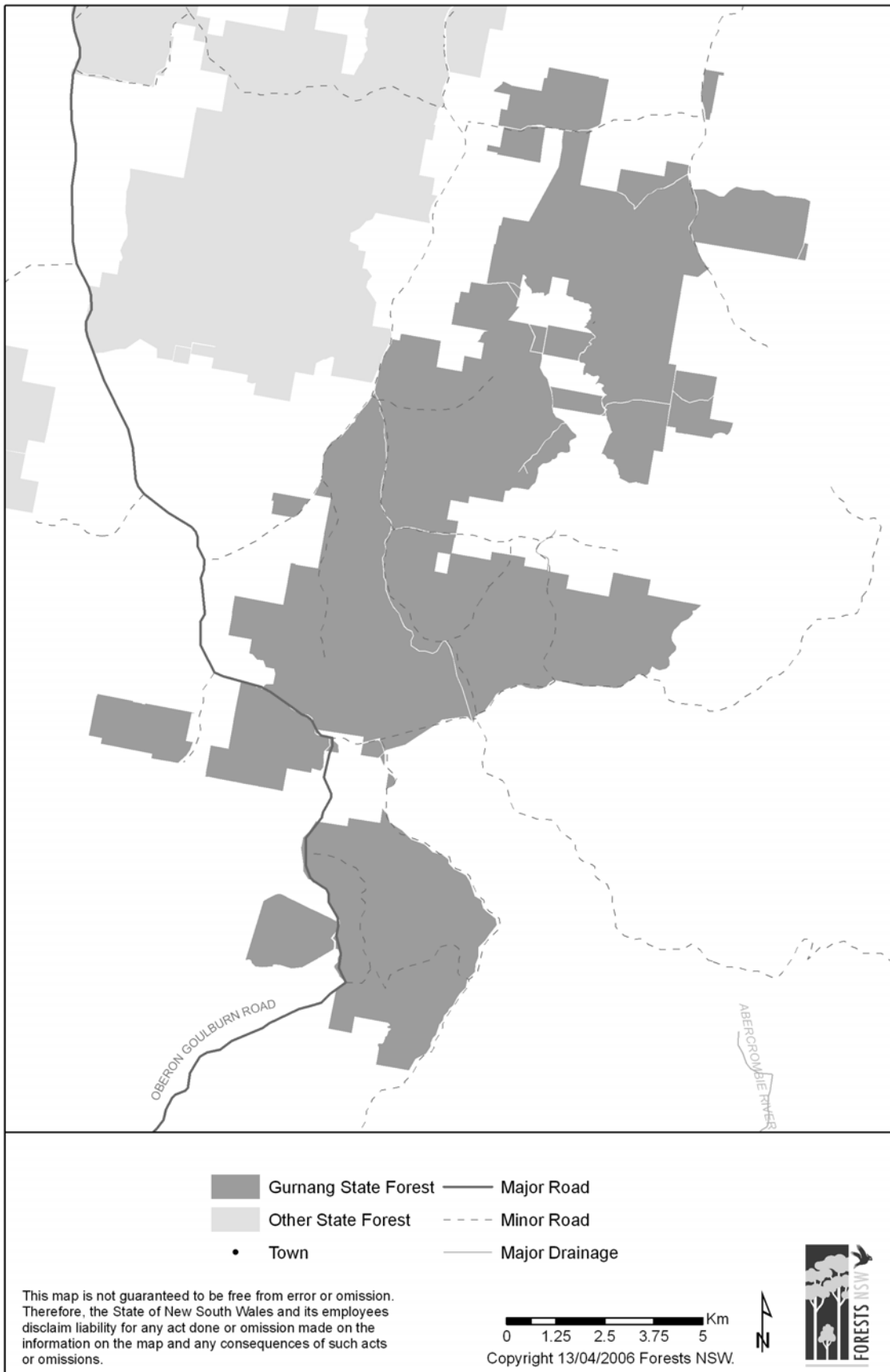
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 21  
Hampton State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Hampton State Forest**

Hampton State Forest is located approximately 15 km east of the township of Oberon. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Hampton State Forest area: 4472 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

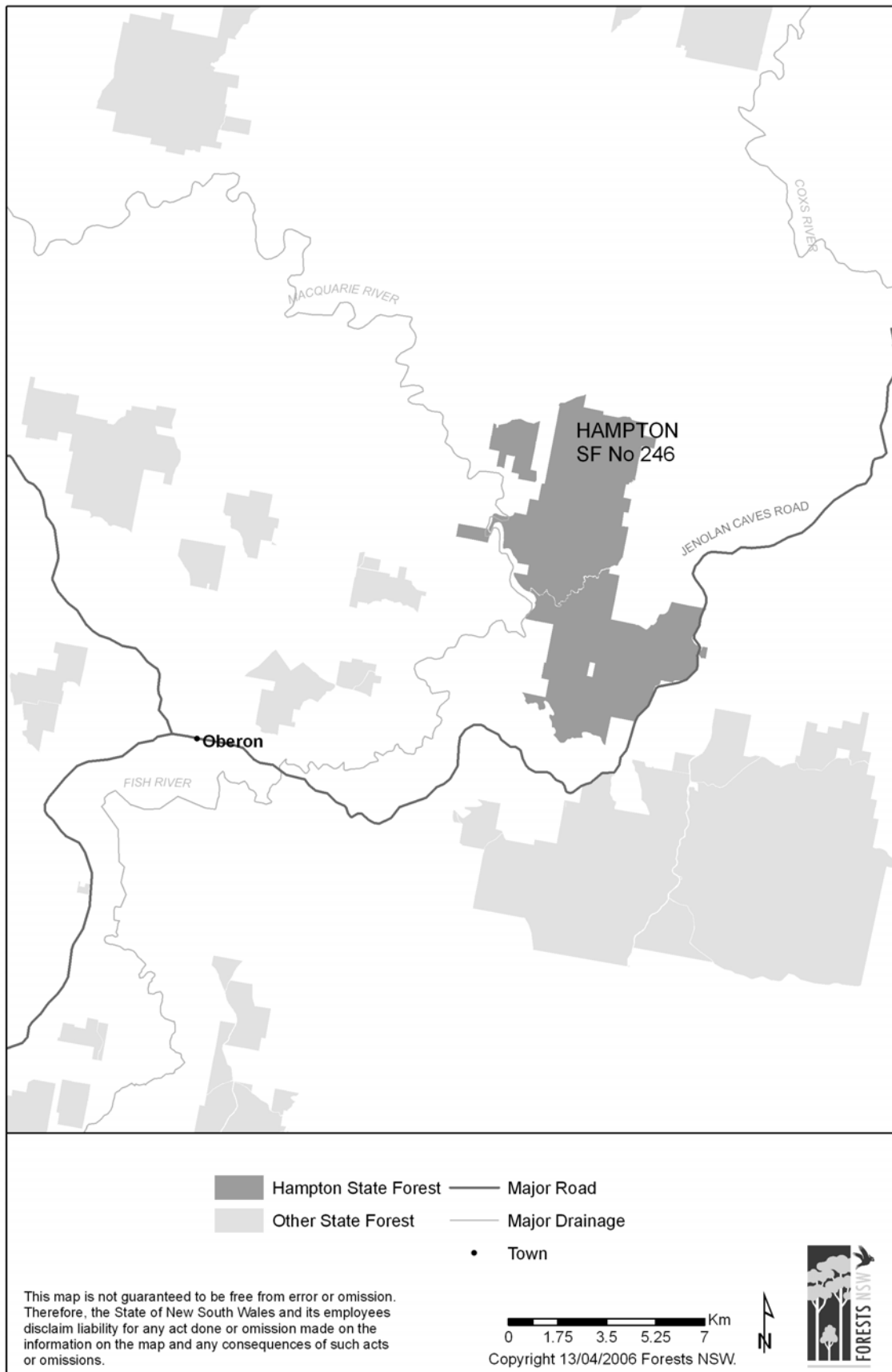
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

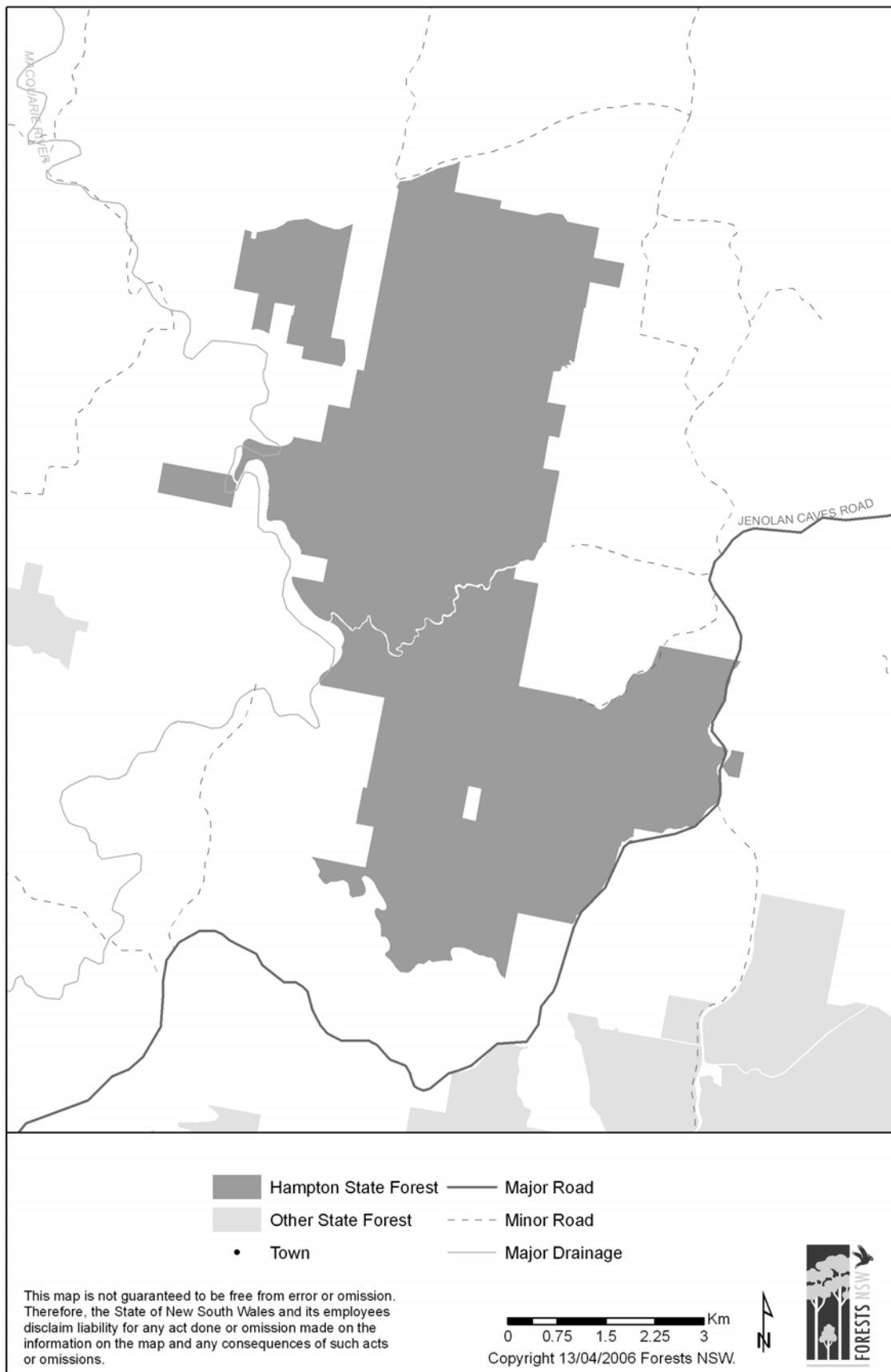
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



### APPENDIX 'B' – Location Map



**Schedule 22  
Ingebirah State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Ingebirah State Forest**

Ingebirah State Forest is located approximately 30 km south west of the township of Jindabyne. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Ingebirah State Forest area: 2657hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

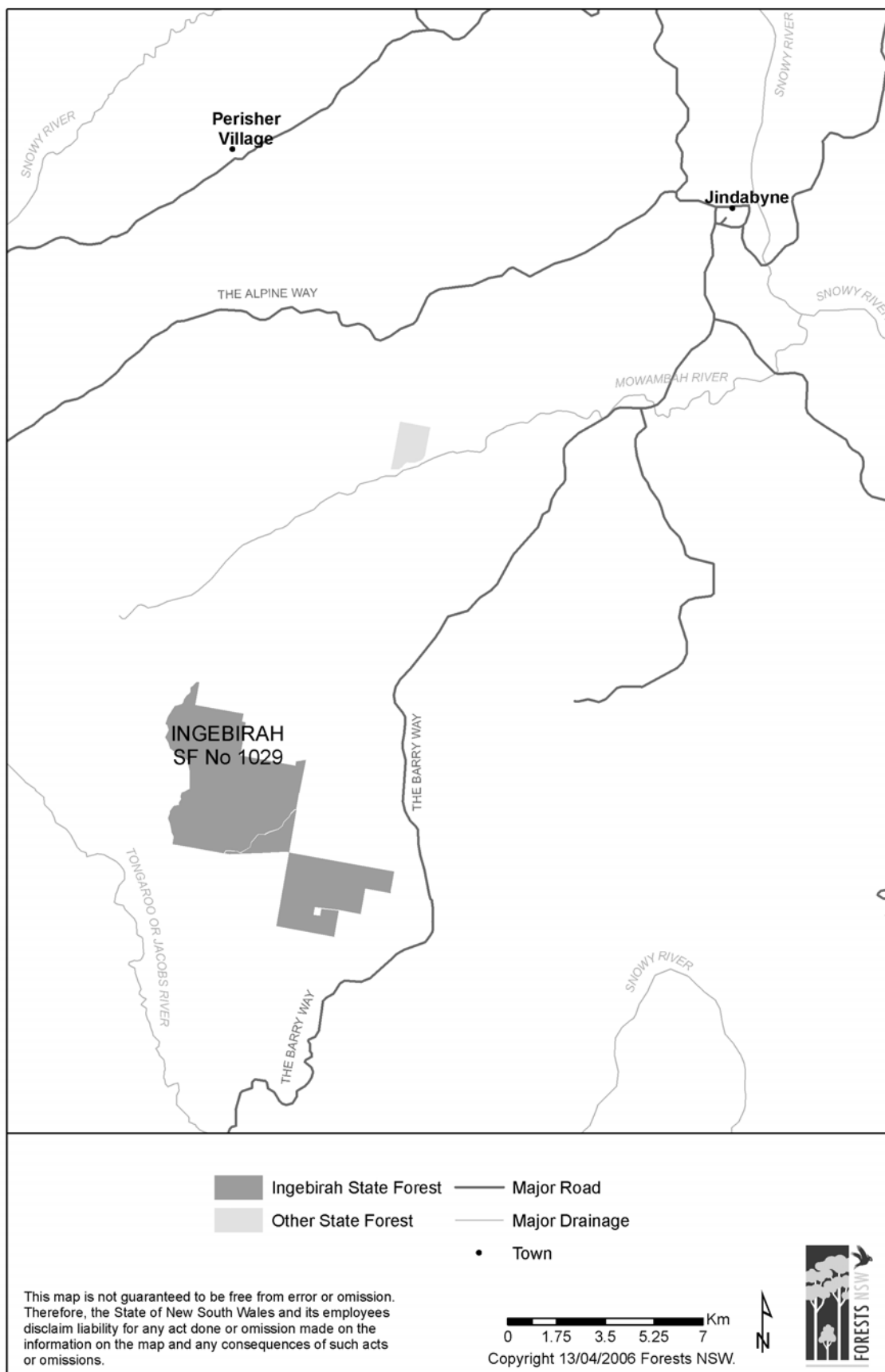
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

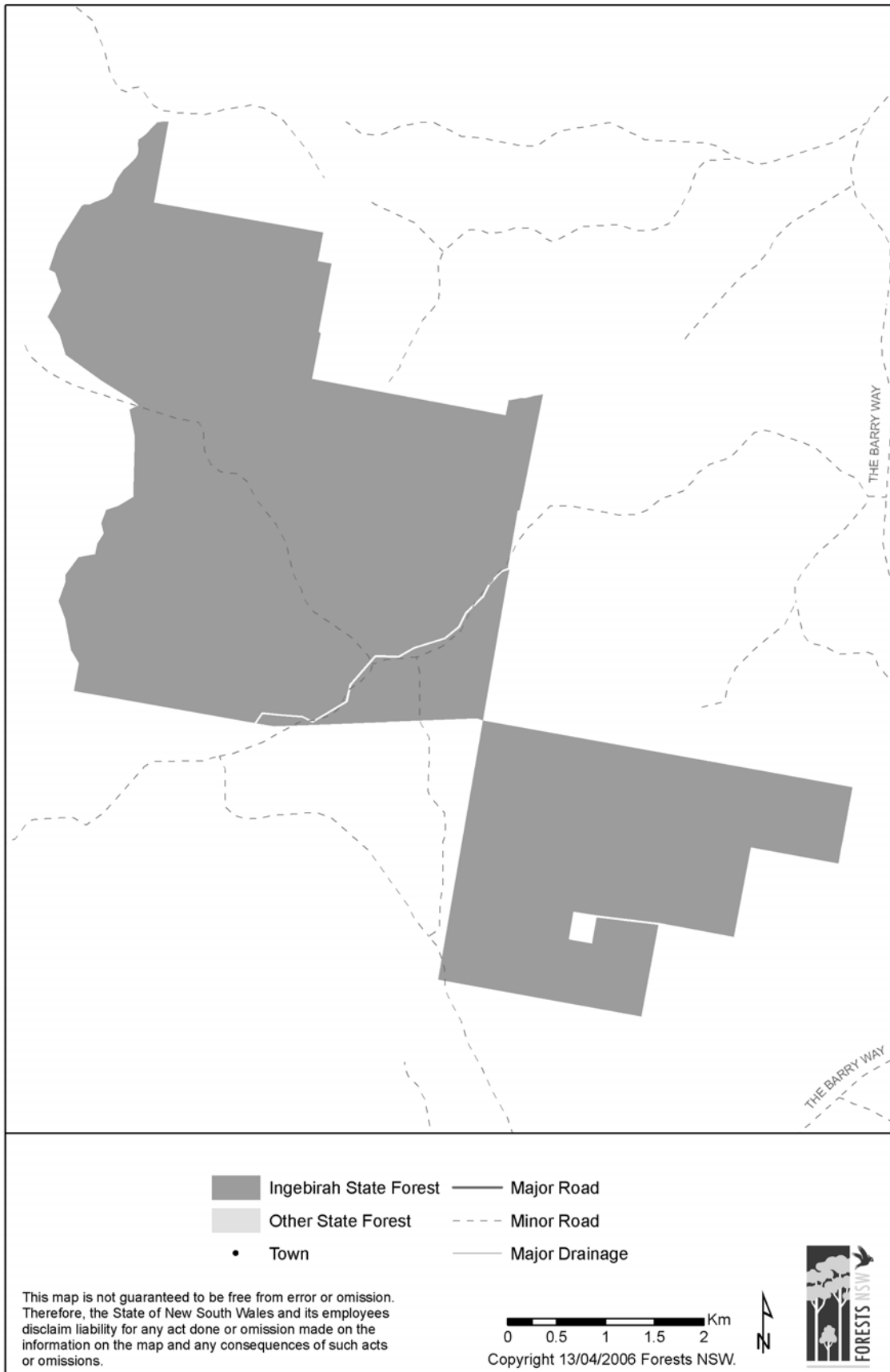
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 23  
Jenolan State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Jenolan State Forest**

Jenolan State Forest is located approximately 12 km east of the township of Oberon. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Jenolan State Forest area: 9536 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

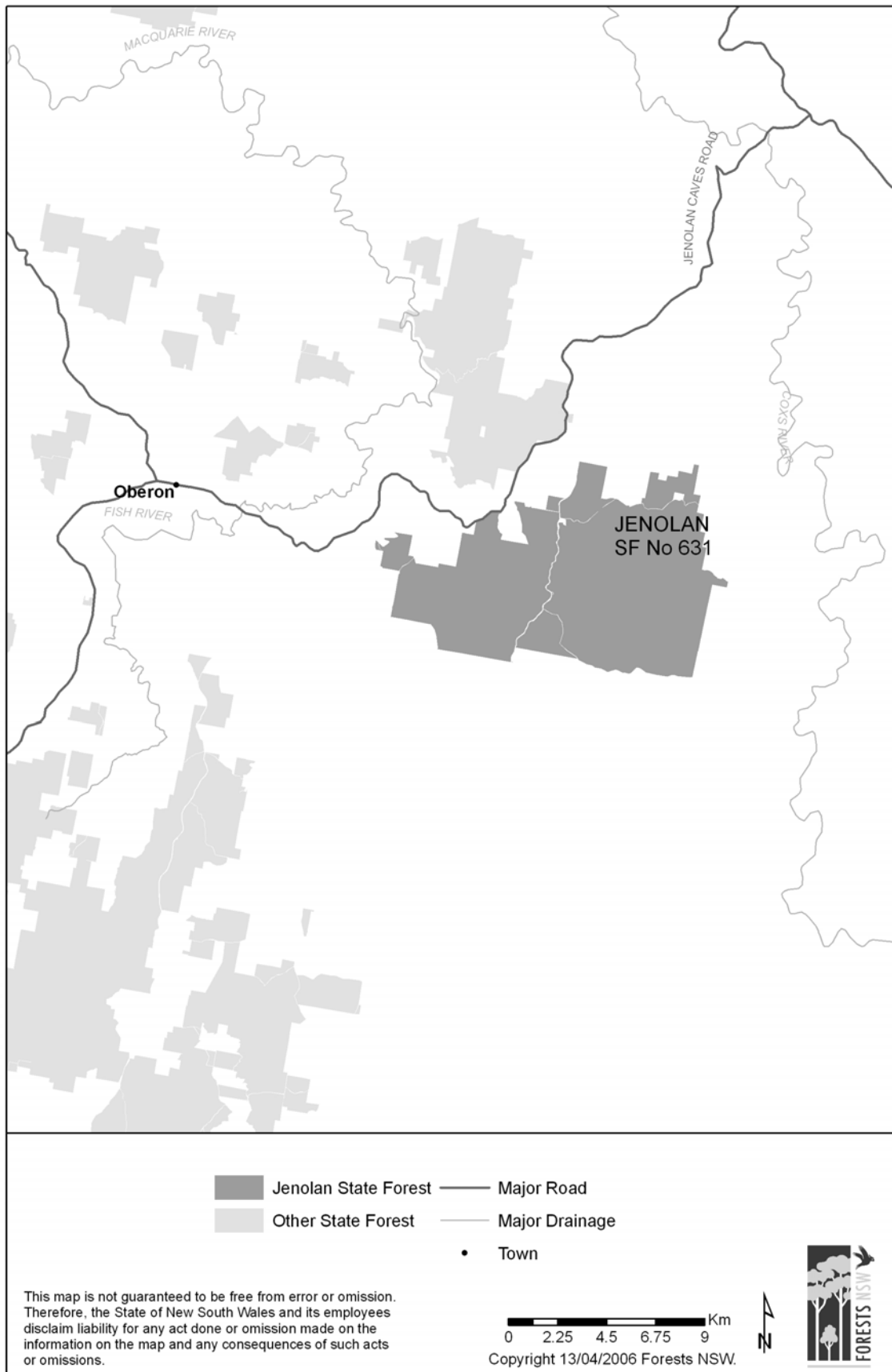
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

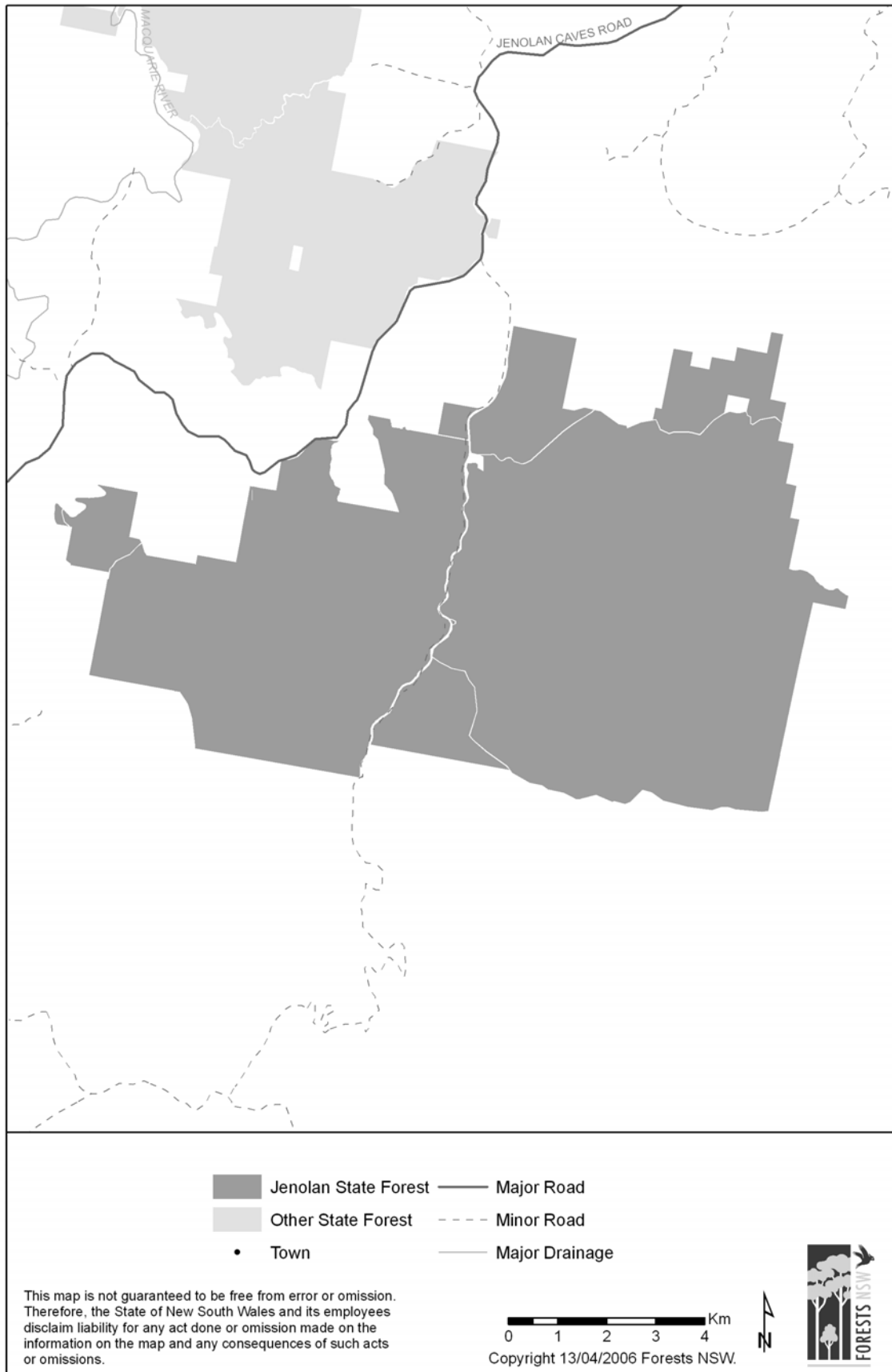
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 24  
Mogo State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Mogo State Forest**

Mogo State Forest is located approximately 2 km south of the township of Batemans Bay. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Mogo State Forest area: 14585 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

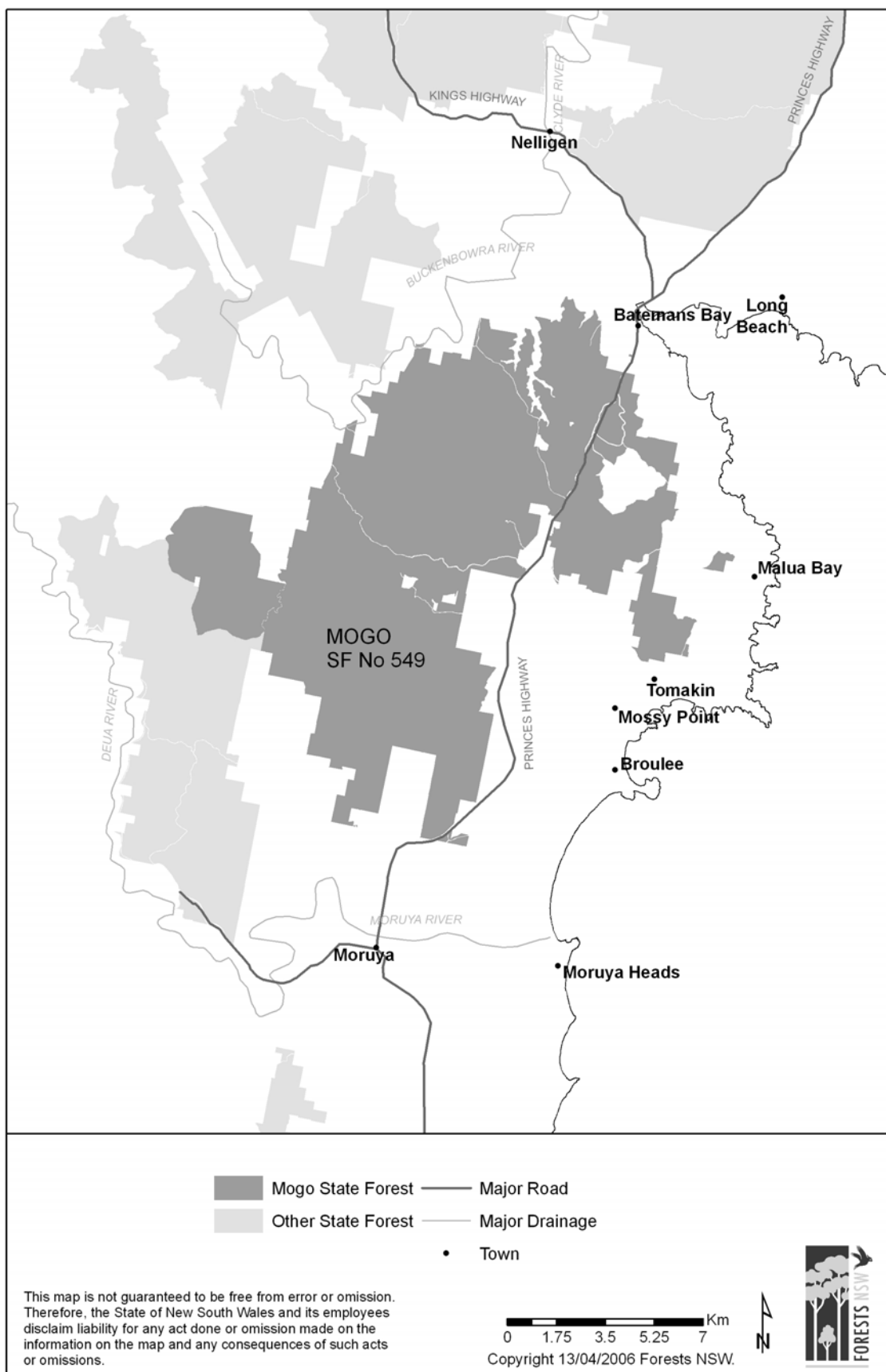
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

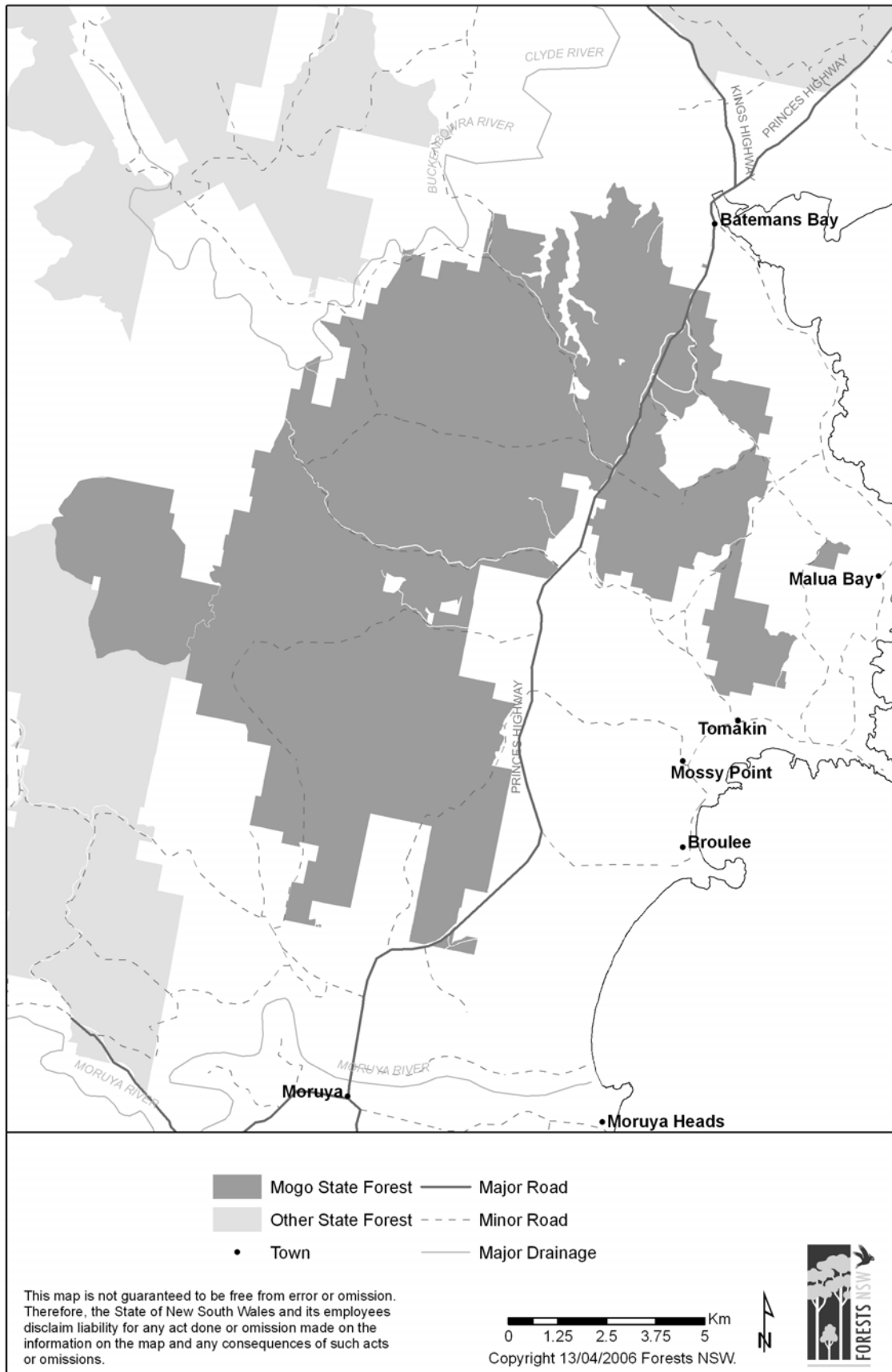
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 25**  
**Moruya State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Moruya State Forest**

Moruya State Forest is located approximately 15 km south of the township of Moruya. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Moruya State Forest area: 4527 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

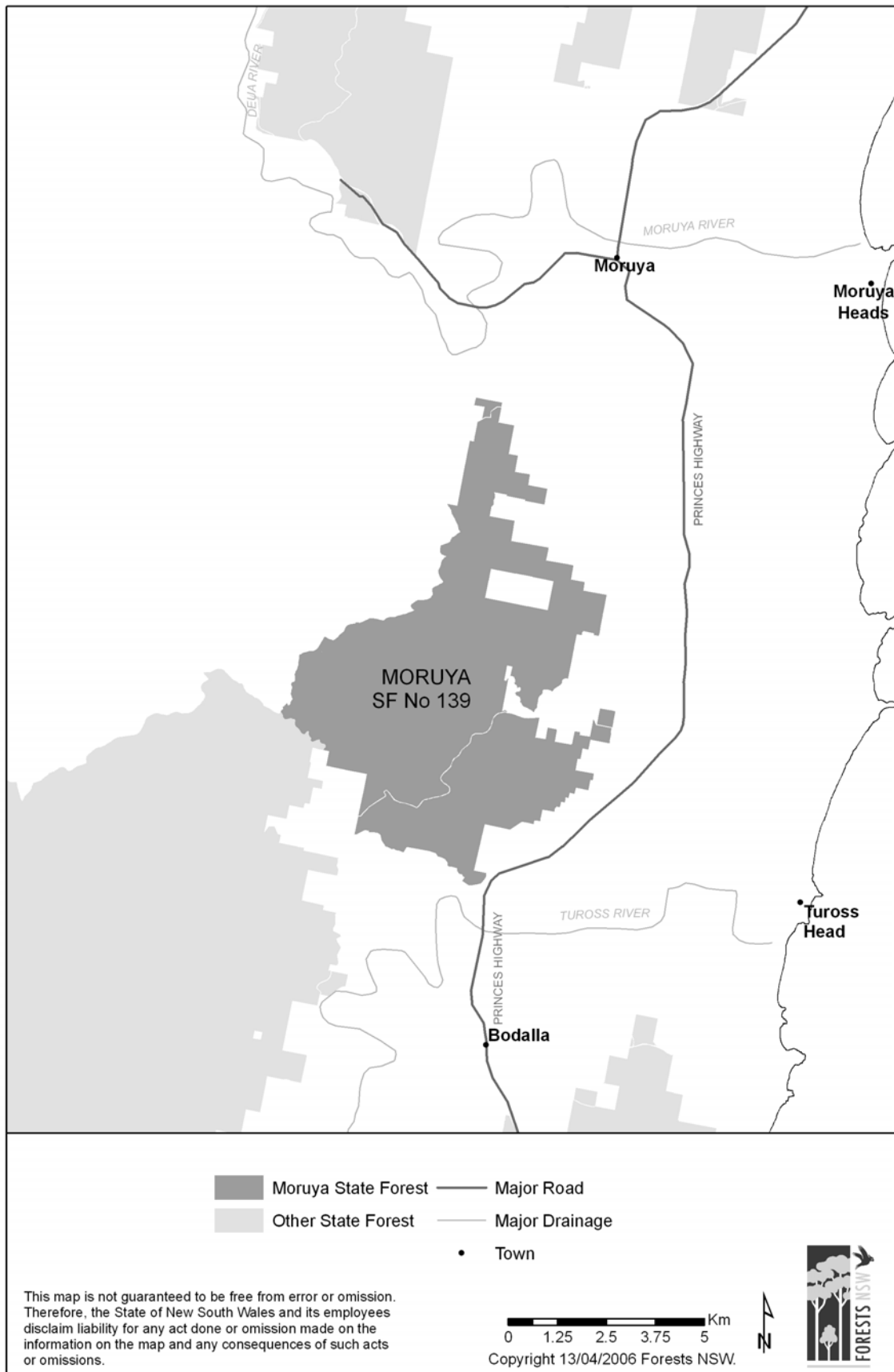
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

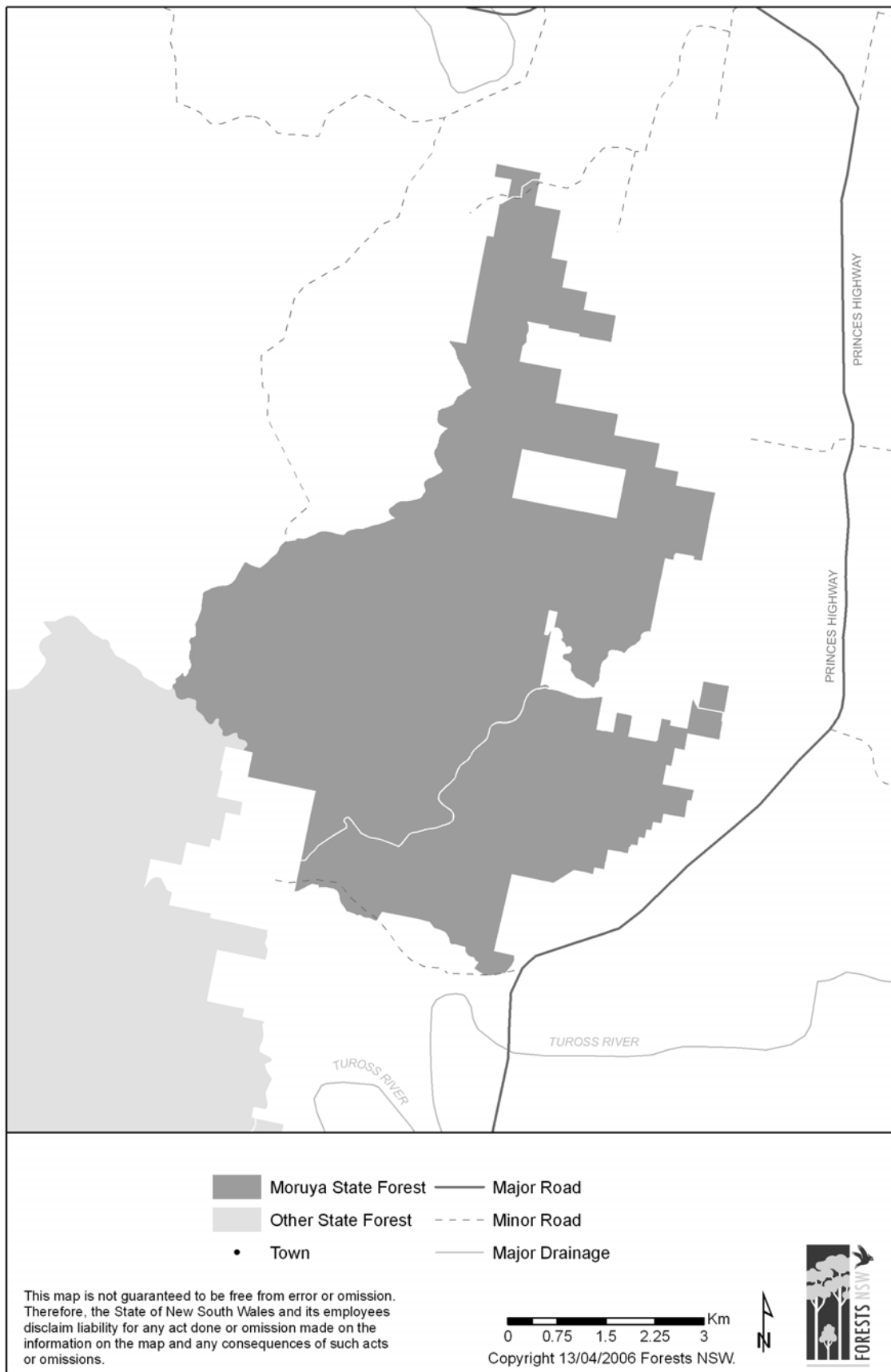
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 26**  
**Mount David State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Mount David State Forest**

Mount David State Forest is located approximately 40 km south west of the township of Oberon. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Mount David State Forest area: 6759 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

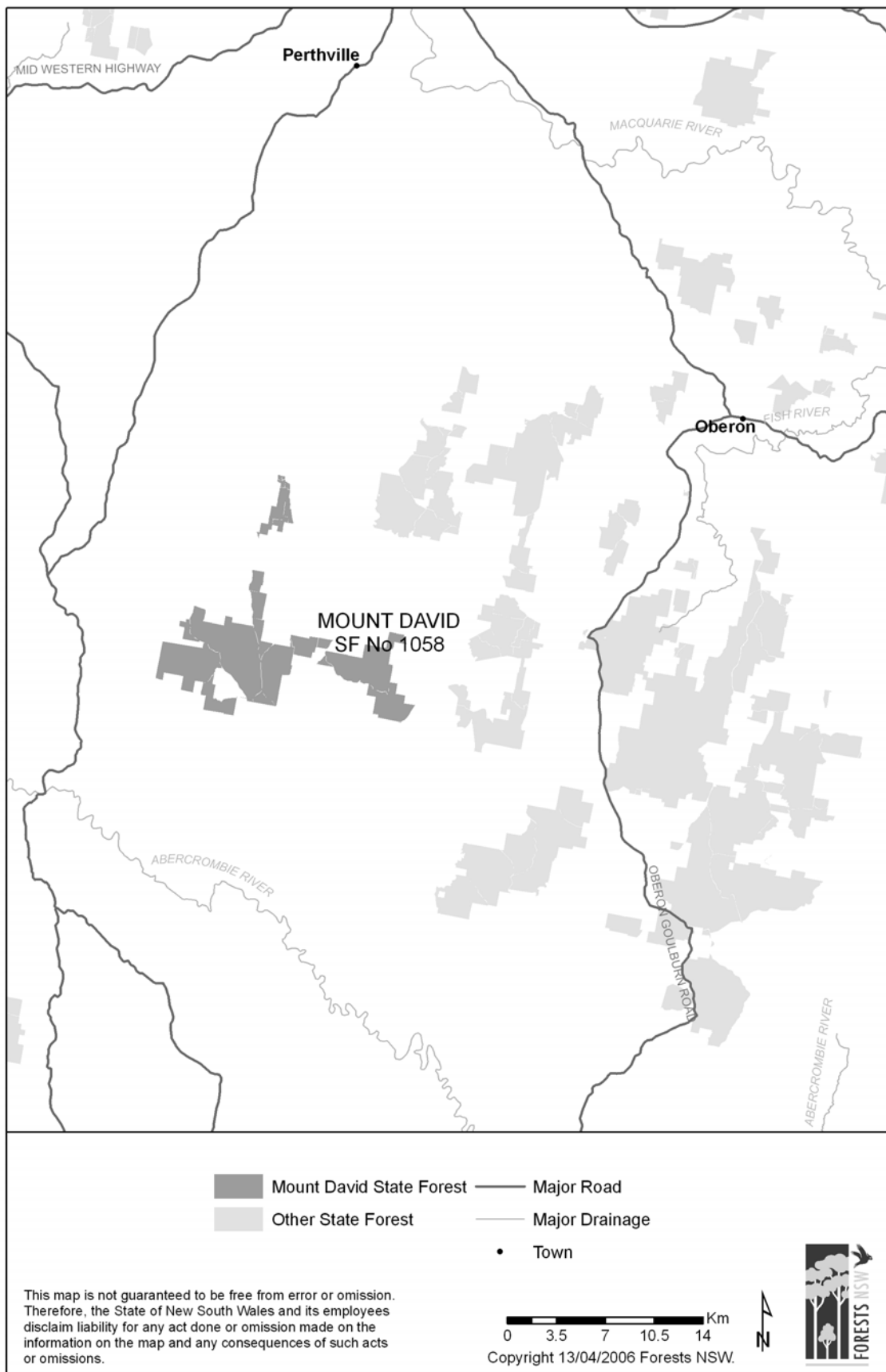
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

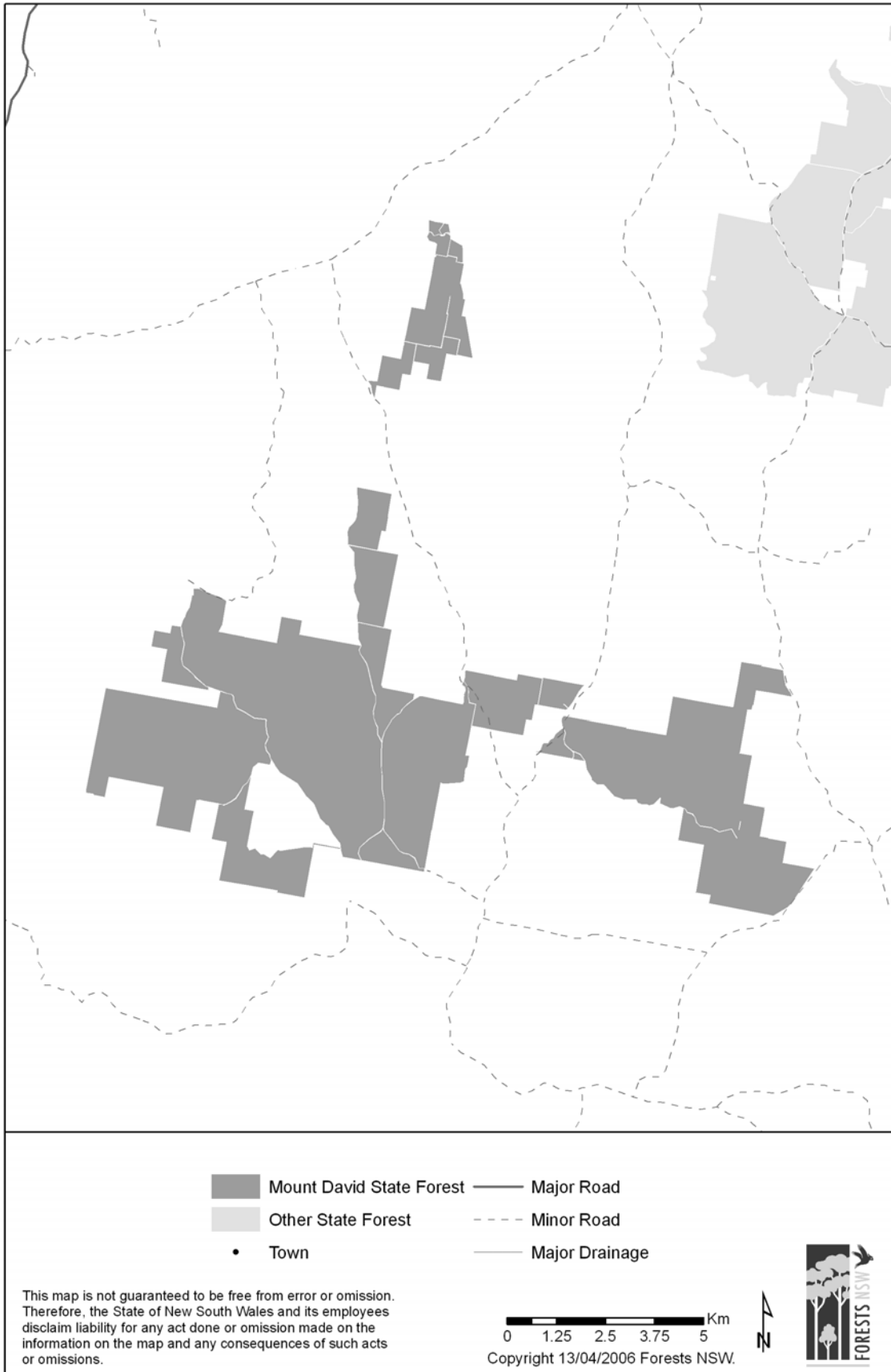
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 27**  
**Mumbulla State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Mumbulla State Forest**

Mumbulla State Forest is located approximately 12 km north east of the township of Bega. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Mumbulla State Forest area: 5971 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

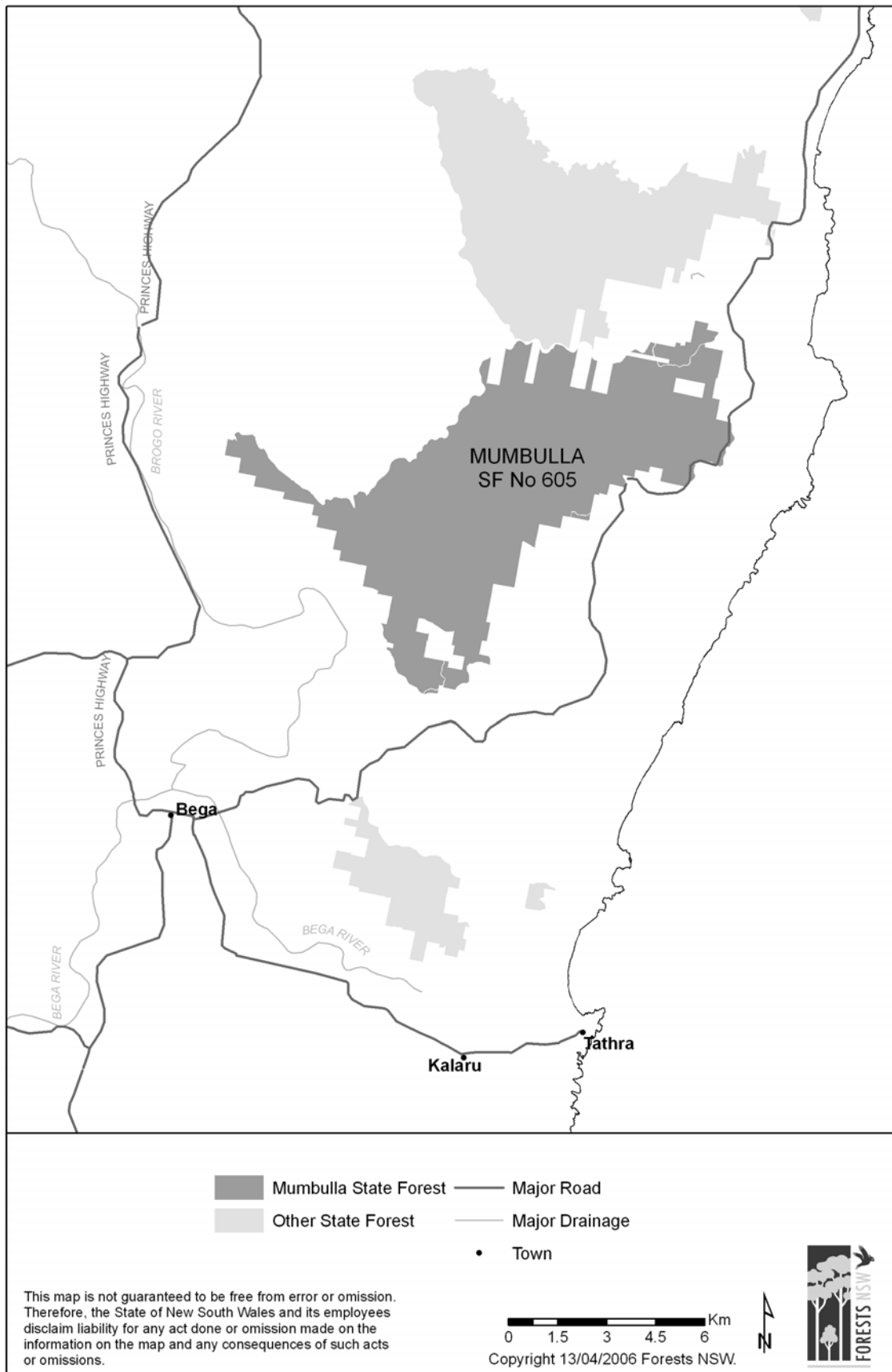
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

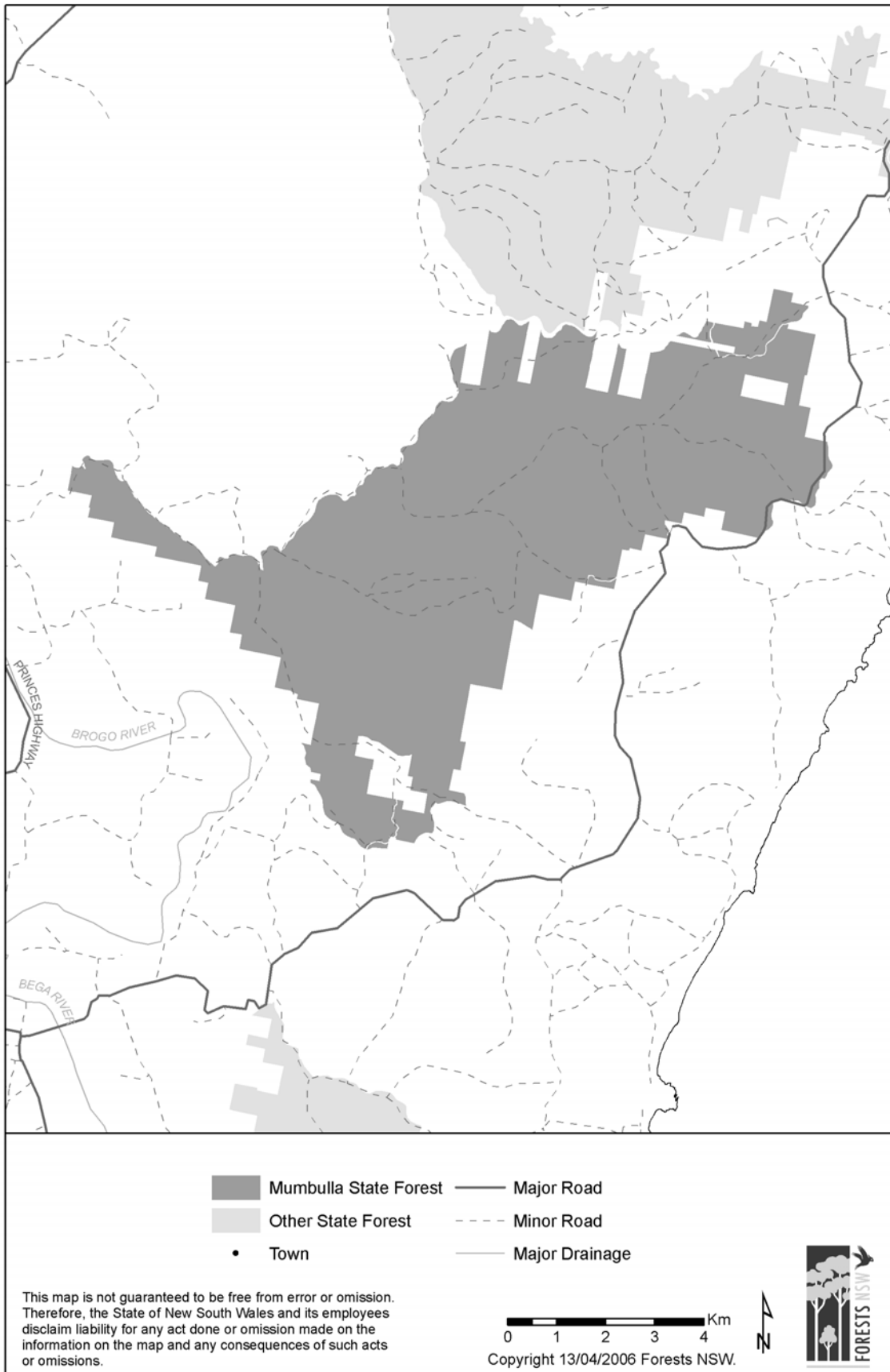
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



### APPENDIX 'B' – Location Map



**Schedule 28  
Mundaroo State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Mundaroo State Forest**

Mundaroo State Forest is located approximately 10 km west of the township of Tumbarumba. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Mundaroo State Forest area: 6134 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

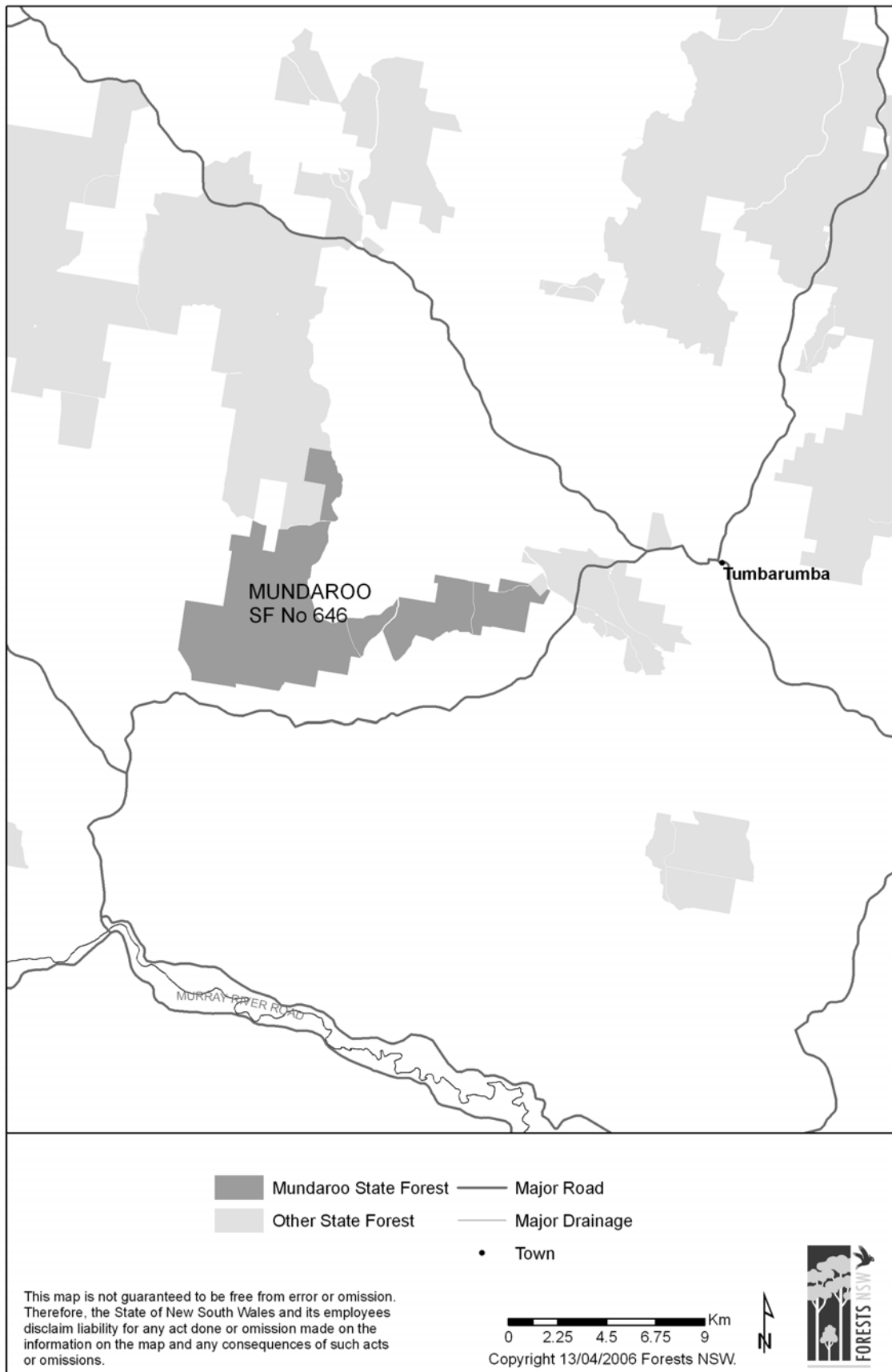
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

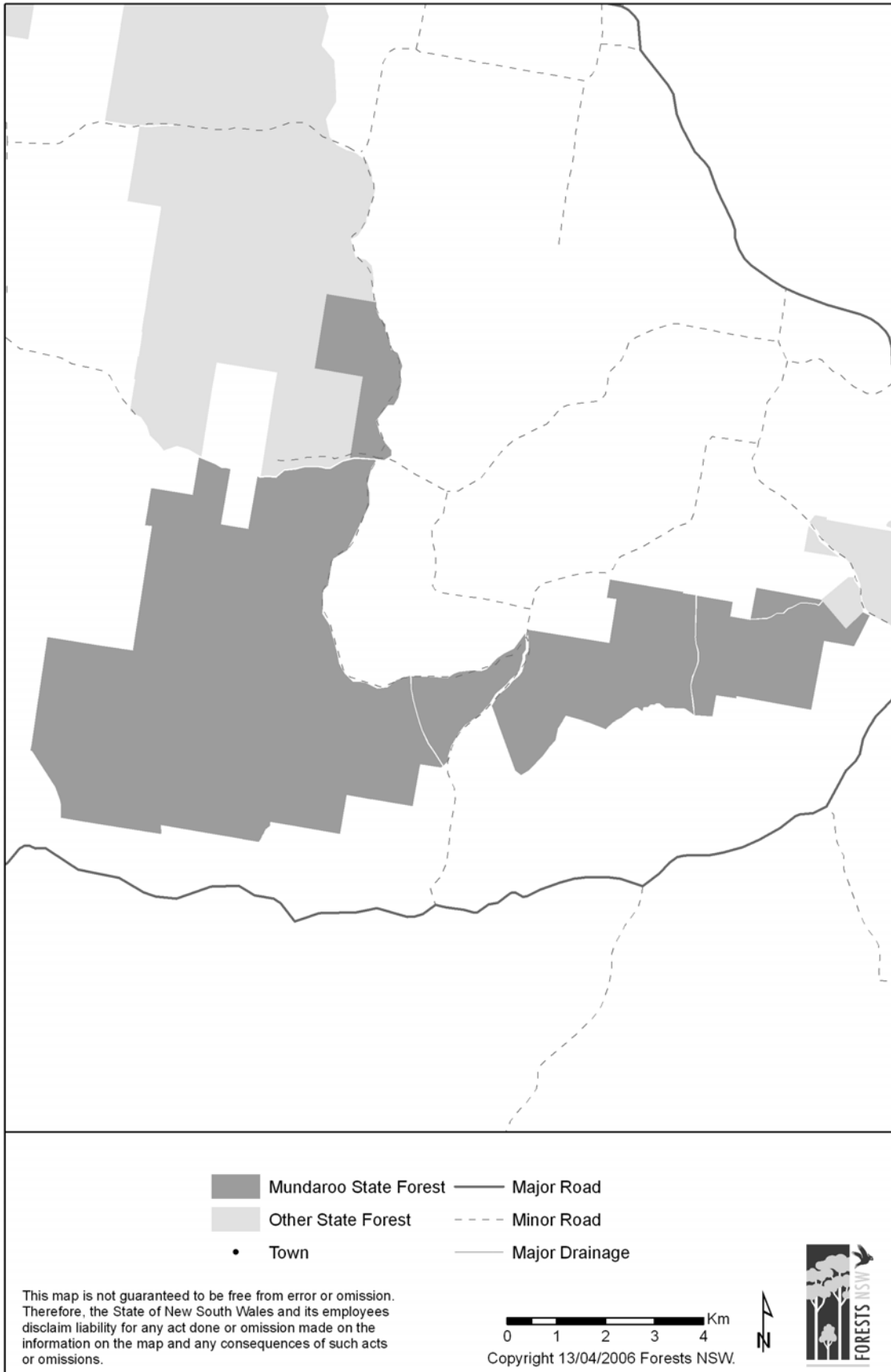
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 29  
Murrah State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 12 July 2006.

**2. The land declared is limited to Murrah State Forest**

Murrah State Forest is located approximately 10 km south west of the township of Bermagui. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Murrah State Forest area: 4592 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

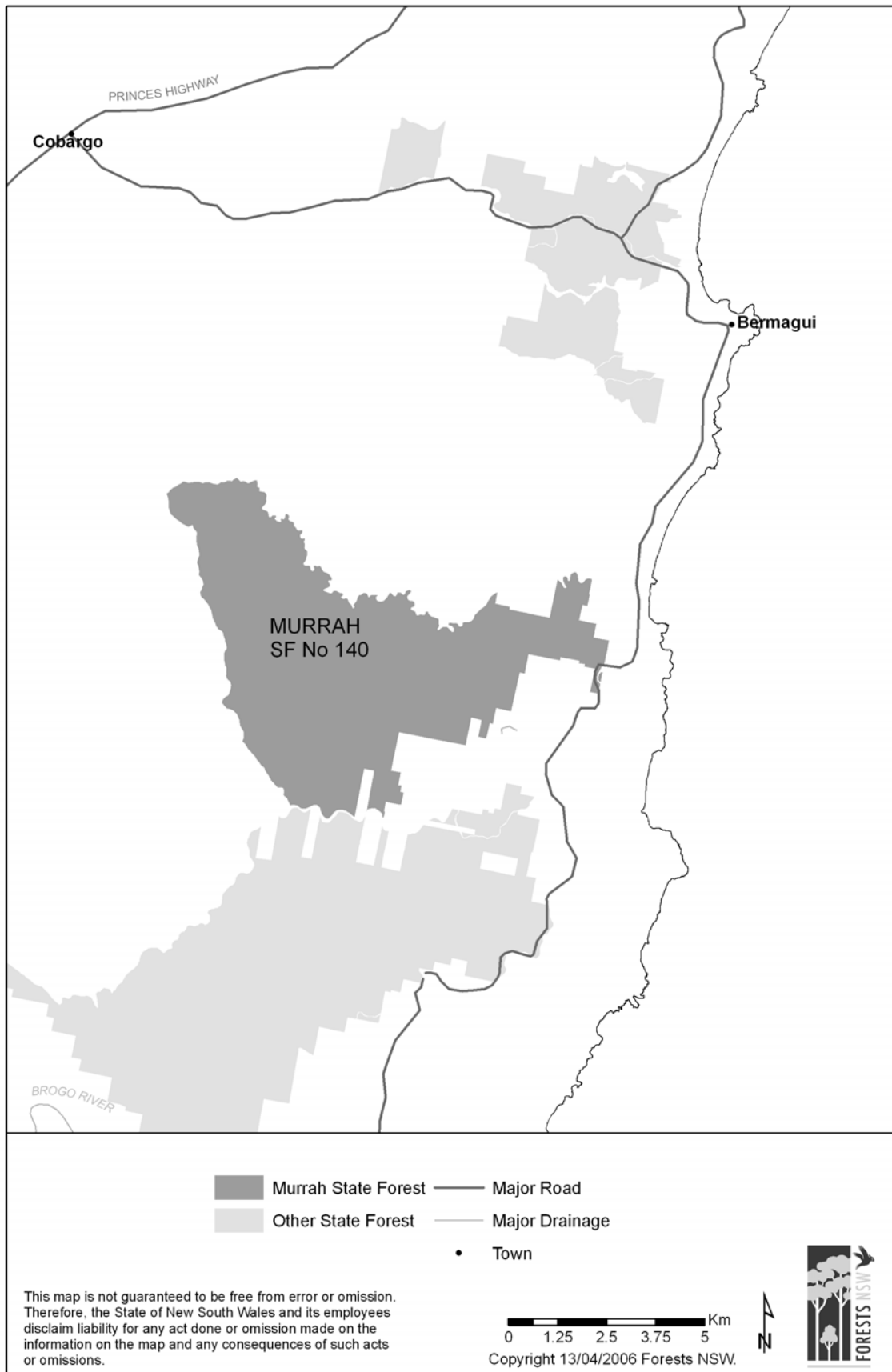
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

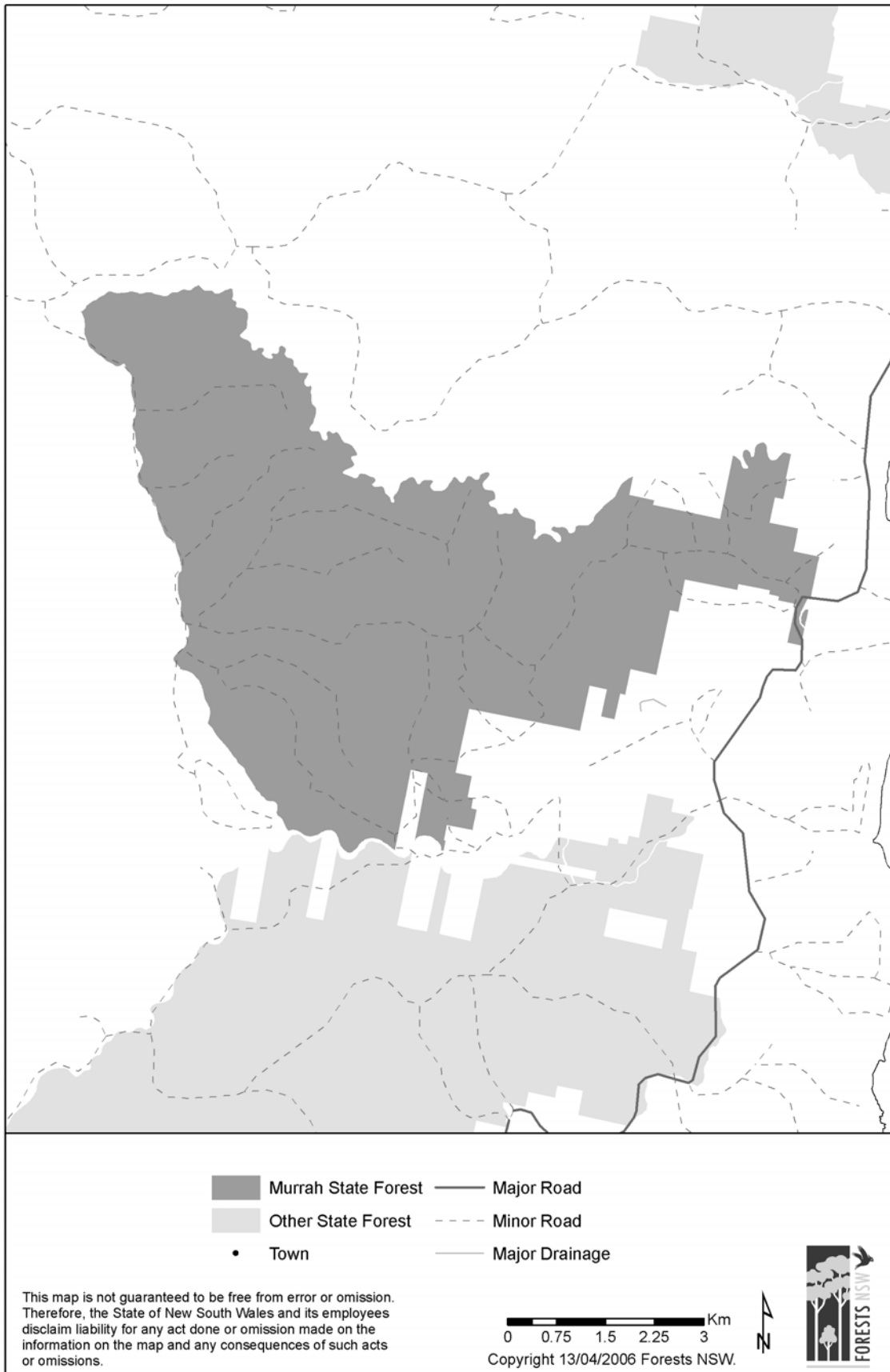
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 30  
Nadgee State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Nadgee State Forest**

Nadgee State Forest is located approximately 25 km south of the township of Eden. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Nadgee State Forest area: 20216 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

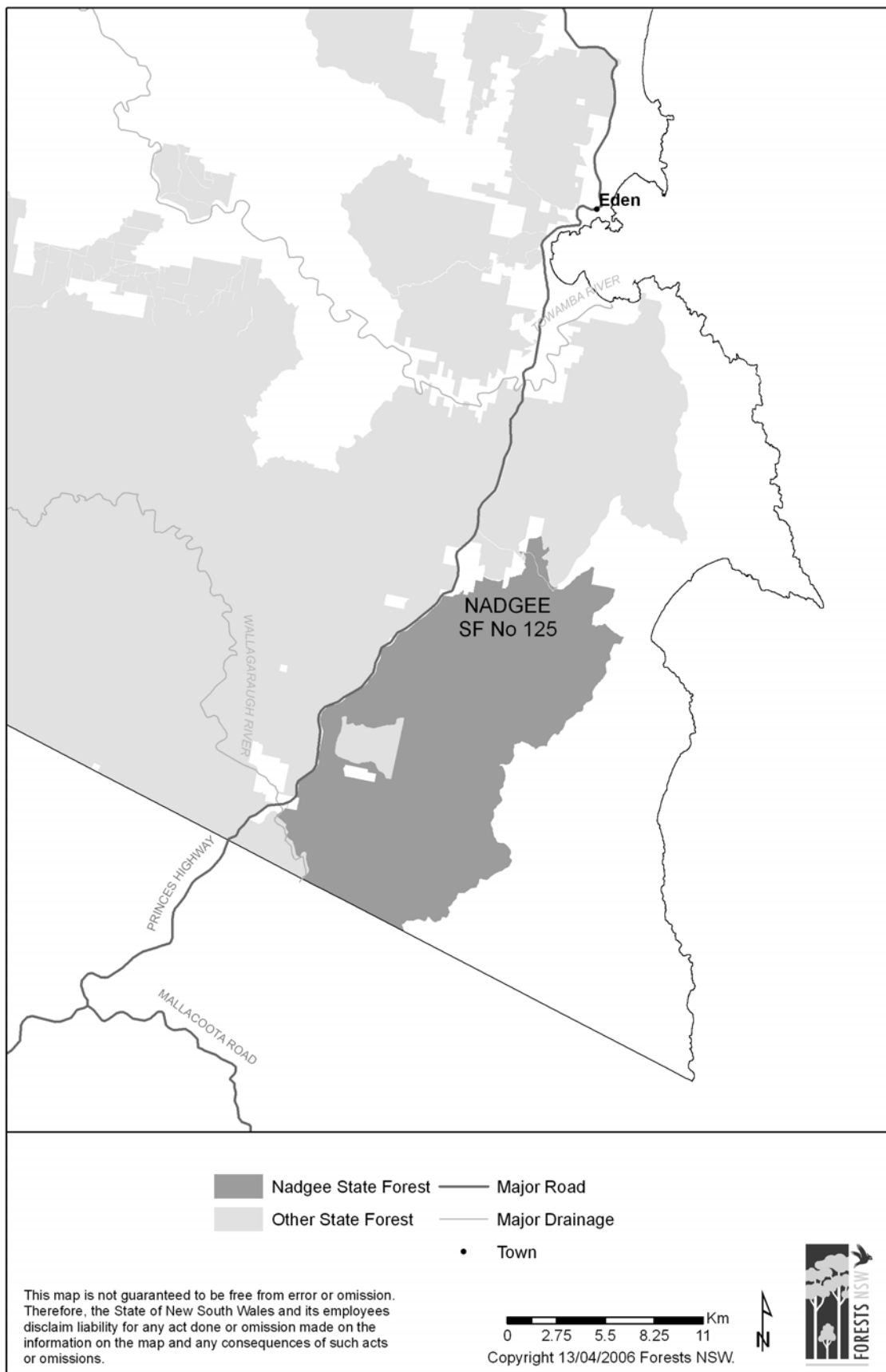
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

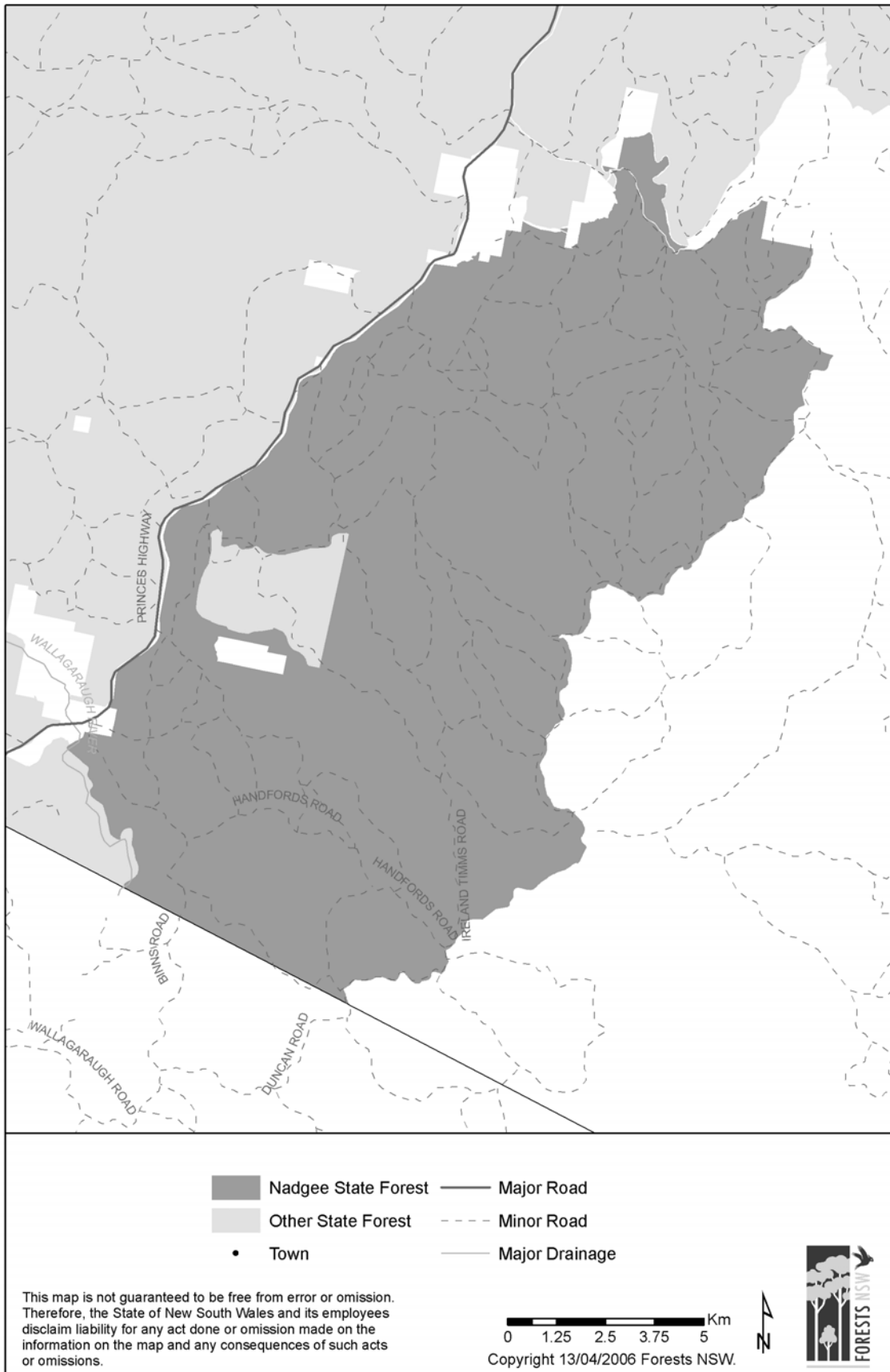
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 31  
Nalbaugh State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Nalbaugh State Forest**

Nalbaugh State Forest is located approximately 18 km south east of the township of Bombala. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Nalbaugh State Forest area: 5054 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

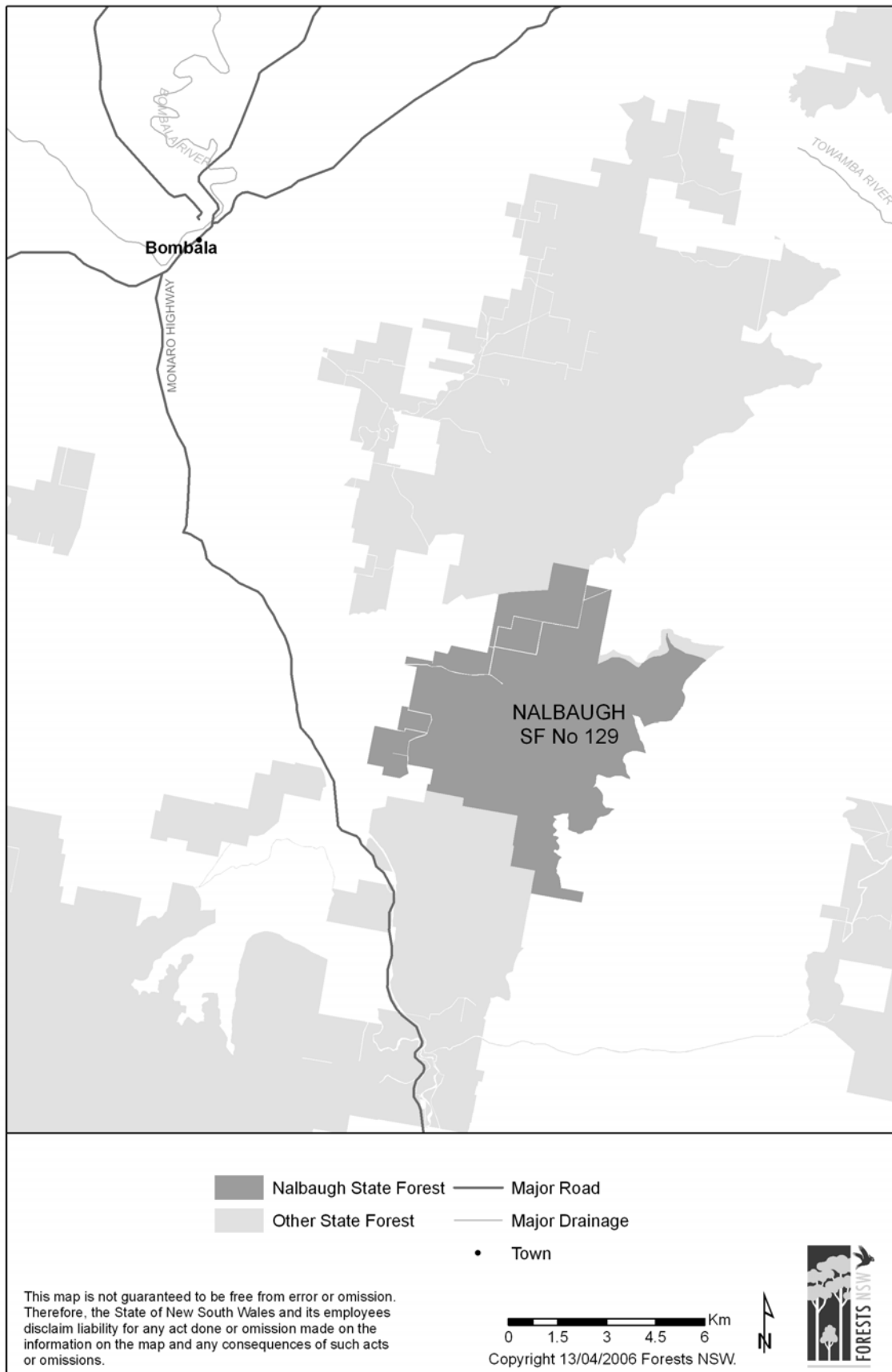
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

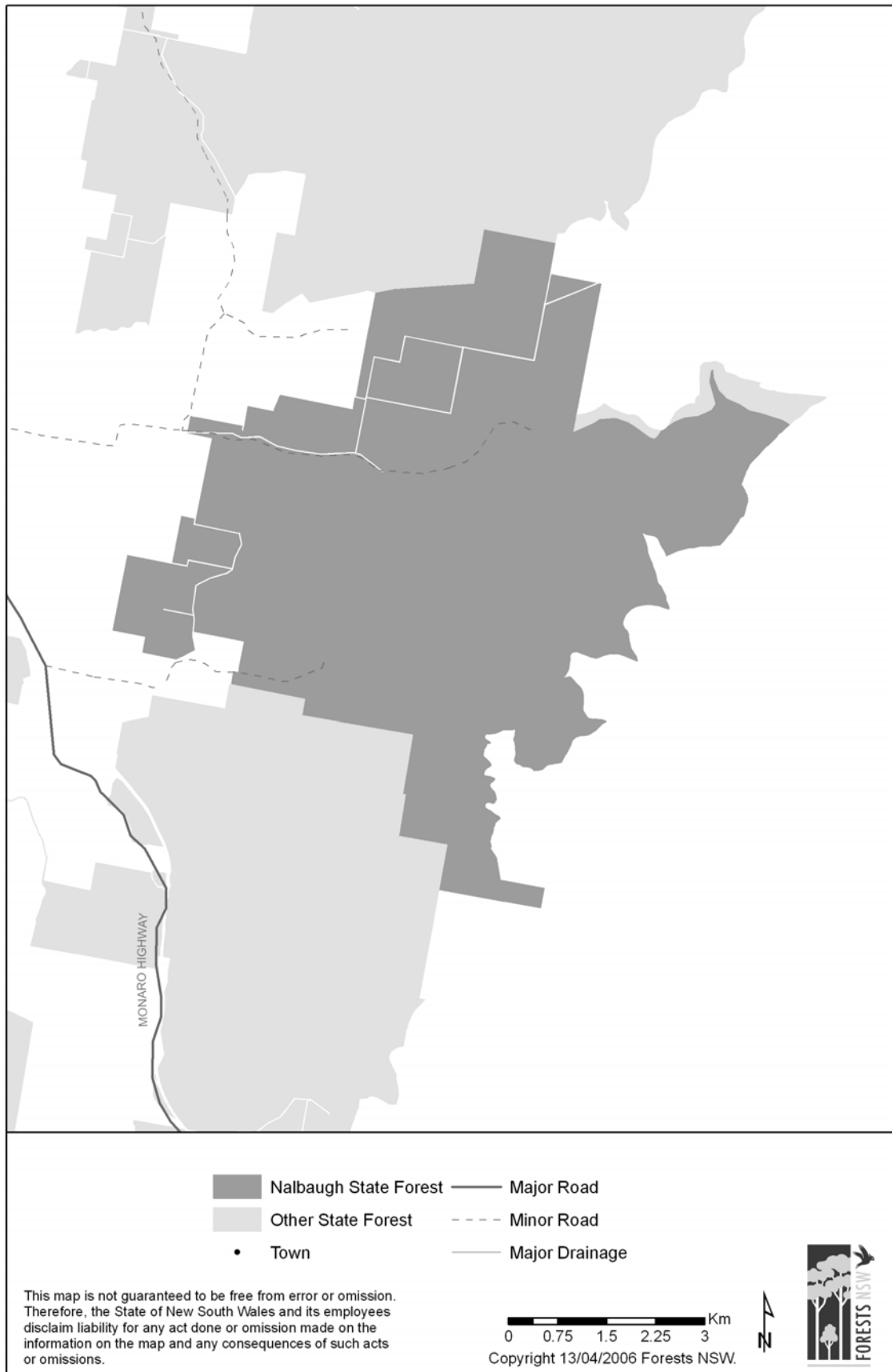
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 32  
Newnes State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Newnes State Forest**

Newnes State Forest is located approximately 7 km north east of the township of Lithgow. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Newnes State Forest area: 23338 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

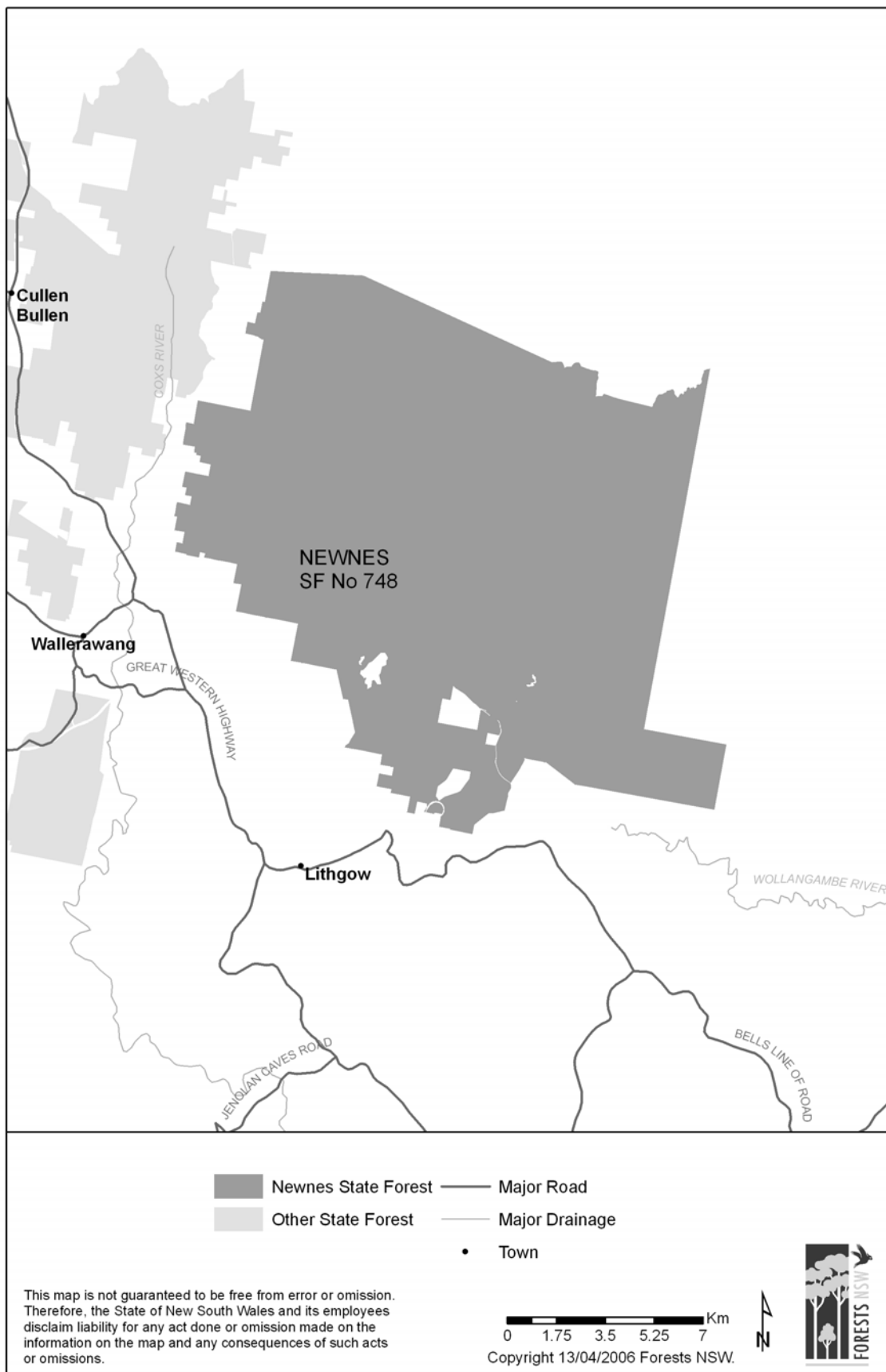
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

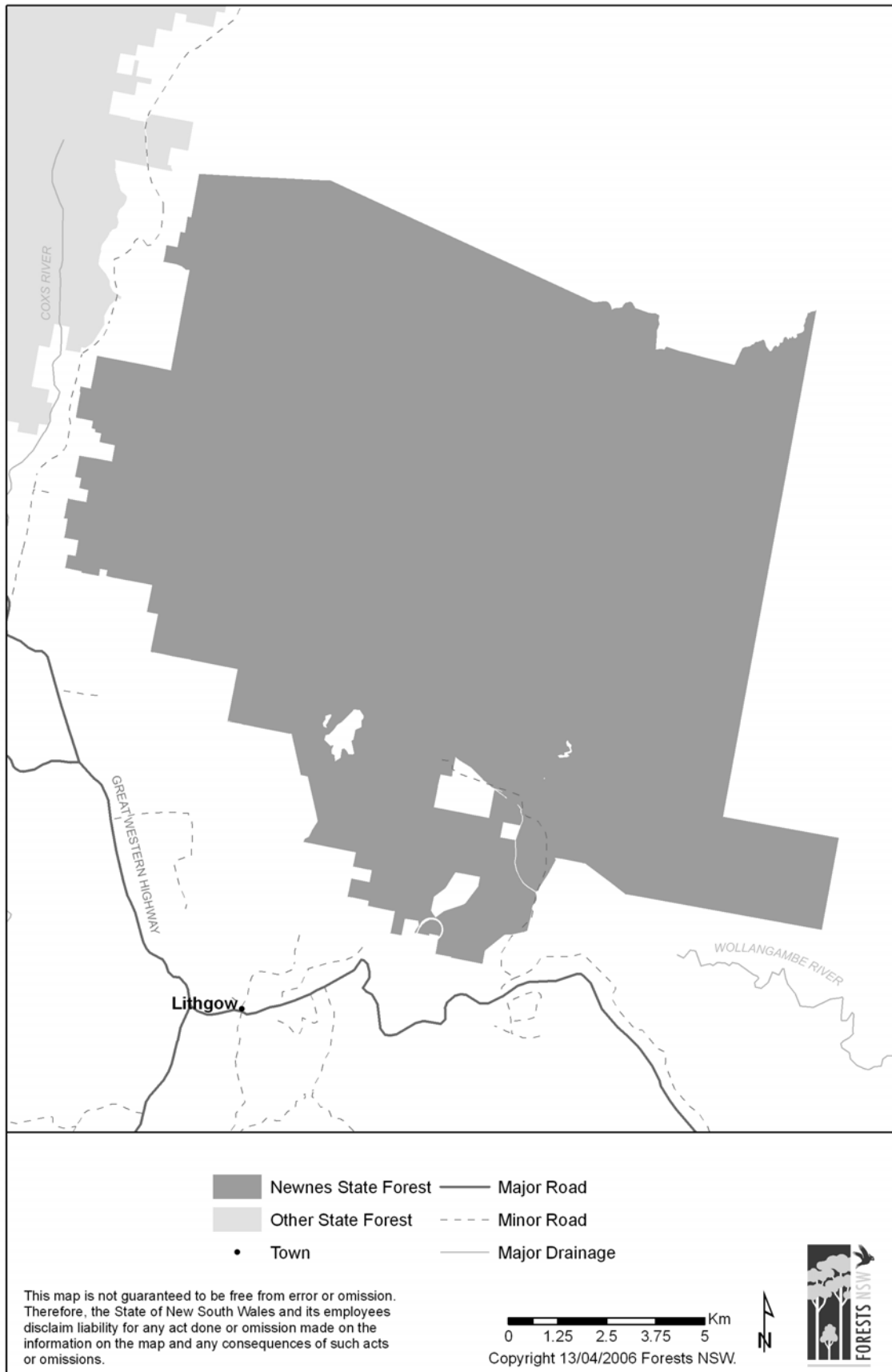
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 33**  
**North Brooman State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to North Brooman State Forest**

North Brooman State Forest is located approximately 10 km west of the township of Lake Tabourie. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. North Brooman State Forest area: 3626 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

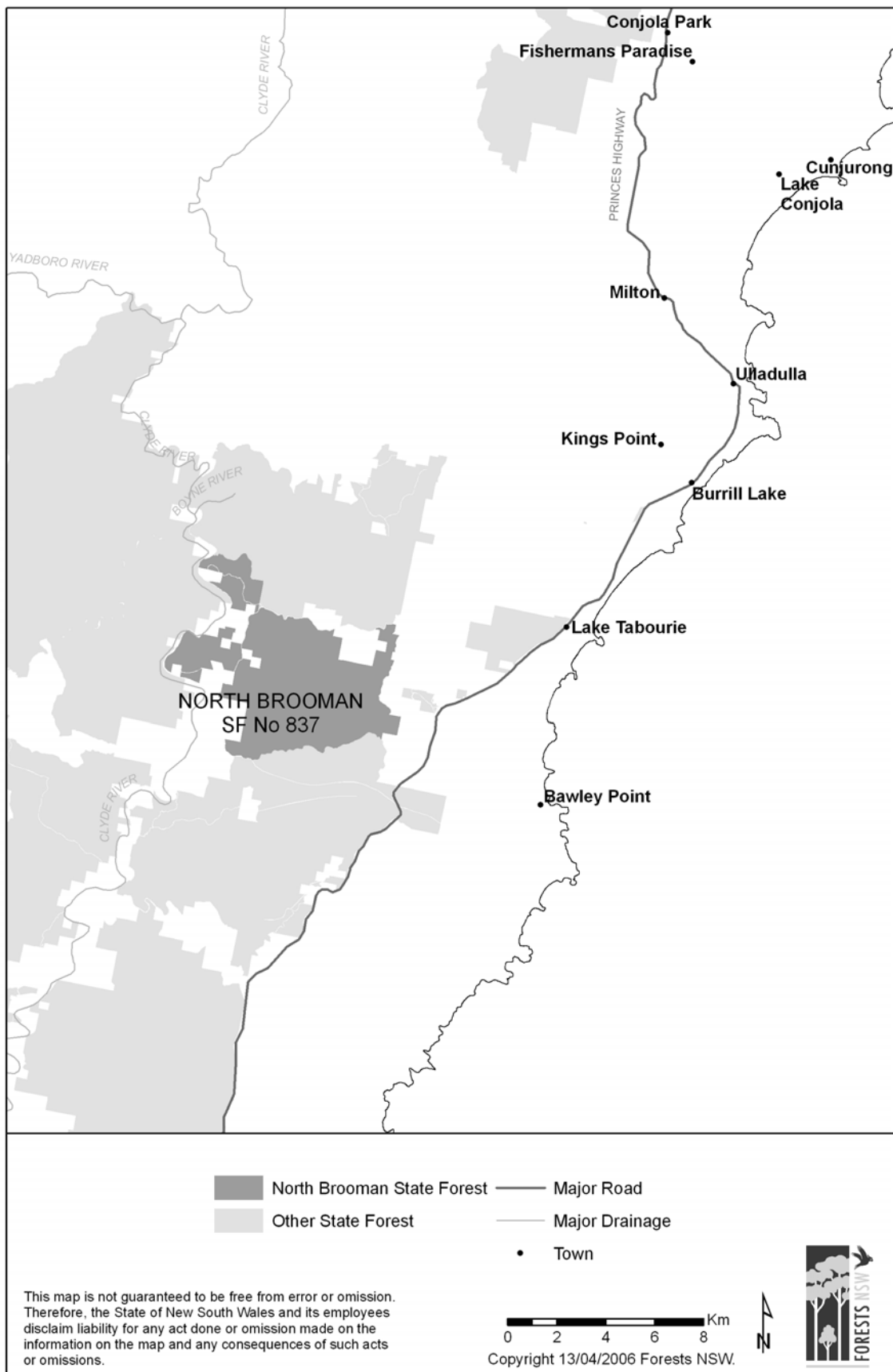
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

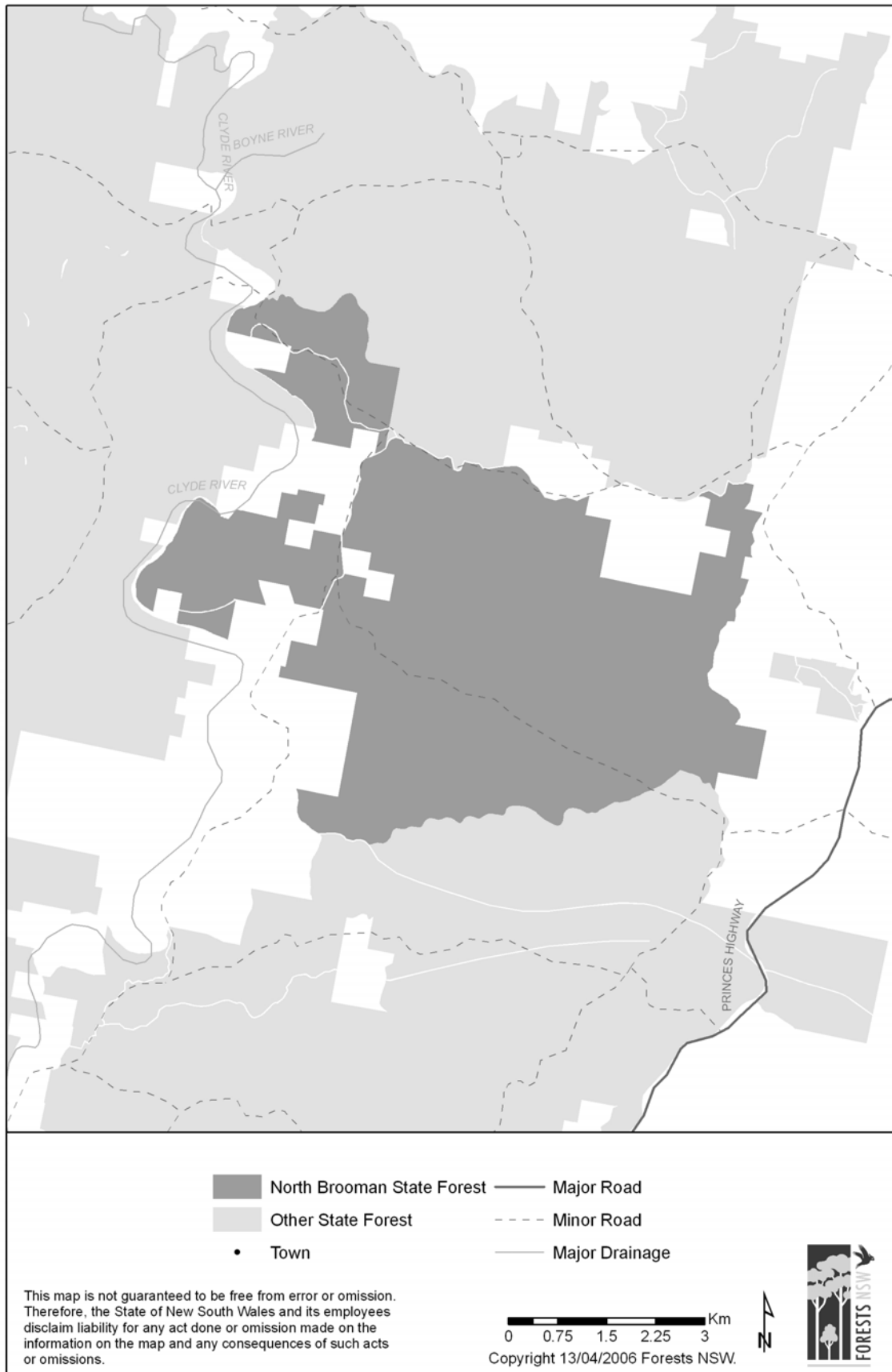
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 34  
Nullica State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Nullica State Forest**

Nullica State Forest is located approximately 10km west of the township of Eden. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Nullica State Forest area: 18,380 hectares

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

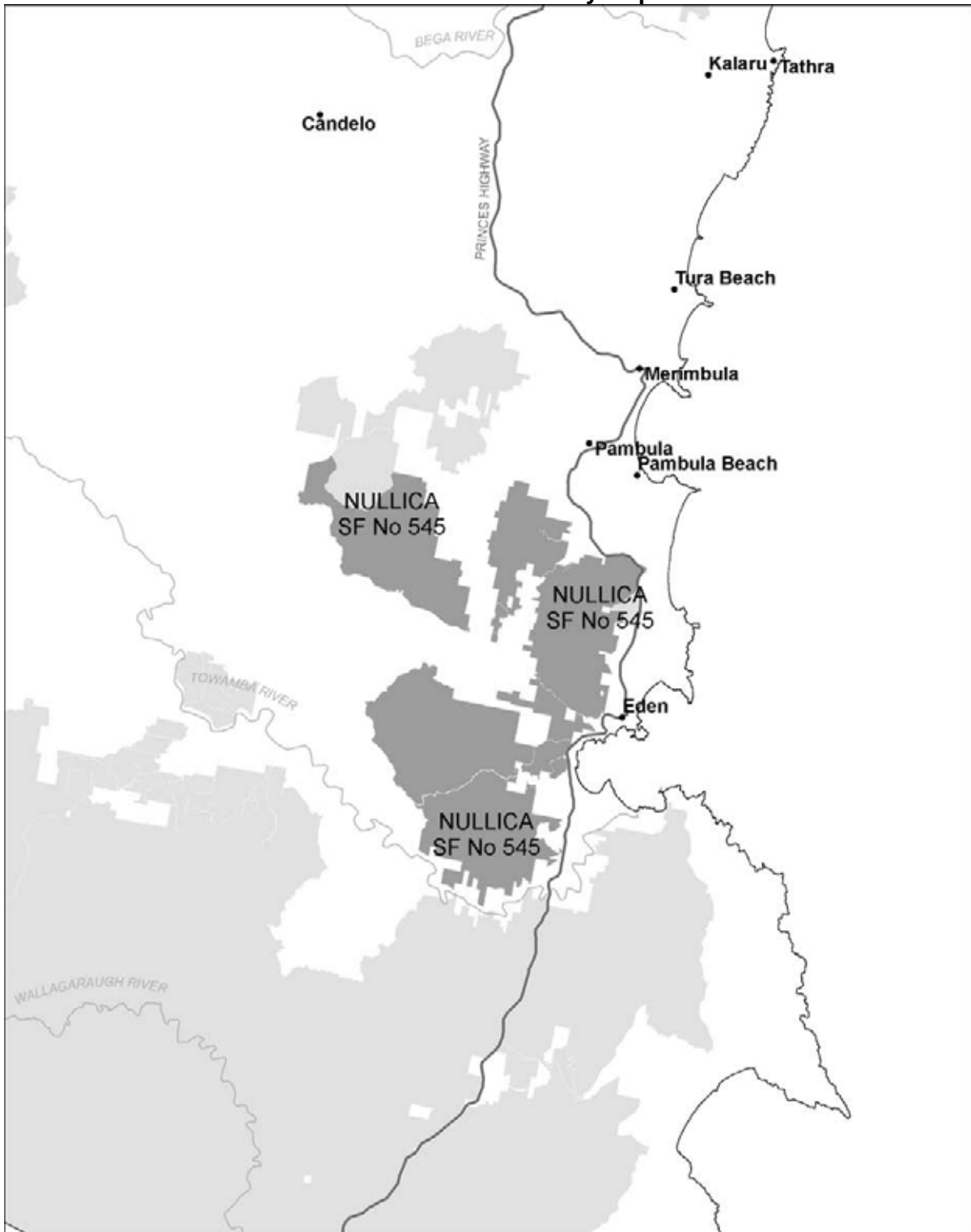
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



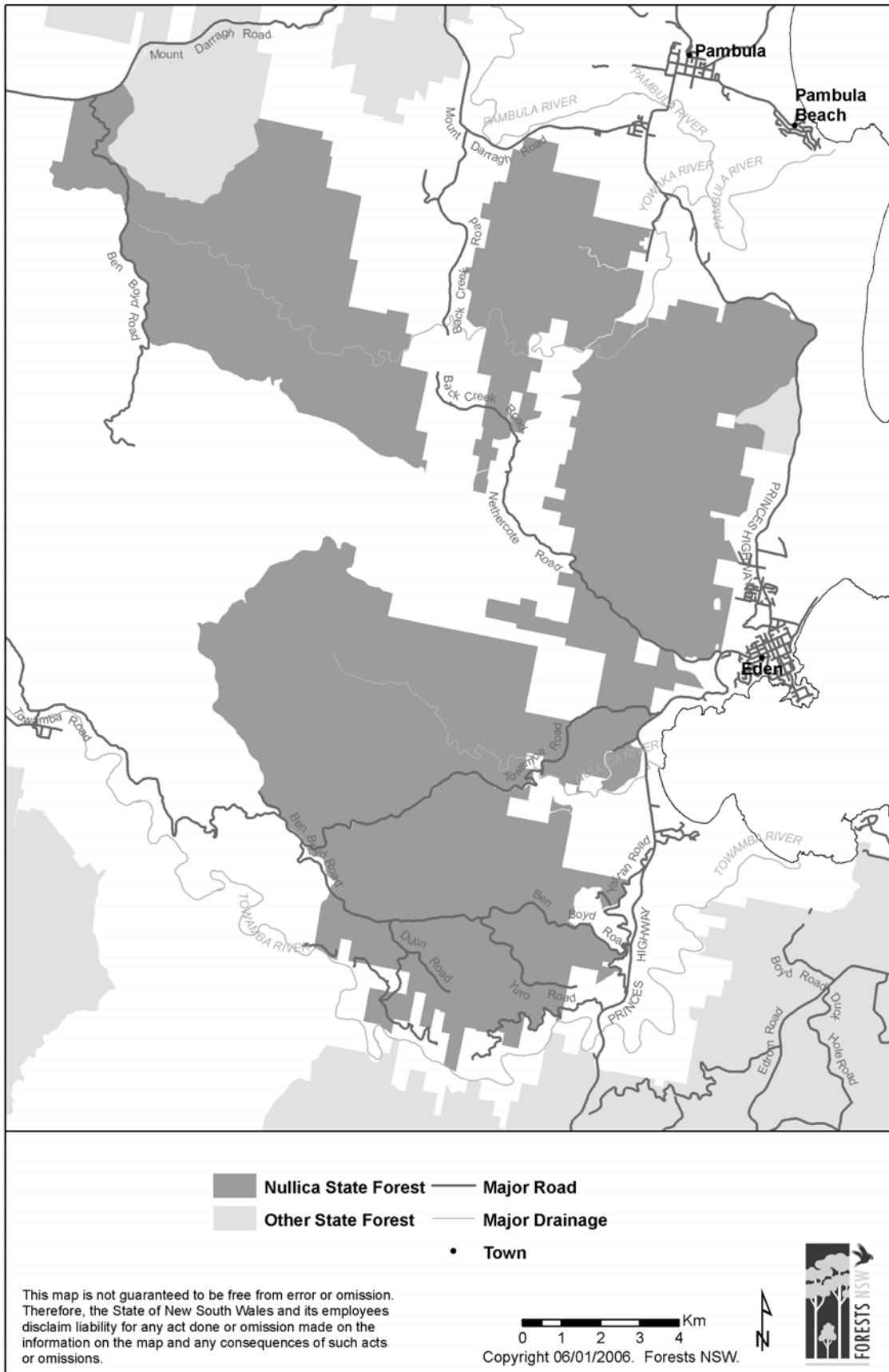
- Nullica State Forest
- Other State Forest
- Major Road
- Major Drainage
- Town

This map is not guaranteed to be free from error or omission. Therefore, the State of New South Wales and its employees disclaim liability for any act done or omission made on the information on the map and any consequences of such acts or omissions.

0 3 6 9 12 Km  
Copyright 06/01/2006. Forests NSW.



APPENDIX 'B' – Location Map



**Schedule 35**  
**Nullo Mountain State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Nullo Mountain State Forest**

Nullo Mountain State Forest is located approximately 20 km east of the township of Rylstone. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Nullo Mountain State Forest area: 5668 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

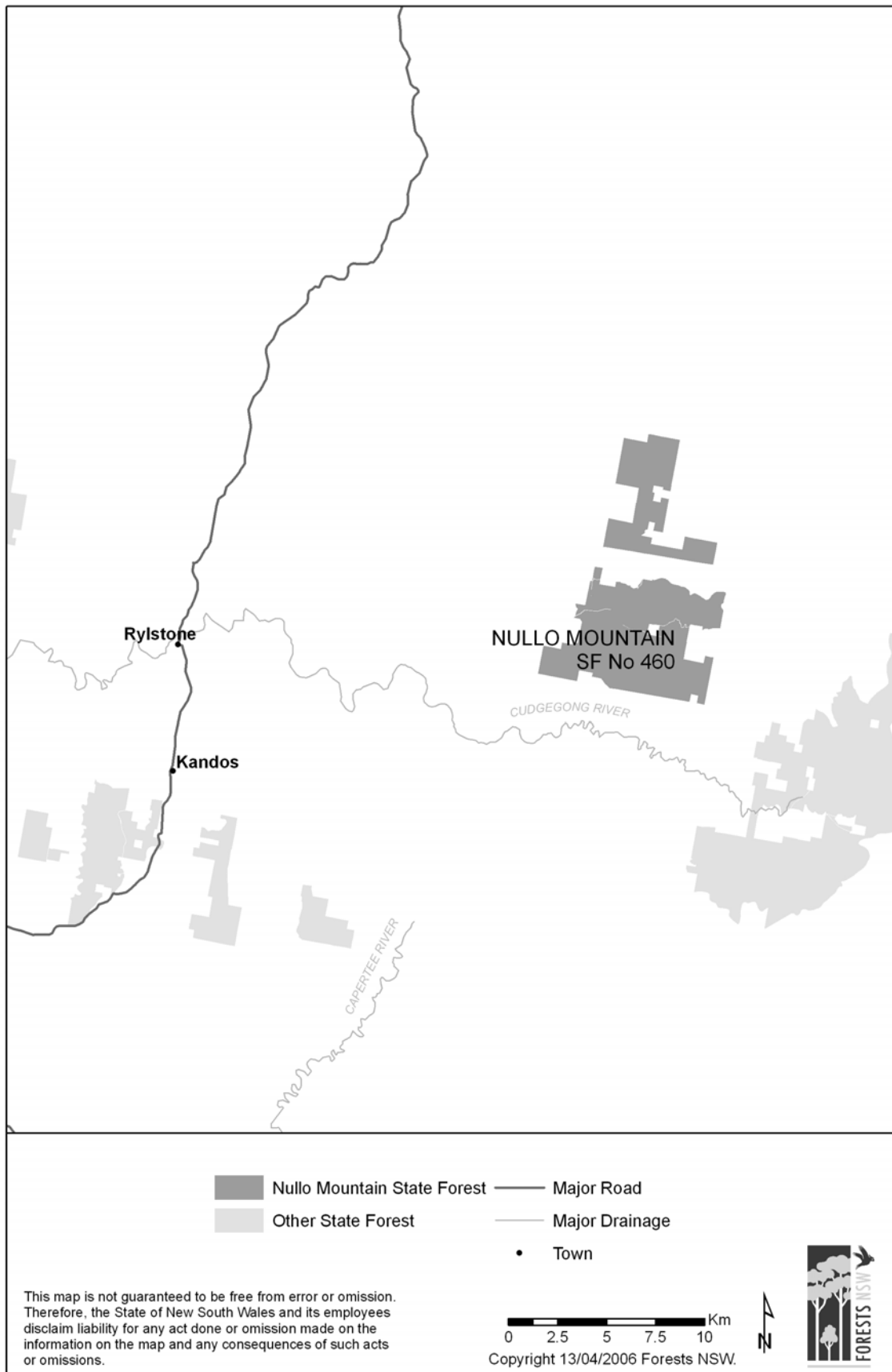
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 36  
Nungatta State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Nungatta State Forest**

Nungatta State Forest is located approximately 45 km south west of the township of Eden. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Nungatta State Forest area: 915 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

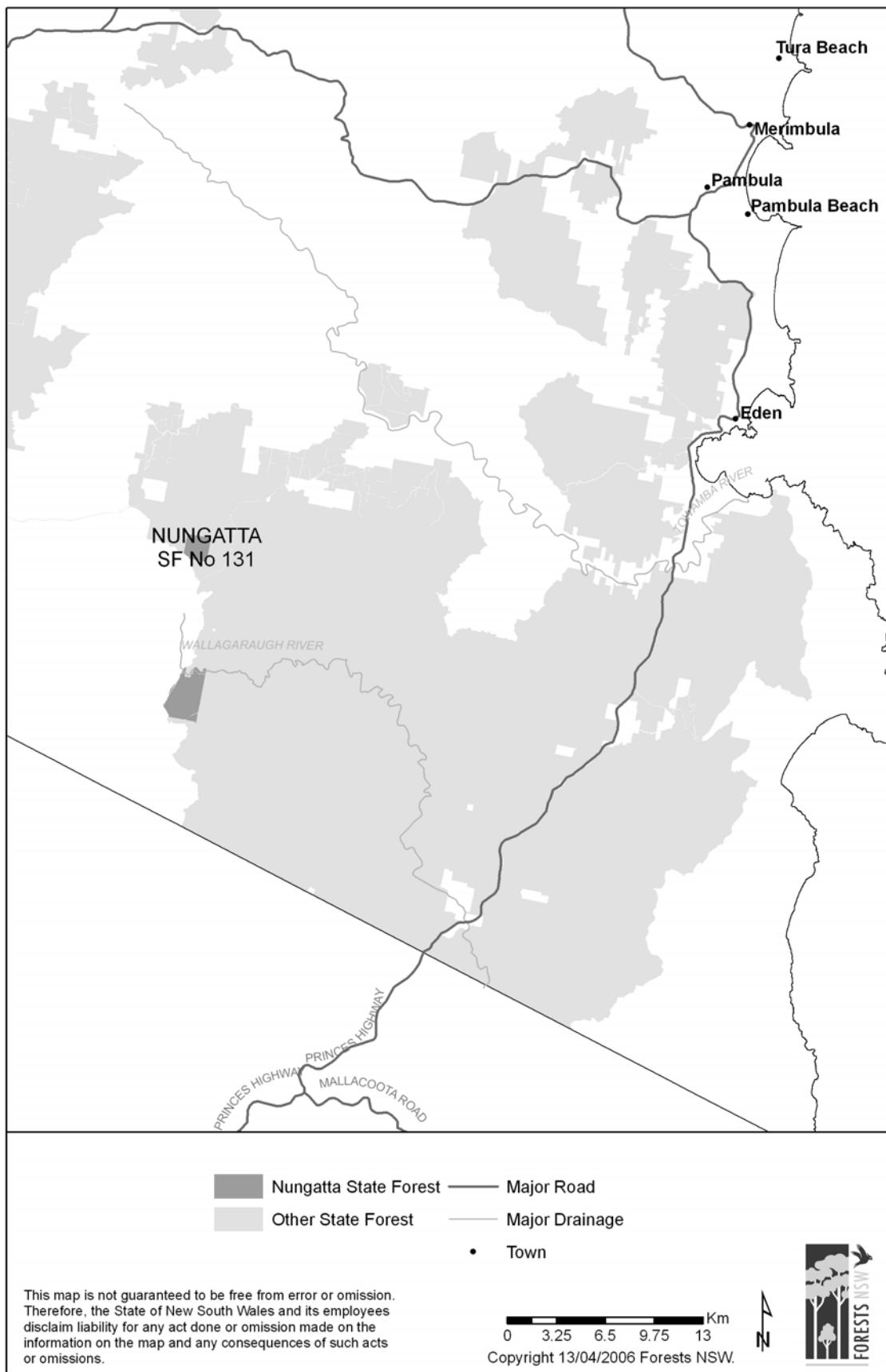
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

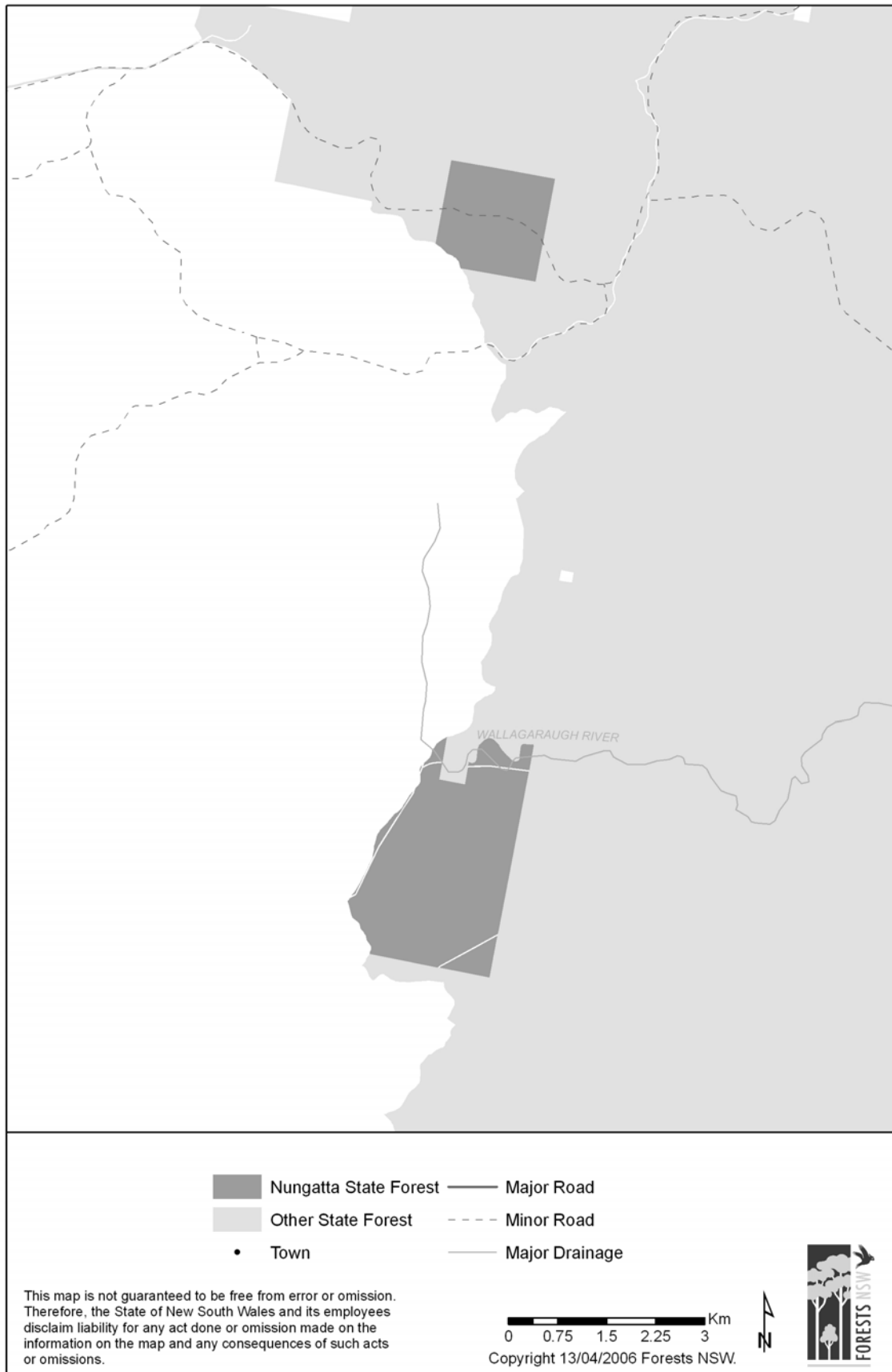
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



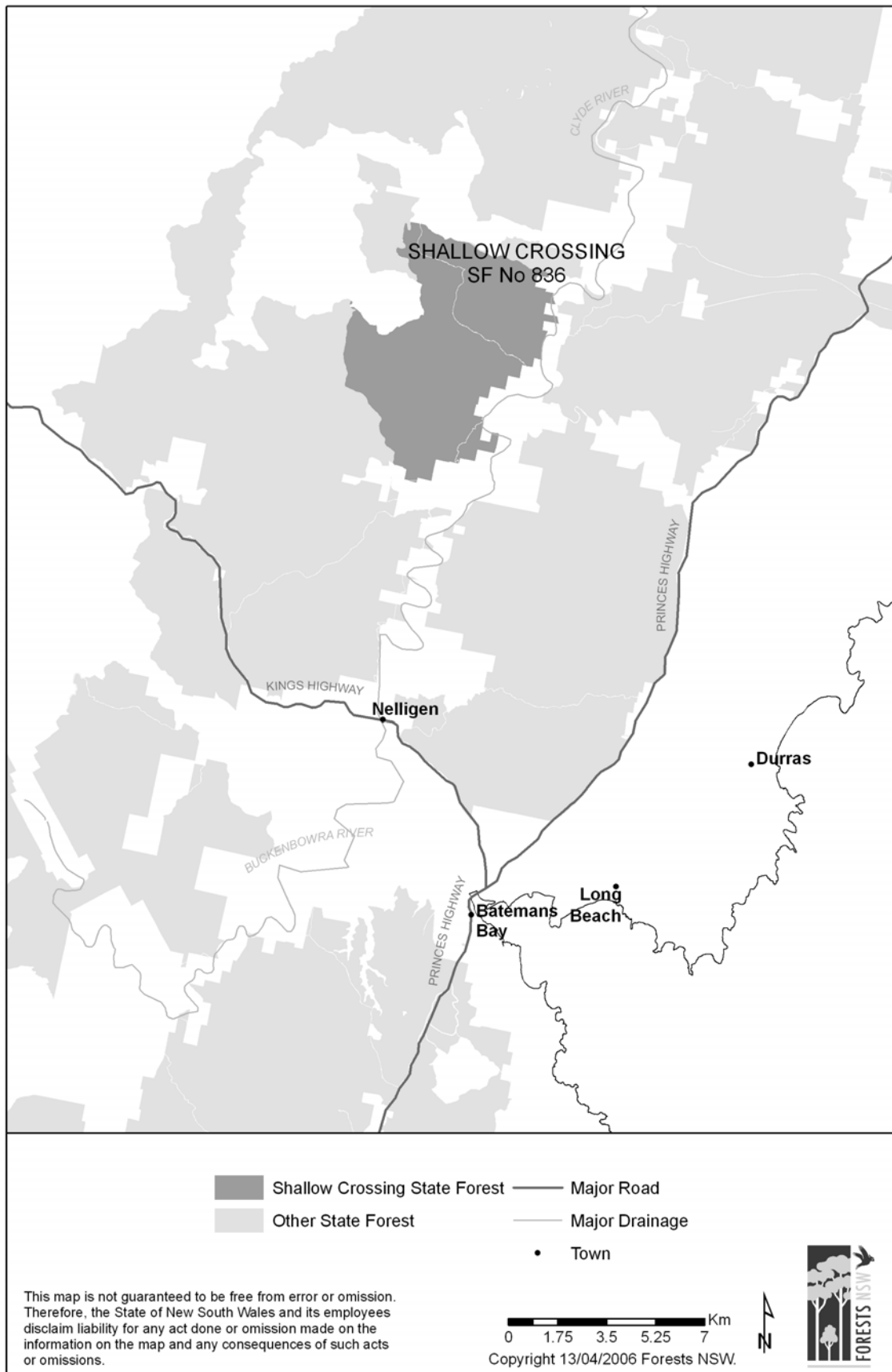


**Schedule 37**  
**Shallow Crossing State Forest**

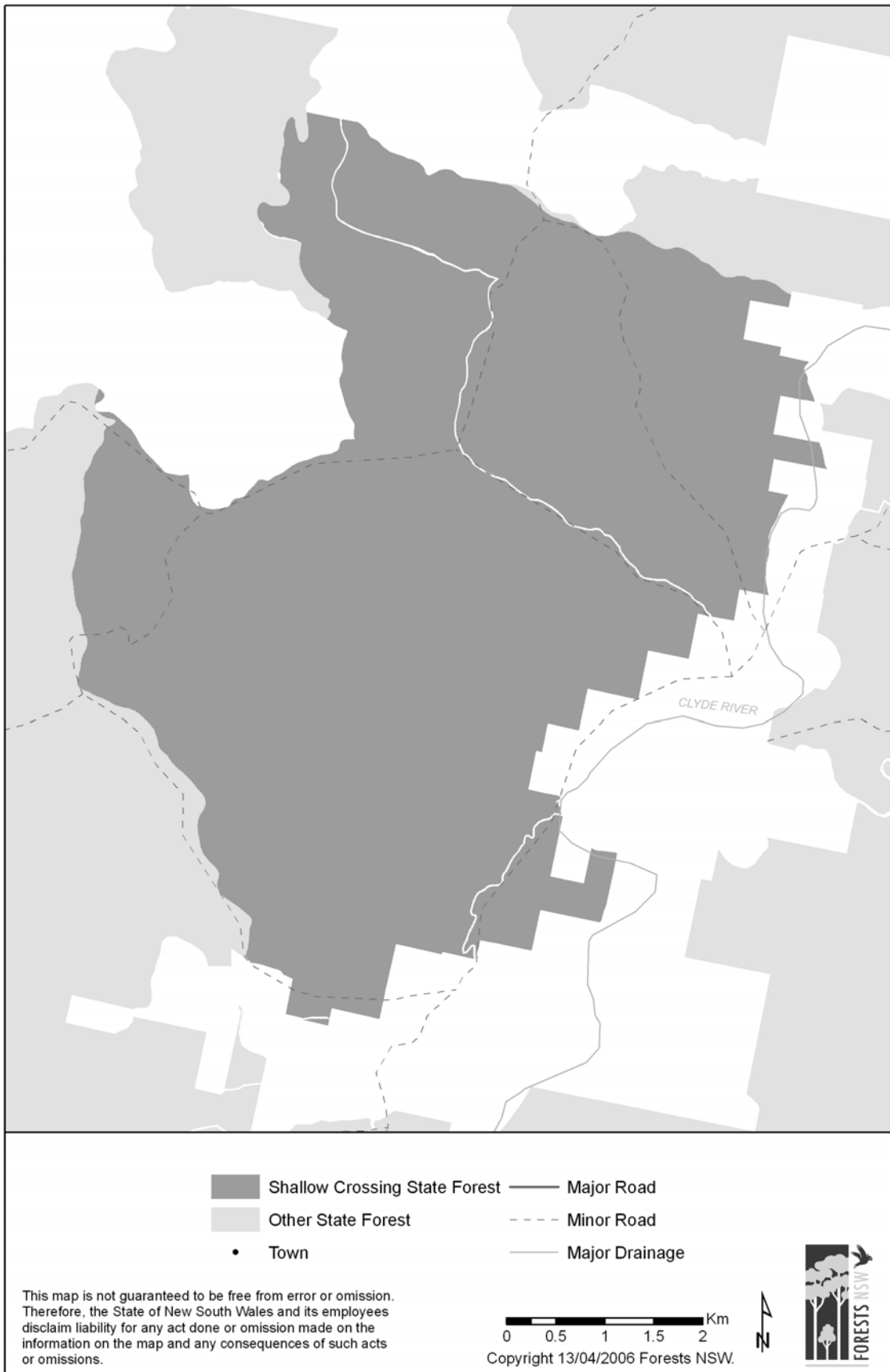
**Terms**

- 1. Duration of the declaration**  
This declaration shall remain in force for a period of five (5) years from 14 July 2006.
- 2. The land declared is limited to Shallow Crossing State Forest**  
Shallow Crossing State Forest is located approximately 10 km north of the township of Nelligen. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Shallow Crossing State Forest area: 3948 hectares.
- 3. Authority of this declaration**  
This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.
- 4. Variation or revocation of the declaration**  
The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.
- 5. Written permission to access the declared area**  
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.
- 6. Requirements of the declaration**  
A person who hunts on the lands declared must:  
(a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;  
(b) Comply with all conditions in the written permission; and  
(c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 38  
South Brooman State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to South Brooman State Forest**

South Brooman State Forest is located approximately 15 km north of the township of Nelligen. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. South Brooman State Forest area: 5537 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

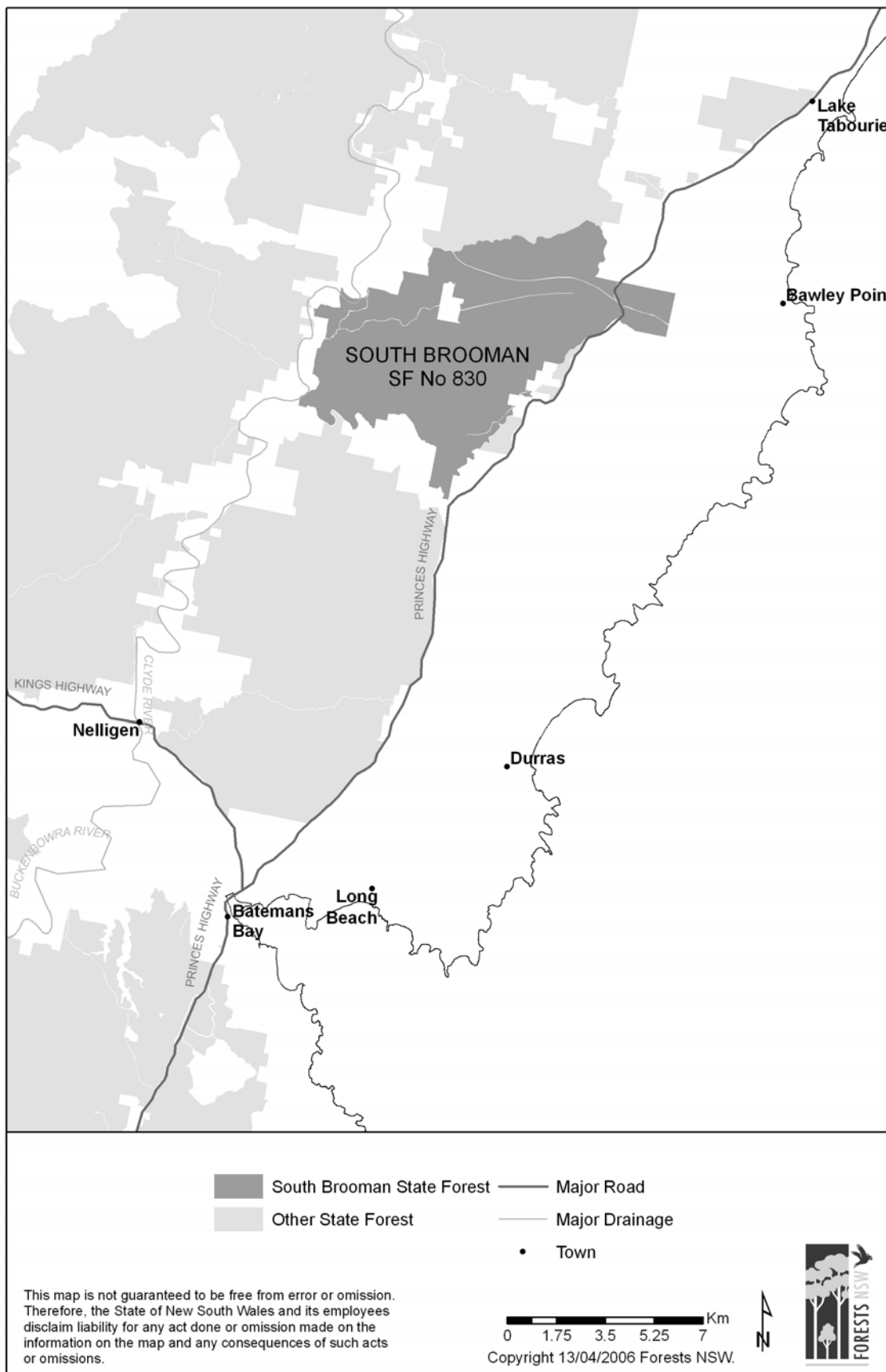
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

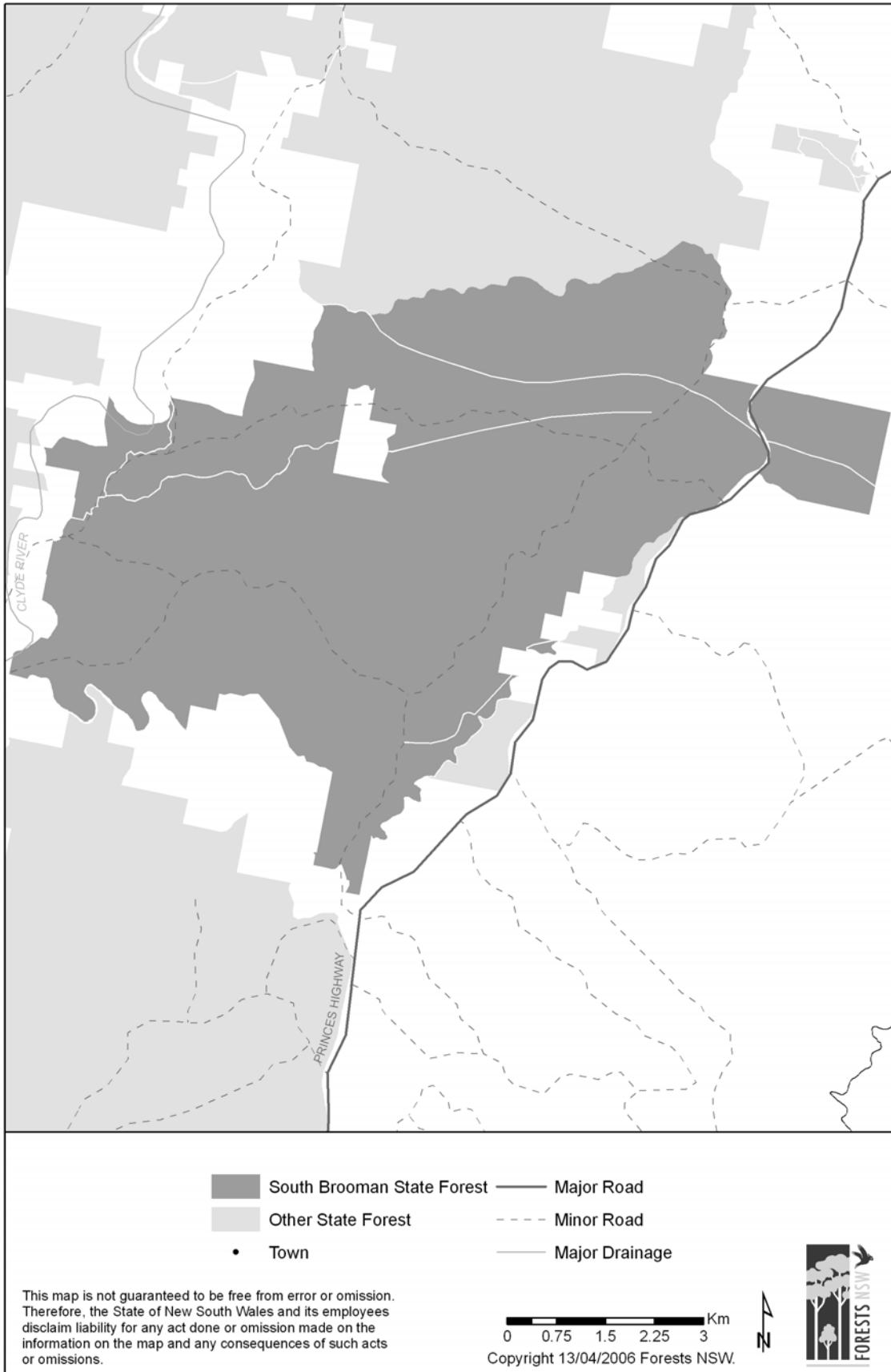
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 39**  
**Sunny Corner State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Sunny Corner State Forest**

Sunny Corner State Forest is located approximately 5 km west of the township of Portland. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Sunny Corner State Forest area: 21295 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

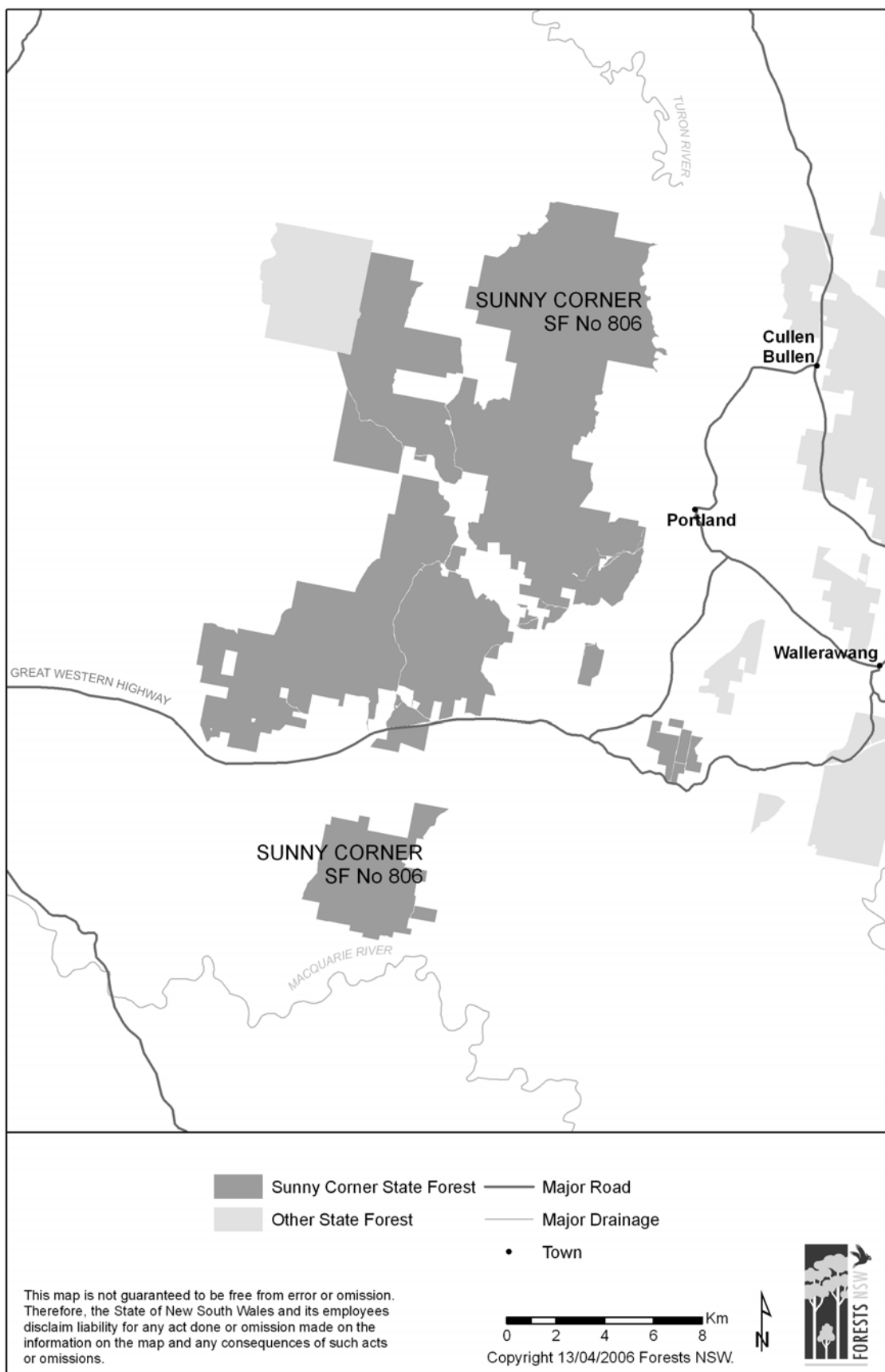
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

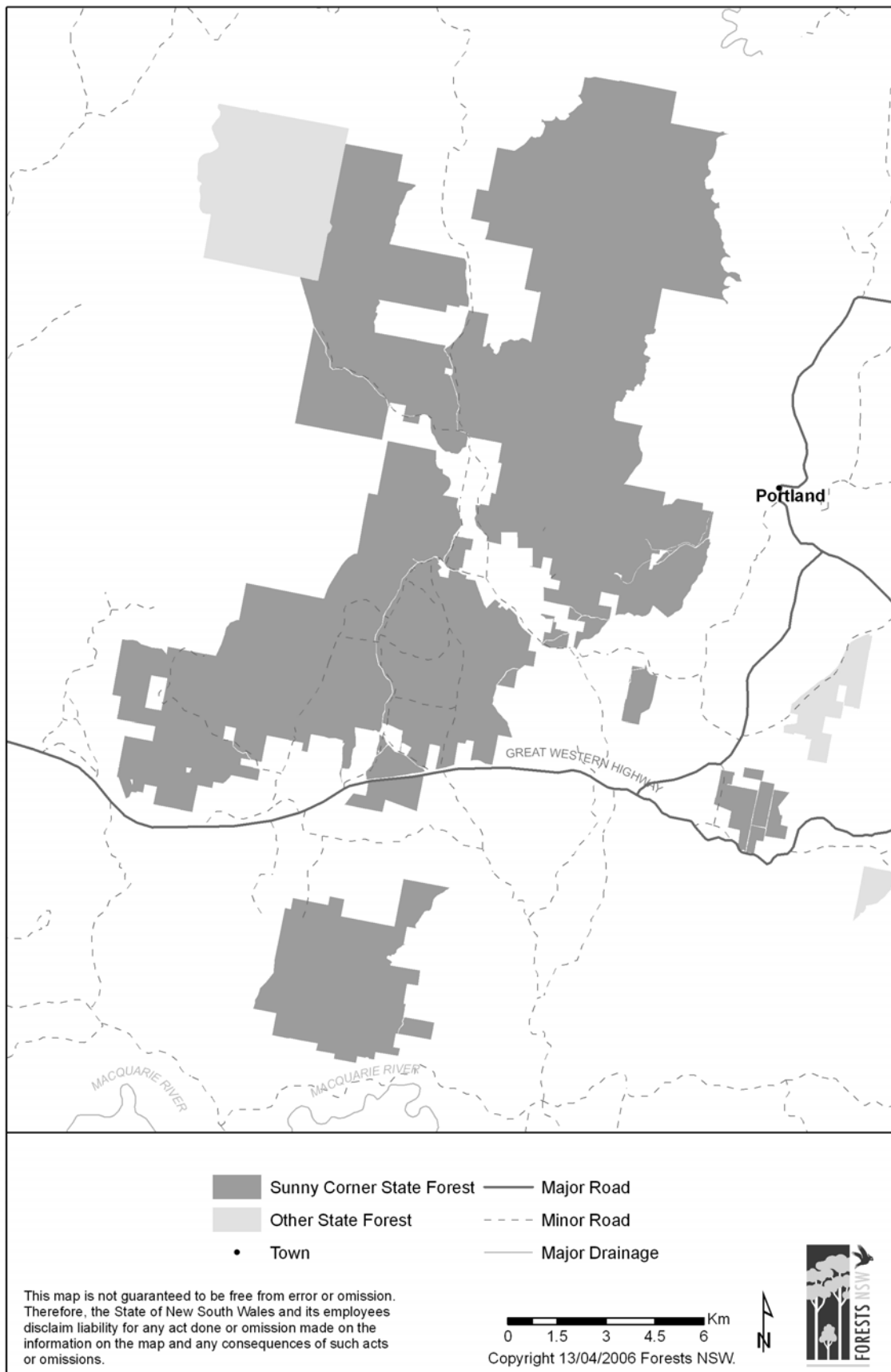
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 40  
Tantawangalo State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Tantawangalo State Forest**

Tantawangalo State Forest is located approximately 20 km west of the township of Candelo. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Tantawangalo State Forest area: 2181 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

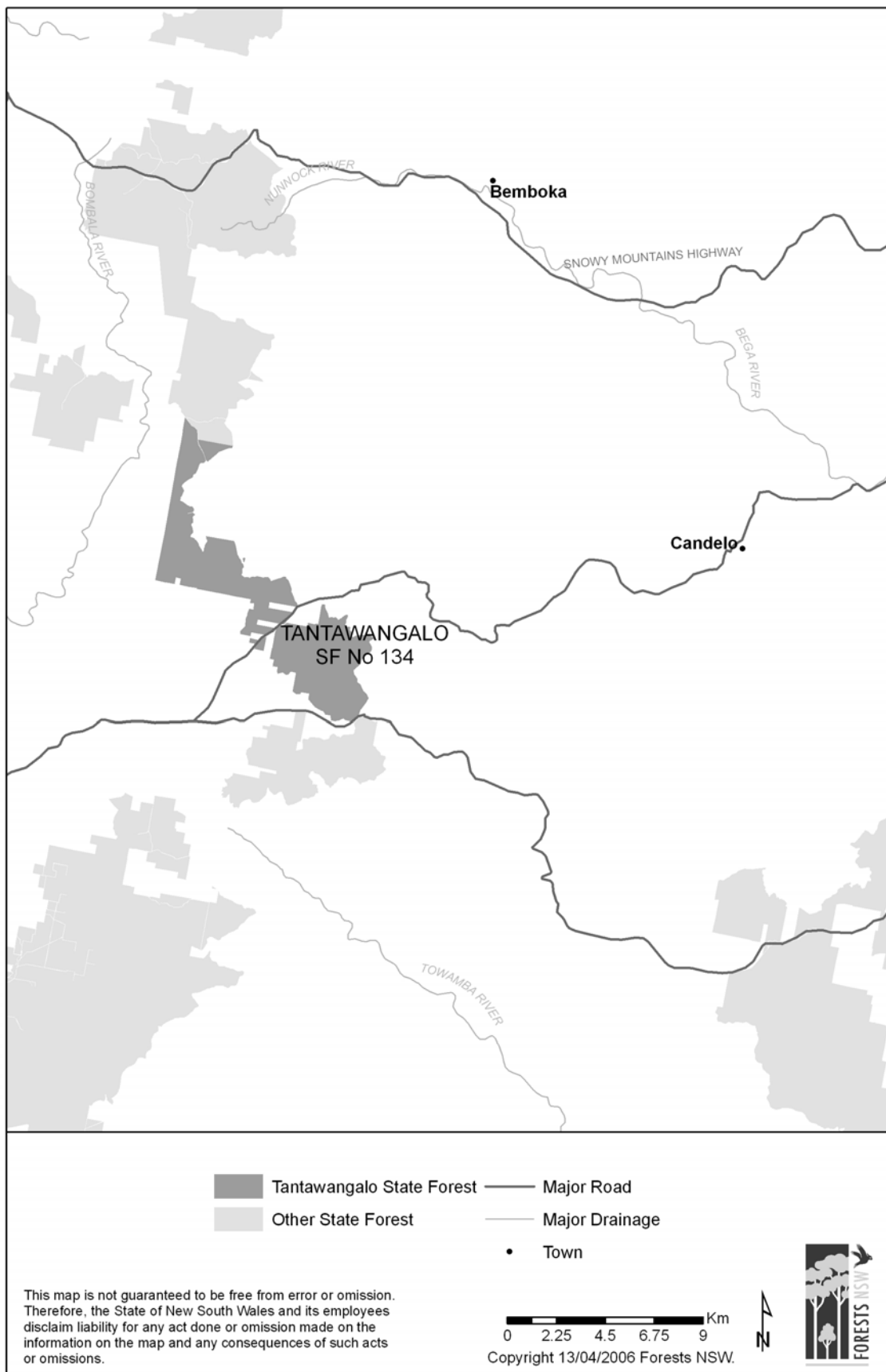
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

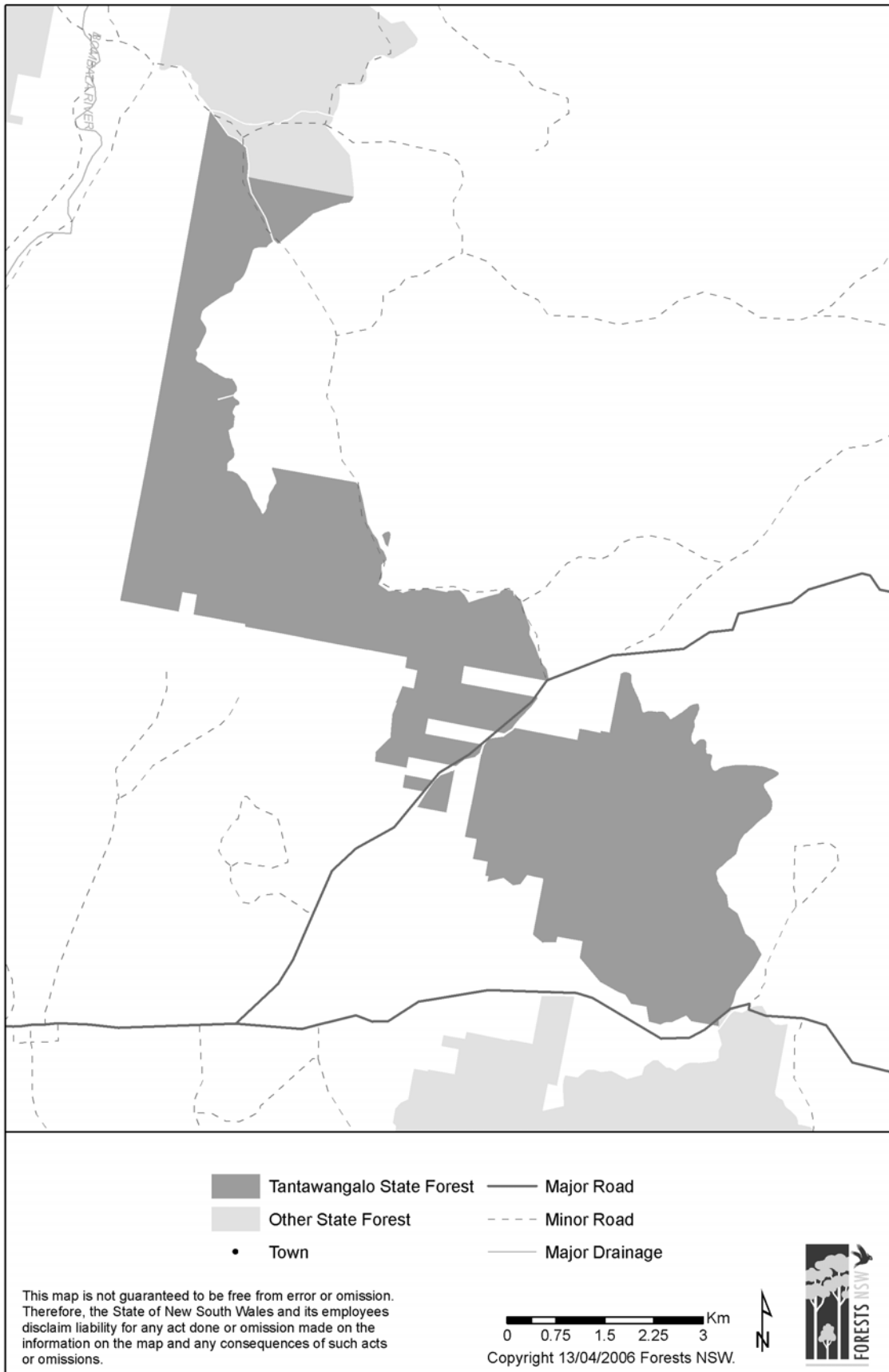
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 41  
Timbillica State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Timbillica State Forest**

Timbillica State Forest is located approximately 30 km south of the township of Eden. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Timbillica State Forest area: 8094 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

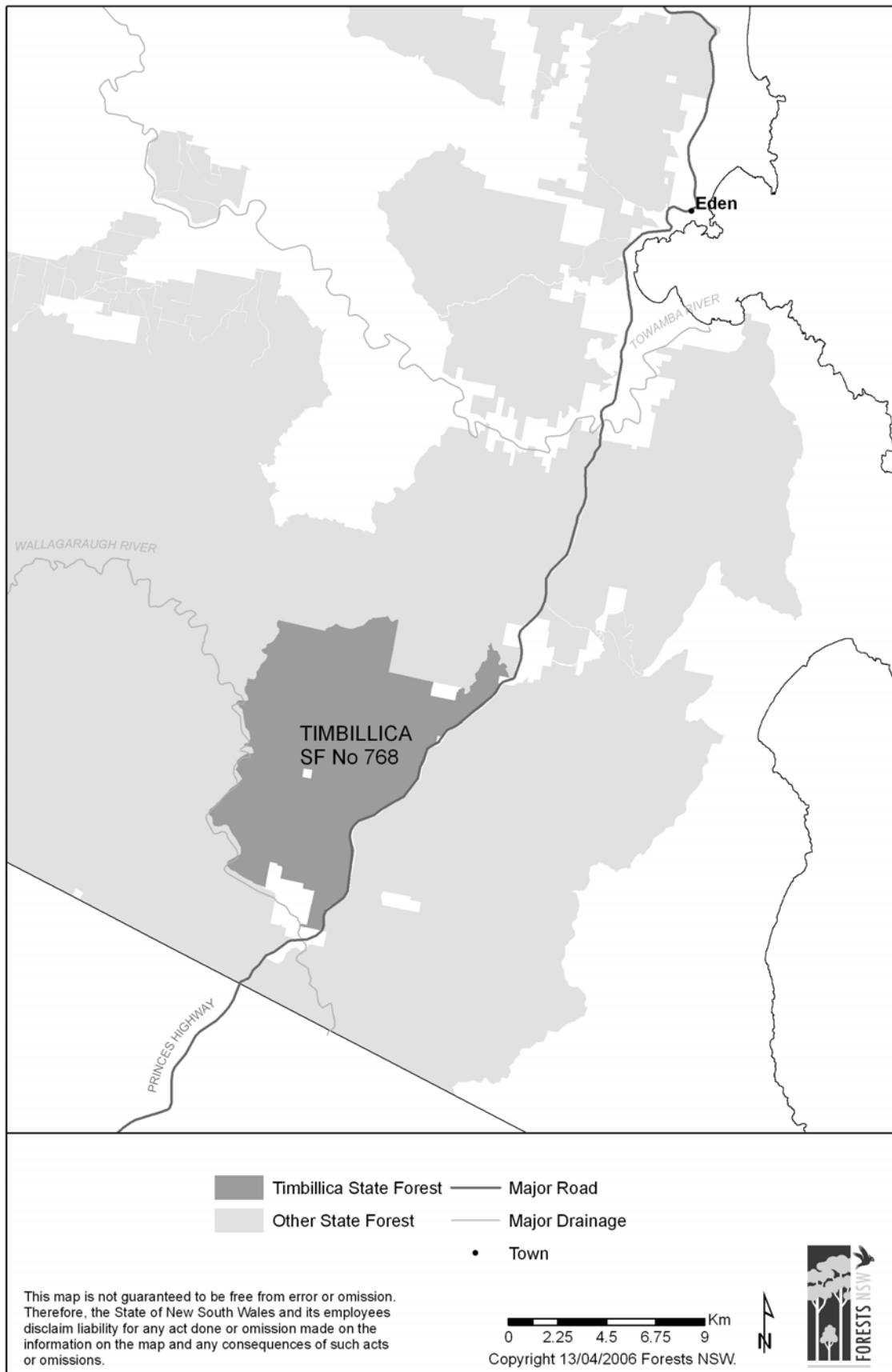
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

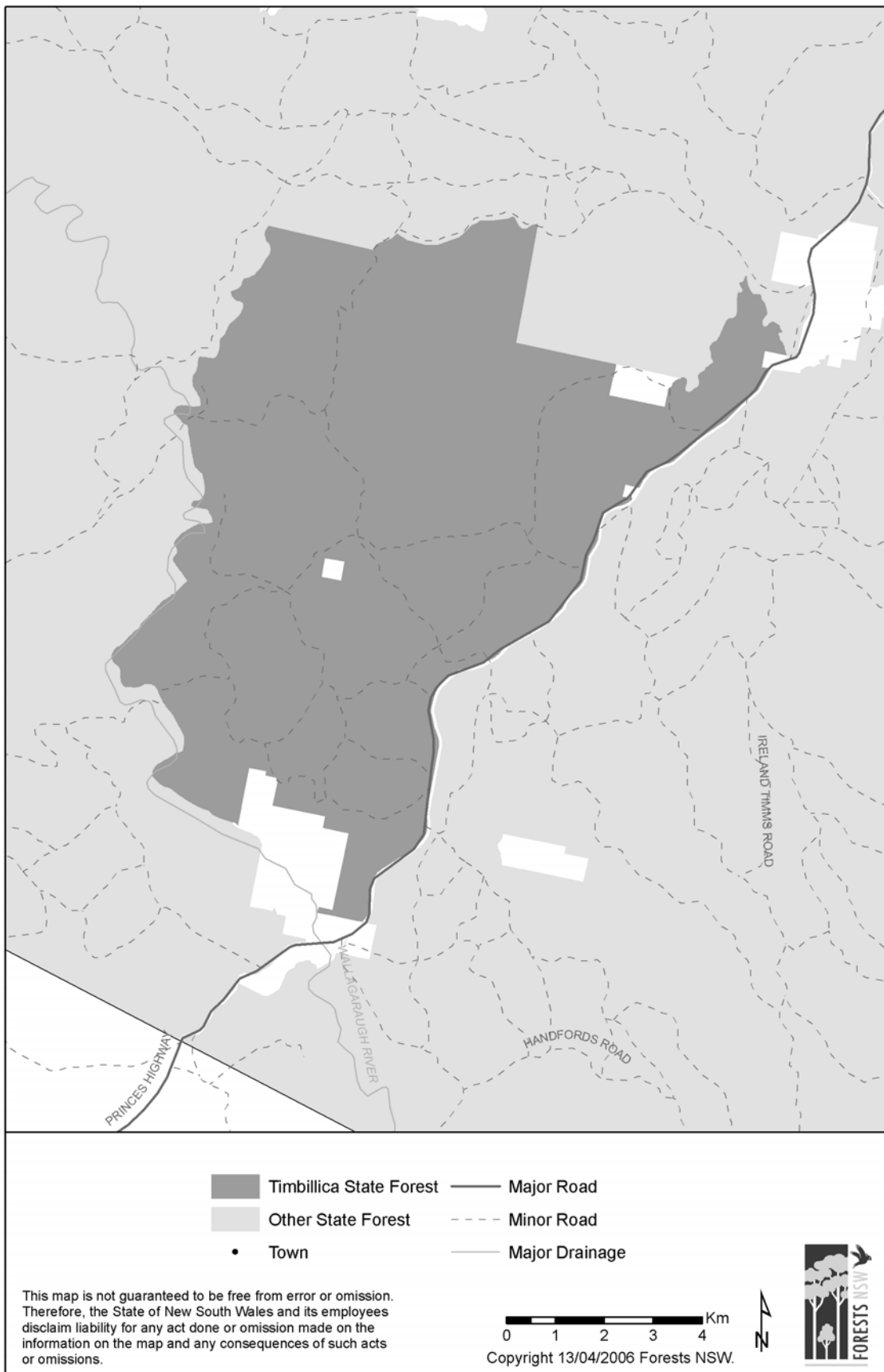
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 42  
Vulcan State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Vulcan State Forest**

Vulcan State Forest is located approximately 20 km south of the township of Oberon. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Vulcan State Forest area: 19604 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

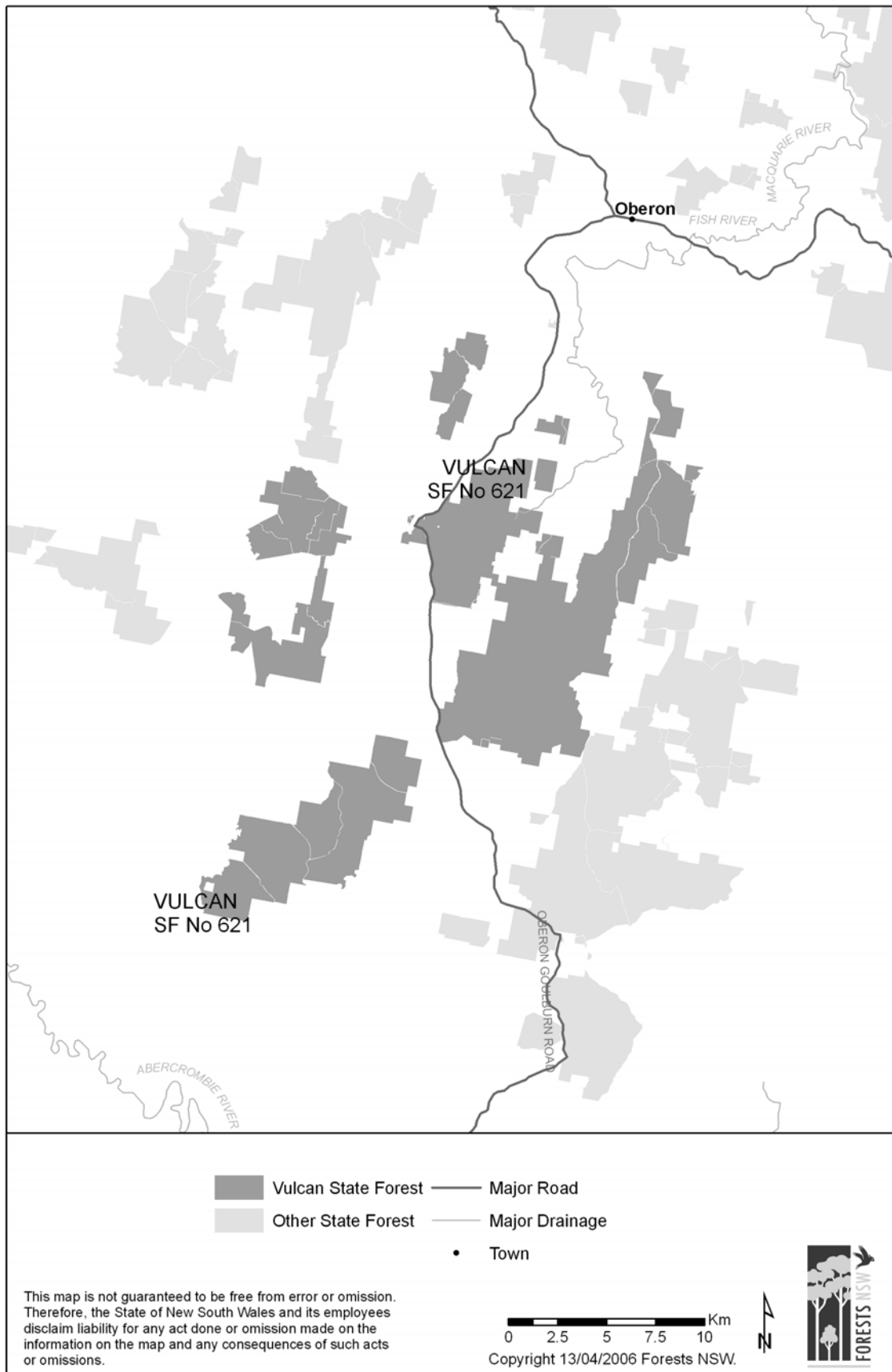
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

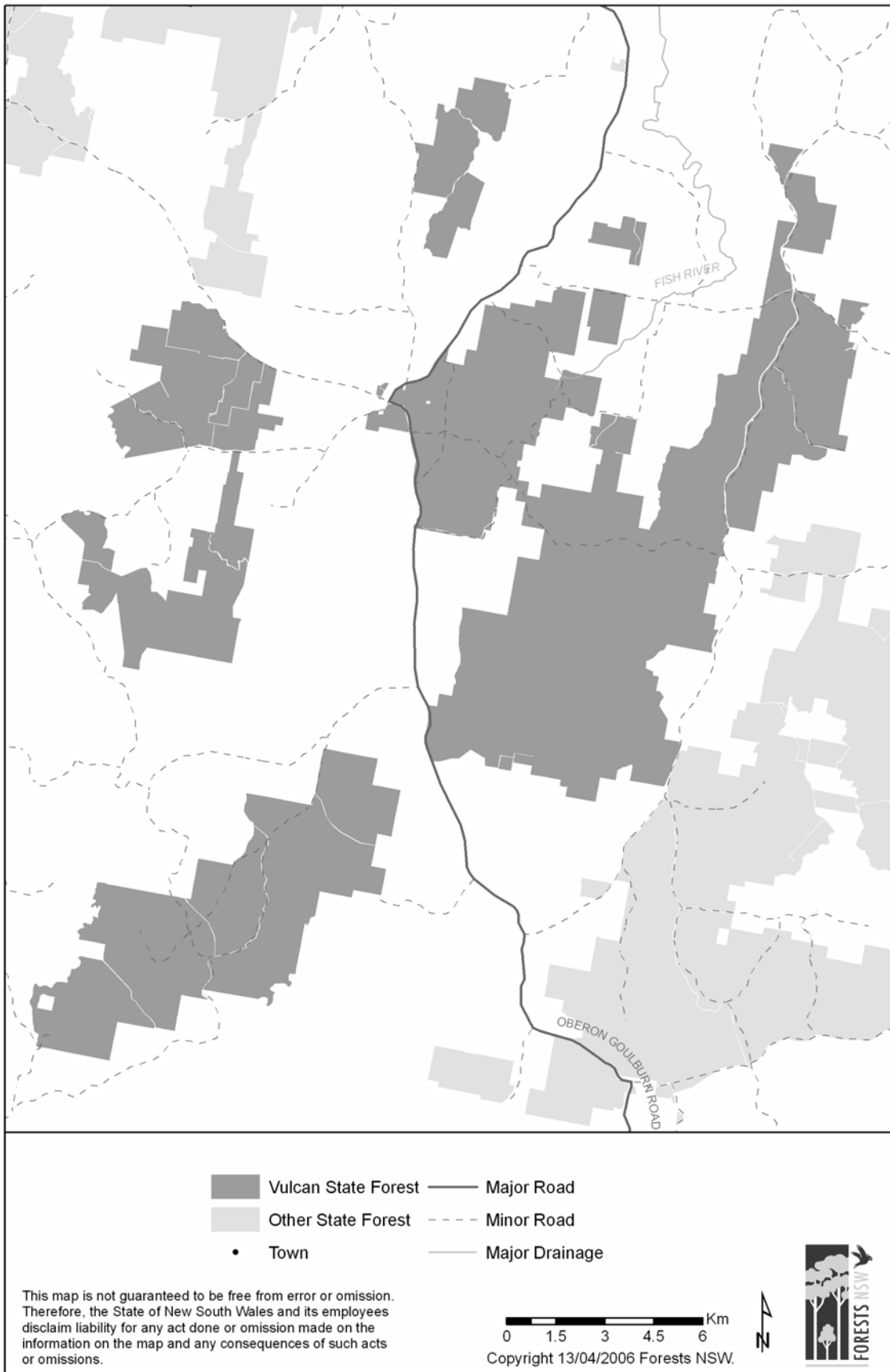
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 43  
Wandella State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Wandella State Forest**

Wandella State Forest is located approximately 30 km west of the township of Narooma. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Wandella State Forest area: 5452 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

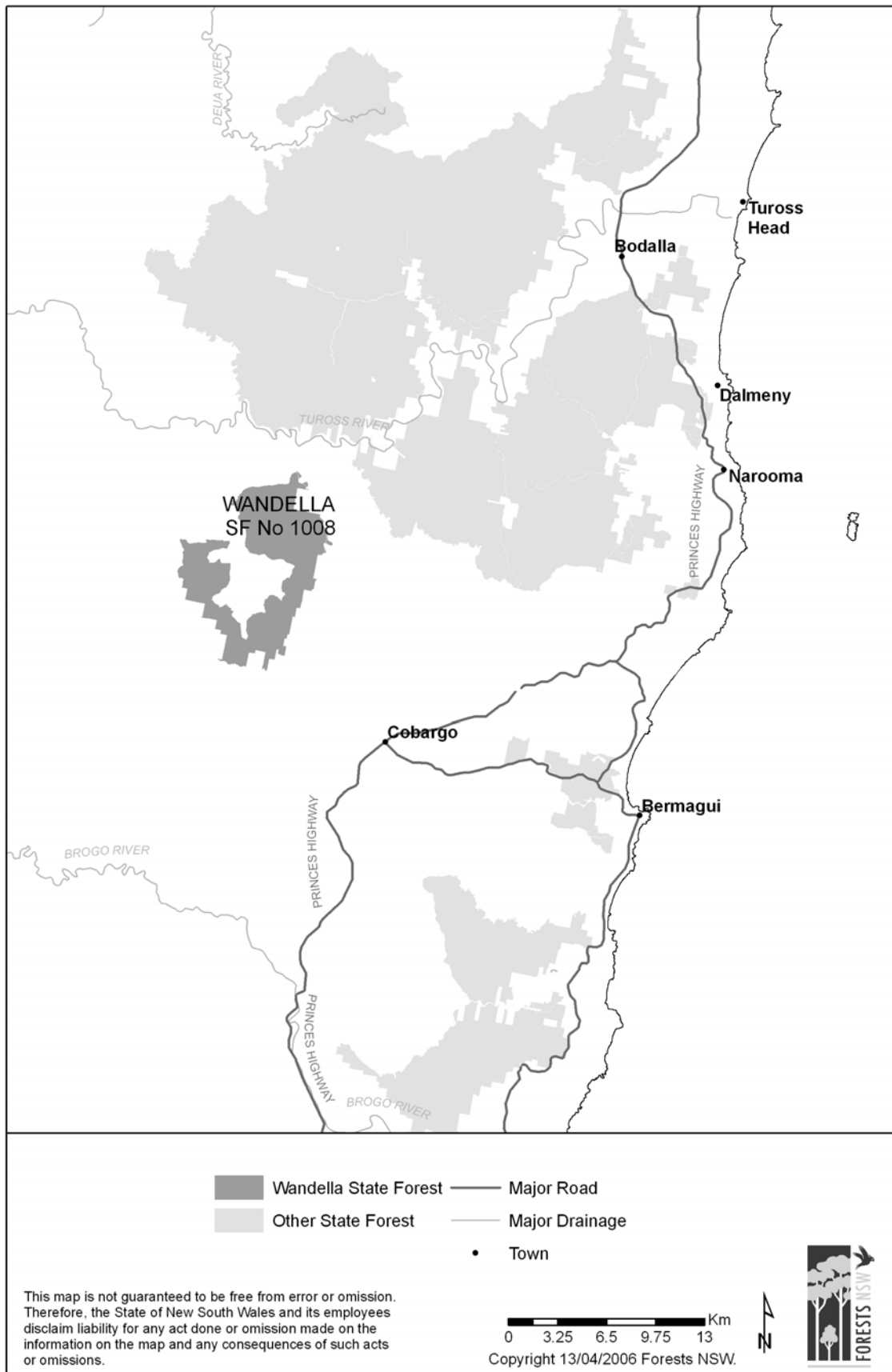
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

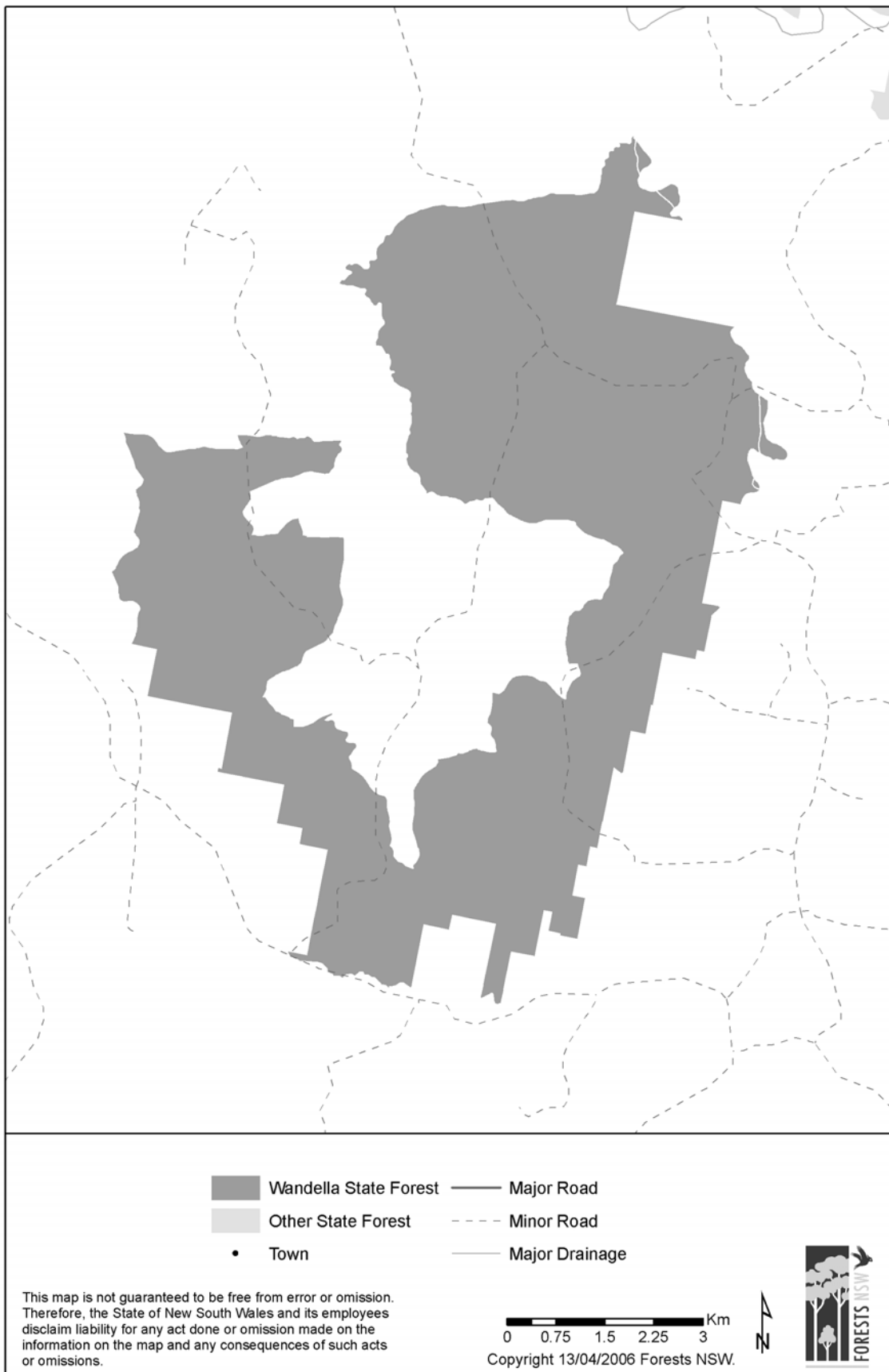
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



This map is not guaranteed to be free from error or omission. Therefore, the State of New South Wales and its employees disclaim liability for any act done or omission made on the information on the map and any consequences of such acts or omissions.

APPENDIX 'B' – Location Map



**Schedule 44  
Wandera State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Wandera State Forest**

Wandera State Forest is located approximately 10 km west of the township of Moruya. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Wandera State Forest area: 5196 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

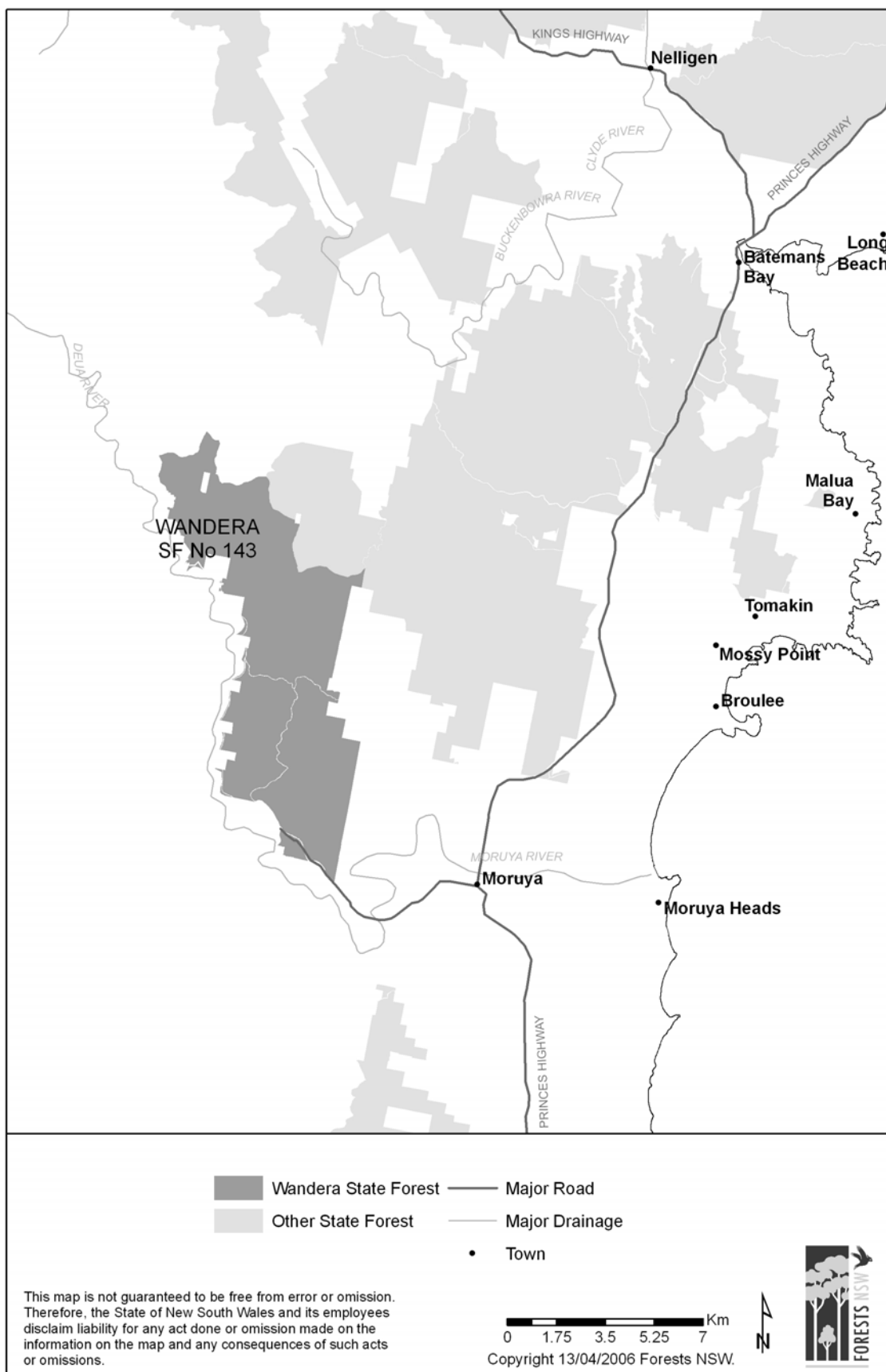
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

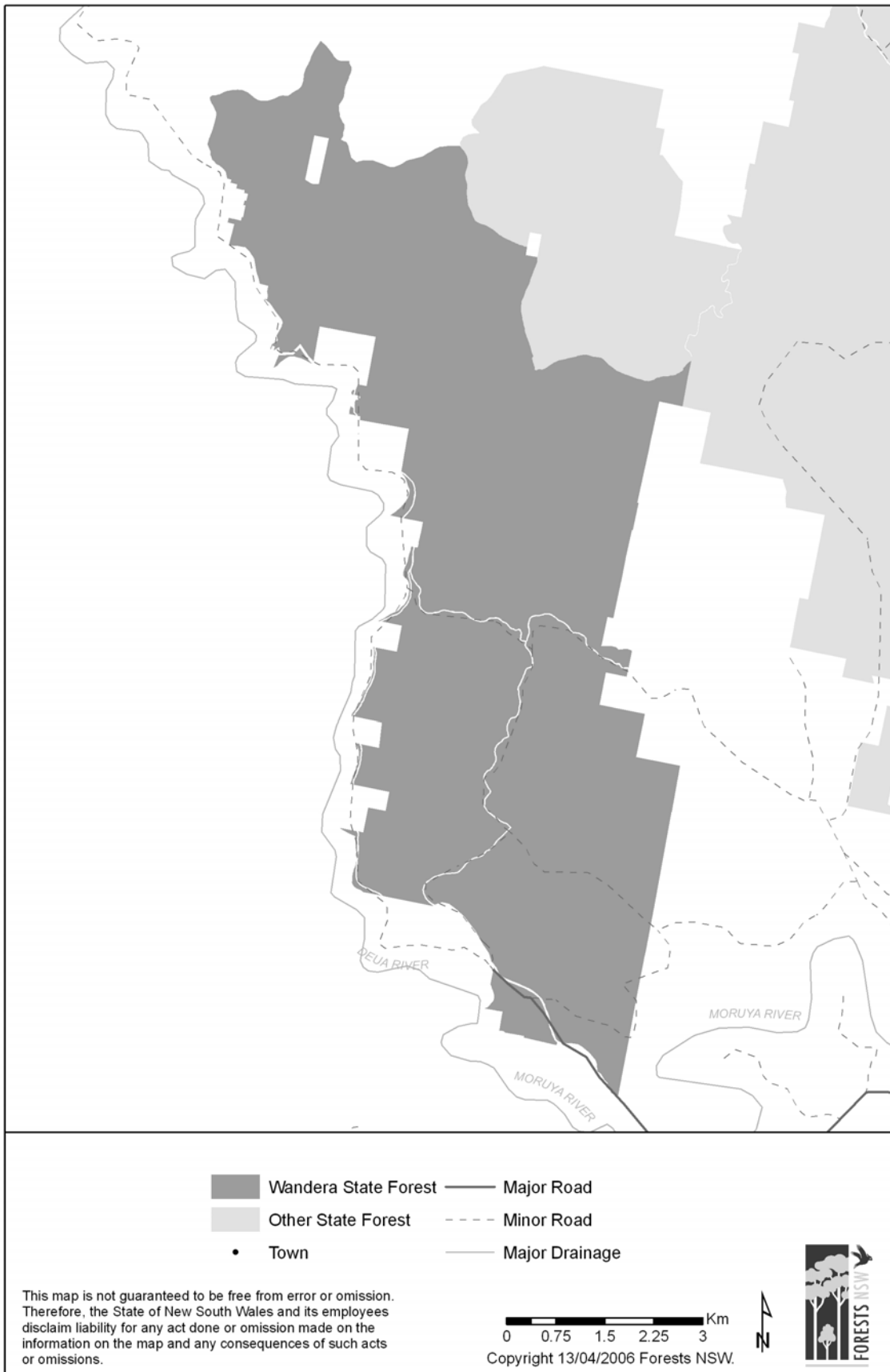
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 45  
Wyrra State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 14 July 2006.

**2. The land declared is limited to Wyrra State Forest**

Wyrra State Forest is located approximately 25 km north west of the township of West Wyalong. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Wyrra State Forest area: 1295 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the Game and Feral Animal Control Act 2002. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

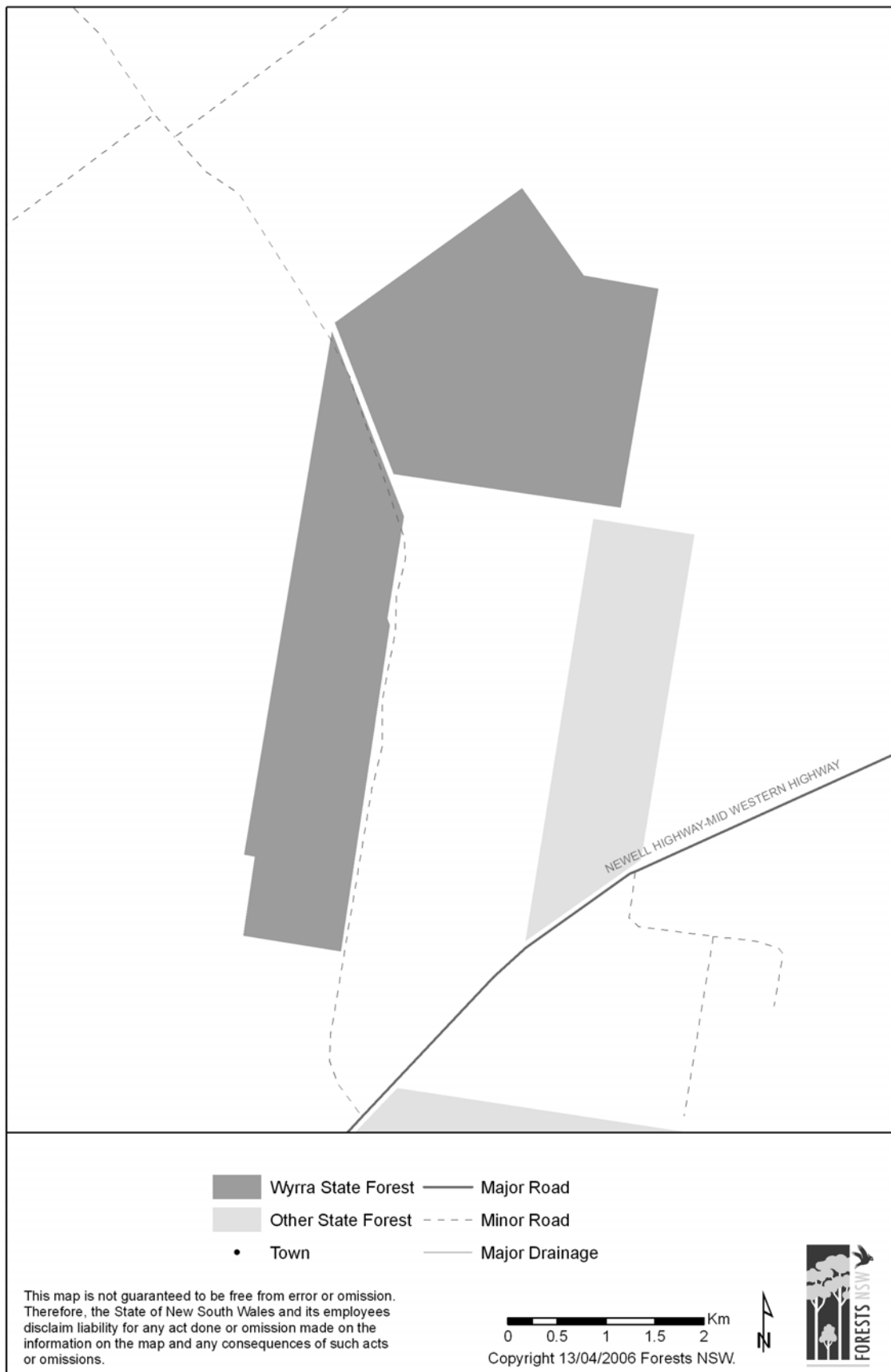
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



# Roads and Traffic Authority

## ROAD TRANSPORT (GENERAL) ACT 2005

Notice under Clause 20 of the Road Transport (Mass, Loading and Access) Regulation 2005

CABONNE COUNCIL in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which B-Doubles Vehicles may be used subject to any requirements or conditions set out in the Schedule.

G. L. P. FLEMING,  
General Manager,  
Cabonne Council  
(by delegation from the Minister for Roads)  
5 July 2006

### SCHEDULE

#### 1. Citation

This Notice may be cited as Cabonne Council 25 Metre B-Double Route Notice No. 01/2006.

#### 2. Commencement

This Notice takes effect on on the date of gazettal.

#### 3. Effect

This Notice remains in force until 30 September 2010, unless it is amended or repealed earlier.

#### 4. Application

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

#### 5. Routes

Type	Road No.	Road Name	Starting Point	Finishing Point
25.	000.	Boree Street, Manildra.	Keiwa Street (MR61).	Carlisle Street.
25.	000.	Dederang Street, Manildra.	Boree Street.	Derowie Street.
25.	000.	Carlisle Street, Manildra.	Boree Street (MR61).	Derowie Street.
25.	000.	Derowie Street, Manildra.	Carlisle Street.	Dederang Street.

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

Notice of Compulsory Acquisition of Land at Katoomba  
in the Blue Mountains City Council area

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

K J Durie  
Manager, Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

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SCHEDULE

ALL that piece or parcel of land situated in the Blue Mountains City Council area, Parish of Blackheath and County of Cook, shown as Lot 6 Deposited Plan 1066824, being part of the land in Reserve No 81547 for Public Recreation notified in Government Gazette No 45 of 17 April 1959 on page 1198.

The land is said to be in the possession of the Crown and Katoomba Showground (R81547) Reserve Trust (trustee).

(RTA Papers: FPP 5M1807; RO 5/44.12405)

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

Notice of Compulsory Acquisition of Land at Mirrool  
in the Coolamon Shire Council area

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

K J Durie  
Manager, Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

---

SCHEDULE

ALL that piece or parcel of public road situated in the Coolamon Shire Council area, Parish of Ariaah and County of Bourke, shown as Lot 6 Deposited Plan 1080963, being the whole of the land in Certificate of Title 6/1080963.

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

(RTA Papers: FPP 6M1448; RO 17/96.1063)

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road  
at Little Hartley in the Lithgow City Council area

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

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

---

SCHEDULE

ALL those pieces or parcels of land situated in the Lithgow City Council area, Parish of Hartley and County of Cook, shown as Lots 4 to 7 inclusive Deposited Plan 1069254.

(RTA Papers: FPP M1992; RO 5/258.1351)

## Other Notices

### 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 Automotive Services.

#### Citation

The Order is cited as the Automotive Services Order.

#### Order

A summary of the Order is given below.

##### (a) Term of Training

###### (i) Full-time

Training shall be given for a nominal period of 12 months/18 months/24 months/36 months or until achievement of the relevant competencies to this Vocational Training Order is demonstrated. The appropriate nominal duration associated with a particular certificate outcome is identified under (c) below.

###### (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.

#### School based traineeships

In the case of school-based part-time traineeships, where the nominal full-time term is twelve (12) months, training shall be for nominal terms up to 30 months within which period(s) trainees shall be required to demonstrate competencies relevant to the Vocational Training Order. Training may extend to 36 months where the Higher School Certificate is being delivered over a three (3) year period.

Students may work full-time during school vacations. They are not required to attend on-the-job or off-the-job training for more than 7.6 hours per week during examination periods or exam preparation periods.

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

##### (b) Competency Outcomes

Trainees will be trained in and learn the relevant competencies contained in the endorsed National Automotive Industry Competency Standards Levels 1-5 for the Retail Service and Repair Sector.

##### (c) Courses of Study to be undertaken

Trainees will undertake one of the following certificates:

Qualification	National Code	Duration of Traineeship
Certificate II in Automotive Aftermarket Manufacturing (Accessory Fitting)	AUR20205	12 months
Certificate II in Automotive Electrical Technology	AUR20405	12 months
Certificate II in Automotive Mechanical (Air Conditioning)	AUR20705	12 months
Certificate II in Automotive Mechanical (Driveline/Transmission)	AUR20705	12 months
Certificate III in Automotive Specialist (Driveline)	AUR30605	36 months

Qualification	National Code	Duration of Traineeship
Certificate III in Automotive Specialist (Transmission)	AUR30605	36 months
Certificate II in Automotive Mechanical (Exhaust Fitting)	AUR20705	12 months
Certificate II in Automotive Mechanical (Cooling System)	AUR20705	12 months
Certificate II in Automotive Mechanical (Steering & Suspension)	AUR20705	12 months
Certificate III in Automotive Specialist (Steering & Suspension)	AUR30605	36 months
Certificate II in Automotive Mechanical (Cylinder Head Reconditioning)	AUR20705	12 months
Certificate II in Automotive Mechanical (Under body)	AUR20705	12 months
Certificate II in Automotive Mechanical (Tyre Fitting Heavy)	AUR20705	12 months
Certificate II in Automotive Mechanical (Tyre Fitting Light)	AUR20705	12 months
Certificate III in Automotive Specialist (Diesel Fitting)	AUR30605	36 months
Certificate III in Automotive Specialist (Diesel Fuel)	AUR30605	36 months
Certificate III in Automotive Specialist (Gas Vehicle)	AUR30605	36 months
Certificate II in Automotive Vehicle Servicing (Motorcycle)	AUR20505	12 months
Certificate II in Automotive Vehicle Servicing (Light Vehicle)	AUR20505	12 months
Certificate II in Automotive Vehicle Servicing (Heavy Vehicle)	AUR20505	12 months
Certificate III in Automotive Retail, Service and Repair	AUR31205	24 months
Certificate II in Automotive Sales (Aftermarket Retail Operation)	AUR21105	12 months
Certificate III in Automotive Sales (Aftermarket Retail Operation)	AUR31005	24 months
Certificate II in Automotive Sales (Replacement Parts and Accessories)	AUR21105	12 months

Qualification	National Code	Duration of Traineeship
Certificate II in Automotive Sales (Service Station Operations)	AUR21105	12 months
Certificate III in Automotive Sales (Service Station)	AUR31005	24 months
Certificate II in Automotive Sales (Vehicle)	AUR21105	12 months
Certificate III in Automotive Sales (Vehicle)	AUR31005	24 months
Certificate II in Automotive Sales (Bicycle)	AUR21105	12 months
Certificate III in Automotive Sales (Bicycle)	AUR31005	24 months
Certificate II in Automotive Sales (Heavy Vehicle Mobile Equipment)	AUR21105	12 months
Certificate II in Automotive Sales (Outdoor Power Equipment)	AUR21105	12 months
Certificate III in Automotive Sales (Outdoor Power Equipment)	AUR31005	24 months
Certificate III in Automotive Sales (Farm Machinery)	AUR31005	24 months
Certificate II in Automotive Vehicle Body	AUR20905	12 months
Certificate II in Automotive Vehicle Body (Vehicle Presentation)	AUR20905	12 months
Certificate II in Automotive Vehicle Body (Vehicle Dismantling)	AUR20905	12 months
Certificate II in Automotive Vehicle Body (Vehicle Glazing)	AUR20905	12 months
Certificate II in Automotive Vehicle Body (Paint Preparation)	AUR20905	12 months
Certificate II in Automotive Vehicle Body (Panel Preparation)	AUR20905	12 months
Certificate II in Automotive Vehicle Body (Window Tinting)	AUR20905	12 months
Certificate II in Automotive Vehicle Body (Vehicle Trimming)	AUR20905	12 months
Certificate II in Bicycles	AUR20305	12 months
Certificate III in Bicycles	AUR30205	36 months

Qualification	National Code	Duration of Traineeship
Certificate II in Marine	AUR20605	12 months
Certificate II in Motorsport	AUR21005	12 months
Certificate III in Motorsport	AUR30905	36 months
Certificate II in Outdoor Power Equipment	AUR20805	12 months
Certificate III in Outdoor Power Equipment	AUR30705	36 months
Certificate II in Automotive Administration	AUR20105	12 months
Certificate III in Automotive Administration	AUR30105	24 months
Certificate II in Automotive Warehousing/Distribution Operations	AUR21205	12 months
Certificate III in Automotive Warehousing/Distribution Operations	AUR31105	24 months
Certificate II in Automotive Manufacturing	AUM20100	24 months

#### 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 Water Industry Operations.

##### Citation

The Order is cited as the Water Industry Operations Order.

##### Order

A summary of the Order is given below.

###### (a) Term of Training

###### (i) Full-time

Training shall be given for a nominal term of:

Qualification	Nominal Term
Certificate II*.	12 months.
Certificate III.	24 months.

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

\* Certificate II in Water Industry Operations is a prerequisite to the Certificate III in Water Industry Operations.

###### (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 fulltime 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
	Nominal Term Required (Months)						
Weekly Hours							
15	15	30	45	Not Allowable			
16	15	29	44				
17	14	28	42				
18	14	27	41				
19	13	26	39				
20	13	25	38				
21	12	24	36	48			
22	12	23	35	46			
23	11	22	33	44	55		
24	11	21	32	42	53		
25	10	20	30	40	50	60	
26	10	19	29	38	48	57	
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 endorsed National Water Industry Operations Competency Standards.

###### (c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Certificate II Water Industry Operations NWP20101

Certificate III Water Industry Operations NWP30101

##### Availability to purchase/inspect

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

#### ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation pursuant to Section 55A

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 55A of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.



NATIONAL COUNCIL OF JEWELLERY VALUERS  
(FINE ARTS DIVISION) INCORPORATED  
INC9879337

LIVING CORRIDORS OF LIFE INCORPORATED  
INC9882650

GRAFTON BASE HOSPITAL SOCIAL CLUB  
INCORPORATED Y2116939

CITY OF SYDNEY NEW CENTURY LIONS CLUB  
ASSOCIATION INCORPORATED INC9877895

SYDNEY PRAISE CENTRE INCORPORATED  
INC9884787

THE YOUNIVERSE INCORPORATED INC9882131

CHURCH IN RANDWICK INCORPORATED  
INC9883733

THE KEYBOARD CLUB INCORPORATED  
Y1291727

FORESTVILLE CHAMBER OF COMMERCE  
INCORPORATED Y1784011

BURWOOD EGYPTIAN ASSOCIATION  
INCORPORATED INC9880267

DANCE U.S DUBBO TOUR SQUAD INCORPORATED  
INC9881907

DORRIGO CATCHMENT STEERING GROUP  
INCORPORATED INC9879724

INSTITUTE OF CLUB PROFESSIONALS  
INCORPORATED INC9880735

ORPHEUS INCORPORATED Y2702827

AUSTRALIAN AGRI-TECHNOLOGY CENTRE  
INCORPORATED INC9880596

NAFPAKTIAN PHILANTHROPICAL BROTHERHOOD  
OF SYDNEY NSW INC INC9875518

THE DOG BODY INCORPORATED INC9878638

Dated: 6 July 2006.

CHRISTINE GOWLAND,  
Manager,  
Financial Analysis Branch,  
Registry of Co-operatives and Associations,  
Office of Fair Trading,  
Department of Commerce

### CIVIL PROCEDURE ACT 2005

District Court of New South Wales

Delegation to Postpone, Waive or Remit Fees

PURSUANT to Clause 20 of the Civil Procedure Act 2005  
and Clause 30A of the Criminal Procedure Regulation 2005,  
I direct that:

1. Assistant registrars may postpone, waive or remit fees;
2. An administrative and clerical officer grade 3-4 or above may postpone a fee in whole or in part;
3. An administrative and clerical officer grade 7-8 or above may direct that the whole or part of any fee be waived or remitted.

These functions are to be exercised in accordance with  
the fee waiver guideline.

This delegation takes effect from 1 July 2006.

Dated: 30 June 2006.

CRAIG SMITH,  
Principal Registrar,  
District Court

### ELECTRICITY SUPPLY ACT 1995

Independent Pricing and Regulatory Tribunal  
of New South Wales

Application for Licence to Supply Electricity  
(Reference: 06/259)

THE Tribunal has received an application for an electricity  
retail supplier's licence under the Electricity Supply Act  
1995, from Momentum Energy Pty Limited (ACN 100 569  
159), to operate in New South Wales.

The Tribunal seeks public submissions on this application.  
Submissions should address the assessment criteria contained  
in the Electricity Supply Act 1995.

All submissions should reach the Tribunal by Wednesday,  
23 August 2006. Please direct enquiries to Mr Gary Drysdale  
on (02) 9290 8477.

JAMES COX,  
CEO,  
Full Time Member,  
14 July 2006

Level 2, 44 Market Street, Sydney NSW 2000,  
PO Box Q290, QVB Post Office NSW 1230.

### HEALTH ADMINISTRATION ACT 1982

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Acquisition of Land by Compulsory Process for  
the Purposes of the Health Administration Act 1982

PURSUANT to section 10 of the Health Administration  
Act 1982 and section 19(1) of the Land Acquisition (Just  
Terms Compensation) Act 1991, the Health Administration  
Corporation by its delegate declares, with the approval of the  
Governor, that the land described in the Schedule below is by  
this notice acquired by compulsory process for the purposes  
of the Health Administration Act 1982.

Signed at Sydney, this 7th day of July 2006.

DAVID GATES,  
Director,  
Asset and Contract Services,  
Department of Health  
(a duly authorised delegate of the  
Health Administration Corporation)

#### SCHEDULE

Land

All that piece or parcel of Crown Land situated at  
Darlinghurst in the South Sydney Local Government Area,  
Parish of Alexandria, County of Cumberland, shown as Lot  
23, Deposited Plan 1096488.

**LOCAL GOVERNMENT ACT 1993**

Decrease in Number of Councillors  
Orange City Council

I, KERRY HICKEY, M.P., Minister for Local Government, in pursuance of section 224A of the Local Government Act 1993, do hereby approve of the number of councillors of Orange City Council being decreased from fourteen to twelve.

Provided:

1. The decrease does not take place until the next ordinary election of the Council.
2. A casual vacancy in civic office occurring during the period starting from the date of this approval and until the next ordinary election is not to be filled unless the vacancy would cause the number of councillors of the Council to become less than twelve.

Dated this 4th day of July 2006.

KERRY HICKEY, M.P.,  
Minister for Local Government

**LOCAL GOVERNMENT ACT 1993**

Decrease in Number of Councillors  
Auburn Council

I, KERRY HICKEY, M.P., Minister for Local Government, in pursuance of section 224A of the Local Government Act 1993, do hereby approve of the number of councillors of Auburn Council being decreased from twelve to ten.

Provided:

1. The decrease does not take place until the next ordinary election of the Council.
2. A casual vacancy in civic office occurring during the period starting from the date of this approval and until the next ordinary election is not to be filled unless the vacancy would cause the number of councillors of the Council to become less than ten.

Dated this 4th day of July 2006.

KERRY HICKEY, M.P.,  
Minister for Local Government

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Livingstone National Park and SCA  
Draft Plan of Management

A draft plan of management for Livingstone National Park and State Conservation Area has been prepared and is available free of charge from the NPWS office at 7A Adelong Street, Tumut (telephone: 6947 7000). The plan is also on the NPWS website: [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au). Written submissions on the plan may be made using the on-line form or by writing to The Planner, NPWS, PO Box 472, Tumut NSW 2720, by 20 October 2006.

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

**NATIONAL PARKS AND WILDLIFE ACT 1974****LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition

THE Minister for the Environment, with the approval of Her Excellency the Governor, declares that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the National Parks and Wildlife Act 1974.

The land is, on publication of this notice, vested in the Minister administering the National Parks and Wildlife Act 1974.

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

**SCHEDULE**

All that piece or parcel of land situated in the Parish of Tuncurry, County of Gloucester, Local Government Areas of Greater Taree and Great Lakes, containing an area of 54.57 hectares, being Lot 51, DP 1097800.

NPWS: 06/00873.

**PESTICIDES ACT 1999**

Notice under Section 48(4)

NOTICE is hereby given, pursuant to section 48(4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,  
Manager,  
Dangerous Goods,  
Environment Protection Authority  
(by delegation)

**SCHEDULE**

Pilot (Pesticide Rating) Licence

<b>Name and address of Licensee</b>	<b>Date of Granting of Licence</b>
Mr David John ROBINSON, 368 Wigley Road, Opuha Rd 12, Pleasant Point NZ 8772.	12 July 2006.

**POISONS AND THERAPEUTIC GOODS ACT 1966**

Restoration of Drug Authority

IN accordance with the provisions of Clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002, a direction has been issued that the order prohibiting Ms Susan Ellen BOOTH, 23 Eungella Street, Toormina NSW 2452, as a nurse from having possession of and supplying drugs of addiction as authorised by Clauses 101 and 103 of the Regulation shall cease to operate from 7 July 2006.

ROBYN KRUK,  
Director-General

Department of Health, New South Wales,  
Sydney, 6 July 2006.

**RETENTION OF THE TITLE**

HER Excellency the Governor, by deputation of Her Majesty the Queen, has been pleased to approve of the retention of the title "Honourable" by Mr John TINGLE following his retirement from Parliament on 2 May 2006.

**SUBORDINATE LEGISLATION ACT 1989**

## Review of the Security Industry Regulation 1998

THE Director General of the Ministry for Police conducted a review of the Security Industry Regulation, pursuant to subsection 10(2)(a) of the Subordinate Legislation Act 1989. A Regulatory Impact Statement has been prepared to accompany the proposed Security Industry Regulation 2006.

As part of the review, the Ministry is calling for interested parties to make written submissions on the Regulatory Impact Statement and the proposed Security Industry Regulation 2006.

The draft Regulation and Regulatory Impact Statement can be obtained by contacting the Ministry for Police on (02) 8263 6200 or via the NSW Police website: [www.police.nsw.gov.au/sir](http://www.police.nsw.gov.au/sir).

The closing date for submissions is Friday, 18 August 2006. All submissions should be addressed to:

Security Industry Regulation Review,  
C/- Ministry for Police,  
PO Box A66, Sydney NSW 2000.

Submissions may also be lodged via email at [policy@bigpond.net.au](mailto:policy@bigpond.net.au).

**TOTALIZATOR ACT 1997**

## Notice of Approval

## Fixed Odds Group Race Betting by TAB Limited

I, GRANT ANTHONY McBRIDE, Minister for Gaming and Racing, approve, in accordance with section 13 of the Totalizator Act 1997, of TAB Limited conducting fixed odds "futures" win and place betting and multiples betting up until 30 minutes prior to the advertised start time of the first race of the race meeting at which the relevant fixed odds betting race (or first leg of a multiples bet) is to be conducted, in both cases being restricted to:

- Australian group 1, 2, and 3 status thoroughbred racing, harness racing and greyhound racing events;
- "Listed" status Sydney and Melbourne metropolitan thoroughbred racing events;
- "Listed" status NSW non metropolitan thoroughbred racing events for the period up to 30 June 2007;
- 2 year old and 3 year old Magic Millions races held at the Gold Coast racecourse; and
- Major group status (or equivalent) thoroughbred racing, harness racing and greyhound racing events held outside of Australia, subject to the written approval of the NSW controlling body of the relevant code of racing and Ministerial approval.

This Notice of Approval takes effect from the date of publication in the *New South Wales Government Gazette* and supersedes the Notice published in the *New South Wales Government Gazette* on 9 December 2005.

Dated at Sydney, this 5th day of July 2006.

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

**CO-OPERATIVES ACT 1992**

Model Rules for Trading Co-operatives

I, COLIN CROSSLAND, delegate of the Registrar of Co-operatives, approve the following Model Rules for Trading Co-operatives pursuant to section 109A(1) of the Co-operatives Act 1992.

Dated this 29th June 2006.

COLIN CROSSLAND,  
Delegate of the Registrar of Co-operatives

**R U L E S   O F**

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**A Trading Co-operative**

**REGISTERED UNDER THE CO-OPERATIVES ACT 1992 (N.S.W.)**

REGISTRY OF CO-OPERATIVES & ASSOCIATIONS

154 Russell Street  
BATHURST NSW 2795

P O Box 22  
BATHURST NSW 2795

DX 3123 BATHURST

**(Code: Model/TS: 05/2006)**

### ***General statement on rules and their legal effect***

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

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

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

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

## Schedule 1

### Part 1 - Name of co-operative

[Rule 1.3](#)

The name of the co-operative is:

### Part 2 - Objects

[Rule 1.4](#)

The objects of the co-operative are:

### Part 3 - Active membership provision

[Rule 2](#)

The primary activity(ies) of the co-operative is/are:

In order to establish active membership of the co-operative a member must:

### Part 4 – Member qualifications

[Rule 3.1](#)

The qualifications for membership of the co-operative are:

### Part 5 – Period of inactivity prior to cancellation

[Rule 5.1\(a\)](#)

The period of inactivity prior to cancellation is:

## Schedule 2

### Schedule of fees

Annual subscription (maximum):	\$	<a href="#">Rule 7.2(a)</a>
Duplicate share statement	\$	<a href="#">Rule 25.2(b)</a>
Entrance fee (maximum):	\$	<a href="#">Rule 7.1(a)</a>
Maximum fine:	\$	<a href="#">Rule 8</a>
Transfer of debentures:	\$	<a href="#">Rule 16(e)</a>
Transfer of shares:	\$	<a href="#">Rule 30.1(f)</a>

### ***Schedule 3***

#### **Part 1 – Requisition of general meetings**

[Rule 20.2](#)

The required percentage of members to requisition a general meeting is:

#### **Part 2 - Quorum at general meetings**

[Rule 21.2\(a\)](#)

The number of members required for a quorum is:

### ***Schedule 4***

#### **Part 1 - Number of directors, composition of the board and term of office of directors**

[Rule 11.1\(a\)](#)

The number of directors of the co-operative is:

The positions on the board shall consist of:

The term of office of a director is:

#### **Part 2 – Qualifications of independent directors**

[Rule 11.2\(d\)](#)

The qualifications for independent directors are:

#### **Part 3 - Retirement of directors**

[Rule 11.7\(a\)](#)

The directors shall retire as follows:

**Schedule 5****Part 1 – Nominal value of shares**[Rule 24.1\(a\)](#)

The nominal value of each share is:

**Part 2 – Minimum share holding**[Rule 24.2](#)

The minimum number of shares a member must hold is:

**Schedule 6 - Changes to the model rules**



## 1 Definitions and name

### 1.1 Definitions

In these rules, unless the context otherwise requires:

- a) **“Act”** means the Co-operatives Act 1992;
- b) **“active member”** means a member who is in active membership within the provisions of [Rule 2.2](#) and [Part 3 of Schedule 1](#);
- c) **“alter”** or a similar word or expression used in relation to a rule amendment includes add to, substitute and rescind;
- d) **“auditor”** means the auditor or auditors for the time being of the co-operative appointed in accordance with the rule relating to audit;
- e) **“board”** means the board of directors of the co-operative and includes a committee of management of the co-operative;
- f) **“business day”** means a day that is not a Saturday, Sunday, public holiday or bank holiday in New South Wales;
- g) **“director”** includes:
  - i) a person who occupies or acts in the position of a director or member of the board of the co-operative, whether or not the person is called a director and whether or not the person is validly appointed or duly authorised to act in the position; and
  - ii) a person in accordance with whose directions or instructions the directors or members of the board of the co-operative are accustomed to act;
- h) **“may”** or a similar word or expression used in relation to a power of the board indicates that the power may be exercised or not exercised at the board's discretion;
- i) **“member”** means a member of the co-operative;
- j) **“month”** means a calendar month;
- k) **“prescribed”** means prescribed by the Act or under the Act by Regulation;
- l) **“provision”** in relation to the Act, means words or other matter that form or forms part of the Act, and includes:
  - i) a chapter, part, division, subdivision, section, subsection, paragraph, subparagraph, sub-subparagraph or Schedule of or to the Act; and
  - ii) a section, clause, subclause, item, column, table or form of or in a Schedule to the Act; and
  - iii) the long title and any preamble to the Act;
- m) **“Registrar”** means the Registrar of co-operatives or any person to whom the Registrar's functions are delegated from time to time;
- n) **“Regulation”** means any Regulation made under the Act, and any Regulation that applies to a co-operative by way of a transitional Regulation made under the

Act;

- o) **“remuneration”** means any money, consideration or benefit but does not include:
  - i) amounts in payment or reimbursement of out-of-pocket expenses incurred for the benefit of the co-operative or any subsidiary of the co-operative; or
  - ii) in relation to an employee director, remuneration received or due and receivable as an employee;
- p) **“Schedule”** means a Schedule to these rules;
- q) **“secretary”** means any person appointed by the board as secretary of the co-operative in accordance with section 219 of the Act;
- r) **“shall”** or a similar word or expression used in relation to a power of the board indicates that the power must be exercised, subject to the Act or the rule granting the power;
- s) **“share”** means a share in the capital of the co-operative;
- t) **“special business”** means all business of a general meeting other than the ordinary business of the annual general meeting;
- u) **“special general meetings”** means all general meetings of the co-operative other than the annual general meeting;
- v) **“writing”** includes printing, typing, lithography, electronic and other modes of representing or reproducing words in a visible form, and “written” has a corresponding meaning;
- w) words importing one gender include the other gender;
- x) words importing persons include bodies corporate;
- y) words in the singular include the plural, and vice versa;
- z) words or expressions used have the same meanings as those given to them by the Act and Regulation.

### 1.2 *Definitions – Interpretation provisions*

- a) A reference in these rules to “the Act” includes a reference to the Act as originally enacted and as amended from time to time since its original enactment.
- b) A reference in these rules to a provision in “the Act” includes a reference to:
  - i) the provision as originally enacted and as amended from time to time since the original enactment;
  - ii) if the provision has been omitted and re-enacted since the enactment of the reference, the provision as re-enacted and as amended from time to time since its re-enactment; and
  - iii) if the provision has been omitted and replaced with a new provision dealing with the same area of law or procedure, the new provision as enacted and as amended from time to time since its enactment.
- c) In the interpretation of a rule, or paragraph of a rule, the interpretation that will

best achieve the purpose of the rule is to be preferred to any other interpretation. This provision applies whether or not the purpose is expressly stated in the rule or paragraph of the rule.

- d) In these rules, unless the context indicates a contrary intention, headings are for convenience and do not affect interpretation.

### 1.3 *Name*

The name of the co-operative is specified in [Part 1 of Schedule 1](#).

### 1.4 *Objects*

The objects of the co-operative, if any, are set out in [Part 2 of Schedule 1](#).

### 1.5 *Trading co-operative*

The co-operative is a trading co-operative within the meaning of section 14 of the Act.

## 2 **Active membership provisions**

### 2.1 *Primary activity*

The primary activity(ies) of the co-operative is/are set out in [Part 3 of Schedule 1](#).

### 2.2 *Active membership requirements*

In order to establish active membership of the co-operative, a member must comply with the requirements set out in [Part 3 of Schedule 1](#).

## 3 **Admission to membership**

### 3.1 *Qualifications for membership*

In order to qualify for membership of the co-operative, a person shall meet the qualifications, if any, set out in [Part 4 of Schedule 1](#).

### 3.2 *Application for membership*

- a) The board, or a person authorised by the board, shall provide applicants for membership of the co-operative with:
- i) the documents specified in sections 146A (unless exempt under section 146C) and 76A of the Act; and
  - ii) a written notice of any intending or prescribed entry or periodic fees that a person or an organisation will be liable to pay on becoming a member of the co-operative.
- b) Applications for membership shall be lodged with the secretary in a format approved by the board.
- c) The board shall consider every application. If the applicant is admitted to membership, the applicant's name, date of admission and any other information required under the Act shall be entered in the register of members and shares. The applicant shall be notified in writing of the entry in the register within 14 days of the approval.
- d) The board may, at its discretion, refuse admittance to membership and need assign no reasons for such refusal. Upon refusal, any deposit made by the applicant shall be refunded without interest.

- e) In considering an application for membership, the board shall ensure that a person or an organisation is not admitted as a member unless there are reasonable grounds for believing that the person or organisation will be an active member.

## 4 Members

### 4.1 *Members of the co-operative*

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

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

### 4.2 *Rights and liabilities of members*

- a) The rules of the co-operative have the effect of a contract under seal:
  - i) between the co-operative and each member;
  - ii) between the co-operative and each director, the principal executive officer and the secretary of the co-operative; and
  - iii) between a member and each other member.
- b) Under the contract, each of those persons agrees to observe, perform or abide by:
  - i) the provisions of the rules applicable to that person; and
  - ii) the provisions of the Act and the Regulation; in force and as amended from time to time.
- c) A member shall be entitled on demand to a copy of the rules upon payment of the prescribed fee. Any person may inspect a copy of these rules free of charge at the registered office during all reasonable hours.
- d) The co-operative may, in accordance with section 78 of the Act, make a contract with a member requiring the member to have specified dealings with the co-operative for a fixed period.
- e) A member shall not, as a member of the co-operative, be under any personal liability to a creditor of the co-operative.
- f) A member shall, in accordance with sections 76 and 77 of the Act, be liable to the co-operative for the amount, if any, unpaid on the shares held by that member, together with any charges, including entry and periodic fees, payable by the member to the co-operative as required by these rules.
- g) On the death of a member, the member's estate is subject to the same liability as the member would have been until the member's personal representative or some other person is registered in the member's place. The board shall follow the provisions in Division 3 Part 4 of the Act in dealing with a deceased member's estate.

## 5 Cancellation and expulsion of members

### 5.1 Cancellation of membership

- a) Pursuant to section 127 of the Act, the board shall, after giving notice in accordance with section 132 of the Act, declare the membership of a member cancelled if:
  - i) the whereabouts of the member are not presently known to the co-operative and have not been known to the co-operative for a continuous period of at least 3 years, or if a shorter period is specified in [Part 5 of Schedule 1](#), that period, before the date of cancellation; or
  - ii) the member is not presently an active member and has not been an active member at any time during the period specified in paragraph (a)(i) above immediately before the date of cancellation.
- b) The board is to declare the shares of a member forfeited at the same time as the membership is cancelled and the amounts due in respect of that cancellation and forfeiture shall be dealt with and repaid in accordance with sections 134 - 136 (inclusive) of the Act.
- c) The board shall not be required to give notice if the member's whereabouts are unknown to the co-operative and the amount required to be repaid to the member in respect of the cancelled membership (whether by reason of the cancellation of share or otherwise) does not exceed \$50, or such other amount as may be prescribed.

### 5.2 Expulsion of members

- a) A member may be expelled from the co-operative by special resolution for:
  - i) failing to discharge the member's obligations to the co-operative, whether prescribed by these rules or arising out of any contract; or
  - ii) conducting themselves in a manner prejudicial or detrimental to the interests of the co-operative; or
  - iii) ceasing to be qualified as a member as specified in [Rule 3.1](#).
- b) A notice of special resolution to expel a member shall be forwarded to the member not less than 21 days before the date of the meeting at which the special resolution is to be moved. The notice shall state the date, time and place of the meeting and shall also state the nature of the relevant act or omission.
- c) At the meeting, the member shall be afforded a reasonable opportunity to be heard. If the member is not able to attend, they may make a written statement for the consideration of members present at the meeting. If the member fails to attend at the time and place mentioned without reasonable excuse, the act or omission shall be considered and the co-operative may decide on the evidence before it, in spite of the absence of the member. Following such consideration, the members of the co-operative may decide to expel the member.
- d) The members of the co-operative shall not make a decision on an expulsion, except by vote by secret ballot. A motion for that decision shall not be deemed to be passed unless two-thirds of the members so present and so entitled, vote in favour of the motion.
- e) If the co-operative resolves to expel the member, the secretary must, within 7 days after the meeting, cause written notice to be given to the member of the decision.

- f) Expulsion of a member shall not be effective until the special resolution expelling the member is registered.
- g) The shares of any member expelled shall be cancelled as at the date the expulsion is effective and the cancellation shall be noted in the register of shares.
- h) In accordance with section 81 of the Act, the co-operative shall pay to the expelled member the amount of capital paid up on the member's shares at the time of expulsion (less any amount owing by the member to the co-operative).
- i) An expelled member shall not be re-admitted as a member unless such re-admission is approved by special resolution. A member so re-admitted shall not have the shares restored that were cancelled on the member's expulsion.

### 5.3 *Suspension of members*

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

until the co-operative confirms the board's decision;  
whichever is the later.

#### 5.4 *Right of appeal of suspended member*

- a) A member who has been suspended by resolution of the board may appeal to the co-operative in general meeting within 7 days after notice of the decision is served on the member, by lodging a notice of appeal with the secretary.
- b) On receipt of the notice of appeal, the secretary must notify the board, which is to convene a general meeting of the co-operative to be held within 28 days after the date on which the secretary received the notice of appeal, to consider a special resolution to confirm the board's decision to suspend the member.
- c) At the general meeting of the co-operative convened under paragraph (b):
  - i) no business other than the question of appeal is to be transacted; and
  - ii) the board and the member must be given the opportunity to state their respective cases orally or in writing, or both; and
  - iii) the members present are to vote by secret ballot on the question of whether the board's decision should be confirmed.
- d) If the special resolution confirming the board's decision to suspend the member is passed, the member's suspension shall take effect from that time. If the special resolution confirming the board's decision to suspend the member is not passed, the board resolution is revoked.

#### 5.5 *Rights of suspended member*

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

### 6 **Ceasing membership**

Membership of the co-operative ceases in the circumstances set out in sections 70 and 71 of the Act.

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

#### 7.1 *Entrance fees*

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

#### 7.2 *Annual subscriptions*

- a) Members may be required to pay an annual subscription which shall:
  - i) be in addition to any other charges payable under the rules;
  - ii) be determined by the board from time to time with any increase in the annual subscription to be announced at the annual general meeting in accordance with [Rule 20.8](#);
  - iii) be payable, in advance, within the period set by the board; and
  - iv) not exceed the sum specified in [Schedule 2](#) in any financial year.

- b) Notwithstanding paragraph (a)(iii), the board may in the event of unusual circumstances, either generally or in a specific case, extend a period for the payment of the annual subscription, even though the previous period has expired.
- c) A member whose membership ceases may apply to the board for a refund of any pre-paid subscriptions. Such refund will be at the discretion of the board.
- d) An annual subscription is a debt due from the member to the co-operative for the purpose of [Rule 7.3](#).

### 7.3 Charges

The co-operative has a charge in respect of any debt due from a member or past member to the co-operative, as specified by section 80 of the Act. The board may act in respect of any such charge on shares in accordance with section 80 of the Act and [Rule 29.2](#).

### 7.4 Compulsory loans from members

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

## 8 Fines payable by members

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

## 9 Grievance procedures for settling disputes

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



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

## 10 Powers of the co-operative and the board

### 10.1 *Legal capacity and limitation of powers*

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

### 10.2 *By-Laws*

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

## 11 Board of directors

### 11.1 *Board*

- a) There shall be a board of directors, each of whom shall be a natural person and at least 18 years old. In accordance with section 204 of the Act, the business of the co-operative shall be managed by the board of directors. The number and terms of office of directors and positions on the board are set out in [Part 1 of Schedule 4](#).
- b) Subject to [Rule 11.6](#), the directors shall hold office until the end of the annual general meeting at which their term expires.

### 11.2 *Qualifications of directors*

A person is eligible to be elected as director of the co-operative provided the person:

- a) is an active member of the co-operative (active member director); or
- b) is a representative of a body corporate, that is an active member of the co-operative (active member director); or
- c) is an employee of the co-operative (independent director); or
- d) holds the qualifications (if any) set out in [Part 2 of Schedule 4](#) (independent director).

### 11.3 *Election of directors*

- a) Board members will be elected in the manner specified in this rule. At an annual general meeting at which a director retires, the vacated office may be filled in the manner specified in this rule.

- b) At least six (6) weeks before an annual general meeting, the board must:
  - i) notify all members of the number of directors retiring at the annual general meeting; and
  - ii) advise the members of:
    - A) their eligibility to nominate as a director;
    - B) the duties and responsibilities of a director;
    - C) the anticipated remuneration (if any); and
    - D) the nomination and election procedures.
- c) A notice must also be displayed at the place of business of the co-operative, inviting nominations of nominees to serve as directors.
- d) A nomination must:
  - i) be signed by two (2) or more members;
  - ii) provide details of the qualifications and experience of the person nominated; and
  - iii) be accompanied by a notice in writing signed by the nominee consenting to their nomination.
- e) The nomination and the notice of consent must be lodged with the secretary of the co-operative at least 30 days before the annual general meeting.
- f) The secretary, or an officer nominated by the board, shall give details of each person who has been nominated to members with the notice of the annual general meeting. Details to be provided to members must include the nominee's:
  - i) name;
  - ii) qualifications and experience; and
  - iii) length of any previous service as a director of the co-operative or with any other co-operative.
- g) Where the number of nominees equals the number of vacancies, the nominees will be declared elected at the annual general meeting.
- h) If there are insufficient nominees to fill all vacancies, the nominees will be declared elected at the annual general meeting and nominations for people to fill the remaining vacancies shall be called from the floor and a ballot held if required.
- i) Where the number of nominees exceeds the number of vacancies, the election of directors shall be conducted at the meeting by ballot as follows:
  - i) A returning officer is elected at the meeting. The directors, secretary, or anyone who has an interest in the election, are not eligible to be the returning officer;
  - ii) All nominees are to be listed on the ballot form in alphabetical order;
  - iii) The returning officer is responsible for determining the validity of and counting of the votes;
  - iv) If there is an equality of votes, the outcome shall be determined by lot;
  - v) The returning officer is to declare the election results.
- j) If any vacancies remain at the end of the meeting, such vacancies shall be casual vacancies and shall be filled in accordance with [Rule 11.6](#).

#### 11.4 *First meeting of the board*

At the first meeting of the board following the annual general meeting, the directors shall:

- a) elect persons from their number to fill any vacancies in the positions specified in [Part 1 of Schedule 4](#); and
- b) appoint a person to act as the co-operative's secretary as specified in section 219 of the Act if necessary.

#### 11.5 *Vacation of office of director*

A director vacates office in the circumstances provided in the section 218 of Act.

#### 11.6 *Filling of casual vacancies*

A casual vacancy on the board may be filled as specified in section 212 of the Act or by appointment by the board in accordance with section 205(3) of the Act.

#### 11.7 *Retirement of directors*

- a) At the first annual general meeting of the co-operative, and at the annual general meeting in each subsequent year, the directors shall retire as specified in [Part 3 of Schedule 4](#).
- b) The directors to retire in any year shall (subject to the provision as to filling casual vacancies) be those who have been longest in office since their last election. Retirement of persons who became directors on the same day, shall (unless they otherwise agree among themselves) be determined by lot. In such case, the order for retirement shall be the order in which the names are withdrawn.

#### 11.8 *Removal of director from office*

The co-operative may, by ordinary resolution, remove any director before the expiration of the director's period of office. The resulting vacancy shall be filled as provided under [Rule 11.6](#).

#### 11.9 *Directors' remuneration*

The directors shall receive such remuneration for their services as shall be determined at a general meeting and all necessary expenses incurred by them in the business of the co-operative shall be refunded to them.

#### 11.10 *Delegation and board committees*

- a) The board may, by resolution in accordance with section 213 of the Act, delegate the exercise of any of the board's functions (other than this power of delegation).
- b) The board may by resolution appoint committees comprising directors, members or members and other persons, to act in an advisory role to the board and to any committees of directors in accordance with section 213 of the Act.
- c) A committee may elect a chairperson, may meet and adjourn as it thinks proper, and shall follow the procedures specified for board meetings in [Rule 12](#).

#### 11.11 *Deputy directors*

- a) A director may, from time to time, apply, in writing, for any active member (other

than an employee of the co-operative, the auditor or a partner or employer or employee of the auditor) to be appointed by the board as a deputy director to sit in the director's place on the board.

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

## **12 Meetings of the board**

### *12.1 Meetings*

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

### *12.2 Chairperson of board*

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

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

### 12.3 *Transaction of business outside board Meetings*

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

### 12.4 *Minutes of meetings*

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

## 13 **Seal**

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

## 14 Co-operative funds

### 14.1 Accounts

- a) The board shall have the accounts, statements and directors' report prepared in accordance with the Corporations Act 2001, as applied by the Act and the Regulation.
- b) The board shall submit those accounts, statements and report, together with the auditors' report on those accounts, to the annual general meeting of the co-operative, in accordance with the Corporations Act 2001 as applied by the Act and the Regulation.
- c) The board shall send a copy of all documents required to be submitted to each member at least 21 days before the date of the annual general meeting.

### 14.2 Banking

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

## 15 Custody of securities belonging to the co-operative

### 15.1 Custody of the securities and records

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

### 15.2 Registered office

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

### 15.3 Documents to be kept

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

## 16 Transfer of debentures

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

## 17 Financial year

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

## 18 Audit

- a) The accounts of the co-operative must be audited annually in accordance with the Corporations Act 2001 as applied by the Act and the Regulation.
- b) One or more auditors shall be appointed, hold office, be remunerated, and have qualifications, duties, and responsibilities in accordance with the Corporations Act 2001 as applied by the Act and the Regulation.
- c) An auditor must not be replaced except in accordance with the procedure set out in the Corporations Act 2001 as applied by the Act and the Regulation.

## 19 Provision for loss

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

## 20 General meetings

### 20.1 Convening special general meetings

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

### 20.2 Requisition of general meetings

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

[Part 1 of Schedule 3](#), that percentage.

### 20.3 Member resolutions

Any member who has a resolution to submit to a general meeting shall give written notice of the terms of the resolution to the co-operative not less than 28 days prior to the date of the meeting.

### 20.4 Notice of general meetings

- a) Subject to [Rule 20.5](#), at least 14 days notice (not including the day on which the notice is served or deemed to be served, but including the day for which notice is given) shall be given of any general meeting.
- b) Notice shall be given to those persons who are, under these rules entitled to receive such notices from the co-operative, but the non-receipt of the notice by any member shall not invalidate the proceedings at such general meeting. The notice must specify the place, day and hour of the meeting and the general nature of any special business.
- c) The board shall have inserted in any notice convening a general meeting any proper business that a member has notified the intention to move and for which notification has been given in accordance with [Rule 20.3](#).
- d) Notice of every general meeting shall be given to:
  - i) members of the co-operative, by the method specified in [Rule 20.6](#); and
  - ii) every person entitled to a share in consequence of the death, incapacity or bankruptcy of a member, who, but for that member's death, incapacity or bankruptcy, would not be entitled to receive notice of the meeting; and
  - ii) the auditor or auditors of the co-operative.
- e) Except as provided in these rules, no other person shall be entitled to receive notice of general meetings.

### 20.5 Notice of special resolutions

Notice of a special resolution, in accordance with section 189 of the Act, shall be given to those persons entitled to receive notice at least 21 days (not including the day on which the notice is served or deemed to be served, but including the day for which notice is given) before the general meeting.

### 20.6 Notices

- a) Unless exempted under section 440A, a notice must be in writing and may be given by the co-operative to any member:
  - i) personally;
  - ii) by post to a listed address or an alternate address supplied by the member; or
  - iii) by some other form of technology, for example by facsimile or e-mail, where the member has given consent and notified the co-operative of the relevant contact details.
- b) Where a notice is sent by post, service shall be deemed to be affected at the time at which the properly addressed and prepaid letter would be delivered in the ordinary course of post. In proving such service, it shall be sufficient to prove that the envelope containing the notice was properly addressed and posted.
- c) A notice forwarded by some other form of technology shall be deemed to have



been served, unless the sender is notified of a malfunction in transmission, on the day of transmission if transmitted during a business day, otherwise on the next following business day.

- d) A notice may be given by the co-operative to joint members by giving the notice to the joint member named first in the register of members and shares.
- e) A notice may be given by the co-operative to the person entitled to a share in consequence of the death, incapacity or bankruptcy of a member by sending it through the post in a prepaid letter addressed to that person by name. Alternatively it can be addressed to the person by the title of representative of the deceased or incapacitated person, or trustee of the bankrupt, or by any like description. The address should be that supplied for the purpose by the person claiming to be entitled. Alternatively, if no such address has been supplied, the notice can be given in the manner in which it could have been given if the death, incapacity or bankruptcy had not occurred.
- f) For the purpose of this rule, "listed address" means the address of the member as appearing in the register of members and shares.

### *20.7 Annual general meetings*

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

### *20.8 Business of annual general meetings*

- a) The ordinary business of the annual general meeting shall be:
  - i) to confirm minutes of the preceding general meeting (whether annual or special);
  - ii) for the board, auditors, or any officers of the co-operative to present reports upon the transactions of the co-operative during the financial year, including balance sheet, income statement, cash flow statement, and the state of affairs at the end of that year;
  - iii) to announce the annual subscription, if any, for the following year;
  - iv) to elect the directors;
  - v) to determine the remuneration, if any, of directors;
  - vi) to declare the rates of dividends and rebates;
  - vii) to appoint (if necessary) an auditor; and
  - viii) to allow members a reasonable opportunity to ask questions about or comment on the management of the co-operative and to ask the auditor or their representative, if present, questions relevant to the conduct of the audit and the preparation and content of the auditor's report and the accounting policies adopted by the co-operative in relation to the financial statements.
- b) The annual general meeting may also transact special business of which notice has been given to members in accordance with these rules.

## 21 Procedure at meetings

### 21.1 Standing orders

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

### 21.2 Quorum at general meetings

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

### 21.3 Chairperson at general meetings

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

#### 21.4 Adjournment of general meetings

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

#### 21.5 Voting rights

- a) Members shall have the right to vote as specified in Division 1 of Part 8 of the Act.
- b) Except as provided in [Rule 21.6\(g\)](#), an active member of the co-operative who is entitled to vote shall have one vote only in respect of any question or motion arising at a general meeting of the co-operative.
- c) A member's right to vote is a personal right and is not attached to, or conferred by, any share held by the member in the co-operative.
- d) A member of the co-operative is not entitled to vote at a meeting of the co-operative:
  - i) if the person is not an active member of the co-operative or a delegate for a body corporate that is an active member; or
  - ii) the person is excluded from voting under the Act or these rules.
- e) A person is not entitled to exercise, under a power of attorney, a member's power to vote if the person has that power of attorney in respect of another member under another power of attorney.
- f) In the case of joint membership, the joint members shall have one (1) vote only between them and that vote may only be exercised (subject to the grant of any proxy in accordance with [Rule 21.8](#) or power of attorney) by the joint member whose name appears first in the register of members and shares.
- g)
  - i) A member is not entitled to vote if another person (whether or not a member of the co-operative) has a relevant interest in any share held by the member or in the right to vote of the member in accordance with section 178 of the Act.
  - ii) Pursuant to section 286 of the Act, a person (whether or not a member of the co-operative) must give notice in accordance with the Regulation to the co-operative within 5 business days of becoming aware that the person has, or has ceased to have, a relevant interest in the right to vote of a member in the co-operative.
  - iii) The co-operative is to keep a register of notifiable interests pursuant to section 294 of the Act, which shall be open for inspection:
    - A) by any member, free of charge; and
    - B) by any other person on payment of the fee prescribed in the Regulation.

### 21.6 Attendance and voting at general meetings

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

### 21.7 Special resolutions

- a) A special resolution is passed:
  - i) at a general meeting where two-thirds of the members who, being entitled to do so, vote in favour of the special resolution; or
  - ii) in a postal ballot where two-thirds of the members who, being entitled to do so, cast formal votes in favour of the special resolution; or
  - iii) in a special postal ballot where three quarters of the members who, being entitled to do so, cast formal votes in favour of the special resolution.
- b) A special resolution has effect from the date it is passed except in the following circumstances:
  - i) the removal of an auditor;
  - ii) the expulsion of a member;
  - iii) the alteration of a rule; or
  - iv) any matter for which a special resolution is required to be passed by special postal ballot pursuant to section 194A of the Act (other than a special postal ballot in favour of a voluntary winding up);in which case it has effect from the time it is registered by the Registrar.

### 21.8 Proxy votes

- a) The instrument appointing a proxy shall be duly authorised in writing under the hand of the appointer, or of the appointer's attorney. An instrument appointing a proxy may specify the manner in which the proxy is to vote in respect of a particular resolution and, where an instrument of proxy so provides, the proxy is not entitled to vote on the resolution except as specified in the instrument. An

instrument appointing a proxy shall be deemed to confer authority to demand, or join in demanding, a poll.

- b) An instrument appointing a proxy may be in the form given in [Appendix 1](#) to these rules or any other form which the board shall approve.
- c) Where an instrument of proxy is signed by all of the joint members, the vote of the proxy so appointed shall be accepted as the vote of the joint member whose name appears first in the register of members and shares.
- d) No person shall act as a proxy unless the person is an active member.
- e) No person shall act as proxy for more than 10 persons unless the instrument appointing a proxy specifies the manner in which the proxy is to vote in respect of a particular resolution.

#### *21.9 Instrument appointing proxy to be lodged at registered office*

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

#### *21.10 Revocation of instrument appointing proxy*

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

## **22 Postal ballot**

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

## **23 Rule alterations**

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

alteration.

## 24 Capital and shares

### 24.1 *Nominal value of share capital*

- a) The capital of the co-operative shall be raised by the issue of shares which shall be of one class, all ranking equally, and be of nominal value of the amount specified in [Part 1 of Schedule 5](#) each.
- b) The capital shall vary in amount according to the nominal value of shares from time to time subscribed.

### 24.2 *Minimum shareholding*

Every member shall, on admission to membership of the co-operative, hold at least the number of shares specified in [Part 2 of Schedule 5](#).

### 24.3 *Applications for additional shares*

- a) Applications for additional shares shall be lodged with the secretary in a format approved by the board and shall be accompanied by sufficient funds to pay for the shares.
- b) The board shall consider every application. If the shares are issued, the issue is to be noted in the register of members and shares. The member shall be notified in writing within 14 days of the issue.
- c) The board may, at its discretion, refuse to issue additional shares and need assign no reasons for such refusal. Upon refusal, any deposit made by the member shall be refunded without interest.

### 24.4 *Compulsory share acquisition*

The board may require a member to take up or subscribe for additional shares in accordance with section 155 of the Act.

### 24.5 *Bonus shares*

Bonus shares may be issued by the co-operative in accordance with section 156 of the Act.

### 24.6 *Purchase of members' shares*

- a) Subject to section 172 of the Act the co-operative may:
  - i) purchase any share of a member at the request of the member; and
  - ii) repay to a member, with the member's consent, the whole or any part of the amount paid up on any share held by the member when the sum repaid is not required for the activities of the co-operative.
- b) The co-operative shall cancel any share purchased or repaid in full by the co-operative.
- c) Section 172 of the Act does not apply to any member who has been expelled or had their membership cancelled under [Rule 5.1](#).
- d) If the board is of the opinion that to pay the repurchase price would adversely affect the financial position of the co-operative it can allot or issue debentures or CCUs of the co-operative to the member in satisfaction of the amount.

- e) A debenture or CCU issued pursuant to paragraph (d) shall:
  - i) bear interest during any period in accordance with section 173 of the Act; and
  - ii) be repaid to the member as soon as, in the board's opinion, such repayment would not adversely affect the financial position of the co-operative, and in any case within 10 years.

#### *24.7 Shares to be forfeited to remedy contravention of maximum level of share interest*

- a) Where a person (whether or not a member of the co-operative) contravenes [Rule 25.1\(a\)](#), the board shall declare to be forfeited sufficient number of the shares in which the person has a relevant interest to remedy the contravention.
- b) The shares to be forfeited pursuant to this rule are:
  - i) the shares nominated by the person for the purpose; or
  - ii) in the absence of such nomination - the shares in which the person has had a relevant interest for the shortest time.
- c) A declaration of the board that shares are forfeited operates to forfeit the shares concerned.
- d) The provisions of sections 134 - 136 (inclusive) of the Act shall apply to and in respect of shares forfeited under this rule as if the shares had been forfeited under [Rule 5.1](#).

#### *24.8 Notice to be given of substantial share interest and substantial change in Share interest*

Pursuant to section 287, a person must give notice in writing to the co-operative within 5 business days after becoming aware that the person has a substantial share interest in the co-operative and after becoming aware that a substantial change has occurred in that interest.

## **25 Terms of issue of shares**

### *25.1 Terms of issue of shares*

- a) No person, whether or not a member, shall hold or have a relevant interest in more than 20% of the nominal value of issued share capital of the co-operative, except in accordance with section 289 of the Act.
- b) The co-operative may issue shares at a premium in accordance with section 151 of the Act.
- c) Shares of the co-operative shall not be quoted for sale or purchase at any stock exchange or in any other public manner whatever, within the meaning of the Income Tax Assessment Act 1936 (Cwlth).
- d) A share is not to be issued at a discount.

### *25.2 Statement of shares*

- a) Every person whose name is entered as a member in the register of members and shares shall be given, after application and without payment, a statement certifying the number of shares held by the person and the amount paid up on

those shares.

- b) If a share statement is defaced, lost or destroyed a duplicate may be issued by the co-operative on payment of the fee, if any, specified in [Schedule 2](#), and on such terms as to evidence and indemnity as the board thinks fit.

## **26 Paying for shares**

No share is to be allotted (other than a bonus share) unless the amount of the nominal value of the share specified in [Part 1 of Schedule 5](#) has been paid.

## **27 Distribution of surplus**

### *27.1 Distribution of surplus*

- a) The board may resolve to retain all or part of the surplus arising in a year from the business of the co-operative to be applied for the benefit of the co-operative.
- b) The board may apply part of the surplus arising in a year from the business of the co-operative or any part of the reserves in accordance with sections 282 and 283 of the Act.
- c) A part of the surplus, not more than 10%, arising in any year from the business of the co-operative may be applied for:
  - i) charitable purposes; or
  - ii) supporting any activity approved by the co-operative.
- d) "Surplus" means the excess of income over expenditure after making appropriate allowance for taxation expense, depreciation in value of the property of the co-operative and for future contingencies.

### *27.2 Declaration of dividend or rebate*

- a) A dividend or rebate shall be declared at any general meeting of the co-operative but shall not exceed the amount recommended by the board, nor exceed the percentage permitted by the Act or Regulation.
- b) Notice of any dividend or rebate that may have been declared shall be given by displaying it at the registered office of the co-operative and in any other manner the board shall determine.

### *27.3 Payment of dividend or rebate*

- a) Subject to section 153(5) of the Act, any dividend or rebate which shall accrue to the holder of shares shall be paid to that holder.
- b) In accordance with section 283 of the Act, any part of the surplus arising in any year from the business of the co-operative may be credited to any person who is not a member.
- c) No dividend or rebate shall bear interest against the co-operative.

### *27.4 Determination of dividend*

The board may recommend:

- a) a higher rate of dividend in respect of shares held by a member in excess of a specified number of shares; or



- b) different rates of dividend on shares based on the business done by shareholders with the co-operative;

to be declared at a general meeting in accordance with [Rule 27.2](#) and if declared, the board shall be authorised to pay the dividend to members, subject to the provisions of [Rule 27.3](#).

## 28 Winding up

- a) The winding up of the co-operative shall be in accordance with Part 12 of the Act.
- b) If on the winding up or dissolution of the co-operative there remains after the satisfaction of all its debts and liabilities (including the refund of the amounts paid up on the shares) any property, this shall be paid to or distributed among the members of the co-operative in proportion to members' shareholdings.
- c) If on the winding up or dissolution there is a deficiency, members shall be liable to contribute towards this deficiency to the extent of any amount unpaid on the shares held by the member and any charges payable by the member to the co-operative as required by these rules.
- d) Former members may also share in the distribution of any surplus or be liable to contribute to the property of the co-operative in accordance with sections 139 and 331 of the Act and the applied provisions of the Corporations Act 2001.

## 29 Forfeiture, charges and sale of shares

### 29.1 Forfeited shares

- a) A person whose shares have been forfeited pursuant to these rules shall cease to be a member in respect of the forfeited shares. However, that person shall remain liable to pay to the co-operative all amounts that (as at the date of forfeiture) were payable by the person to the co-operative in respect of the shares, in addition to the calls in default.
- b) A statutory declaration in writing by a director of the co-operative stating that a share in the co-operative has been forfeited on a date stated in the declaration shall be conclusive evidence of that fact as against all persons claiming to be entitled to the share.
- c) A share that is forfeited in accordance with these rules shall be cancelled and the date of cancellation noted in the register of members and shares.

### 29.2 Charges on shares

- a) The co-operative may appropriate the capital of any share in respect to which it has a charge, in accordance with section 80 of the Act.
- b) The co-operative may sell in such manner as the directors think fit all or any shares on which the co-operative has a charge, pursuant to section 80 of the Act. However, no sale shall be made unless a sum in respect of which the charge exists is payable at the date of the sale. Also, no sale shall be made until the expiration of 14 days after a notice in writing (stating and demanding payment of such part of the amount in respect of which the charge exists as is payable at the date when the notice is given) has been given to the registered

holder of the share or the person entitled to it by reason of death or bankruptcy. The notice shall indicate that, upon failure to make payment of the sum demanded within the time stipulated, the shares will be sold by the board.

- c) Where the highest offer received by the board is less than the amount paid up on the shares to be sold, the board shall notify the member of the receipt of such offer, the amount of the offer and of the board's intention to accept the offer at the expiration of 14 days if no payment is made before then to the co-operative of all amounts in respect of which the charge exists.
- d) From the proceeds of any such sale, the co-operative may deduct the expenses, if any, associated with the sale and may apply the balance to reduce the liability of the member. However, if a surplus remains after such deduction, the surplus shall be payable to the member whose shares were sold.
- e) For giving effect to any such sale, the board may authorise a person to transfer the shares sold to the purchaser.

### **30 Transfer and transmission of shares**

#### *30.1 Transfer of shares*

- a) The instrument of transfer of any share shall be executed by or on behalf of the transferor and the transferee. The transferor shall be deemed to remain the holder of the share until the name of the transferee is entered in the register of members and shares.
- b) Shares shall be transferred in the form given in [Appendix 2](#) to these rules or any other form which the board shall approve.
- c) A share may not be sold or transferred except:
  - i) with the consent of the board and to a person who is qualified to be admitted to membership of the co-operative under [Rule 3.1](#); or
  - ii) as otherwise provided by these rules or the Act.
- d) The board may decline to register any transfer of shares to a person of whom they do not approve. The board may also decline to register any transfer of shares on which the co-operative has a lien or charge. If the board refuses to register a transfer of shares it shall send notice of the refusal to the transferee within 2 weeks after the date on which the board declined to register the transfer.
- e) The board of the co-operative shall not consent to the sale or transfer of shares to a person where it would result in a contravention of [Rule 25.1\(a\)](#).
- f) The board may decline to recognise any instrument of transfer unless:
  - i) the fee, if any, specified in [Schedule 2](#), is paid to the co-operative for the transfer; and
  - ii) the instrument of transfer is accompanied by such evidence as the board may reasonably require to show the right of the transferor to make the transfer.
- g) The board shall have a record of all transfers made in the appropriate register.
- h) The board may suspend the registration of transfers during the 14 days immediately preceding the annual general meeting in each year.

### *30.2 Effect of sale, transfer or disposal of shares*

A member who has sold, transferred or disposed of the beneficial interest in their shares, or has agreed to do any of those things, is not entitled to vote at any meeting of the co-operative.

## **31 Death, bankruptcy or incapacity of members**

### *31.1 Death of member*

- a) The board may register as the holder of a share, a trustee, executor or administrator of the estate of a dead person who was the registered holder of the share in the co-operative, or where the deceased member is entitled in equity to a share, with the consent of the holder of the share in accordance with section 164 of the Act.
- b) On the death of a member, the member's share in the co-operative cannot be transferred to a person other than an administrator or executor except with the consent of the board of the co-operative in accordance with sections 82 and 170A of the Act.
- c) For the purposes of section 86:
  - i) the value of the shares held by the deceased member will be the paid up amount on those shares;
  - ii) the value of any other interest of a deceased member will be determined by the instrument creating that interest.

### *31.2 Registration of Official Trustee in Bankruptcy*

Where a member is declared bankrupt, the Official Trustee in Bankruptcy may be registered as the holder of the share held by the bankrupt member in accordance with section 166 of the Act.

### *31.3 Registration as administrator of estate on incapacity of member*

A person appointed under a law of a State or Territory to administer the estate of another person who, through mental or physical infirmity, is incapable of managing their affairs, may be registered as the holder of a share held by the incapable person whose estate the appointed person is administering in accordance with section 165 of the Act.

### *31.4 Rights attaching to shares in relation to death, bankruptcy or incapacity of members*

- a) A person who is entitled to a share by reason of the death, bankruptcy or the incapacity of the holder shall be entitled to the dividends and other advantages to which that person would be entitled if the person were the registered holder of the share. However, before being registered as a member in respect of the share, the person shall not be entitled to exercise any right conferred by membership in relation to meetings of the co-operative.
- b) A person registered pursuant to [Rules 31.1](#), [31.2](#) and [31.3](#) is, while so registered, subject to the same liabilities in respect of the share as those to which that person would have been subject if the share had remained, or had been registered in the name of the deceased person, the incapable person or the bankrupt person.

## 32 Co-operative Capital Units (CCUs)

### 32.1 *Issue of CCUs*

The co-operative may issue co-operative capital units (CCUs) to a person (whether or not a member of the co-operative) pursuant to section 273.

### 32.2 *Rights attaching to CCUs*

- a) Each holder of a CCU is entitled to one vote only at a meeting of the holders of CCUs.
- b) The rights of the holders of CCUs may be varied only in the manner and to the extent provided by their terms of issue and only with the consent of at least 75% of the holders of CCUs given in writing or at a meeting.
- c) The holder of a CCU has, in the person's capacity as such a holder, none of the rights or entitlements of a member of the co-operative.
- d) The holder of a CCU is entitled to receive notice of all meetings of the co-operative and all other documents in the same manner as the holder of a debenture of the co-operative.
- e) In discharging their duties, it is proper for the directors of the co-operative to take into account that the holders of CCUs have none of the rights and entitlements of, and are not regarded as, members of the co-operative.

**Appendix 1 – Rule 21.8**

**PROXY FORM**

I/we .....

of .....

appoint .....  
of .....

or in that person's absence .....  
of .....

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

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

	FOR	AGAINST
[ordinary/special] resolution No. 1	[   ]	[   ]
[ordinary/special] resolution No. 2	[   ]	[   ]

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

Dated .....

Signature .....

Corporate members should execute under seal or by attorney.

**Appendix 2 – Rule 30.1**

**SHARE TRANSFER FORM**

I/we .....

of .....

in consideration of the sum of.....

paid to me by.....

of .....

to hold on behalf of the transferee, the transferee’s heirs, executors, administrators and assigns, subject to the conditions on which I hold the same at the time of the execution of this transfer.

I, the transferee, agree to take the said share (or shares) subject to the conditions on which the transferor holds the share (or shares) and subject to the rules of: \_\_\_\_\_ as amended from time to time.

As witness our hands, the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signed by

\_\_\_\_\_, transferor.

In the presence of \_\_\_\_\_, witness.

Signed by

\_\_\_\_\_, transferee.

In the presence of \_\_\_\_\_, witness.

**CO-OPERATIVES ACT 1992**

Model Rules for Non-trading Co-operatives with Share Capital

I, COLIN CROSSLAND, delegate of the Registrar of Co-operatives, approve the following Model Rules for Non-trading Co-operatives with share capital pursuant to section 109A(1) of the Co-operatives Act 1992.

Dated this 29th June 2006.

COLIN CROSSLAND,  
Delegate of the Registrar of Co-operatives

**R U L E S   O F**

.....  
.....

**A Non-Trading Co-operative with Share Capital  
REGISTERED UNDER THE CO-OPERATIVES ACT 1992 (N.S.W.)**

REGISTRY OF CO-OPERATIVES & ASSOCIATIONS

154 Russell Street  
BATHURST NSW 2795

P O Box 22  
BATHURST NSW 2795

DX 3123 BATHURST

**(Code: Model/NT/S: 05/2006)**

### ***General statement on rules and their legal effect***

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

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

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

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



## Schedule 1

### Part 1 - Name of co-operative

[Rule 1.3](#)

The name of the co-operative is:

### Part 2 - Objects

[Rule 1.4](#)

The objects of the co-operative are:

### Part 3 - Active membership provision

[Rule 2](#)

The primary activity(ies) of the co-operative is/are:

In order to establish active membership of the co-operative a member must:

### Part 4 – Member qualifications

[Rule 3.1](#)

The qualifications for membership of the co-operative are:

### Part 5 – Period of inactivity prior to cancellation

[Rule 5.1\(a\)](#)

The period of inactivity prior to cancellation is:

## Schedule 2

### Schedule of fees

Annual subscription (maximum):	\$	<a href="#">Rule 7.2(a)</a>
Duplicate share statement:	\$	<a href="#">Rule 24.4(b)</a>
Entrance fee (maximum):	\$	<a href="#">Rule 7.1(a)</a>
Maximum fine:	\$	<a href="#">Rule 8</a>
Transfer of debentures:	\$	<a href="#">Rule 16(e)</a>
Transfer of shares:	\$	<a href="#">Rule 29.1(f)</a>

### ***Schedule 3***

#### **Part 1 – Requisition of general meetings**

[Rule 20.2](#)

The required percentage of members to requisition a general meeting is:

#### **Part 2 - Quorum at general meetings**

[Rule 21.2\(a\)](#)

The number of members required for a quorum is:

### ***Schedule 4***

#### **Part 1 - Number of directors, composition of the board and term of office of directors**

[Rule 11.1\(a\)](#)

The number of directors of the co-operative is:

The positions on the board shall consist of:

The term of office of a director is:

#### **Part 2 – Qualifications of independent directors**

[Rule 11.2\(d\)](#)

The qualifications for independent directors are:

#### **Part 3 - Retirement of directors**

[Rule 11.7\(a\)](#)

The directors shall retire as follows:

**Schedule 5****Part 1 – Nominal value of shares**[Rule 24.1\(a\)](#)

The nominal value of each share is:

**Part 2 – Minimum share holding**[Rule 24.2](#)

The minimum number of shares a member must hold is:

**Schedule 6 - Changes to the model rules**

## 1 Definitions and name

### 1.1 Definitions

In these rules, unless the context otherwise requires:

- a) **“Act”** means the Co-operatives Act 1992;
- b) **“active member”** means a member who is in active membership within the provisions of [Rule 2.2](#) and [Part 3 of Schedule 1](#);
- c) **“alter”** or a similar word or expression used in relation to a rule amendment includes add to, substitute and rescind;
- d) **“auditor”** means the auditor or auditors for the time being of the co-operative appointed in accordance with the rule relating to audit;
- e) **“board”** means the board of directors of the co-operative and includes a committee of management of the co-operative;
- f) **“business day”** means a day that is not a Saturday, Sunday, public holiday or bank holiday in New South Wales;
- g) **“director”** includes:
  - i) a person who occupies or acts in the position of a director or member of the board of the co-operative, whether or not the person is called a director and whether or not the person is validly appointed or duly authorised to act in the position; and
  - ii) a person in accordance with whose directions or instructions the directors or members of the board of the co-operative are accustomed to act;
- h) **“may”** or a similar word or expression used in relation to a power of the board indicates that the power may be exercised or not exercised at the board's discretion;
- i) **“member”** means a member of the co-operative;
- j) **“month”** means a calendar month;
- k) **“prescribed”** means prescribed by the Act or under the Act by Regulation;
- l) **“provision”** in relation to the Act, means words or other matter that form or forms part of the Act, and includes:
  - i) a chapter, part, division, subdivision, section, subsection, paragraph, subparagraph, sub-subparagraph or schedule of or to the Act; and
  - ii) a section, clause, subclause, item, column, table or form of or in a schedule to the Act; and
  - iii) the long title and any preamble to the Act;
- m) **“Registrar”** means the Registrar of Co-operatives or any person to whom the Registrar's functions are delegated from time to time;
- n) **“Regulation”** means any Regulation made under the Act, and any Regulation that applies to a co-operative by way of a transitional Regulation made under the

Act;

- o) **“remuneration”** means any money, consideration or benefit but does not include:
  - i) amounts in payment or reimbursement of out-of-pocket expenses incurred for the benefit of the co-operative or any subsidiary of the co-operative; or
  - ii) in relation to an employee director, remuneration received or due and receivable as an employee;
- p) **“Schedule”** means a Schedule to these rules;
- q) **“secretary”** means any person appointed by the board as secretary of the co-operative in accordance with section 219 of the Act;
- r) **“shall”** or a similar word or expression used in relation to a power of the board indicates that the power must be exercised, subject to the Act or the rule granting the power;
- s) **“share”** means a share in the capital of the co-operative;
- t) **“special business”** means all business of a general meeting other than the ordinary business of the annual general meeting;
- u) **“special general meetings”** means all general meetings of the co-operative other than the annual general meeting;
- v) **“writing”** includes printing, typing, lithography, electronic and other modes of representing or reproducing words in a visible form, and “written” has a corresponding meaning;
- w) words importing one gender include the other gender;
- x) words importing persons include bodies corporate;
- y) words in the singular include the plural, and vice versa;
- z) words or expressions used have the same meanings as those given to them by the Act and Regulation.

### 1.2 *Definitions – interpretation provisions*

- a) A reference in these rules to “the Act” includes a reference to the Act as originally enacted and as amended from time to time since its original enactment.
- b) A reference in these rules to a provision in “the Act” includes a reference to:
  - i) the provision as originally enacted and as amended from time to time since the original enactment;
  - ii) if the provision has been omitted and re-enacted since the enactment of the reference, the provision as re-enacted and as amended from time to time since its re-enactment; and
  - iii) if the provision has been omitted and replaced with a new provision dealing with the same area of law or procedure, the new provision as enacted and as amended from time to time since its enactment.
- c) In the interpretation of a rule, or paragraph of a rule, the interpretation that will

best achieve the purpose of the rule is to be preferred to any other interpretation. This provision applies whether or not the purpose is expressly stated in the rule or paragraph of the rule.

- d) In these rules, unless the context indicates a contrary intention, headings are for convenience and do not affect interpretation.

### 1.3 *Name*

The name of the co-operative is specified in [Part 1 of Schedule 1](#).

### 1.4 *Objects*

The objects of the co-operative, if any, are set out in [Part 2 of Schedule 1](#).

### 1.5 *Non-trading co-operative*

The co-operative is a non-trading co-operative within the meaning of section 15 of the Act and shall not give any returns or distributions of surplus to members.

## 2 **Active membership provisions**

### 2.1 *Primary activity*

The primary activity(ies) of the co-operative is/are set out in [Part 3 of Schedule 1](#).

### 2.2 *Active membership requirements*

In order to establish active membership of the co-operative, a member must comply with the requirements set out in [Part 3 of Schedule 1](#).

## 3 **Admission to membership**

### 3.1 *Qualifications for membership*

In order to qualify for membership of the co-operative, a person shall meet the qualifications, if any, set out in [Part 4 of Schedule 1](#).

### 3.2 *Application for membership*

- a) The board, or a person authorised by the board, shall provide applicants for membership of the co-operative with:
- i) the written notice specified in section 76A(2) of the Act; and
  - ii) a written notice of any intending or prescribed entry or periodic fees that a person or an organisation will be liable to pay on becoming a member of the co-operative.
- b) Applications for membership shall be lodged with the secretary in a format approved by the board.
- c) The board shall consider every application. If the applicant is admitted to membership, the applicant's name, date of admission and any other information required under the Act shall be entered in the register of members and shares. The applicant shall be notified in writing of the entry in the register within 14 days of the approval.
- d) The board may, at its discretion, refuse admittance to membership and need assign no reasons for such refusal. Upon refusal, any deposit made by the applicant shall be refunded without interest.

- e) In considering an application for membership, the board shall ensure that a person or an organisation is not admitted as a member unless there are reasonable grounds for believing that the person or organisation will be an active member.

## 4 Members

### 4.1 *Members of the co-operative*

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

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

### 4.2 *Rights and liabilities of members*

- a) The rules of the co-operative have the effect of a contract under seal:
  - i) between the co-operative and each member;
  - ii) between the co-operative and each director, the principal executive officer and the secretary of the co-operative; and
  - iii) between a member and each other member.
- b) Under the contract, each of those persons agrees to observe, perform or abide by:
  - i) the provisions of the rules applicable to that person; and
  - ii) the provisions of the Act and the Regulation; in force and as amended from time to time.
- c) A member shall be entitled on demand to a copy of the rules upon payment of the prescribed fee. Any person may inspect a copy of these rules free of charge at the registered office during all reasonable hours.
- d) The co-operative may, in accordance with section 78 of the Act, make a contract with a member requiring the member to have specified dealings with the co-operative for a fixed period.
- e) A member shall not, as a member of the co-operative, be under any personal liability to a creditor of the co-operative.
- f) A member shall, in accordance with sections 76 and 77 of the Act, be liable to the co-operative for the amount, if any, unpaid on the shares held by that member, together with any charges, including entry and periodic fees, payable by the member to the co-operative as required by these rules.
- g) On the death of a member, the member's estate is subject to the same liability as the member would have been until the member's personal representative or some other person is registered in the member's place. The board shall follow the provisions in Division 3 Part 4 of the Act in dealing with a deceased member's estate.

## 5 Cancellation and expulsion of members

### 5.1 Cancellation of membership

- a) Pursuant to section 127 of the Act, the board shall, after giving notice in accordance with section 132 of the Act, declare the membership of a member cancelled if:
  - i) the whereabouts of the member are not presently known to the co-operative and have not been known to the co-operative for a continuous period of at least 3 years, or if a shorter period is specified in [Part 5 of Schedule 1](#), that period, before the date of cancellation; or
  - ii) the member is not presently an active member and has not been an active member at any time during the period specified in paragraph (a)(i) above immediately before the date of cancellation.
- b) The board is to declare the shares of a member forfeited at the same time as the membership is cancelled and the amounts due in respect of that cancellation and forfeiture shall be dealt with and repaid in accordance with sections 134 - 136 (inclusive) of the Act.
- c) The board shall not be required to give notice if the member's whereabouts are unknown to the co-operative and the amount required to be repaid to the member in respect of the cancelled membership (whether by reason of the cancellation of share or otherwise) does not exceed \$50, or such other amount as may be prescribed.

### 5.2 Expulsion of members

- a) A member may be expelled from the co-operative by special resolution for:
  - i) failing to discharge the member's obligations to the co-operative, whether prescribed by these rules or arising out of any contract; or
  - ii) conducting themselves in a manner prejudicial or detrimental to the interests of the co-operative; or
  - iii) ceasing to be qualified as a member as specified in [Rule 3.1](#).
- b) A notice of special resolution to expel a member shall be forwarded to the member not less than 21 days before the date of the meeting at which the special resolution is to be moved. The notice shall state the date, time and place of the meeting and shall also state the nature of the relevant act or omission.
- c) At the meeting, the member shall be afforded a reasonable opportunity to be heard. If the member is not able to attend, they may make a written statement for the consideration of members present at the meeting. If the member fails to attend at the time and place mentioned without reasonable excuse, the act or omission shall be considered and the co-operative may decide on the evidence before it, in spite of the absence of the member. Following such consideration, the members of the co-operative may decide to expel the member.
- d) The members of the co-operative shall not make a decision on an expulsion, except by vote by secret ballot. A motion for that decision shall not be deemed to be passed unless two-thirds of the members so present and so entitled, vote in favour of the motion.
- e) If the co-operative resolves to expel the member, the secretary must, within 7 days after the meeting, cause written notice to be given to the member of the decision.



- f) Expulsion of a member shall not be effective until the special resolution expelling the member is registered.
- g) The shares of any member expelled shall be cancelled as at the date the expulsion is effective and the cancellation shall be noted in the register of shares.
- h) In accordance with section 81 of the Act, the co-operative shall pay to the expelled member the amount of capital paid up on the member's shares at the time of expulsion (less any amount owing by the member to the co-operative).
- i) An expelled member shall not be re-admitted as a member unless such re-admission is approved by special resolution. A member so re-admitted shall not have the shares restored that were cancelled on the member's expulsion.

### 5.3 *Suspension of members*

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

until the co-operative confirms the board's decision;  
whichever is the later.

#### 5.4 *Right of appeal of suspended member*

- a) A member who has been suspended by resolution of the board may appeal to the co-operative in general meeting within 7 days after notice of the decision is served on the member, by lodging a notice of appeal with the secretary.
- b) On receipt of the notice of appeal, the secretary must notify the board, which is to convene a general meeting of the co-operative to be held within 28 days after the date on which the secretary received the notice of appeal, to consider a special resolution to confirm the board's decision to suspend the member.
- c) At the general meeting of the co-operative convened under paragraph (b):
  - i) no business other than the question of appeal is to be transacted; and
  - ii) the board and the member must be given the opportunity to state their respective cases orally or in writing, or both; and
  - iii) the members present are to vote by secret ballot on the question of whether the board resolution should be confirmed.
- d) If the special resolution confirming the board's decision to suspend the member is passed, the member's suspension shall take effect from that time. If the special resolution confirming the board's decision to suspend the member is not passed, the board's decision is revoked.

#### 5.5 *Rights of suspended member*

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

### 6 **Ceasing membership**

Membership of the co-operative shall cease in the circumstances set out in sections 70 and 71 of the Act.

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

#### 7.1 *Entrance fees*

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

#### 7.2 *Annual subscriptions*

- a) Members may be required to pay an annual subscription which shall:
  - i) be in addition to any other charges payable under the rules;
  - ii) be determined by the board from time to time with any increase in the annual subscription to be announced at the annual general meeting in accordance with [Rule 20.8](#);
  - iii) be payable, in advance, within the period set by the board; and
  - iv) not exceed the sum specified in [Schedule 2](#) in any financial year.

- b) Notwithstanding paragraph (a)(iii), the board may in the event of unusual circumstances, either generally or in a specific case, extend a period for the payment of the annual subscription, even though the previous period has expired.
- c) A member whose membership ceases may apply to the board for a refund of any pre-paid subscriptions. Such refund will be at the discretion of the board.
- d) Where the annual subscription forms part of the active membership requirement set out in [Part 3 of Schedule 1](#), a person who fails to pay the annual subscription shall be an inactive member and shall have their membership cancelled in accordance with [Rule 5.1](#).

### 7.3 Charges

The co-operative has a charge in respect of any debt due from a member or past member to the co-operative, including charges referred to in [Rule 28.2](#), as specified under section 80 of the Act.

### 7.4 Compulsory loans from members

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

## 8 Fines payable by members

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

## 9 Grievance procedures for settling disputes

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

NSW Law Society.

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

## **10 Powers of the co-operative and the board**

### *10.1 Legal capacity and limitation of powers*

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

### *10.2 By-Laws*

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

## **11 Board of directors**

### *11.1 Board*

- a) There shall be a board of directors, each of whom shall be a natural person and at least 18 years old. In accordance with section 204 of the Act, the business of the co-operative shall be managed by the board of directors. The number and terms of office of directors and positions on the board are set out in [Part 1 of Schedule 4](#).
- b) Subject to [Rule 11.6](#), the directors shall hold office until the end of the annual general meeting at which their term expires.

### *11.2 Qualifications of directors*

A person is eligible to be elected as director of the co-operative provided the person:

- a) is an active member of the co-operative (active member director); or
- b) is a representative of a body corporate, that is an active member of the co-operative (active member director); or
- c) is an employee of the co-operative (independent director); or
- d) holds the qualifications (if any) set out in [Part 2 of Schedule 4](#) (independent director).

### *11.3 Election of directors*

- a) Board members will be elected in the manner specified in this rule. At an annual general meeting at which a director retires, the vacated office may be filled in the

manner specified in this rule.

- b) At least six (6) weeks before an annual general meeting, the board must:
  - i) notify all members of the number of directors retiring at the annual general meeting; and
  - ii) advise the members of:
    - A) their eligibility to nominate as a director;
    - B) the duties and responsibilities of a director;
    - C) the anticipated remuneration (if any); and
    - D) the nomination and election procedures.
- c) A notice must also be displayed at the place of business of the co-operative, inviting nominations of nominees to serve as directors.
- d) A nomination must:
  - i) be signed by two (2) or more members;
  - ii) provide details of the qualifications and experience of the person nominated; and
  - iii) be accompanied by a notice in writing signed by the nominee consenting to their nomination.
- e) The nomination and the notice of consent must be lodged with the secretary of the co-operative at least 30 days before the annual general meeting.
- f) The secretary, or an officer nominated by the board, shall give details of each person who has been nominated to members with the notice of the annual general meeting. Details to be provided to members must include the nominee's:
  - i) name;
  - ii) qualifications and experience; and
  - iii) length of any previous service as a director of the co-operative or with any other co-operative.
- g) Where the number of nominees equals the number of vacancies, the nominees will be declared elected at the annual general meeting.
- h) If there are insufficient nominees to fill all vacancies, the nominees will be declared elected at the annual general meeting and nominations for people to fill the remaining vacancies shall be called from the floor and a ballot held if required.
- i) Where the number of nominees exceeds the number of vacancies, the election of directors shall be conducted at the meeting by ballot as follows:
  - i) a returning officer is elected at the meeting. The directors, secretary, or anyone who has an interest in the election, are not eligible to be the returning officer;
  - ii) all nominees are to be listed on the ballot form in alphabetical order;
  - iii) the returning officer is responsible for determining the validity of and counting of the votes;
  - iv) if there is an equality of votes, the outcome shall be determined by lot; and
  - v) the returning officer is to declare the election results.
- j) If any vacancies remain at the end of the meeting, such vacancies shall be casual vacancies and shall be filled in accordance with [Rule 11.6](#).

#### 11.4 *First meeting of the board*

At the first meeting of the board following the annual general meeting, the directors shall:

- a) elect persons from their number to fill any vacancies in the positions specified in [Part 1 of Schedule 4](#); and
- b) appoint a person to act as the co-operative's secretary as specified in section 219 of the Act if necessary.

#### 11.5 *Vacation of office of director*

A director vacates office in the circumstances provided in the section 218 of Act.

#### 11.6 *Filling of casual vacancies*

A casual vacancy on the board may be filled as specified in section 212 of the Act or by appointment by the board in accordance with section 205(3) of the Act.

#### 11.7 *Retirement of directors*

- a) At the first annual general meeting of the co-operative, and at the annual general meeting in each subsequent year, the directors shall retire as specified in [Part 3 of Schedule 4](#).
- b) The directors to retire in any year shall (subject to the provision as to filling casual vacancies) be those who have been longest in office since their last election. Retirement of persons who became directors on the same day, shall (unless they otherwise agree among themselves) be determined by lot. In such case, the order for retirement shall be the order in which the names are withdrawn.

#### 11.8 *Removal of director from office*

The co-operative may, by ordinary resolution, remove any director before the expiration of the director's period of office. The resulting vacancy shall be filled as provided under Rule 11.6.

#### 11.9 *Directors' remuneration*

The directors shall receive such remuneration for their services as shall be determined at a general meeting and all necessary expenses incurred by them in the business of the co-operative shall be refunded to them.

#### 11.10 *Delegation and board committees*

- a) The board may, by resolution in accordance with section 213 of the Act, delegate the exercise of any of the board's functions (other than this power of delegation).
- b) The board may by resolution appoint committees comprising directors, members or members and other persons, to act in an advisory role to the board and to any committees of directors in accordance with section 213 of the Act.
- c) A committee may elect a chairperson, may meet and adjourn as it thinks proper, and shall follow the procedures specified for board meetings in [Rule 12](#).

#### 11.11 *Deputy directors*

- a) A director may, from time to time, apply, in writing, for any active member (other

than an employee of the co-operative, the auditor or a partner or employer or employee of the auditor) to be appointed by the board as a deputy director to sit in the director's place on the board.

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

## **12 Meetings of the board**

### *12.1 Meetings*

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

### *12.2 Chairperson of board*

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

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

### 12.3 *Transaction of business outside board meetings*

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

### 12.4 *Minutes of meetings*

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

## 13 **Seal**

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



## 14 Co-operative funds

### 14.1 *Income and property of the co-operative*

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

### 14.2 *Accounts*

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

### 14.3 *Banking*

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

## 15 Custody of securities belonging to the co-operative

### 15.1 *Custody of the securities and records*

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

### 15.2 Registered office

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

### 15.3 Documents to be kept

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

## 16 Transfer of debentures

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

## 17 Financial year

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

## 18 Audit

- a) The accounts of the co-operative must be audited annually in accordance with

the Corporations Act 2001 as applied by the Act and the Regulation.

- b) One or more auditors shall be appointed, hold office, be remunerated, and have duties, and responsibilities in accordance with the Corporations Act 2001 as applied by the Act and the Regulation and shall be qualified as a registered company auditor, unless exempt from this requirement under an order made pursuant to section 244, in which case the auditor shall hold the qualifications of:
  - i) a member of the Institute of Chartered Accountants of Australia; or
  - ii) a member of CPA Australia; or
  - iii) a person approved by the Registrar.
- c) An auditor must not be replaced except in accordance with the procedure set out in the Corporations Act 2001 as applied by the Act and the Regulation.

## 19 Provision for loss

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

## 20 General meetings

### 20.1 Convening special general meetings

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

### 20.2 Requisition of general meetings

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

### 20.3 Notice of general meetings

Any member who has a resolution to submit to a general meeting shall give written notice of the terms of the resolution to the co-operative not less than 28 days prior to the date of the meeting.

### 20.4 Notice of general meetings

- a) Subject to [Rule 20.5](#), at least 14 days notice (not including the day on which the notice is served or deemed to be served, but including the day for which notice is given) shall be given of any general meeting.
- b) Notice shall be given to those persons who are, under these rules entitled to receive such notices from the co-operative, but the non-receipt of the notice by any member shall not invalidate the proceedings at such general meeting. The notice must specify the place, day and hour of the meeting and the general nature of any special business.
- c) The board shall have inserted in any notice convening a general meeting any proper business that a member has notified the intention to move and for which notification has been given in accordance with [Rule 20.3](#).
- d) Notice of every general meeting shall be given to:
  - i) members of the co-operative, by any method specified in [Rule 20.6](#); and
  - ii) every person entitled to a share in consequence of the death, incapacity or

- bankruptcy of a member, who, but for that member's death, incapacity or bankruptcy, would not be entitled to receive notice of the meeting; and
- iii) the auditor or auditors of the co-operative.
- e) Except as provided in these rules, no other person shall be entitled to receive notice of general meetings.

### 20.5 *Notice of special resolutions*

Notice of a special resolution, in accordance with section 189 of the Act, shall be given to those persons entitled to receive notice at least 21 days (not including the day on which the notice is served or deemed to be served, but including the day for which notice is given) before the general meeting.

### 20.6 *Notices*

- a) A notice must be in writing and shall be given by the co-operative to any member:
  - i) personally;
  - ii) by post to a listed address or an alternate address supplied by the member;
  - iii) by some other form of technology, for example by facsimile or e-mail, where the member has given consent and notified the co-operative of the relevant contact details; or
  - iv) by publishing the notice in a newspaper circulating generally in New South Wales or in the area served by the co-operative.
- b) Where a notice is sent by post, service shall be deemed to be affected at the time at which the properly addressed and prepaid letter would be delivered in the ordinary course of post. In proving such service, it shall be sufficient to prove that the envelope containing the notice was properly addressed and posted.
- c) A notice forwarded by some other form of technology shall be deemed to have been served, unless the sender is notified of a malfunction in transmission, on the day of transmission if transmitted during a business day, otherwise on the next following business day.
- d) A notice may be given by the co-operative to joint members by giving the notice to the joint member named first in the register of members and shares.
- e) A notice may be given by the co-operative to the person entitled to a share in consequence of the death, incapacity or bankruptcy of a member by sending it through the post in a prepaid letter addressed to that person by name. Alternatively it can be addressed to the person by the title of representative of the deceased or incapacitated person, or trustee of the bankrupt, or by any like description. The address should be that supplied for the purpose by the person claiming to be entitled. Alternatively, if no such address has been supplied, the notice can be given in the manner in which it could have been given if the death, incapacity or bankruptcy had not occurred.
- f) For the purpose of this rule, "listed address" means the address of the member as appearing in the register of members and shares.

### 20.7 *Annual general meetings*

- a) The first annual general meeting of the co-operative shall be held at any time within 18 months after the registration of the co-operative. Subsequent annual

general meetings shall be held within five (5) months after the end of financial year, or within such other period as specified in section 198 of the Act.

- b) If an annual general meeting is not held in accordance with paragraph (a), the members may requisition such a meeting, in accordance with [Rule 20.2](#).

### *20.8 Business of annual general meetings*

- a) The ordinary business of the annual general meeting shall be:
- i) to confirm minutes of the preceding general meeting (whether annual or special);
  - ii) for the board, auditors, or any officers of the co-operative to present reports upon the transactions of the co-operative during the financial year, including balance sheet, income statement, cash flow statement, and the state of affairs at the end of that year;
  - iii) to announce the annual subscription, if any, for the following year;
  - iv) to elect the directors;
  - v) to determine the remuneration, if any, of directors;
  - vi) to appoint (if necessary) an auditor; and
  - vii) to allow members a reasonable opportunity to ask questions about or comment on the management of the co-operative and to ask the auditor or their representative, if present, questions relevant to the conduct of the audit and the preparation and content of the auditor's report and the accounting policies adopted by the co-operative in relation to the financial statements.
- b) The annual general meeting may also transact special business of which notice has been given to members in accordance with these rules.

## **21 Procedure at meetings**

### *21.1 Standing orders*

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

- b) Any motions and amendments shall be submitted in writing if requested by the chairperson.
- c) Any member, or any visitor invited to attend the meeting by the board, may speak on any issue at a meeting with the permission of the chairperson provided that the permission may be conditional.
- d) Standing orders may be suspended for any period by ordinary resolution.

### *21.2 Quorum at general meetings*

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

### *21.3 Chairperson at general meetings*

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

### *21.4 Adjournment of general meetings*

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

### *21.5 Voting rights*

- a) Members shall have the right to vote as specified in Division 1 of Part 8 of the Act.
- b) Except as provided in [Rule 21.6\(g\)](#), an active member of the co-operative who is entitled to vote shall have one vote only in respect of any question or motion arising at a general meeting of the co-operative.
- c) A member's right to vote is a personal right and is not attached to, or conferred by, any share held by the member in the co-operative.
- d) A member of the co-operative is not entitled to vote at a meeting of the co-

operative:

- i) if the person is not an active member of the co-operative or a delegate for a body corporate that is an active member; or
  - ii) the person is excluded from voting under the Act or these rules.
- e) A person is not entitled to exercise, under a power of attorney, a member's power to vote if the person has that power of attorney in respect of another member under another power of attorney.
- f) In the case of joint membership, the joint members shall have one (1) vote only between them and that vote may only be exercised (subject to the grant of any proxy in accordance with [Rule 21.8](#) or power of attorney) by the joint member whose name appears first in the register of members and shares.
- g) i) a member is not entitled to vote if another person (whether or not a member of the co-operative) has a relevant interest in any share held by the member or in the right to vote of the member in accordance with section 178 of the Act.
- ii) pursuant to section 286 of the Act, a person (whether or not a member of the co-operative) must give notice in accordance with the Regulation to the co-operative within 5 business days of becoming aware that the person has, or has ceased to have, a relevant interest in the right to vote of a member in the co-operative
- iii) the co-operative is to keep a register of notifiable interests pursuant to section 294 of the Act, which shall be open for inspection:
- A) by any member, free of charge; and
  - B) by any other person on payment of the fee prescribed in the Regulation.

#### *21.6 Attendance and voting at general meetings*

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

the poll is demanded, may have a casting vote.

- h) A simple majority shall determine all resolutions except special resolutions.

### *21.7 Special resolutions*

- a) A special resolution is passed:
- i) at a general meeting where two-thirds of the members who, being entitled to do so, vote in favour of the special resolution; or
  - ii) in a postal ballot where two-thirds of the members who, being entitled to do so, cast formal votes in favour of the special resolution; or
  - iii) in a special postal ballot where three quarters of the members who, being entitled to do so, cast formal votes in favour of the special resolution.
- b) A special resolution has effect from the date it is passed except in the following circumstances:
- i) the removal of an auditor;
  - ii) the expulsion of a member;
  - iii) the alteration of a rule; or
  - iv) any matter for which a special resolution is required to be passed by special postal ballot pursuant to section 194A of the Act (other than a special postal ballot in favour of a voluntary winding up);
- in which case it has effect from the time it is registered by the Registrar.

### *21.8 Proxy votes*

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

### *21.9 Instrument appointing proxy to be lodged at registered office*

- a) An instrument appointing a proxy is not valid unless:
- i) the instrument; and
  - ii) if the instrument is signed by the appointer's attorney, the authority under which the form was signed, or a notarially certified copy of the authority;
- is deposited at the registered office of the co-operative.
- b) The documentation required to be given under this rule must be deposited at the registered office:



- i) at least 48 hours before the meeting at which the proxy may be used; or
- ii) in the case of a poll, at least 24 hours before the taking of the poll.

#### *21.10 Revocation of instrument appointing proxy*

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

### **22 Postal ballot**

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

### **23 Rule alterations**

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

### **24 Capital and shares**

#### *24.1 Nominal value of share capital*

- a) The capital of the co-operative shall be raised by the issue of shares which shall be of one class, all ranking equally, and be of nominal value of the amount specified in [Part 1 of Schedule 5](#) each.
- b) The capital shall vary in amount according to the nominal value of shares from time to time subscribed.

#### *24.2 Minimum shareholding*

Every member shall, on admission to membership of the co-operative, hold at least the number of shares specified in [Part 2 of Schedule 5](#).

#### *24.3 Applications for additional shares*

- a) Applications for additional shares shall be lodged with the secretary in a format approved by the board and shall be accompanied by sufficient funds to pay for the shares.
- b) The board shall consider every application. If the shares are issued, the issue is to be noted in the register of members and shares. The member shall be notified in writing within 14 days of the issue.

- c) The board may, at its discretion, refuse to issue additional shares and need assign no reasons for such refusal. Upon refusal, any deposit made by the member shall be refunded without interest.

#### *24.4 Purchase of members' shares*

- (a) Subject to section 172 of the Act the co-operative may:
  - i) purchase any share of a member at the request of the member; and
  - ii) repay to a member, with the member's consent, the whole or any part of the amount paid up on any share held by the member when the sum repaid is not required for the activities of the co-operative.
- b) The co-operative shall cancel any share purchased or repaid in full by the co-operative.
- c) Section 172 of the Act does not apply to any member who has been expelled or had their membership cancelled under [Rule 5.1](#).
- d) If the board is of the opinion that to pay the repurchase price would adversely affect the financial position of the co-operative it can allot or issue debentures or CCUs of the co-operative to the member in satisfaction of the amount.
- e) A debenture issued pursuant to paragraph (d) shall:
  - i) bear interest during any period in accordance with section 173 of the Act; and
  - ii) be repaid to the member as soon as, in the board's opinion, such repayment would not adversely affect the financial position of the co-operative, and in any case within 10 years.

#### *24.5 Shares to be forfeited to remedy contravention of maximum level of share interest*

- a) Where a person (whether or not a member of the co-operative) contravenes [Rule 25.1\(a\)](#), the board shall declare to be forfeited sufficient number of the shares in which the person has a relevant interest to remedy the contravention.
- b) The shares to be forfeited pursuant to this rule are:
  - i) the shares nominated by the person for the purpose; or
  - ii) in the absence of such nomination - the shares in which the person has had a relevant interest for the shortest time.
- c) A declaration of the board that shares are forfeited operates to forfeit the shares concerned.
- d) The provisions of sections 134 - 136 (inclusive) of the Act shall apply to and in respect of shares forfeited under this rule as if the shares had been forfeited under [Rule 5.1](#).

#### *24.6 Notice to be given of substantial share interest and substantial change in share interest*

Pursuant to section 287, a person must give notice in writing to the co-operative within 5 business days after becoming aware that the person has a substantial share interest in the co-operative and after becoming aware that a substantial change has occurred in that interest.

## 25 Terms of issue of shares

### 25.1 Terms of issue of shares

- a) No person, whether or not a member, shall hold or have a relevant interest in more than 20% of the nominal value of issued share capital of the co-operative, except in accordance with section 289 of the Act.
- b) Shares of the co-operative shall not be quoted for sale or purchase at any stock exchange or in any other public manner whatever, within the meaning of the Income Tax Assessment Act 1936 (Cwlth).
- c) A share is not to be issued at a discount.

### 25.2 Statement of shares

- a) Every person whose name is entered as a member in the register of members and shares shall be given, after application and without payment, a statement certifying the number of shares held by the person and the amount paid up on those shares.
- b) If a share statement is defaced, lost or destroyed a duplicate may be issued by the co-operative on payment of the fee, if any, specified in [Schedule 2](#), and on such terms as to evidence and indemnity as the board thinks fit.

## 26 Paying for shares

No share is to be allotted unless the amount of the nominal value of the share specified in [Part 1 of Schedule 5](#) has been paid.

## 27 Winding up

- a) The winding up of the co-operative shall be in accordance with Part 12 of the Act.
- b) If on the winding up or dissolution of the co-operative there remains after the satisfaction of all its debts and liabilities any property, this shall not be paid or distributed amongst the members of the co-operative but shall be given or transferred to an organisation:
  - i) which has objects similar to those of the co-operative;
  - ii) whose constitution prohibits the distribution of its property among its members;
  - iii) which has been chosen by the members of the co-operative at or before the time of dissolution or in default thereof, as directed by such Court as may have or acquire jurisdiction in the matter; and
  - iv) which satisfies the relevant sub-section of section 23 of the Income Tax Assessment Act.
- c) If on the winding up or dissolution there is a deficiency, members shall be liable to contribute towards this deficiency to the extent of any amount unpaid on the shares held by the member and any charges payable by the member to the co-operative as required by these rules.
- d) Former members may also be liable to contribute to the property of the co-operative in accordance with sections 139 and 331 of the Act and the applied provisions of the Corporations Act 2001.

- e) In subparagraph (b), the expression "institution" includes an institution or institutions.

## **28 Forfeiture, charges and sale of shares**

### *28.1 Forfeited shares*

- a) A person whose shares have been forfeited pursuant to these rules shall cease to be a member in respect of the forfeited shares. However, that person shall remain liable to pay to the co-operative all amounts that (as at the date of forfeiture) were payable by the person to the co-operative in respect of the shares, in addition to the calls in default.
- b) A statutory declaration in writing by a director of the co-operative stating that a share in the co-operative has been forfeited on a date stated in the declaration shall be conclusive evidence of that fact as against all persons claiming to be entitled to the share.
- c) A share that is forfeited in accordance with these rules shall be cancelled and the date of cancellation noted in the register of members and shares.

### *28.2 Charges on shares*

- a) The co-operative shall, pursuant to section 80 of the Act, have a charge upon the paid up amounts of the forfeited shares and may appropriate those amounts pursuant to that section.
- b) The co-operative may sell in such manner as the directors think fit all or any shares on which the co-operative has a charge, pursuant to section 80 of the Act. However, no sale shall be made unless a sum in respect of which the charge exists is payable at the date of the sale. Also, no sale shall be made until the expiration of 14 days after a notice in writing (stating and demanding payment of such part of the amount in respect of which the charge exists as is payable at the date when the notice is given) has been given to the registered holder of the share or the person entitled to it by reason of death or bankruptcy. The notice shall indicate that, upon failure to make payment of the sum demanded within the time stipulated, the shares will be sold by the board.
- c) Where the highest offer received by the board is less than the amount paid up on the shares to be sold, the board shall notify the member of the receipt of such offer, the amount of the offer and of the board's intention to accept the offer at the expiration of 14 days if no payment is made before then to the co-operative of all amounts in respect of which the charge exists.
- d) From the proceeds of any such sale the co-operative may deduct the expenses, if any, associated with the sale and may apply the balance to reduce the liability of the member. However, if a surplus remains after such deduction, the surplus shall be payable to the member whose shares were sold.
- e) For giving effect to any such sale, the board may authorise a person to transfer the shares sold to the purchaser.

## 29 Transfer and transmission of shares

### 29.1 *Transfer of shares*

- a) The instrument of transfer of any share shall be executed by or on behalf of the transferor and the transferee. The transferor shall be deemed to remain the holder of the share until the name of the transferee is entered in the register of members and shares.
- b) Shares shall be transferred in the form given in Appendix 2 to these rules or any other form which the board shall approve.
- c) A share may not be sold or transferred except:
  - i) with the consent of the board and to a person who is qualified to be admitted to membership of the co-operative under [Rule 3.1](#); or
  - ii) as otherwise provided by these rules or the Act.
- d) The board may decline to register any transfer of shares to a person of whom they do not approve. The board may also decline to register any transfer of shares on which the co-operative has a lien or charge. If the board refuses to register a transfer of shares it shall send notice of the refusal to the transferee within 2 weeks after the date on which the board declined to register the transfer.
- e) The board of the co-operative shall not consent to the sale or transfer of shares to a person where it would result in a contravention of [Rule 25.1\(a\)](#).
- f) The board may decline to recognise any instrument of transfer unless:
  - i) the fee, if any, specified in [Schedule 2](#), is paid to the co-operative for the transfer; and
  - ii) the instrument of transfer is accompanied by such evidence as the board may reasonably require to show the right of the transferor to make the transfer.
- g) The board shall have a record of all transfers made in the appropriate register.
- h) The board may suspend the registration of transfers during the 14 days immediately preceding the annual general meeting in each year.

### 29.2 *Effect of sale, transfer or disposal of shares*

A member who has sold, transferred or disposed of the beneficial interest in their shares, or has agreed to do any of those things, is not entitled to vote at any meeting of the co-operative.

## 30 Death, bankruptcy or incapacity of members

### 30.1 *Death of member*

- a) The board may register as the holder of a share, a trustee, executor or administrator of the estate of a dead person who was the registered holder of the share in the co-operative, or where the deceased member is entitled in equity to a share, with the consent of the holder of the share in accordance with section 164 of the Act.
- b) On the death of a member, the member's share in the co-operative cannot be transferred to a person other than an administrator or executor except with the

consent of the board of the co-operative in accordance with sections 82 and 170A of the Act.

- c) For the purposes of section 86:
  - i) the value of the shares held by the deceased member will be the paid up amount on those shares; and
  - ii) the value of any other interest of a deceased member will be determined by the instrument creating that interest.

### *30.2 Registration of Official Trustee in Bankruptcy*

Where a member is declared bankrupt, the Official Trustee in Bankruptcy may be registered as the holder of the share held by the bankrupt member in accordance with section 166 of the Act.

### *30.3 Registration as administrator of estate on incapacity of member*

A person appointed under a law of a State or Territory to administer the estate of another person who, through mental or physical infirmity, is incapable of managing their affairs, may be registered as the holder of a share held by the incapable person whose estate the appointed person is administering in accordance with section 165 of the Act.

### *30.4 Rights attaching to shares in relation to death, bankruptcy or incapacity of members*

- a) A person who is entitled to a share by reason of the death, bankruptcy or the incapacity of the holder shall be entitled to the dividends and other advantages to which that person would be entitled if the person were the registered holder of the share. However, before being registered as a member in respect of the share, the person shall not be entitled to exercise any right conferred by membership in relation to meetings of the co-operative.
- b) A person registered pursuant to [Rules 30.1](#), [30.2](#) and [30.3](#) is, while so registered, subject to the same liabilities in respect of the share as those to which that person would have been subject if the share had remained, or had been registered in the name of the deceased person, the incapable person or the bankrupt person.

**Appendix 1 – Rule 21.8**

**PROXY FORM**

I/we .....

of .....

appoint .....  
of .....

or in that person's absence .....  
of .....

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

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

	FOR	AGAINST
[ordinary/special] resolution No. 1	[   ]	[   ]
[ordinary/special] resolution No. 2	[   ]	[   ]

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

Dated .....

Signature .....

Corporate members should execute under seal or by attorney.

**Appendix 2 – Rule 29.1**

**SHARE TRANSFER FORM**

I/we .....

of .....

in consideration of the sum of.....

paid to me by.....

of .....

to hold on behalf of the transferee, the transferee’s heirs, executors, administrators and assigns, subject to the conditions on which I hold the same at the time of the execution of this transfer.

I, the transferee, agree to take the said share (or shares) subject to the conditions on which the transferor holds the share (or shares) and subject to the rules of: \_\_\_\_\_ as amended from time to time.

As witness our hands, the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signed by

\_\_\_\_\_, transferor.

In the presence of \_\_\_\_\_, witness.

Signed by

\_\_\_\_\_, transferee.

In the presence of \_\_\_\_\_, witness.



**PESTICIDE ACT 1999 – PESTICIDE CONTROL ORDER UNDER SECTION 38****Name**

1. This Order is to be known as Pesticide Control (1080 M-44 Ejector) Order 2006

**Commencement**

2. This Order commences on 14 July 2006.

**Authority**

3. This Order is made by the Environment Protection Authority under Part 4 of the Pesticides Act 1999 with the approval of the Minister for the Environment.

**Relationship to other Orders**

4. This Order is to be read in conjunction with the Order known as the Pesticide Control (ACTA1080 Concentrate) Order 2006, gazetted on 30 June 2006.

**Objects**

5. The objects of this Order are to –
  - (a) authorise the use of M-44 ejector capsules containing 3mg or 6mg of sodium fluoroacetate (1080) by persons who have been accredited by completing the NSW Department of Environment and Conservation (DEC) 1080 Ejector course; and
  - (b) impose conditions on the use of M-44 ejector capsules containing 3mg or 6mg of 1080.

**Background**

6. A chemical product containing sodium mono-fluoroacetate (also known as 1080) has been prescribed by the AgVet Code Regulation of the Commonwealth to be a “restricted chemical product” under Regulation 45 of the Agricultural and Veterinary Chemicals Code Regulations.

Section 94 of the AgVet code provides that “A person must not, without reasonable excuse, supply a restricted chemical product, or cause or permit a restricted chemical product to be supplied to a person who is not authorised to use the product under another law of this jurisdiction.”

In NSW section 4 of the Pesticides Act provides that a “restricted pesticide” means a pesticide that is a restricted chemical product within the meaning of the Agvet Code.

**Application**

7. This Order applies to ACTA 1080 Concentrate being used to produce M-44 ejector capsules which contain 3 or 6 milligrams of 1080 that are to be used for the control of foxes or wild dogs at locations approved by the Australian Pesticides and Veterinary Authority (APVMA) in accordance with conditions stated in APVMA permit PER8795.

**Definitions**

8. In this Order -

**Agvet Code** means the provisions applying because of section 5 of the Agricultural and Veterinary Chemicals (New south Wales) Act 1994.

**Authorised control officer** means a person who: –

- (a) holds a current:
  - (i) certificate of completion issued by NSW Department of Primary Industries (NSW DPI) for the vertebrate pest management course consistent with the current edition of the Vertebrate Pest Control Manual (published by NSW DPI); or

- (ii) statement of attainment issued by a Registered Training Provider certifying competency at Australian Qualifications Framework level 4 with respect to the chemical, vertebrate pest and OH&S national units of competency; and
- (b) is currently employed by a Rural Lands Protection Board, NSW DPI, Wild Dog Destruction Board, DEC, or other NSW public authority.

**ACTA 1080 Concentrate** means the registered agricultural chemical product ACTA 1080 Concentrate (APVMA Product Registration Number 57956) that has an active constituent comprising 30 grams per litre of sodium fluoroacetate (1080).

**APVMA** means the Agricultural Pesticides and Veterinary Medicines Authority established by the *Agricultural and Veterinary Chemicals (Administration) Act 1992* of the Commonwealth.

**Public Authority** has the same meaning as under the Pesticides Act 1999 (NSW).

**“the Act”** means the *Pesticides Act 1999*

**Use** has the same meaning as defined under the Pesticides Act and includes possession.

#### Persons authorised

9. (1) Only the following persons are authorised to use, subject to condition 10, ACTA 1080 Concentrate:-
  - (a) Authorised Control Officers
- (2) Only the following persons are authorised to use, subject to condition 10, M-44 Ejector capsules containing 3mg or 6mg of 1080 derived from ACTA 1080 Concentrate:-
  - (a) Authorised Control Officers that have been accredited for completing the DEC 1080 Ejector course ; and
  - (b) Any person who has been accredited by completing the DEC 1080 Ejector course and is an employee (including contractors and sub-contractors) of the DEC, NSW DPI or a Rural Lands Protection Board (RLPB).

#### Conditions of use

10. A person must use ACTA 1080 Concentrate and M-44 Ejector capsules containing 3mg or 6mg of 1080 derived from ACTA 1080 Concentrate only in accordance with:
  - (a) directions on APVMA permit PER8795; and
  - (b) the conditions of use for 1080 specified for wild dog control in schedule 1 or fox control in schedule 2 of Pesticide Control (ACTA 1080 Concentrate) Order 2006.

Permit number PER 8795 is set out in the Schedule to this Order.

#### Notes

*Words used in an Order have the same meaning as in the Pesticides Act 1999.*

*A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.*

*A pesticide control order remains in force until it is revoked by another pesticide control order.*

*Any permit issued by the APVMA which is set out in this Order has effect in NSW until such time as this Order is revoked.*

LISA CORBYN  
Director – General  
Environment Protection Authority

BOB DEBUS, M.P  
Minister for the Environment

## SCHEDULE

### PERMIT FOR RESEARCH USE AND SUPPLY OF M-44 EJECTOR CAPSULES CONTAINING A REGISTERED CHEMICAL PRODUCT

#### PERMIT NUMBER -PER8795

This permit is issued to the Permit Holder in response to an application granted by the APVMA under section 112 of the Agvet Codes of the jurisdictions set out below. This instrument permits any person who is authorised under the *NSW Pesticides Act 1999* (not the Agvet Code of their jurisdiction) to do the following things in respect of the registered product ACTA 1080 Concentrate (57956) and the unregistered M-44 ejector capsules made from ACTA 1080 Concentrate (containing sodium fluoroacetate) for use as a vertebrate pest poison:

- (a) Use ACTA 1080 Concentrate in accordance with the instructions provided in this permit;
- (b) Have in their possession or custody for the purposes of supply the M-44 ejector capsules, to the extent that such possession or custody would be an offence under section 75 of the Agvet Codes;
- (c) Subject to the conditions below, supply or cause or permit to be supplied, the M-44 ejector capsules in a container with a label securely attached to the container, to the extent that such supply would be an offence under section 78 of the Agvet Codes;
- (d) Use the M-44 ejector capsules in accordance with the instructions provided in this permit.

**THIS PERMIT IS IN FORCE FROM 31 MAY 2006 TO 31 MARCH 2008.**

**Permit Holder and Supplier of the unregistered M-44 ejector capsules:**

**NSW DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

**6 Rutledge Street**

**QUEANBEYAN NSW 2620**

#### CONDITIONS OF SUPPLY

The supplier of the M-44 ejector capsules must inform the user that the M-44 ejector capsules may only be used in accordance with the instructions that are supplied with the M-44 ejector capsules and which are consistent with the terms of this permit.

The supplier must supply the product in a container that complies with the requirements of section 18(1) of the Agricultural and Veterinary Chemicals Code Regulations. Attached to this container must be a label which is identical in content and format to the label in Attachment 1.

#### CONDITIONS OF USE

##### Directions for Use:

##### ACTA 1080 Concentrate:

Pest	Dose
FOX ( <i>Vulpes vulpes</i> )	3 mg 1080 per M-44 ejector mixed with 0.5 mL of sweetened condensed milk as a carrier.
WILD DOG AND ( <i>Canis lupis dingo</i> ) DINGO ( <i>Canis lupis familiaris</i> )	6 mg 1080 per M-44 ejector mixed with 0.5 mL of sweetened condensed milk as a carrier.

##### M-44 ejector capsules:

Situation	Pest	Rate
NATIONAL PARKS, NATURE RESERVES, STATE FORESTS, AND PRIVATE PROPERTY	FOX ( <i>Vulpes vulpes</i> ) WILD DOG ( <i>Canis lupis dingo</i> ) DINGO ( <i>Canis lupis familiaris</i> )	As per the approved ACTA 1080 Concentrate label instructions for bait placement.

**Critical Use Comments:**

- Monitor all trial sites via sand plots for at least 3 days prior to placement of M-44 ejector to determine target pest density and non-target activity.
- Appropriate signage, notification, bait placement and intervals between placements must be done as per the label instructions on the approved ACTA 1080 Concentrate product label.
- All ejectors must be deployed according to the current NSW Department of Primary Industries guideline for the use of 1080 for the control of wild dogs and foxes.
- Monitor all sites at least monthly and where appropriate, treatment be reapplied at the time of monitoring.
- Remove all ejectors from each site at the end of the trial.

**Jurisdiction:**

NSW only.

**Disposal:**

Any remaining used or unused M-44 ejector capsules containing 1080 must be disposed of in accordance with instructions on the currently approved ACTA 1080 Concentrate product label or in accordance with the label in Attachment 1.

**Landholder Awareness:**

Users must ensure that the park, reserve or forest manager or other appropriate responsible person for land use management, and landholder for private property are made aware of all locations of loaded M-44 ejectors as per this permit. Land managers and owners must be advised to keep non-authorised people from ejectors.

**Use:**

This permit provides for the use of ACTA 1080 Concentrate in a manner other than specified on the approved label of the product. Unless otherwise stated in this permit, the use of the ACTA 1080 Concentrate in the M-44 ejector capsule must be in accordance with instructions on its label.

Persons who wish to prepare for use and/or use products for the purposes specified in this permit must read, or have read to them, the details and conditions of this permit and be provided a copy of the permit to retain.

**Trial records:**

The permit holder must advise the APVMA of all trial sites prior to undertaking trials at these locations. The permit holder must also maintain records of the trials performed under this permit. Specifically details must include the date and location where the trials were conducted, rates and frequency of application, total amount of product used and the names and addresses of the persons conducting the trial. These details must be maintained for a minimum period of three years from the date of expiry of this permit and must be made available to the APVMA upon request.

**Trial Restrictions:**

This trial is limited to a maximum of 20 trial sites with a maximum of 200 ejectors per site. Each site must be located in areas where current lethal wild dog and fox control programs are in operation.

Issued by

Delegated Officer

\*ACTA 1080 Concentrate (57956) and the capsules of the M-44 ejector to which this permit applies are restricted chemical products. A person must not supply, or cause or permit the M-44 ejector capsules to be supplied, to a person who is not authorised to use ACTA 1080 Concentrate or loaded M-44 ejector capsules under the *NSW Pesticides Act 1999*. A person wishing to use either product must be authorised under the *NSW Pesticides Act 1999*. This permit does not and cannot provide that authorisation – contact the NSW Department of Environment and Conservation (phone 02 9995 5791).

## ATTACHMENT 1

*FOX CAPSULES*

1080 CAPSULES TO BE TRIALLED WITH MECHANICAL EJECTOR DEVICE FOR THE HUMANE CONTROL OF FOXES

DANGEROUS POISON S7

**RESTRICTED CHEMICAL PRODUCT – ONLY TO BE SUPPLIED TO OR USED BY AN AUTHORISED PERSON.**

KEEP OUT OF REACH OF CHILDREN

**READ SAFETY DIRECTIONS BEFORE OPENING**

TRIAL PRODUCT  
FOR EXPERIMENTAL USE ONLY

THIS PRODUCT IS NOT REGISTERED  
NOT FOR RESALE

THIS PACKAGE CONTAINS 50 PLASTIC CAPSULES FOR USE IN MECHANICAL EJECTOR DEVICE FOR THE CONTROL OF FOXES

**EACH CAPSULE CONTAINS:**

**Active constituent:** Sodium Monofluoroacetate (1080) at 3mg

**Also contains:** inert ingredients at up to 800mg

**Directions for use:** Use only in accordance with the relevant NSW Pesticide Order and PER8795.

**Safety directions:** Very dangerous. Poisonous if swallowed. May irritate eyes, nose and throat and skin. Do not touch or rub eyes, nose or mouth with hand. Avoid contact with eyes and skin. When opening container and using capsules wear non-permeable wrist length gloves. When setting ejectors eye protection must be worn. If product gets on skin, immediately wash area with soap and water. After use and before eating, drinking or smoking, wash hands, arms and face thoroughly with soap and water. After each days use, wash gloves and contaminated clothing.

**First Aid:** Speed in treatment is essential. If poisoning occurs, contact a doctor or Poisons Information Centre. Phone Australia 13 11 26. If skin contact occurs, remove contaminated clothing and wash skin thoroughly. Remove from the contaminated area. Apply artificial respiration if not breathing. If in eyes, hold eyes open, flood with water for at least 15 minutes and see a Doctor.

**Storage and Disposal:** Store capsules in their original container in a lockable room or cupboard away from children, animals, food, foodstuffs, seeds and fertilisers. Empty capsules should be triple rinsed and buried along with rinsate in a local authority landfill. If no landfill is available, bury capsules and rinsate below 0.5m in a disposal pit specifically marked and set up for this purpose clear of waterways, desirable vegetation and tree roots. Empty capsules should not be burnt.

Enquires contact: Rob Hunt NSW Department of Environment and Conservation 6 Rutledge Street Queanbeyan NSW 2620.  
phone 62989730 mob 0427295995 fax 62978408.

## WILD DOG CAPSULES

1080 CAPSULES TO BE TRIALLED WITH MECHANICAL EJECTOR DEVICE FOR THE HUMANE CONTROL OF WILD DOGS AND FOXES

DANGEROUS POISON S7

**RESTRICTED CHEMICAL PRODUCT – ONLY TO BE SUPPLIED TO OR USED BY AN AUTHORISED PERSON.**

**KEEP OUT OF REACH OF CHILDREN  
READ SAFETY DIRECTIONS BEFORE OPENING**

**TRIAL PRODUCT  
FOR EXPERIMENTAL USE ONLY**

**THIS PRODUCT IS NOT REGISTERED  
NOT FOR RESALE**

**THIS PACKAGE CONTAINS 50 PLASTIC CAPSULES FOR USE IN MECHANICAL EJECTOR DEVICE FOR THE CONTROL OF WILD DOGS AND FOXES**

**EACH CAPSULE CONTAINS:**

**Active constituent:** Sodium Monofluoroacetate (1080) at 6mg

**Also contains:** inert ingredients at up to 800mg

**Directions for use:** Use only in accordance with the relevant NSW Pesticide Order and PER8795.

**Safety directions:** Very dangerous. Poisonous if swallowed. May irritate eyes, nose and throat and skin. Do not touch or rub eyes, nose or mouth with hand. Avoid contact with eyes and skin. When opening container and using capsules wear non-permeable wrist length gloves. When setting ejectors eye protection must be worn. If product gets on skin, immediately wash area with soap and water. After use and before eating, drinking or smoking, wash hands, arms and face thoroughly with soap and water. After each days use, wash gloves and contaminated clothing.

**First Aid:** Speed in treatment is essential. If poisoning occurs, contact a doctor or Poisons Information Centre. Phone Australia 13 11 26. If skin contact occurs, remove contaminated clothing and wash skin thoroughly. Remove from the contaminated area. Apply artificial respiration if not breathing. If in eyes, hold eyes open, flood with water for at least 15 minutes and see a Doctor.

**Storage and Disposal:** Store capsules in their original container in a lockable room or cupboard away from children, animals, food, foodstuffs, seeds and fertilisers. Empty capsules should be triple rinsed and buried along with rinsate in a local authority landfill. If no landfill is available, bury capsules and rinsate below 0.5m in a disposal pit specifically marked and set up for this purpose clear of waterways, desirable vegetation and tree roots. Empty capsules should not be burnt.

Enquires contact: Rob Hunt NSW Department of Environment and Conservation 6 Rutledge Street Queanbeyan NSW 2620.  
phone 62989730 mob 0427295995 fax 62978408.

**RACING ADMINISTRATION ACT 1998  
NSW BOOKMAKER SPORTS BETTING RULES**

In accordance with the provisions of section 23 of the Racing Administration Act 1998, the Minister for Gaming and Racing has approved of the following amendments to the NSW Bookmaker Sports Betting Rules:

## **1 PRELIMINARY**

Renumber **Clause 1.5** as **Clause 1.6**

Insert the following new **Clause 1.5**:

- 1.5 If the recognised Governing body of a sporting event requests the disclosure of personal information pertaining to accounts or transactions relating to bets on that sporting event, the customer shall be deemed for the purposes of the Act to have consented to the bookmaker providing such personal information to the recognised Governing body.

## **2 DEFINITIONS**

Delete “**Dividend**” definition and replace the word “**Dividend**” with “**Payout**” wherever occurring throughout the Rules.

Delete “**Odds**” definition and replace the word “**Odds**” with “**Price**” wherever occurring throughout the Rules.

Insert in alphabetical order in **Clause 2**:

“**Payout**” means the amount payable including any stake, on a successful sports bet.

“**Price**” – means either:

- when expressed in monetary terms, the return for an outlay of a certain monetary unit, inclusive of the unit of outlay, or
- when expressed in fractional terms, the ratio of win to stake agreed to by the sports bookmaker and the customer at the time the sports bet is made.

“**Proposition**” means a result or combination of results on offer which may occur in any event upon which a sports bookmaker operates.

## **3 TRANSACTIONS**

Insert the following after **Clause 3.1.9**:

### **3.1.10 Price setting by authorised employees and agents**

A sports bookmaker may delegate to duly authorised employees his or her power in respect to the setting of prices, acceptance or refusal of individual bets and the recording of such bets and as to such other matters as the sports bookmaker may from time to time determine.

### **3.1.11 Postponement of Payment of Payouts**

A sports bookmaker shall at all times retain the right to postpone the payment of payouts for reasons including verification of results, systems hardware or software malfunction, or in circumstances where fraudulent activity is suspected.

Insert the following after **Clause 3.2.1**:

### **3.2.2 Betting ticket details**

The sports betting ticket shall include details of:

- (a) the amount of the sports bet;
- (b) the selected outcome and the sports betting event to which the sports bet relates; and
- (c) the eligible payout due upon redemption of the sports betting ticket should the selected outcome be declared a winner.

### **3.2.3 Betting tickets as a customer receipt**

The sports betting ticket represents acknowledgment by the sports bookmaker of receipt of the sports bet in relation to which the sports betting ticket is issued.

### **3.2.4 Cancellation of bets when no money tendered**

The sports betting ticket may be cancelled if the amount of the sports bet is not paid for immediately after the sports betting ticket is issued.

### **3.2.5 Betting ticket details as official record**

The details of the amount of a sports bet, the selected outcome, and the sports betting event to which the sports bet relates recorded on a sports betting ticket issued by the sports bookmaker are taken to be the details of the sports bet for which the sports betting ticket is issued, even if those details differ in any respect from the details given by the customer making the sports bet.

### **3.2.6 Cancellation of bets by customers**

A customer who is issued with a sports betting ticket that the customer claims is incorrect because it does not correctly reflect the details given by the customer when the sports bet was made, is entitled to have that sports bet cancelled but only if the sports bookmaker who issued the sports betting ticket is satisfied that it is incorrect on the grounds so claimed. Having satisfied the sports bookmaker in these terms, the customer is entitled to:

- (a) have the sports betting ticket re-issued by the sports bookmaker in accordance with the details so given, or
- (b) have the sports betting ticket cancelled and the amount of the sports bet refunded by the sports bookmaker.



### **3.2.7 Sports bookmaker cancellation periods**

Any entitlement under clause 3.2.6 may only be exercised within the period of time applicable, prior to the close of betting on the relevant sports betting event, determined by the sports bookmaker from time to time.

Insert the following after **Clause 3.4**:

## **3.5 INTERNET BETTING**

### **3.5.1 Customer to confirm sport bet details**

An approved Internet sports bookmaker may accept a sports bet over the Internet provided the customer complies with the following:

- (a) A customer shall satisfy himself or herself that all details recorded on the Internet betting confirmation screen, including but not limited to the details in the sports bet request, are correct.
- (b) A customer shall confirm the sports bet request contained in the Internet betting confirmation screen by selecting the appropriate button on that screen.

### **3.5.2 Confirmation of sports bet**

- (a) Upon confirmation of the sports bet by the customer in accordance with clause 3.5.1(b), the customer may not cancel, amend or replace the sports bet.
- (b) The sports bet contained in the request shall be accepted and confirmed by the sports bookmaker upon allocation by the sports bookmaker of a ticket serial number to the sports bet.
- (c) The sports bookmaker will take all reasonable endeavours to notify the customer of confirmation of the sports bet by issuing to the customer an Internet betting receipt.
- (d) If the customer does not receive an Internet betting receipt in respect of a sports bet, the customer may request a receipt by telephone or in writing and the sports bookmaker shall provide confirmation of the sports bet.

- (e) If the customer receives an Internet betting receipt that does not match the sports bet confirmed by the customer, the customer may make a claim in relation to the sports bet, provided such claim is rendered to the sports bookmaker within fourteen (14) days of the date of placing of the sports bet by the customer.

### **3.5.3 Customer to keep identity verification information confidential**

The customer is responsible for ensuring that the customer's password, PIN and other pieces of personal information the sports bookmaker may use to verify the customer's identity remain confidential.

### **3.5.4 Customer responsible for transactions relating to their accounts**

The customer is responsible for transactions relating to his or her account. The sports bookmaker accepts no responsibility for disputed transactions made by the customer on his or her account.

### **3.5.5 Records of sports bet**

The records of the sports bookmaker shall be conclusive evidence of and deemed to be a true and correct record of all sports bets made via the Internet. Computer printouts and other records provided by the customer shall not be accepted as evidence of sports bets placed.

### **3.5.6 Internet betting access may be denied without notice**

The sports bookmaker may cease to provide access to a customer to the web site of the sports bookmaker to place bets via the Internet at anytime. This may be done without notice to the customer.

### **3.5.7 Customer to notify Sports Bookmaker of any changes to personal information**

The customer warrants that all information provided by him or her on the web site of the sports bookmaker shall be true and correct and that he or she will immediately notify the sports bookmaker of any change to the information previously supplied.

### **3.5.8 Customer information supplied via the web site may be used by the sports bookmaker**

The customer agrees to the use by the sports bookmaker of the information provided by the customer on the web-site for any purpose relating to the opening of an account, the activation of Internet access, the placement of sports bets by the customer, for marketing purposes or as required by law.

### **3.5.9 Web site information may change without notice**

The sports bookmaker may change the information or the format of the information on the web site of the sports bookmaker at any time without notice to the customer.

## 5 DETERMINATION OF RESULTS

Replace the heading “**5.1.3 Handicap betting (points start)**” with the heading “**5.1.3 Line betting (points start)**”.

Replace the word “handicap” wherever appearing in **Clause 5.1.3** with the word “line”.

Delete **Clause 5.1.6** and replace with the following:

### **5.1.6 Postponement of a sports betting event**

Where a sports betting event is postponed or is listed for replay and is not officially scheduled to be replayed or conducted within three (3) calendar days of the original scheduled completion date, the sports betting event shall be treated as abandoned and all sports bets shall be refunded. This clause is subject to any sports specific clauses in part 5.2 herein, where applicable.

Delete **Clause 5.1.9** (c) and replace with the following:

- (c) where the sports bet covers two or more sports betting events and one or more sports betting events is decided in the customer's favour but any remaining sports betting event is subsequently postponed and not officially scheduled to be replayed or conducted within three (3) calendar days of the original scheduled date, or any remaining sports betting event is abandoned, the revised payout shall be the amount obtained as the product of the cumulative price applicable (at the time the sports bet was made) to the sports betting events decided in the customer's favour and the original stake.

Delete **Clause 5.1.12** and replace with the following:

### **5.1.12 Scratchings where sports betting event subsequently postponed**

Where a sports bet is made on a competitor or team in a sports betting event and that competitor or team is scratched, withdrawn or disqualified from that event, and notwithstanding that event is subsequently postponed and unable to be replayed or conducted within three (3) calendar days, the bet shall stand and no refund will be payable.

## 5.2 SPORTS SPECIFIC

Delete **Clause 5.2.2.3** and replace with the following:

- 5.2.2.3** In the case of one-day cricket matches only,
- (a) If a match is shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the result is that determined by the relevant recognised governing body under the relevant competition rules.
  - (b) In the case of betting on the highest scoring batsman (across both teams)
    - The successful outcome will be the batsman scoring the most runs, regardless of whether or not all batsmen for either team have faced a ball.
    - In the case of either or both innings being shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the batsman from either team scoring the most runs across the revised number of overs provided an official result is declared.
    - Where a match is abandoned and/or no official result is declared, all bets are deemed void and are to be refunded.
  - (c) In the case of betting on the highest scoring batsman in one team's innings:
    - The successful outcome will be the batsman scoring the most runs, regardless of whether or not all batsmen for that team have faced a ball.
    - In the case of an innings shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the batsman scoring the most runs across the revised number of overs provided an official result is declared.
    - If an official result is not declared bets are deemed void and will be refunded.
  - (d) In the case of betting on the highest wicket taking bowler for one team in an innings:
    - The successful outcome will be the bowler taking the most wickets,

regardless of whether or not all the opposing team's wickets have fallen.

- Unless at least one wicket is taken by a bowler during the relevant innings all bets are deemed void and are to be refunded.
  - In the case of an innings shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the bowler taking the most wickets across the revised number of overs provided an official result is declared.
  - If an official result is not declared bets are deemed void and will be refunded.
- (e) In the case of betting on the highest wicket taking bowler across both teams in a one day match:
- The successful outcome will be the bowler taking the most wickets, regardless of whether or not all wickets for either or both teams have fallen.
  - Unless at least one wicket is taken by a bowler during the match all bets are deemed void and are to be refunded.
  - In the case of either or both innings being shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the bowler from either team taking the most wickets across the revised number of overs provided an official result is declared.
  - If an official result is not declared bets are deemed void and will be refunded.
- (f) If play is postponed to a reserve day, any bets not decided – including (but not limited to) bets on the outcome of the match and bets relating to any incomplete innings – are to be carried forward to the reserve day and determined in accordance with these rules.
- (g) In the case of betting on the total number of runs scored by a team in an innings:
- The successful outcome will be the number of runs scored in that innings regardless of whether or not the innings is shortened by the relevant recognised governing body (due to weather, poor light or any other reason).

- Where the innings is shortened by the relevant recognised governing body (due to weather, poor light or any other reason) to the extent that the match is abandoned with no official result declared, all bets are deemed void and are to be refunded.

Delete **Clause 5.2.4.4** and renumber **Clause 5.2.4.5** as **Clause 5.2.4.4**.

Delete **Clause 5.2.10.13** and replace with the following:

- 5.2.10.13** Any matter in respect to a Jockey Challenge at a race meeting or a racing carnival not provided for in this Rule shall be determined by the Chairman of Racing NSW stewards.

Insert the following after **Clause 5.2.10**:

**5.2.11 Baseball**

Where a nominated starting pitcher does not start a game, all sports bet on that game are deemed void and are to be refunded unless agreed otherwise by the sports bookmaker and the customer at the time of placing the sports bet.

## **6 MISCELLANEOUS**

Delete **Clause 6.2** and replace with the following:

**6.2 DISCLAIMER**

A sports bookmaker is not, except as otherwise expressly and specifically provided in these rules or required by law, liable to any person (including without limitation for any loss or damage suffered or claimed to have been suffered by a person) as a result of, or in any way arising out of or as a consequence of any of the following:

- a) Inability to place or cancel a sports bet on any sports betting event or form of betting on a sports betting event.
- b) Inability to place or cancel a sports bet on a particular outcome or contingency on any sports betting event or form of betting on a sports betting event.
- c) The loss of a sports betting ticket.
- d) Any payment made to the bearer of a ticket where a customer alleges that such payment was made to the wrong person.

- e) Reliance upon any omission, inaccurate information or statement whether made by employees of the sports bookmaker, or by the electronic or print media, concerning any matter whatsoever relating to the customer or to the sports bookmaker or to any event, competitor, withdrawal or other matter whatsoever.
- f) Any decision of the recognised governing body of the sport or any referee or other official appointed to administer, supervise, referee or control a sports betting event (including without limitation any decision to impose, or not to impose, penalties or sanctions and the nature and extent of any such sanctions).
- g) Any subsequent change to the result of a sports betting event after a result has been declared by the recognised governing body of that sport in accordance with clause 5.1.11.
- h) Unauthorised use of the customers account.
- i) In the case of a cash sports bet, failure by the customer to correct inaccurate or omitted sports bet details recorded on a ticket immediately upon issue of the ticket.
- j) In the case of a telephone sports bet, failure by a customer to correct inaccurate or omitted sports bet details when such details are called back to the customer by the sports bookmaker.
- k) In case of an Internet sports bet, where the customer has confirmed the sports bet request in accordance with Rule 3.5.1 (b).
- l) In the case of an Internet sports bet, use of, participation in or inability to obtain access to the web-site for the purpose of making a sports bet.
- m) In the case of an Internet sports bet, any loss or damage caused in the event that the computer of the customer becomes infected with a virus as a result of connecting to the web site of the sports bookmaker or by any technology failure whatsoever.
- n) Access by the customer to web sites of any person via links from the web site of the sports bookmaker.
- o) Any prices quoted by any source other than authorised staff of the sports bookmaker or any quoted prices which are no longer valid for betting purposes.
- p) The failure, exclusion or refusal of any competitor, team or member of a team to start or complete a sports betting event.
- q) The refusal or inability of the sports bookmaker, or authorised staff of the sports bookmaker to accept all or part of a sports bet or to accept a sports bet on a particular outcome or contingency on any sports betting event or form of betting on a sports betting event.

- r) The exercise by the sports bookmaker of any discretion conferred on the sports bookmaker under these Rules or the manner in which that discretion is exercised either generally or in particular circumstances.

Replace the heading **6.2 LOST OR DESTROYED TICKETS** with the heading **6.3 LOST OR DESTROYED TICKETS**.

Delete **Clause 7.3.5** and replace with the following:

**7.3.5 Contact point for Sports Betting Disputes Panel**

References to the Sports Betting Disputes Panel shall be directed to the secretary of the panel, by contacting:

Secretary  
Sports Betting Disputes Panel  
Racing Division  
Office of Liquor, Gaming and Racing  
GPO Box 7060  
SYDNEY NSW 2001

Telephone: (02) 9995 0487  
Facsimile: (02) 9995 0466  
Email: racing@dgr.nsw.gov.au

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**TOTALIZATOR ACT 1997 (NEW SOUTH WALES)  
TAB LIMITED SPORTS BETTING RULES**

In accordance with the provisions of section 54 of the Totalizator Act 1997, the Minister for Gaming and Racing has approved of the following amendments to TAB Limited Sports Betting Rules:

Replace the words “**SportsTAB**” with “**TAB Sportsbet**” wherever occurring throughout the Rules.

Replace the word “branch” with “outlet” wherever occurring throughout the Rules.

### **1 PRELIMINARY**

In Clause **1.5** and Clause **1.6** replace the word “PhoneTAB” with “Account Management or Customer Service”.

Renumber **Clause 1.8** as **Clause 1.9**

Insert the following new **Clause 1.8**:

- 1.8 If the recognised Governing body of the sporting event requests the disclosure of personal information pertaining to accounts or transactions relating to bets on that sporting event, the customer shall be deemed for the purposes of the Act to have consented to TAB providing such personal information to the recognised Governing body.

### **2 DEFINITIONS**

Delete “**Dividend**” definition and replace the word “**Dividend**” with “**Payout**” wherever occurring throughout the Rules.

Delete “**Odds**” definition and replace the word “**Odds**” with “**Price**” wherever occurring throughout the Rules.

Insert in alphabetical order in Clause 2:

“**Payout**” means the amount payable including any stake on a successful sports bet.

“**Price**” – means either:

- when expressed in monetary terms, the return for an outlay of a certain monetary unit, inclusive of the unit of outlay, or
- when expressed in fractional terms, the ratio of win to stake agreed to by the relevant duly authorised TAB Sports Betting Officer and the customer at the time the sports bet is made.

“**Proposition**” means a result or combination of results on offer which may occur in any event upon which TAB Sportsbet operates.

### 3 TRANSACTIONS

Insert the following after Clause 3.1.9:

#### 3.1.10 Price setting by authorised employees and agents

TAB may delegate to its duly authorised employees or agents its power in respect to the setting of prices, acceptance or refusal of individuals bets and the recording of such bets and as to such other matters as TAB may from time to time determine.

#### 3.1.11 Postponement of Payments of Payouts

TAB shall at all times retain the right to postpone the payment of payouts for reasons including verification of results, system hardware or software malfunction, or in circumstances where fraudulent activity is suspected.

Delete Clause 3.2.3 (c) and replace with the following:

- (c) The eligible payout due upon redemption of the sports betting ticket should the selected competitor be declared a winner by TAB.

In Clause 3.4.1 delete the sentence “ A customer who establishes a betting account shall be notified by TAB of the code allocated to the account”.

Insert the following after Clause after 3.5:

### 3.6 INTERNET BETTING

#### 3.6.1 Customer to confirm sport bet details

TAB may accept a sports bet over the Internet provided the customer complies with the following:

- (a) A customer shall satisfy himself or herself that all details recorded on the Internet betting confirmation screen, including but not limited to the details in the sports bet request, are correct.
- (b) A customer shall confirm the sports bet request contained in the Internet betting confirmation screen by selecting the appropriate button on that screen.

### **3.6.2 Confirmation of sports bet**

- (a) Upon confirmation of the sports bet by the customer in accordance with clause 3.6.1(b), the customer may not cancel, amend or replace the sports bet.
- (b) The sports bet contained in the request shall be accepted and confirmed by TAB upon allocation by TAB of a ticket serial number to the sports bet.
- (c) TAB will take all reasonable endeavours to notify the customer of confirmation of the sports bet by issuing to the customer an Internet betting receipt.
- (d) If the customer does not receive an Internet betting receipt in respect of a sports bet, the customer may request a receipt by telephone or in writing and TAB shall provide confirmation of the sports bet.
- (e) If the customer receives an Internet betting receipt that does not match the sports bet confirmed by the customer, the customer may make a claim in relation to the sports bet, provided such claim is rendered to TAB within fourteen (14) days of the date of placing of the sports bet by the customer.

### **3.6.3 Customer to keep identity verification information confidential.**

The customer is responsible for ensuring that the customer's password, PIN and other pieces of personal information TAB may use to verify the customer's identity remain confidential.

### **3.6.4 Customer responsible for transactions relating to their accounts**

The customer is responsible for transactions relating to his or her account. TAB accepts no responsibility for disputed transactions made by the customer on his or her account.

### **3.6.5 Records of sports bets**

The records of TAB shall be conclusive evidence of and deemed to be a true and correct record of all sports bets made via the Internet. Computer printouts and other records provided by the customer shall not be accepted as evidence of sports bets placed.

### **3.6.6 Internet betting access may be denied without notice**

TAB may cease to provide access to a customer to its web site to place bets via the Internet at anytime. This may be done without notice to the customer.

### **3.6.7 Customer to notify TAB of changes to personal information**

The customer warrants that all information provided by him or her on the TAB's web site shall be true and correct and that he or she will immediately notify TAB of any change to the information previously supplied.

### **3.6.8 Customer information supplied via the web site may be used by TAB**

The customer agrees to the use by TAB of the information provided by the customer on the web site for any purpose relating to the opening of an account, the activation of Internet access, the placement of sports bets by the customer, for marketing purposes or as required by law.

### **3.6.9 Web site information may change without notice**

TAB may change the information or the format of the information on the its web site at any time without notice to the customer.

## **5 DETERMINATION OF RESULTS**

Replace the heading "**5.1.3 Points start (Handicap betting)**" with the heading "**5.1.3 Line betting (Points start)**".

Replace the word "handicap" wherever occurring in Clause 5.1.3 with the word "line".

Delete Clause **5.1.6** and replace with the following:

### **5.1.6 Postponement of a sports betting event**

Where a sports betting event is postponed or is listed for replay and is not officially scheduled to be replayed or conducted within three (3) calendar days of the original scheduled completion date, the sports betting event shall be treated as abandoned and all sports bets shall be refunded. This clause is subject to any sports specific clauses in part 5.2 herein, where applicable.

Delete Clause **5.1.9** (c) and replace with the following:

- (c) where the sports bet covers two or more sports betting events and one or more sports betting events is decided in the customer's favour but any remaining sports betting event is subsequently postponed and not officially scheduled to be replayed or conducted within three (3) calendar days of the original scheduled date, or any remaining sports betting event is abandoned, the revised payout shall be the amount obtained as the product of the cumulative price applicable (at the time the sports bet was made) to the sports betting events decided in the customer's favour and the original stake.

## 5.2 SPORTS SPECIFIC

Delete Cause 5.2.2.3 and replace with the following:

**5.2.2.3** In the case of one-day cricket matches only,

(a) If a match is shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the result is that determined by the relevant recognised governing body under the relevant competition rules.

(b) In the case of betting on the highest scoring batsman (across both teams):

- The successful outcome will be the batsman scoring the most runs, regardless of whether or not all batsmen for either team have faced a ball.
- In the case of either or both innings being shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the batsman from either team scoring the most runs across the revised number of overs provided an official result is declared.
- Where the match is abandoned and/or no official result is declared, all bets are deemed void and are to be refunded.

(c) In the case of highest scoring batsman in one team's innings:

- The successful outcome will be the batsman scoring the most runs, regardless of whether or not all batsmen for that team have faced a ball.
- In the case of an innings shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the batsman scoring the most runs across the revised number of overs provided an official result is declared.
- If an official result is not declared bets are deemed void and will be refunded.

- (d) In the case of betting on the highest wicket taking bowler for one team in an innings:
- The successful outcome will be the bowler taking the most wickets, regardless of whether or not all the opposing team's wickets have fallen.
  - Unless at least one wicket is taken by a bowler during the relevant innings all bets are deemed void and are to be refunded.
  - In the case of an innings shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the bowler taking the most wickets across the revised number of overs provided an official result is declared.
  - If an official result is not declared bets are deemed void and will be refunded.
- (e) In the case of betting on the highest wicket taking bowler across both teams in a one day match:
- The successful outcome will be the bowler taking the most wickets, regardless of whether or not all wickets for either or both teams have fallen.
  - Unless at least one wicket is taken by a bowler during the match all bets are deemed void and are to be refunded.
  - In the case of either or both innings being shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the bowler from either team taking the most wickets across the revised number of overs provided an official result is declared.
  - If an official result is not declared bets are deemed void and will be refunded.
- (f) If play is postponed to a reserve day, any bets not decided – including (but not limited to) bets on the outcome of the match and bets relating to any incomplete innings – are to be carried forward to the reserve day and determined in accordance with these rules.

(g) In the case of betting on the total number of runs scored by a team in an innings:

- The successful outcome will be the number of runs scored in that innings regardless of whether or not the innings is shortened by the relevant recognised governing body (due to weather, poor light or any other reason).
- Where the innings is shortened by the relevant recognised governing body (due to weather, poor light or any other reason) to the extent that the match is abandoned with no official result declared, all bets are deemed void and are to be refunded.

Delete **Clause 5.2.4.4** and renumber **Clause 5.2.4.5** as **5.2.4.4**

Delete **Clause 5.2.10.12** and replace with the following:

**5.2.10.12** Any matter in respect to a Jockey Challenge at a race meeting or a racing carnival not provided for in these Rules shall be determined by the Chairman of Racing NSW stewards.

Insert the following after **Clause 5.2.10**:

**5.2.11 Baseball**

Where a nominated starting pitcher does not start a game, all sports bets on that game are deemed void and are to be refunded unless agreed otherwise by TAB and the customer at the time of placing the sports bet.

## **6 MISCELLANEOUS**

Delete **Clause 6.2** and replace with the following:

**6.2 DISCLAIMER**

TAB is not, except as otherwise expressly and specifically provided in these rules or required by law, liable to any person (including without limitation for any loss or damage suffered or claimed to have been suffered by a person) as a result of, or in any way arising out of or as a consequence of any of the following:

- a) Inability to place or cancel a sports bet on any sports betting event or form of betting on a sports betting event.
- b) Inability to place or cancel a sports bet on a particular outcome or contingency on any sports betting event or form of betting on a sports betting event.
- c) The loss of a sports betting ticket.

- d) Any payment made to the bearer of a ticket where a customer alleges that such payment was made to the wrong person.
- e) Reliance upon any omission, inaccurate information or statement whether made by any TAB employee or agent, or by the electronic or print media, concerning any matter whatsoever relating to the customer or to TAB or to any event, competitor, withdrawal or other matter whatsoever.
- f) Any decision of the recognised governing body of the sport or any referee or other official appointed to administer, supervise, referee or control a sports betting event (including without limitation any decision to impose, or not to impose, penalties or sanctions and the nature and extent of any such sanctions).
- g) Any subsequent change to the result of a sports betting event after a result has been declared by the recognised governing body of that sport in accordance with clause 5.1.11.
- h) Unauthorised use of the customer's betting account.
- i) In the case of a cash sports bet at a cash outlet, failure by the customer to correct inaccurate or omitted sports bet details recorded on a ticket immediately upon issue of the ticket.
- j) In the case of a telephone sports bet, failure by a customer to correct inaccurate or omitted sports bet details when such details are called back to the customer by TAB.
- k) In the case of an Internet sports bet, where the customer has confirmed the sports bet request in accordance with Rule 3.6.1 (b).
- l) In the case of an Internet sports bet, use of, participation in or inability to obtain access to the web site for the purpose of making a sports bet.
- m) In the case of an Internet sports bet, any loss or damage caused in the event that the computer of the customer becomes infected with a virus as a result of connecting to TAB's web site or by any technology failure whatsoever.
- n) Access by the customer to web sites of any person via links from TAB's web site.
- o) Any prices quoted by any source other than authorised staff of TAB or any quoted prices which are no longer valid for betting purposes.
- p) The failure, exclusion or refusal of any competitor, team or member of a team to start or complete a sports betting event.



- q) The refusal or inability of TAB, its agents or assigns to accept all or part of a sports bet or to accept sports bets on a particular outcome or contingency on any sports betting event or form of betting on a sports betting event.
- r) The exercise by TAB of any discretion conferred on TAB under these Rules or the manner in which that discretion is exercised either generally or in particular circumstances.

Delete Clause **6.3**

Delete Clause **7 DISPUTES** and replace with new Clause **7**

## **7 CLAIMS AND DISPUTES**

### **7.1 Lost destroyed, mutilated or stolen sports betting ticket claims**

#### **7.1.1 Lodgement of claims**

Claims for lost, destroyed, mutilated or stolen sports betting tickets shall be lodged within 14 days of the completion of the sports betting event upon which the sports bet was made. Claims may be lodged at any TAB outlet and not necessarily the TAB outlet at which the sports betting ticket was purchased.

#### **7.1.2 Claim administration fees**

TAB may charge an administration fee, as notified by TAB from time to time, on all claims for lost, destroyed, mutilated or stolen sports betting tickets.

#### **7.1.3 Need for statutory declarations**

A statutory declaration in such form and containing such information as TAB may require shall accompany each claim.

#### **7.1.4 Stolen ticket claims**

A claim for a stolen sports betting ticket prior to the sports betting ticket becoming payout bearing will not be accepted without the claimant's prior report of the theft to the police.

#### **7.1.5 Claims lodged prior to the completion of the events**

Unless the sports betting ticket stake value exceeds \$100 (one hundred dollars), claims will not be accepted prior to the completion of the respective sports betting event and the sports betting ticket becoming eligible for payout.

### **7.1.6 Acknowledgement of claim being received**

The claimant will be issued with written acknowledgement of their claim within 21 days of their claim being received by TAB's Head Office Account Management or Customer Relations section.

### **7.1.7 Time frame for claims**

Claims will not be accepted after 14 days from the completion of the sports betting event, unless the claimant can provide a valid reason for the delay in lodging the claim.

### **7.1.8 Delays to payout pending the outcome of a claim**

TAB may stop payment on the sports betting ticket pending the outcome of its investigation.

### **7.1.9 Settlement of approved claims**

Following investigation by TAB of the claim for the lost, destroyed, mutilated or stolen sports betting ticket, if TAB is satisfied that the claimant is entitled a payout or refund on the sports betting ticket then:

(a) Approved claims will be settled by way of a:

- (i) voucher payable at any TAB outlet except for amounts greater than \$500 (five hundred dollars);
- (ii) cheque in favour of the claimant; or
- (iii) deposit to the claimant's nominated betting account; and

(b) TAB will immediately record the cancellation of the sports betting ticket.

## **7.2 Telephone betting claims**

### **7.2.1 Claims concerning records of telephone sports bets**

Within 14 days after making a telephone sports bet or within such further time as TAB may allow, a customer may lodge a written claim with TAB to the effect:

- (a) that the details of the sports bet given by the customer when making the sports bets were incorrectly recorded; and
- (b) that the customer has suffered loss as a result of the error.

If, after investigating the claim, TAB is satisfied:

- (a) that the claim is justified; and
- (b) that the claim was due to the negligence or wilful default of any TAB officer, employee or agent, TAB must make any appropriate alteration to the record and must refund such amount or pay such payout to the claimant as TAB considers to be just and reasonable.

Any election by the claimant not to have the details of a sports bet repeated, as referred to in Clause 3.3.3, may be taken into account in TAB's investigation of the claim.

### **7.2.2 Claims concerning betting account statements**

Within 14 days after TAB sends a customer a statement relating to a betting account or within such further time as TAB may allow, the customer may lodge a written claim with TAB to the effect that the statement contains an error or omission.

If, after investigating a claim, TAB is satisfied that the claim is justified, TAB must make any appropriate alteration to its records and must forward a corrected statement to the claimant.

A customer is not entitled to make a claim under this clause if the basis of the claim is attributed to a claim referred to in Clause 7.2.1 of these Rules

## **7.3 GENERAL**

### **7.3.1 Information to accompany claims**

A claim under this part need not be investigated unless the claimant gives to TAB such information, and such sports betting tickets or other documents as are in the claimant's possession, as may be necessary to facilitate investigation of the claim.

### **7.3.2 Notification of claim outcome to claimant**

After investigating the claim, TAB:

- (a) must notify the claimant of its decision; and
- (b) may pay such payout or refund to the claimant as TAB considers to be just and reasonable.

### **7.3.3 Review of decisions of claims**

A customer who is dissatisfied with TAB's decision on a claim under this part may request TAB to review its decision.

TAB must deal with such a request in the same way as if it were a complaint, except that the person by whom the request is dealt with must not be:

- (a) the person by whom the original claim was dealt with; or
- (b) a person who is under the supervision of the person by whom the original claim was dealt with.

This clause does not authorise more than one request to be made in relation to any one claim.

## **7.4 ENFORCEABILITY**

### **7.4.1 Enforceability of TAB decisions**

The decision of TAB upon:

- (a) any question or dispute as to the amount of payout or refund calculated in respect of any sports betting ticket or sports bet, or
- (b) any question as to the validity of any sports betting ticket as to any forgery or alteration thereof or tampering therewith,

subject to Part 7.5, shall be final and conclusive.

## **7.5 RESOLUTION OF DISPUTES**

### **7.5.1 Sports Betting Disputes Panel**

There shall be a Sports Betting Disputes Panel, the members of which are to be appointed by the Minister.

### **7.5.2 Matters referable to the Sports Betting Disputes Panel**

In the event of:

- (a) any circumstances arising which is not provided for by the Rules or the Act, or
- (b) a dispute between TAB and a customer as to the interpretation of these Rules,

which relates to the outcome of a sports betting event, TAB or a customer may refer the matter to the Sports Betting Disputes Panel.

**7.5.3 Prior attempt at resolution**

Prior to referring any matter to the Sports Betting Disputes Panel, a customer shall endeavour to resolve the matter directly with TAB.

**7.5.4 Time frame for references to Sports Betting Disputes Panel**

References to the Sports Betting Disputes Panel shall be within twenty-eight (28) days of the date of completion of the sports betting event to which the disputed sports bet relates.

**7.5.5 Contact point for Sports Betting Disputes Panel**

References to the Sports Betting Disputes Panel shall be directed to the secretary of the panel, by contacting:

Secretary  
Sports Betting Disputes Panel  
Racing Division  
Office of Liquor, Gaming and Racing  
GPO Box 7060  
SYDNEY NSW 2001

Telephone: (02) 9995 0487  
Facsimile: (02) 9995 0466  
Email: racing@dgr.nsw.gov.au

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# TENDERS

## Department of Commerce

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

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

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

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### BAULKHAM HILLS SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

IN accordance with section 10 of the Roads Act 1993, notice is hereby given that the land described in the Schedule below is dedicated to the public as public road. D. WALKER, General Manager, Baulkham Hills Shire Council, PO Box 75, Castle Hill NSW 1765.

#### SCHEDULE

Lot 7, DP 261687, Glenrowan Avenue, Kellyville, Parish of Castle Hill, County of Cumberland. [2225]

### CESSNOCK CITY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

CESSNOCK CITY COUNCIL declares with the approval of Her Excellency the Governor, that the land described in the Schedule below excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for public road purposes. Dated at Cessnock, 11th July 2006. B. R. MORTOMORE, General Manager, Cessnock City Council, Administration Centre, 62-78 Vincent Street, Cessnock NSW 2325.

#### SCHEDULE

Lot 11, DP 1092266. [2226]

### LAKE MACQUARIE CITY COUNCIL

#### ERRATUM

THE Lake Macquarie City Council notice published in the Government Gazette No. 75, page 4346, on the 9th June 2006, Lot 36 in Deposited Plan 1017406, Lots 50 and 53 in Deposited Plan 1017175 and Lot 2 in Deposited Plan 1017178 appeared incorrectly. [2227]

### LAKE MACQUARIE CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

IN accordance with section 10 of the Roads Act 1993, Lake Macquarie City Council dedicates the land held by it and described in the Schedule below as public road. BRIAN BELL, General Manager, Lake Macquarie City Council, Administration Building, Main Road, Speers Point NSW 2284.

#### SCHEDULE

Lot 1 in Deposited Plan 1067833. [2228]

## WYONG SHIRE COUNCIL

Roads Act 1993, Part 2, Section 10

NOTICE is given pursuant to Part 2, section 10 of the Roads Act 1993, that the land in the Schedule below is hereby dedicated as Public Road. K. YATES, General Manager, PO Box 20, Wyong NSW 2259.

#### SCHEDULE

Lot 4, DP 1091487, The Corso, Gorokan. [2229]

## ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of NORMAN ALEX CREARY, late of Umina, in the State of New South Wales, retired, who died on 8th January 2006, must send particulars of his claim to the executrices, Natalie Janet Harris and Iona Louise Creary, c.o. Peninsula Law, Solicitors, 103-105 Blackwall Road, Woy Woy NSW 2256, within one (1) calendar month from publication of this notice. After that time the assets may be conveyed and distributed having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 30th May 2006. PENINSULA LAW, Solicitors, 103-105 Blackwall Road (PO Box 162), Woy Woy NSW 2256 (DX 8806, Woy Woy), tel.: (02) 4342 1111. Reference: JDT: JL:9202. [2230]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ESTHER ANNIE BANKS, late of Normanhurst, in the State of New South Wales, widow, who died on 16th April 2006, must send particulars of his/her claim to the executors, Desmond John Mowday and Colin Charles Sperring, c.o. John H. Hastings, Solicitor, Level 19, 207 Kent Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 3rd July 2006. JOHN H. HASTINGS, Solicitor, Level 19, 207 Kent Street, Sydney NSW 2000 (DX 10313, SSE), tel.: (02) 9251 2138. [2231]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of COLIN FORBES WILLIAMSON, late of 4A Cormack Street, Balgowlah, in the State of New South Wales, retired person, who died on 23rd March 2006, must send particulars of his/her claim to the executor, Ian George Reese, c.o. Piper Alderman, Solicitors, Level 23, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000, 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 17th May 2006. PIPER ALDERMAN, Solicitors, Level 23, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000 (DX 10216, SSE), tel.: (02) 9253 9999. [2232]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOHN DANTE PALISI, late of Culburra Beach, in the State of New South Wales, retired, who died on 6th November 2002, must send particulars of his claim to the executrix, Rosalind Natalina Palisi, c.o. C. P. White & Sons (Burwood), Solicitors, 15 Belmore Street, Burwood NSW 2134, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 16th June 2003. C. P. WHITE & SONS (BURWOOD), Solicitors, 15 Belmore Street, Burwood NSW 2134 (PO Box 36, Burwood 1805), (DX 8550, Burwood), tel.: (02) 9744 2198. Reference: DJM.KP.30504. [2233]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ALLAN EDWARD GLEN, late of Middle Cove, in the State of New South Wales, retired manager, who died on 31st March 2006, must send particulars of their claim to the executors, Jeffrey Allan Glen, Jennifer Nancy Watson and Sally Millington, c.o. Bennett Stewart & Shirvington, Solicitors, Level 1, 1 York Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 4th July 2006. BENNETT STEWART & SHIRVINGTON, Solicitors, Level 1, 1 York Street, Sydney NSW 2000, tel.: (02) 9247 5563. [2234]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of AGNES INES VASSALLO (also known as INES VASSALLO), late of Yowie Bay, in the State of New South Wales, widow, who died on 13th February 2006, must send particulars of his/her claim to the executors, Sidney Paul Vassallo and Irene Betty Green, c.o. KB Legals, Solicitors, Suite 401, Westfield Tower, 600 Kingsway, Miranda NSW 2228, 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 15th June 2006. KB LEGALS, Solicitors, Suite 401, Westfield Tower, 600 Kingsway, Miranda NSW 2228 (PO Box 1071, Miranda 1490), tel.: (02) 9524 3555. [2235]

### COMPANY NOTICES

NOTICE of final meeting of members.—WEST RIDING PTY LIMITED, ACN 008 422 240 (in voluntary liquidation).—Notice is hereby given pursuant to section 509 of the Corporations Law that the final meeting of members and creditors of the abovenamed company will be held at the office of Karin Margot Spiegel-Keighley at "Golden Vale", Golden Vale Road, Sutton Forest NSW 2577, on 18th August 2006, to receive the liquidator's account showing how the winding up has been conducted and the property of the company has been disposed of and to hear any explanations that may be given by the liquidator. Dated: 4th July 2006. KARIN MARGOT SPIEGEL-KEIGHLEY, Liquidator, c.o. Gillespies, Chartered Accountants, 20 Bundaroo Street (PO Box 7555), Bowral NSW 2576, tel.: (02) 4861 2205. [2236]

NOTICE of meeting of members.—GLENELLA AGGREGATES PTY LIMITED, ACN 054 355 387.—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, 103 Kendal Street, Cowra NSW 2794, on the 10th August 2006, for the purpose of laying before the meeting the liquidator's final account and report and giving any explanation thereof. Dated 9th July 2006. WILLIAM MICHAEL MURPHY, Chartered Accountant, c.o. Steel Walsh & Murphy, 103 Kendal Street (PO Box 363), Cowra NSW 2794, tel.: (02) 6342 1311. [2237]

### OTHER NOTICES

#### ANGLICAN CHURCH OF AUSTRALIA TRUST PROPERTY ACT 1917

Notice under Section 42 of the Anglican Church of Australia Trust Property Act 1917 (the 1917 Act)

Anglican Church Property Trust Diocese of Sydney

BY resolution passed on 29th May 2006, under section 14 of the 1917 Act, the Standing Committee of the Synod of the Diocese of Sydney declared the existence of a vacancy in the office of trustee of the land in folio identifier 1/1022557 known as the site of St James Anglican Church King Street by reason of the late Mr Keith Johns having died and elected Mr Timothy Edwards to fill the vacancy arising on the death of Mr Johns. P. F. JENSEN, Archbishop of Sydney, St Andrew's House, Sydney Square NSW 2000, tel.: (02) 9265 1555. [2238]

#### ANGLICAN CHURCH OF AUSTRALIA TRUST PROPERTY ACT 1917

Notice under Section 42 of the Anglican Church of Australia Trust Property Act 1917

Anglican Church Property Trust Diocese of Sydney

BY resolution passed on 29th May 2006, under section 14 of the Anglican Church of Australia Trust Property Act 1917, the Standing Committee of the Synod of the Diocese of Sydney:

- (a) declared the existence of vacancies in the office of trustee of certain parcels of land at North Parramatta being Lots 1 and 2 of DP 542762 and Lot 1 of DP 211186 the vacancies arising by reason of the Anglican Church Property Trust Diocese of Sydney having resigned as trustee, and
- (b) elected TARA Anglican School for Girls to be trustee of those parcels of land.

P. F. JENSEN, Archbishop of Sydney, St Andrew's House, Sydney Square NSW 2000, tel.: (02) 9265 1555. [2239]



**ANGLICAN CHURCH OF AUSTRALIA TRUST  
PROPERTY ACT 1917**

Notice under Section 42 of the Anglican Church of  
Australia Trust Property Act 1917

Anglican Church Property Trust Diocese of Sydney

BY resolution passed on 26th June 2006, under section 14 of the Anglican Church of Australia Trust Property Act 1917, the Standing Committee of the Synod of the Diocese of Sydney:

- (a) declared the existence of a vacancy in the office of trustee of certain parcels of land at Port Hacking and Springwood being the land contained in folio identifiers A/361390, B/361390, 8/57765, 1/240725, 2/240725 and 53/813737 the vacancy arising by reason of the Anglican Church Property Trust Diocese of Sydney having resigned as trustee, and
- (b) elected the Anglican Youth and Education Division Diocese of Sydney to be trustee of those parcels of land.

P. F. JENSEN, Archbishop of Sydney, St Andrew's House,  
Sydney Square NSW 2000, tel.: (02) 9265 1555. [2240]

**NORTHERN SYDNEY  
CENTRAL COAST  
NSW HEALTH**

“GRAYTHWAITE”

TAKE NOTICE that Northern Sydney and Central Coast Area Health Service, with the consent of the Attorney General for New South Wales has applied to the Supreme Court of New South Wales for approval for the sale of the property known as “Graythwaite”, presently the site of the Graythwaite Hospital, between Edward Street and Union Street, North Sydney.

The Graythwaite property was given to the State of New South Wales in perpetuity by its then owner, Thomas Allwright Dibbs, in 1915 for use as a convalescent home for injured soldiers and sailors and, failing that, as a convalescent home for distressed subjects of the British Empire. In that latter role Graythwaite has operated as an aged care facility since 1980.

The State of New South Wales, as trustee of the property, considers that the trust on its terms can no longer be fulfilled and, through the Area Health Service, has made an application to the Supreme Court of New South Wales for approval of a scheme whereby the proceeds of sale can be applied for a purpose as near as possible to the original purpose.

In this respect, the Area Health Service is seeking the approval of the Court for orders that, in the event the Court approves the sale of Graythwaite, the proceeds of sale be applied, as a continuing charitable trust, for the construction of a purpose built aged care rehabilitation wing at Royal North Shore Hospital.

The application brought by the Area Health Service has been listed for further directions before the Supreme Court on Thursday, 10th August 2006, at 9:30 a.m., in Court 9C, Law Courts Building, Queens Square, Sydney. Anyone claiming an interest in the trust or the proceedings brought by the Area Health Service should contact the solicitor for Northern Sydney and Central Coast Area Health Service at Teece Hodgson & Ward, Solicitors, 1 Chifley Square, Sydney NSW 2000.

Or, otherwise, should appear before the Supreme Court when this matter is listed for directions on 10th August 2006, at 9:30 a.m. Any application for leave to intervene in these proceedings should be lodged with the Court on or before Thursday, 10th August 2006.

STEPHEN CHRISTLEY,  
Chief Executive,  
Northern Sydney and Central Coast Area Health Service.

[2241]

ISSN 0155-6320

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Authorised to be printed  
ROBERT J. GALLAGHER, Government Printer.