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LEGISLATION

Transfer of the Administration of Acts

The Department of Premier and Cabinet, Sydney

5 September 2007

TRANSFER OF THE ADMINISTRATION OF THE LUNA PARK SITE ACT 1990 AND THE SYDNEY ENTERTAINMENT CENTRE ACT 1980

HIS Excellency the Lieutenant Governor, with the advice of the Executive Council, has approved the administration of the Acts as set out in the attached schedule being vested in the Ministers indicated against each Act respectively, subject to the administration of any such Act, to the extent that it directly amends another Act, being vested in the Minister administering the other Act or the relevant portion of it.

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

MORRIS IEMMA,
Premier

SCHEDULE

Minister for Planning

Crown Lands Act 1989 No 6, so far as it relates to the Luna Park Reserve (within the meaning of the Luna Park Site Act 1990) (remainder, the Minister for Sport and Recreation, jointly the Minister for Climate Change, Environment and Water and the Minister Assisting the Minister for Climate Change, Environment and Water (Environment), and the Minister for Lands)

Luna Park Site Act 1990 No 59

Sydney Entertainment Centre Act 1980 No 135

Minister for Sport and Recreation

Crown Lands Act 1989 No 6, so far as it relates to the Crown Reserve known as Parramatta Park, reserve number D500239, the Crown Reserve known as Wollongong Sportsground, reserve number D580096 for public recreation and tourist purposes, in the Parish of Wollongong, County of Camden, the Crown Reserve known as Newcastle International Sports Centre, reserve number D84753 for public recreation, in the Parish of Newcastle, County of Northumberland, and the Crown Reserve known as Newcastle Showground, reserve number D570083 for showground, in the Parish of Newcastle, County of Northumberland (remainder, the Minister for Planning, jointly the Minister for Climate Change, Environment and Water and the Minister Assisting the Minister for Climate Change, Environment and Water (Environment), and the Minister for Lands).

Minister for Lands

Crown Lands Act 1989 No 6 (except parts, jointly the Minister for Climate Change, Environment and Water and the Minister Assisting the Minister for Climate Change, Environment and Water (Environment), parts, the Minister for Planning, and parts, the Minister for Sport and Recreation).

Minister for Climate Change, Environment and Water

Crown Lands Act 1989 No 6, so far as it relates to the Crown Reserve known as Jenolan Caves Reserves, reserve number 190075 for preservation of caves, preservation of fauna, preservation of native flora and public recreation and the land dedicated for the public purpose of accommodation house D590137, in the Parishes of Jenolan, Bombah and Bouverie, Counties of Westmoreland and Georgiana, jointly with the Minister Assisting the Minister for Climate Change, Environment and Water (Environment) (remainder, the Minister for Sport and Recreation, the Minister for Planning and the Minister for Lands).

Minister Assisting the Minister for Climate Change, Environment and Water (Environment)

Crown Lands Act 1989 No 6, so far as it relates to the Crown Reserve known as Jenolan Caves Reserves, reserve number 190075 for preservation of caves, preservation of fauna, preservation of native flora and public recreation and the land dedicated for the public purpose of accommodation house D590137, in the Parishes of Jenolan, Bombah and Bouverie, Counties of Westmoreland and Georgiana, jointly with the Minister for Climate Change, Environment and Water (remainder, the Minister for Sport and Recreation, the Minister for Planning and the Minister for Lands).

Regulations



New South Wales

Banks and Bank Holidays Regulation 2007

under the

Banks and Bank Holidays Act 1912

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Banks and Bank Holidays Act 1912*.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

Explanatory note

The object of this Regulation is to provide that the public holiday of 7 September 2007 appointed to facilitate the holding of an Asia-Pacific Economic Cooperation (APEC) meeting in Sydney is taken not to be a business day for the purposes of Part 4 of the *Dust Diseases Tribunal Regulation 2007*.

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*—namely, matters of a savings or transitional nature.

This Regulation is made under the *Banks and Bank Holidays Act 1912*, including section 23 (the general regulation-making power) and Schedule 5.

Clause 1 Banks and Bank Holidays Regulation 2007

Banks and Bank Holidays Regulation 2007

under the

Banks and Bank Holidays Act 1912

1 Name of Regulation

This Regulation is the *Banks and Bank Holidays Regulation 2007*.

2 APEC public holiday taken not to be a business day

The APEC public holiday (within the meaning of Part 3 of Schedule 5 to the *Banks and Bank Holidays Act 1912*) is taken not to be a business day for the purposes of Part 4 of the *Dust Diseases Tribunal Regulation 2007*.



New South Wales

Radiation Control Amendment (Miscellaneous) Regulation 2007

under the

Radiation Control Act 1990

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Radiation Control Act 1990*.

P. C. KOPERBERG, M.P.,
Minister for Climate Change, Environment and Water

Explanatory note

The object of this Regulation is to amend the *Radiation Control Regulation 2003 (the principal Regulation)*:

- (a) to exempt dentists, dental auxiliaries and dentistry students registered under the *Dental Practice Act 2001* from the requirement to be licensed under the *Radiation Control Act 1990 (the Act)* in relation to the use for diagnostic purposes, or the sale, of extra-oral x-ray apparatus used with intra-oral image receptors, subject to specified conditions being met, and
- (b) to authorise the Minister to grant exemptions from compliance with section 6 (which provides for restrictions on the possession, use, sale or giving away of radioactive substances and certain radiation apparatus including requiring persons who possess, use, sell or give away such substances and apparatus to be licensed) and section 7 (which provides for the responsibilities of owners of sealed source devices and certain radiation apparatus including requiring them to register such devices and apparatus) of the Act in emergency situations, and
- (c) to provide for the fees payable for the grant or renewal of a licence under the Act of 1 year's duration (being \$117 and \$67, respectively) and 3 years' duration (being \$226 and \$176, respectively), and
- (d) to clarify that an employer is responsible for providing personal monitoring devices (which detect and measure radiation exposure) to relevant employees in accordance with clause 17 of the principal Regulation and to extend the circumstances in which such devices must be provided, and
- (e) to clarify that "effective doses" (as defined) are the relevant doses of radiation for the purposes of determining whether a radiation accident has occurred, and

Radiation Control Amendment (Miscellaneous) Regulation 2007

Explanatory note

- (f) to extend the current exemptions from licensing requirements under section 6 (in relation to the possession, use or sale of radioactive substances, and the use of ionising radiation apparatus) and registration requirements under section 7 (in relation to sealed source devices) and section 8 (in relation to premises on which radioactive substances not contained in a sealed source device are kept or used) of the Act.

This Regulation is made under the *Radiation Control Act 1990*, including sections 6, 11, 39 and 40 (the general regulation-making power).

Radiation Control Amendment (Miscellaneous) Regulation 2007

Clause 1

Radiation Control Amendment (Miscellaneous) Regulation 2007

under the

Radiation Control Act 1990

1 Name of Regulation

This Regulation is the *Radiation Control Amendment (Miscellaneous) Regulation 2007*.

2 Amendment of Radiation Control Regulation 2003

The *Radiation Control Regulation 2003* is amended as set out in Schedule 1.

Radiation Control Amendment (Miscellaneous) Regulation 2007

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 2)

[1] Clause 8A

Insert after clause 8:

8A Exemptions from section 6 licensing requirements for dental profession in relation to use of certain radiation apparatus

- (1) A person is exempt from the requirement to be licensed under section 6 of the Act in relation to the use for diagnostic purposes, or the sale, of extra-oral x-ray apparatus used with intra-oral image receptors if the person:
 - (a) is registered as a dentist or a dental auxiliary under the *Dental Practice Act 2001*, and
 - (b) meets all applicable requirements of the *Code of Practice for Radiation Protection in Dentistry* in relation to the use of the apparatus.
- (2) A person is exempt from the requirement to be licensed under section 6 of the Act in relation to the use for diagnostic purposes of extra-oral x-ray apparatus used with intra-oral image receptors if the person:
 - (a) is registered as a dentistry student or a dental auxiliary student under the *Dental Practice Act 2001*, and
 - (b) is subject to:
 - (i) immediate supervision at all times while the person is using the apparatus during clinical experience in the course of training, and
 - (ii) general supervision at all other times.
- (3) In this clause:

Code of Practice for Radiation Protection in Dentistry means the Code so entitled, published by the Chief Executive Officer of the Australian Radiation Protection and Nuclear Safety Agency, as in force from time to time.

general supervision means supervision by a qualified person who oversees the person being supervised and ensures that the person follows safe radiation work practices in relation to the use of the apparatus in respect of which the supervision is required.

Radiation Control Amendment (Miscellaneous) Regulation 2007

Amendments

Schedule 1

immediate supervision means supervision by a qualified person who is present at all times during, and is observing and directing, the use by the person being supervised of the apparatus in respect of which the supervision is required.

qualified person means a person who satisfies the requirements of subclause (1) (a) and (b).

[2] Clause 11B

Insert after clause 11A:

11B Exemptions by Minister in emergencies

- (1) The Minister is authorised to grant to any person or class of persons an exemption from compliance with section 6 or 7 of the Act in an emergency situation (for example, a situation resulting from a malicious act or a threatened malicious act involving radioactive sources).
- (2) An exemption:
 - (a) is effected by order made by the Minister, and
 - (b) takes effect when the order is made or on a later date specified in the order.
- (3) An order is to be published in the Gazette as soon as practicable after it is made.
- (4) An exemption may be unconditional or may be subject to conditions specified in the order.

Note. Section 39 (2) and (3) of the Act make further provision with respect to the Minister's granting of exemptions.

[3] Clause 13 Fees

Omit the matter relating to "Licence under section 6 of the Act" from the Table to the clause.

Insert instead:

Licence under section 6 of the Act	\$117 for a licence the duration of which is 1 year
	\$226 for a licence the duration of which is 3 years

Radiation Control Amendment (Miscellaneous) Regulation 2007

Schedule 1 Amendments

[4] Clause 13, Table

Omit the matter relating to “Renewal of licence under section 11 of the Act”.

Insert instead:

Renewal of licence under section 11 of the Act	\$67 for a renewed licence the duration of which is 1 year
	\$176 for a renewed licence the duration of which is 3 years

[5] Clause 17 Personal monitoring devices

Omit “ensure that” from clause 17 (1). Insert instead “provide”.

[6] Clause 17 (1)

Omit “are issued”.

[7] Clause 17 (1) (g)

Insert after clause 17 (1) (f):

- (g) servicing of ionising radiation apparatus or devices containing radioactive substances.

[8] Clause 17 (2)

Omit “issued”. Insert instead “provided”.

[9] Clause 26 Certain occurrences are taken to be radiation accidents

Omit “a dose” from clause 26 (1) (a). Insert instead “an effective dose”.

[10] Schedule 3 Exemptions from licensing

Omit item 4 of Part 1. Insert instead:

- 4 Self-shielded irradiators (that is, gamma irradiators in which the radioactive substance is completely enclosed in a dry container constructed of solid material that shields the radioactive substance)

[11] Schedule 3, Part 2

Insert after item 7:

- 8 Radioactive substances used as static eliminators and having a level of activity of less than 40 megabecquerels

Radiation Control Amendment (Miscellaneous) Regulation 2007

Amendments

Schedule 1

[12] Schedule 3, Part 3

Omit “installed in a fixed position” from item 2.

[13] Schedule 3, Part 3

Insert after item 3:

- 4 X-ray apparatus used for radiation gauging and installed in a fixed position

[14] Schedule 3A Exemptions from application of section 7 of Act

Insert after item 2:

- 3 A device that contains a sealed radioactive source used only as a laboratory reference source, having a level of activity of less than 40 megabecquerels

[15] Schedule 3B Exemptions from application of section 8 of Act

Insert after item 7:

- 8 Radioactive substances used as static eliminators and having a level of activity of less than 40 megabecquerels

Rules



New South Wales

Criminal Appeal Rules (Amendment No 1) 2007

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 30 August 2007.

Steven Jupp
Secretary of the Rule Committee

Explanatory note

The object of these Rules is to amend the *Criminal Appeal Rules* so as to require orders under the *Criminal Appeal Act 1912* to be entered, and to enable them to be set aside and varied, in ways similar to those for judgments and orders under the *Civil Procedure Act 2005*.

Rule 1 Criminal Appeal Rules (Amendment No 1) 2007

Criminal Appeal Rules (Amendment No 1) 2007

under the

Supreme Court Act 1970

1 Name of Rules

These Rules are the *Criminal Appeal Rules (Amendment No 1) 2007*.

2 Amendment of Criminal Appeal Rules

The *Criminal Appeal Rules* are amended as set out in Schedule 1.

Criminal Appeal Rules (Amendment No 1) 2007

Amendments

Schedule 1

Schedule 1 Amendments

(Rule 2)

[1] Existing heading appearing before rule 19

Omit “not to issue for 28 days”.

[2] New heading to be inserted before rule 50A

Insert the following heading before rule 50A:

Determination of appeals and applications

[3] Rule 50B

Insert after rule 50A:

50B Entry of order disposing of appeal or application

- (1) Any order of the Court is to be entered.
- (2) Unless the Court orders otherwise, an order is taken to be entered when it is recorded in the Court’s computerised record system.
- (3) If the Court orders that the Registrar enter an order by signing and sealing a minute of the order, the order is taken to be entered:
 - (a) when a document embodying the order is signed and sealed by the Registrar, or
 - (b) when the order is recorded as referred to in subrule (2), whichever first occurs.

50C Power to set aside or vary order (cf UCPR rule 36.16)

- (1) The Court may set aside or vary an order if an application for the setting aside or variation is made before entry of the order.
- (2) If an application for the setting aside or variation of an order is made within 14 days after the order is entered, the Court may determine the matter, and (if appropriate) set aside or vary the order under subrule (1), as if the order had not been entered.
- (3) Within 14 days after an order is entered, the Court may of its own motion set aside or vary the order as if the order had not been entered.
- (4) The Court may not extend the time limited by subrule (2) or (3).
- (5) Nothing in this rule affects any other power of the Court to set aside or vary an order.

Criminal Appeal Rules (Amendment No 1) 2007

Schedule 1 Amendments

[4] Rule 51 Notice of determination of appeal etc

Omit “(Forms Nos XI and XII)”.

[5] Rule 53

Omit the rule.

[6] Forms

Omit Forms Nos XI and XII.



New South Wales

Supreme Court Rules (Amendment No 412) 2007

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 30 August 2007.

Steven Jupp
Secretary of the Rule Committee

Explanatory note

On 1 January 2008, the *Uniform Civil Procedure Rules 2005* will be amended to include a new Part 51. The new Part will provide for rules of court for the Court of Appeal.

The object of these Rules is to make consequential amendments to the *Supreme Court Rules 1970*, including the repeal of the current Part 51 (Court of Appeal).

Rule 1 Supreme Court Rules (Amendment No 412) 2007

Supreme Court Rules (Amendment No 412) 2007

under the

Supreme Court Act 1970

1 Name of Rules

These Rules are the *Supreme Court Rules (Amendment No 412) 2007*.

2 Commencement

These Rules commence on 1 January 2008.

3 Amendment of Supreme Court Rules 1970

The *Supreme Court Rules 1970* are amended as set out in Schedule 1.

Supreme Court Rules (Amendment No 412) 2007

Amendments

Schedule 1

Schedule 1 Amendments

(Rule 3)

[1] Part 51 Court of Appeal

Omit the Part.

[2] Part 60, rule 1A

Omit rule 1A (1) (b). Insert instead:

- (b) subject to subrule (4), under provisions of any of the following rules of court (the *relevant rules*):
 - (i) these rules,
 - (ii) the *Supreme Court (Corporations) Rules 1999*,
 - (iii) the *Uniform Civil Procedure Rules 2005*,

[3] Part 60, rule 1A (2), (4) and (6)

Omit “the rules” wherever occurring. Insert instead “the relevant rules”.

[4] Part 61, rule 4

Omit the rule.

[5] Schedule D Powers of associate Judges

Omit “**Provision of these rules**” from Column 1 of Part 2. Insert instead:

Rules of court and provision

Supreme Court Rules 1970:

[6] Schedule D, Part 2

Omit the matter relating to Part 51.

[7] Schedule D, Part 2

Insert at the end of the Part:

Uniform Civil Procedure Rules 2005:

Part 51 Court of Appeal

Supreme Court Rules (Amendment No 412) 2007

Schedule 1 Amendments

[8] Schedule F Forms

Omit “Part 51 rules 49 and 57 and Forms 60, 60AA, 62, 62A, and 62AA (Court of Appeal),” from paragraph 3 of the Explanatory notes at the beginning of the Schedule.

[9] Schedule F, Form 16

Omit “(where Part 51 rule 20 or Part 51AA rule 13B applies add and submits to the orders of the Court, save as to costs)”.

[10] Schedule F, Forms 59–62AA1

Omit the Forms.

[11] Schedule F, Index of Forms

Omit the matter relating to Forms 59–62AA1.



New South Wales

Supreme Court (Corporations) Amendment (No 7) Rules 2007

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 30 August 2007.

Steven Jupp
Secretary of the Rule Committee

Explanatory note

The object of these Rules is to amend the *Supreme Court (Corporations) Rules 1999* to enable a company to be identified in various forms set out in those Rules by reference to its ABN (Australian Business Number). The amendments are in line with changes agreed to be implemented by New South Wales and other jurisdictions to their corporations rules.

Rule 1 Supreme Court (Corporations) Amendment (No 7) Rules 2007

Supreme Court (Corporations) Amendment (No 7) Rules 2007

under the

Supreme Court Act 1970

1 Name of Rules

These Rules are the *Supreme Court (Corporations) Amendment (No 7) Rules 2007*.

2 Amendment of Supreme Court (Corporations) Rules 1999

The *Supreme Court (Corporations) Rules 1999* are amended as set out in Schedule 1.

Supreme Court (Corporations) Amendment (No 7) Rules 2007

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Rule 1.4 Expressions used in the Corporations Act

Insert in alphabetical order in the note to the rule:

ABN (short for ‘Australian Business Number’)—see section 9

[2] Schedule 1 Forms

Omit “ACN” from Forms 1, 9–12, 15 and 16 wherever occurring.

Insert instead “ABN or ACN”.



New South Wales

Uniform Civil Procedure Rules (Amendment No 16) 2007

under the

Civil Procedure Act 2005

The Uniform Rules Committee made the following rules of court under the *Civil Procedure Act 2005* on 30 August 2007.

Jennifer Atkinson
Secretary of the Uniform Rules Committee

Explanatory note

The object of these Rules is to amend the *Uniform Civil Procedure Rules 2005* to include provisions relating to practice and procedure in the Court of Appeal.

Rule 1 Uniform Civil Procedure Rules (Amendment No 16) 2007

Uniform Civil Procedure Rules (Amendment No 16) 2007

under the

Civil Procedure Act 2005

1 Name of Rules

These Rules are the *Uniform Civil Procedure Rules (Amendment No 16) 2007*.

2 Commencement

These Rules commence on 1 January 2008.

3 Amendment of Uniform Civil Procedure Rules 2005

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

Uniform Civil Procedure Rules (Amendment No 16) 2007

Amendments

Schedule 1

Schedule 1 Amendments

(Rule 3)

[1] Part 51

Insert after Part 50:

Part 51 Court of Appeal

Division 1 Preliminary

51.1 Application of Part (cf SCR Part 51, rule 3)

- (1) This Part applies to any proceedings (whether or not appeal proceedings) that are assigned to the Court of Appeal.

Note 1. Part 50 applies to appeals to the Supreme Court that are not assigned to the Court of Appeal under the *Supreme Court Act 1970*. See rule 50.1 (a).

Note 2. References in this Part to proceedings in the Court generally are references to any proceedings in the Court (including appeal proceedings), except in so far as the context or subject-matter otherwise indicates or requires.

- (2) Subject to any relevant practice note, this Part extends to proceedings in the Court commenced before 1 January 2008.

Note. Section 14 of the *Civil Procedure Act 2005* also provides that, in relation to particular civil proceedings, a court may, by order, dispense with any requirement of rules of court if satisfied that it is appropriate to do so in the circumstances of the case.

- (3) Subject to this Part, the other provisions of these rules apply, so far as applicable, to proceedings in the Court.

- (4) For the avoidance of doubt, the rules referred to in subrule (3) have effect subject to the following modifications:

- (a) a reference to a plaintiff includes a reference to a person who commences proceedings in the Court (whether as an appellant or otherwise),
- (b) a reference to a defendant includes a reference to a respondent (or cross-respondent) in proceedings in the Court,
- (c) a reference to an originating process includes a reference to a notice of appeal or notice of cross-appeal,
- (d) such other modifications as are necessary.

Uniform Civil Procedure Rules (Amendment No 16) 2007

Schedule 1 Amendments

51.2 Interpretation (cf SCR Part 51, rule 2)

In this Part:

appeal:

- (a) includes an appeal from a decision in proceedings in the Supreme Court or a specified tribunal within the meaning of section 48 (1) (a) of the *Supreme Court Act 1970*, and
- (b) does not include proceedings to which Part 28 applies (except an appeal from a decision of the Supreme Court in proceedings to which that Part applies), and
- (c) does not include an application for the variation or discharge of an order of a Judge of Appeal or of the Registrar.

Appeal Book—see rules 51.25 and 51.26.

appeal proceedings means proceedings in the Court that are commenced by filing and serving a summons seeking leave to appeal or a notice of appeal.

appellant means:

- (a) a party that files a notice of appeal in the Court, and
- (b) any other party joined as an appellant.

applicant means:

- (a) in relation to a notice of intention to appeal, the person that files and serves the notice under this Part, or
- (b) in relation to any proceedings in the Court (other than an appeal or cross-appeal):
 - (i) a party that files originating process for the proceedings, and
 - (ii) any other party joined as an applicant.

Black Book—see rules 51.26 (1) (b) and 51.28.

Blue Book—see rules 51.26 (1) (c) and 51.29.

Combined Book—see rule 51.26 (2).

Court means the Court of Appeal.

Note. Section 13 of the *Civil Procedure Act 2005* enables the Chief Justice of the Supreme Court, by instrument in writing, to direct that any function of the Court under that Act or these rules may be exercised by such registrars or other officers of the Supreme Court, and in such circumstances and subject to such conditions, as are specified in the instrument.

court below means the court, person or body that made the decision to which a notice of intention to appeal or appeal proceedings relate.

Uniform Civil Procedure Rules (Amendment No 16) 2007

Amendments

Schedule 1

cross-appellant means a respondent in appeal proceedings who has filed a notice of cross-appeal.

decision includes a judgment, order, verdict, opinion, direction or determination.

decision below means the decision of the court below to which a notice of intention to appeal or appeal proceedings relate.

exhibit includes a document or thing marked for identification (whether or not it is admitted in evidence).

interested party means an appellant or interested respondent.

interested respondent means a respondent (other than a respondent who is a submitting party).

material date, in relation to a decision below to which a notice of intention to appeal or appeal proceedings relate, means:

- (a) in the case of a judgment given in proceedings in the Supreme Court—the date on which the judgment is given, and
- (b) in the case of any other judgment in proceedings in the Supreme Court—the date of entry, and
- (c) in the case of an order in proceedings in the Supreme Court—the date on which the order is made, and
- (d) in the case of a verdict in proceedings in the Supreme Court—the date on which the verdict is given, and
- (e) in the case of any other decision (whether in proceedings in the Supreme Court or not)—the date on which the decision is pronounced or given.

necessary party means a person required by rule 51.4 to be joined in the proceedings.

notice of intention to appeal—see rule 51.6.

Orange Book—see rules 51.26 (1) (d) and 51.30.

proper officer, in relation to a court or tribunal, means:

- (a) the registrar, or
- (b) if there is no registrar, the officer who is responsible for the custody of records and exhibits in the proceedings concerned.

prospective respondent, in relation to a notice of intention to appeal, means:

- (a) a party in the court below, and
- (b) any other person who would be required by rule 51.4 to be joined in appeal proceedings.

Uniform Civil Procedure Rules (Amendment No 16) 2007

Schedule 1 Amendments

Red Book—see rules 51.26 (1) (a) and 51.27.

Registrar means the Registrar of the Court.

Note. Section 13 of the *Civil Procedure Act 2005* enables the Chief Justice of the Supreme Court, by instrument in writing, to direct that any function of the Court under that Act or these rules may be exercised by such registrars or other officers of the Supreme Court, and in such circumstances and subject to such conditions, as are specified in the instrument.

relevant originating process means:

- (a) if leave to appeal or cross-appeal is required—a summons seeking leave to appeal or a cross-summons seeking leave to cross-appeal, or
- (b) in any other case—a notice of appeal or cross-appeal.

Reporting Services Branch means the Reporting Services Branch of the Attorney General's Department.

respondent means any party other than an appellant or applicant.

submitting party means a party that has submitted to the judgment of the Court by filing a notice of appearance under rule 6.11.

verdict includes a finding or assessment.

White Folder—see rule 51.12 (1).

51.3 Application of rules to notices of cross-appeal (cf SCR Part 51, rule 18 (3))

Subject to this Part (particularly, rule 51.17), the rules relating to a notice of appeal extend to a notice of cross-appeal with necessary modifications.

Division 2 Parties and appearances

51.4 Parties (cf SCR Part 51, rule 9)

- (1) Each person who:
 - (a) is directly affected by the relief sought, or
 - (b) is interested in maintaining the decision of the court below, must be joined as a respondent.
- (2) The court below or other decision-maker is not required to be joined as a respondent in appeal proceedings, but must be joined in other proceedings in the Court.
- (3) The Court may order the addition or removal of any party.
- (4) A person must not be made an applicant or appellant without that person's consent.

Uniform Civil Procedure Rules (Amendment No 16) 2007

Amendments

Schedule 1

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- (5) An applicant or appellant who considers that respondents need not be separately represented may notify them that objection will be taken to more than one set of costs being allowed between them.
 - (6) An applicant or appellant who considers that a respondent should file a notice of appearance under rule 6.11 and take no active part in the proceedings may notify that party that objection will be taken to any order for costs, incurred after that date, other than costs as a submitting party, being made in favour of that respondent.
 - (7) The failure by a party to give notice under subrule (5) or (6) does not limit the powers of the Court with respect to the costs of the proceedings.

51.5 No step without notice of appearance

- (1) Except by leave of the Court, a party may not take any step in proceedings in the Court (including an appearance before the Court) without entering an appearance in the proceedings.
- (2) Subrule (1) does not apply to a respondent who:
 - (a) applies for an order under rule 12.11 (Setting aside originating process etc), or
 - (b) makes an application in relation to the setting aside or enforcement of a judgment of the Court.
- (3) A person who is not a party may not take any step in the proceedings (including an appearance before the Court) unless the person has filed a notice of address for service.

Division 3 Notices of intention to appeal**51.6 Notices of intention to appeal**

A *notice of intention to appeal* is a notice that the applicant intends to file:

- (a) a notice of appeal, or
 - (b) if necessary, a summons seeking leave to appeal,
- within 3 months after the material date or such other period as the Court may order.

Uniform Civil Procedure Rules (Amendment No 16) 2007

Schedule 1 Amendments

51.7 Notices of intention to appeal cannot be served in certain cases

A notice of intention to appeal may not be filed if:

- (a) a summons seeking leave to appeal or a notice of appeal has been filed, or
- (b) an Act or statutory rule (other than these rules) specifies the period within which the appeal or an application for leave to appeal must be commenced.

51.8 Filing and service of a notice of intention to appeal (cf SCR Part 51, rules 4 (1) and (2) and 6 (1))

A notice of intention to appeal must be filed and served on each prospective respondent within 28 days after the material date.

Note. A person who files and serves a notice of intention to appeal must also file or lodge a copy of the notice with the court below—see rule 51.42.

51.9 Effect of service of notice of intention to appeal (cf SCR Part 51, rules 4 (3)–(7), 4A (2) and 6 (2) and (4))

- (1) An applicant who has filed and served a notice of intention to appeal must file and serve the relevant originating process on each necessary party:
 - (a) within 3 months after the material date, or
 - (b) within such other period as the Court may order.
- (2) An application under subrule (1) (b) may be included in the originating process.
- (3) The filing and service of a notice of intention to appeal does not operate to commence proceedings in the Court.

Division 4 Applications for leave to appeal or cross-appeal**Subdivision 1 Making applications for leave****51.10 Filing and service of summons seeking leave to appeal** (cf SCR Part 51, rule 4 (1), (3) and (5)–(7))

- (1) A summons seeking leave to appeal must be filed and served on each necessary party:
 - (a) if a notice of intention to appeal has been filed and served under this Part—within the time allowed under rule 51.9, or

Uniform Civil Procedure Rules (Amendment No 16) 2007

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(b) in any other case—within 28 days after the material date.

Note. A person who files and serves a summons seeking leave to appeal must also file or lodge a copy of the summons with the court below—see rule 51.42.

(2) The Court may extend time under subrule (1) (b) at any time.

Note. Rule 51.9 provides for the extension of time for the filing and service of a relevant originating process where a notice of intention to appeal has been filed and served under this Part.

(3) An application under subrule (2) may be included in the summons seeking leave to appeal.

51.11 Filing and service of cross-summons seeking leave to cross-appeal (cf SCR Part 51, rule 4 (2), (4) and (5)–(7))

(1) A respondent who requires leave to cross-appeal must file a cross-summons seeking leave to cross-appeal and serve it on each necessary party within:

(a) 28 days after the filing of a summons seeking leave to appeal, or

(b) 28 days after the filing of a notice of appeal,
whichever is the earlier.

Note. A person who files and serves a cross-summons seeking leave to cross-appeal must also file or lodge a copy of the cross-summons with the court below—see rule 51.42.

(2) The Court may extend time under subrule (1) at any time.

(3) An application under subrule (2) may be included in the cross-summons seeking leave to cross-appeal.

Subdivision 2 Supporting documentation

51.12 Party to file and serve White Folder with summons seeking leave
(cf SCR Part 51, rule 4B)

(1) A person seeking leave to appeal or cross-appeal (the *applicant*) must file, in triplicate, a folder (the *White Folder*) and serve that folder with the summons or cross-summons (as the case may be).

Note. Rule 10.1 (1) requires a party that files a document to serve copies on each other active party as soon as is practicable, unless the court orders otherwise.

(2) The White Folder must contain:

(a) a copy of the summons seeking leave to appeal or cross-summons seeking leave to cross-appeal (as the case may be), and

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- (b) a summary of the applicant's argument in accordance with subrule (3), and
 - (c) the reasons for judgment (if any) or the summing up (if any) in the court below, certified by or on behalf of the court below, and
 - (d) a draft notice of appeal or notice of cross-appeal (as the case may be), and
 - (e) any other documents (other than documents to be filed by the respondent) that are necessary for disposal of the application.
- (3) The summary of argument:
- (a) must not exceed 10 pages, and
 - (b) must be signed by the barrister or solicitor who prepares it or, where the applicant is not represented by a barrister or solicitor, by the applicant, and
 - (c) must have the following typed or printed in a neat and legible manner under the signature referred to in paragraph (b):
 - (i) the name of the signatory,
 - (ii) a telephone number at which the signatory can be contacted,
 - (iii) if available, the signatory's facsimile number,
 - (iv) if available, the signatory's email address.
- (4) The summary of argument must state:
- (a) the nature of the applicant's case, and
 - (b) the questions involved, and
 - (c) briefly, the applicant's argument, and
 - (d) the reasons why leave should be granted, and
 - (e) any reasons why an order for costs should not be made in favour of the respondent if the application is refused, and
 - (f) whether the applicant consents to the application for leave being dealt with in the absence of the public and without the attendance of any person, and
 - (g) whether the application should be heard with the argument on the appeal, and why, and
 - (h) a list of relevant authorities and legislation.
- (5) Each White Folder must:
- (a) be white in colour, and

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- (b) be approximately A4 in size, and
 - (c) be covered with a clearview PVC (or similar) binder capable of holding an A4 insert, and
 - (d) be 38 millimetres wide and contain 2 D rings, to hold documents, and
 - (e) contain labelled dividers separating the contents in a convenient way, including dividers to receive the respondent's documents and the applicant's reply, and
 - (f) have its pages numbered consecutively.

51.13 Opposing party to file a response (cf SCR Part 51, rule 4C)

- (1) Subject to subrule (3), a party opposing an application for leave to appeal or cross-appeal (an *opposing party*) must, within 28 days after the filing of the White Folder or the documents referred to in subrule (3), file the opposing party's response unless the opposing party is a submitting party.

Note. Rule 10.1 (1) requires a party that files a document to serve copies on each other active party as soon as is practicable, unless the court orders otherwise.

- (2) A response must:
 - (a) state that the opposing party:
 - (i) consents to the leave sought, or
 - (ii) submits to the orders of the Court, or
 - (iii) submits to the orders of the Court save as to costs, or
 - (b) state:
 - (i) briefly, the opposing party's argument, and
 - (ii) the reasons why leave should or should not be granted, and
 - (iii) whether the opposing party consents to the application for leave being dealt with in the absence of the public and without the attendance of any person, and
 - (iv) whether the application should be heard with the argument on the appeal, and why, and
 - (v) any other relevant matters, including terms to which leave should be subject and contentions concerning costs, and
 - (vi) a list of relevant authorities and legislation.

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- (3) If the opposing party applies for leave to cross-appeal, the opposing party must file with the response the following documents:
- (a) a copy of the cross-summons seeking leave to cross-appeal,
 - (b) a summary of the opposing party's argument in favour of leave to cross-appeal,
 - (c) a draft notice of cross-appeal,
 - (d) any other documents, not already filed, other than documents to be filed by the other party, that are necessary for disposal of the application for leave to cross-appeal.
- Note.** Rule 10.1 (1) requires a party that files a document to serve copies on each other active party as soon as is practicable, unless the court orders otherwise.
- (4) An opposing party wishing to raise a matter that is required to be raised by notice of contention rather than by means of a cross-appeal must file a draft notice of contention with the response.
- (5) The response, and the summary referred to in subrule (3) (if any), must:
- (a) not exceed 10 pages, and
 - (b) be signed by the barrister or solicitor who prepares it or, where the opposing party is not represented by a barrister or solicitor, by the party, and
 - (c) have the following typed or printed in a neat and legible manner under the signature referred to in paragraph (b):
 - (i) the name of the signatory,
 - (ii) a telephone number at which the signatory can be contacted,
 - (iii) if available, the signatory's facsimile number,
 - (iv) if available, the signatory's email address, and
 - (d) be hole punched for insertion in the White Folder, and
 - (e) have its pages numbered consecutively.
- (6) The summary referred to in subrule (3) must state:
- (a) the nature of the opposing party's case, and
 - (b) the questions involved, and
 - (c) briefly, the opposing party's argument, and
 - (d) the reasons why leave to cross-appeal should be granted, and

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- (e) any reasons why an order for costs should not be made in favour of the applicant for leave to appeal if the application for leave to cross-appeal is refused, and
 - (f) whether the opposing party consents to the application for leave to cross-appeal being dealt with in the absence of the public and without the attendance of any person, and
 - (g) where applicable, that, and the reasons why, it is suitable for oral argument of the cross-appeal to proceed concurrently with the leave application (the cross-appeal being subject to the granting of the application), and
 - (h) a list of relevant authorities and legislation in tabular form.
- (7) The summary referred to in subrule (3) must contain labelled dividers separating the contents in a convenient way including, if application is made for leave to cross-appeal, a divider to receive the applicant's response and the opposing party's reply.

Subdivision 3 Powers on applications for leave**51.14 Concurrent hearings in relation to leave applications**

- (1) The Court may deal with applications for the following orders in the absence of the public and without the attendance of any person:
 - (a) an order that 2 or more applications for leave to appeal or cross-appeal be heard concurrently,
 - (b) an order that an application for leave to appeal or cross-appeal be heard concurrently with the argument on the appeal or cross-appeal.

Note. Section 46 of the *Supreme Court Act 1970* provides that a single Judge of Appeal may exercise the powers of the Court to make an order or give any direction concerning the institution of an appeal or other proceedings in the Court.

- (2) If the Court makes an order under subrule (1) (b), the parties must, within 28 days (but subject to any directions given by the Court), cause any necessary additional documents to be added to the White Folder.

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51.15 Court may determine application for leave without attendance (cf SCR Part 51, rule 4D)

An application for leave to appeal or to cross-appeal may be dealt with by the Court in the absence of the public and without the attendance of any person if:

- (a) the application is not opposed, or
- (b) each active party consents.

Division 5 Appeals and cross-appeals**Subdivision 1 Institution of appeals and cross-appeals****51.16 Time for filing and service of notice of appeal** (cf SCR Part 51, rules 5 and 6 (1) and (3))

- (1) A notice of appeal must be filed and served on each necessary party:
 - (a) if the notice of appeal is filed pursuant to leave to appeal—within 7 days after leave is given or such other time as the Court may fix, or
 - (b) if a notice of intention to appeal has been filed and served under this Part and the notice of appeal is not filed pursuant to leave—as allowed under rule 51.9, or
 - (c) if a notice of intention to appeal has not been filed and served under this Part and the notice of appeal is not filed pursuant to leave to appeal—within 28 days after the material date or such other time as the Court may fix.

Note 1. Rule 51.20 requires any notice of appeal to specify a return day.

Note 2. A person who files and serves a notice of appeal must also file or lodge a copy of the notice with the court below—see rule 51.42

- (2) The Court may extend time under subrule (1) (a) or (c) at any time.

Note. Rule 51.9 provides for the extension of the time for the filing and service of a relevant originating process when a notice of intention to appeal has been filed and served under this Part.
- (3) A party applying for an extension under subrule (1) (a) or (c) must lodge and serve the draft notice of appeal with the application.

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51.17 Filing and service of notice of cross-appeal (cf SCR Part 51, rule 18)

- (1) A respondent who wishes to seek the discharge or variation of the decision below (or part of the decision below) may file and serve a notice of cross-appeal.

Note. A respondent to an appeal who is entitled to cross-appeal should file a notice of cross-appeal only if the respondent wishes to vary the decision below. If the respondent wishes to have the decision below affirmed on grounds other than those relied on by the court below, the respondent should file and serve a notice of contention as provided by rule 51.40 rather than a notice of cross-appeal. If the respondent objects to the competency of the appeal, the respondent should file and serve a notice of objection to the competency of the appeal as provided by rule 51.41.

- (2) A notice of cross-appeal must be filed and served on each necessary party:

(a) if the notice of cross-appeal is filed pursuant to leave to cross-appeal—within 7 days after leave to cross-appeal is given or such other time as the Court may fix, or

(b) in any other case—within:

(i) 14 days after the filing of a summons seeking leave to appeal or a notice of appeal, whichever is the earlier, or

(ii) such other time as the Court may fix.

Note. A person who files and serves a notice of cross-appeal must also file or lodge a copy of the notice with the court below—see rule 51.42.

- (3) The Court may extend time under subrule (2) (a) or (b) (ii) at any time.

Note. Rule 51.9 provides for the extension of the time for the filing and service of a relevant originating process when a notice of intention to appeal has been filed and served under this Part.

- (4) A party applying for an extension under subrule (2) must lodge and serve the draft notice of cross-appeal with the application.

Subdivision 2 Notices of appeal and cross-appeal

51.18 Contents of notice of appeal (cf SCR Part 51, rule 11)

A notice of appeal must state:

(a) the statutory provision under which the appeal is brought, and

(b) whether it is filed pursuant to leave, and the date leave was given, and

(c) whether the appellant has filed and served a notice of intention to appeal, and the date it was served on the

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prospective respondent or on the last of the prospective respondents, and

- (d) whether the appeal is from the whole or part only, and what part, of the decision below, and
- (e) briefly, but specifically, the grounds relied on in support of the appeal, and
- (f) what judgment, order, verdict or determination the appellant seeks, and
- (g) that, before any attendance before the Court by or on behalf of the respondent, a notice of appearance must be filed if required.

Note. Rule 51.5 (2) provides for circumstances in which a respondent need not file a notice of appearance.

51.19 How claims for reinstatement or restitution to be made in appeal or cross-appeal

An appellant or cross-appellant who seeks an order for reinstatement or restitution must include in the notice of appeal or notice of cross-appeal:

- (a) a claim for the order and the form of the order, and
- (b) where restitution is sought—any claim for interest that is at a rate other than the relevant rate set out in Schedule 5.

Note. As to the practice of the Court in awarding interest where money is ordered to be repaid by way of restitution on the setting aside of a judgment, see *Heydon v NRMA Ltd (No 2)* (2001) 53 NSWLR 600 at 609.

51.20 Notice of appeal to specify return day (cf SCR Part 51, rule 42 (1))

- (1) A notice of appeal must state a return day.
- (2) The return day may be fixed by the Court or obtained from the registry.
- (3) If a return day is obtained from the registry and the notice of appeal is to be served outside New South Wales, the return day is to be not less than one month after the date of filing of the notice of appeal.

Note. Rule 10.18 permits the service of documents (including originating process) to be effected in certain circumstances at the address for service provided for the court below.

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51.21 Alteration of return day in notice of appeal (cf SCR Part 5, rule 5A)

The Court may, by notice given to the parties by telephone or otherwise, vary the return day for a notice of appeal to a different day, and may authorise the parties' solicitors to make corresponding alterations to the copies of the notices of appeal held by them.

51.22 Absence of restrictions on appeals as of right to be shown by affidavit (cf SCR Part 51, rule 8)

- (1) This rule applies if an appeal or cross-appeal as of right is restricted by any Act by reference to:
 - (a) a specified amount or value, or
 - (b) any other specified circumstance or matter (such as a restriction based on questions of law).
- (2) The appellant or cross-appellant must, on filing the notice of appeal or cross-appeal, file and serve on each necessary party an affidavit that:
 - (a) identifies the nature of the restriction (including a reference to the provision of the Act that imposes the restriction), and
 - (b) sets out the material facts on which the appellant or cross-appellant relies to show that the restriction does not apply.

51.23 Amendment of notice of appeal (cf SCR Part 51, rule 17)

Part 19 (Amendment) applies to the amendment of a notice of appeal in the same way it applies to the amendment of a statement of claim.

Note. For example, rule 19.1 provides that a plaintiff may, without leave, amend a statement of claim once within 28 days after the date on which it was filed, but, unless the court otherwise orders, may not amend it after a date has been fixed for trial.

Subdivision 3 Appeal Books and other supporting documentation

51.24 Registrar to collect certain papers when notice of appeal filed (cf SCR Part 51, rules 30 and 30A)

- (1) On the filing of a notice of appeal, the Registrar:
 - (a) may obtain from the Reporting Services Branch the original of the transcript (if any) of the proceedings in the court below, and

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- (b) must obtain from the proper officer of the court below:
- (i) the exhibits, and
 - (ii) the list of exhibits and certificate under rule 51.43, and
 - (iii) all other relevant documents before the court below, together with a list, certified by the proper officer of the court below, and
 - (iv) the reasons for judgment (if any) or the summing up (if any) in the court below certified by or on behalf of the court below.
- (2) Unless the Appeal Book is prepared by the Registrar, the Registrar must allow the party required to prepare the Appeal Book to have custody of the documents necessary to prepare it.
- (3) The party having custody of documents pursuant to subrule (2) must return them intact to the Registrar on completion of the Red Book, at which time the Registrar must make them available to other interested parties for the purpose of preparing written submissions and chronologies.
- (4) Documents are to be made available to more than one party in accordance with an agreed schedule of access or as determined by the Registrar.
- (5) Subject to this rule, the Registrar must retain the documents obtained under subrule (1) until disposal of the appeal and then return them to the officers or persons from whom they were obtained.

51.25 Preparation of Appeal Book (cf SCR Part 51, rule 31)

- (1) Unless the Court directs otherwise, the Appeal Book must be prepared by the appellant in accordance with this rule.
- (2) It must be divided into sections in accordance with rule 51.26.
- (3) The pages in each section must be numbered consecutively and, if a section exceeds 300 pages, it must be bound in separate volumes of not more than 250 pages.
- (4) The contents must be printed, or otherwise reproduced, with a 50 millimetre margin on the right hand side of each page and evenly marked in the margin with the letters "A" to "Z".
- (5) Each section must have a title page setting out the full and correct title of the proceedings, including the following:
 - (a) title of the court below,

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- (b) names of the solicitors for each party,
 - (c) the address for service for each party,
 - (d) the telephone, telex, email address, facsimile and reference number of each party.
- (6) The index must follow, showing the page number where each document is reproduced and, in the case of exhibits, the page of the Black or Combined Book containing the transcript where the exhibit was marked.
 - (7) If a section is bound in 2 or more volumes, each volume must contain an index of the entire section, unless otherwise directed by the Court.
 - (8) This Subdivision prevails over rule 4.3 to the extent of any inconsistency.

51.26 Division of Appeal Book (cf SCR Part 51, rules 32 and 32A)

- (1) Subject to subrule (2), the Appeal Book must be divided into the following 4 sections:
 - (a) the formal section in a red cover (the **Red Book**),
 - (b) the transcript section in a black or grey cover (the **Black Book**),
 - (c) the document section in a blue cover (the **Blue Book**),
 - (d) the submissions and chronology section in an orange cover (the **Orange Book**).
- (2) If the total number of pages in the Black and Blue Books would not exceed 300, they may be combined in one book with a black or grey cover (the **Combined Book**).

51.27 Contents of Red Book (cf SCR Part 51, rule 33)

The Red Book must contain:

- (a) an index, and
- (b) the process and pleadings of every party as last amended and any relevant earlier versions, and
- (c) a sealed or certified copy of the judgment or order, and
- (d) the reasons for judgment or summing up below, and
- (e) the notice of appeal and any notice of cross-appeal and, if available, the notice of contention, and
- (f) the transcript of the application for leave to appeal or to cross-appeal, if applicable, and

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- (g) any affidavit filed pursuant to rule 51.22, and
- (h) any notice of appearance under rule 6.11 (1).

51.28 Contents of Black Book (cf SCR Part 51, rule 34)

- (1) Subject to subrules (2) and (3), the Black Book must contain:
 - (a) an index, and
 - (b) the evidence of each witness, and
 - (c) cross-examination, and
 - (d) re-examination, and
 - (e) written submissions, and
 - (f) addresses (if available), and
 - (g) the transcript of the hearing including, where the trial is with a jury, the return of the jury's verdict, and
 - (h) any written questions submitted to the jury.
- (2) The transcript, written submissions and addresses are to be included in the Black Book only to the extent that they are necessary for the hearing and determination of the proceedings.
- (3) If there is no such transcript:
 - (a) a Black Book does not have to be prepared, and
 - (b) a statement to the effect that a Black Book has not been prepared because there is no transcript is to be included in the Orange Book.

51.29 Contents of Blue Book (cf SCR Part 51, rule 35)

- (1) Subject to subrule (5), the Blue Book must contain:
 - (a) an index, and
 - (b) all documents before the court below (other than those in the Red and Black Books) relevant and necessary for the hearing and determination of the proceedings.
- (2) An index of the Blue Book must:
 - (a) in the case of affidavits or statements:
 - (i) include reference to each annexure including the first page at which it appears in the book, and
 - (ii) indicate which parts of affidavits, statements and annexures were rejected, not read, or admitted for a limited purpose, and

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- (b) in the case of exhibits:
- (i) give the date of each exhibit and indicate whether it is reproduced in the Appeal Book and the page on which it is located, and
 - (ii) refer to the exhibits in the order they have been lettered or numbered as exhibits, and
 - (iii) refer to the pages of the Black Book where the exhibits were marked, and
 - (iv) where an exhibit consists of a bundle of documents—list each document that forms part of the exhibit and the page on which it is located.
- (3) If the text of affidavits or statements is reproduced, pages or annexures not admitted in evidence must be excluded or marked to indicate their evidentiary status (as rejected, not read, or admitted for a limited purpose) unless they are relevant to a ground of appeal, cross-appeal or contention.
- (4) The following provisions apply to exhibits:
- (a) exhibits must be arranged, not in the order in which they have been lettered or numbered as exhibits, but in chronological order according to their dates or, in the case of manifestly or admittedly misdated documents, their known date,
 - (b) if a document is undated, it must be placed in the sequence contended for by the appellant, but the appellant must inform the respondent of the proposed position and the respondent may require that a “date or order disputed” be inserted in the index against the document,
 - (c) if the exhibits include correspondence that should be read consecutively and not interspersed among other documents, the correspondence must be arranged in chronological order and given a position together, at a convenient place, in relation to the other exhibits,
 - (d) if the exhibits include medical reports:
 - (i) where provided by only one doctor—they must be arranged in chronological order and given a position together, at a convenient place, in relation to the other exhibits, and
 - (ii) where provided by more than one doctor—they must be grouped together by doctor in alphabetical order by surname at a convenient place in relation to the other exhibits and chronologically for each doctor,

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- (e) any photographs and plans must be included unless irrelevant to the grounds of appeal, cross-appeal or contention, and if necessary reduced in size,
 - (f) interrogatories, answers and affidavits of documents must only be included to the extent they were put in evidence.
- (5) If there are no such documents, a Blue Book does not have to be prepared.

51.30 Contents of Orange Book (cf SCR Part 51, rule 35A)

The Orange Book must contain:

- (a) the consolidated index or, if applicable, an index of its contents, and
- (b) the appellant's submissions and chronology in their final form with references that comply with rule 51.36 (1) (b), and
- (c) the submissions and chronologies served on the appellant by other parties in their final form, and
- (d) any amended notice of appeal, notice of cross-appeal or notice of contention, in their final form, and
- (e) any statement required by rule 51.28 (3) (b).

51.31 Disputes as to contents of Appeal Book (cf SCR Part 51, rule 36)

- (1) A party who:
 - (a) objects to the inclusion of material in the Appeal Book on the ground that it is unnecessary or irrelevant, or
 - (b) asserts that further material should be included,
 must, within 7 days of service of the relevant part of the Appeal Book on the party, serve a written notice containing the party's objection or assertion on any other interested party.
- (2) The party preparing the Appeal Books may, with the consent of all other parties (other than a submitting party) add pages to, or delete pages from, the Appeal Book:
 - (a) at any time at least 14 days before the hearing of the appeal, or
 - (b) after that time, with the leave of the Court.
- (3) If an Appeal Book is amended in accordance with subrule (2), the index to the relevant section and the consolidated index are to be amended accordingly.

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- (4) A party who asserts that additional material should be included in the Appeal Book must, unless all other parties who have not submitted have agreed to the inclusion, lodge 4 copies of the additional material and serve 3 copies at least 7 days before the hearing on each other interested party.
 - (5) The additional material referred to in subrule (4) must be indexed and, if it consists of more than 30 pages, bound as a supplementary Black Book or Blue Book (as the case requires).

51.32 Filing, lodgment and service of sections of Appeal Book (cf SCR Part 51, rules 37 and 37AA)

- (1) The appellant must:
 - (a) within 6 weeks of filing the notice of appeal:
 - (i) file a copy of the Red Book, and
 - (ii) serve 3 copies on each other interested party, and
 - (b) not less than 4 weeks before the date fixed for hearing of the appeal, lodge a further 3 copies of the Red Book with the Registrar.
- (2) The appellant must, not less than 10 weeks before the date fixed for the hearing of the appeal, serve on each interested party 3 copies of each of the Blue and Black Books or, where relevant, the Combined Book.
- (3) The appellant must, not less than 4 weeks before the date fixed for the hearing of the appeal:
 - (a) file 4 copies of:
 - (i) each of the Black and Blue Books or, if relevant, the Combined Book, and
 - (ii) the Orange Book, and
 - (b) serve on each interested party 3 copies of the Orange Book.

51.33 Overriding obligation to file Orange Book (cf SCR Part 51, rule 37A)

- (1) The appellant must ensure that the Orange Book is filed in accordance with rule 51.32 (3) and, where necessary, must arrange to have the timetable prescribed by this Part varied by consent, or by direction of the Court, in order to achieve this overriding obligation.
- (2) All other parties must cooperate with the appellant to enable the appellant to comply with subrule (1).

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- (3) If any default by another party prevents, or is likely to prevent, compliance with subrule (1), the appellant must apply promptly for a directions hearing.

Subdivision 4 Written submissions and chronologies

51.34 Filing written submissions and chronologies (cf SCR Part 51, rules 44 and 44A)

- (1) In any proceedings in which a notice of appeal is filed:
- (a) each interested party must, unless otherwise directed, file written submissions in accordance with rule 51.36, and
 - (b) the appellant must file a chronology in accordance with rule 51.35.
- (2) A respondent may file an alternative or supplementary chronology.
- (3) A party may file one set of amended submissions:
- (a) if the amendment is of a minor or formal nature or inserts Appeal Book references—without leave, or
 - (b) otherwise—by leave of the Court or with the consent of all other interested parties.

51.35 Appellant's chronology (cf SCR Part 51, rule 45)

The appellant's chronology must comprise a list of the principal events leading up to the litigation and, where appropriate, events during the litigation, numbered consecutively with the date, a short description of each event, and references to the Appeal Book.

51.36 Content of written submissions (cf SCR Part 51, rules 46 and 46A)

- (1) Written submissions filed in an appeal must:
- (a) be divided into paragraphs numbered consecutively, and
 - (b) so far as practicable, refer to matter in the Appeal Book by section name, volume number (if any), page number and letter, and not extract that matter, and
 - (c) so far as practicable, not extract matter in a judicial authority, and
 - (d) be signed by the barrister or solicitor who prepares it or, where the party is not represented by a barrister or solicitor, by the party, and
 - (e) have the following typed or printed in a neat and legible manner under the signature referred to in paragraph (d):

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- (i) the name of the signatory,
 - (ii) a telephone number at which the signatory can be contacted,
 - (iii) if available, the signatory's facsimile number,
 - (iv) if available, the signatory's email address, and
 - (f) not exceed 20 pages (not counting the pages of any statement included in the submissions for the purposes of subrule (2)).
 - (2) Submissions raising substantial challenges to findings of fact must include a statement in narrative form (not exceeding 20 pages) setting out:
 - (a) the findings challenged, and
 - (b) the findings contended for and the reasons why the Court should substitute those findings, and
 - (c) supporting references to the transcript and other evidence.
 - (3) If damages for death or bodily injury are in issue:
 - (a) the appellant's written submissions must state:
 - (i) the manner in which the damages were assessed, or in the case of trial by jury, may be supposed to have been assessed, and
 - (ii) the heads of damages that are in issue in the appeal, and
 - (iii) briefly but specifically, the basis of the challenge, and
 - (iv) where applicable—the alternative assessment contended for, and
 - (b) the respondent's written submissions must state:
 - (i) the extent to which the assessment will be challenged or supported by cross-appeal or contention, and
 - (ii) any alternative assessment sought, and briefly but specifically, the basis for it.
 - (4) The written submissions must address:
 - (a) any claim for an order for reinstatement or restitution and the form of the order sought, and
 - (b) where restitution is sought with interest that is at a rate other than the relevant rate set out in Schedule 5—the rate of interest that should be applied.
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Schedule 1 Amendments

51.37 Time for filing of written submissions and chronologies (cf SCR Part 51, rules 47 and 47A)

- (1) Written submissions must be filed:
 - (a) by the appellant—within 6 weeks of the notice of appeal being filed, and
 - (b) by the respondent—within 10 weeks of the notice of appeal being filed.
- (2) Chronologies and amended written submissions must be filed:
 - (a) by the appellant—not less than 10 weeks before the hearing date, and
 - (b) by the respondent—not less than 8 weeks before the hearing date.
- (3) Compliance with subrule (1) or (2) does not dispense with compliance with rule 51.30 (b) or (c).

Note. See also rule 51.33, which contains an overriding obligation to ensure that the Orange Book is filed on time.

51.38 Service of written submissions and chronologies (cf SCR Part 51, rule 48)

A party who files a chronology or written submissions must, on the day of filing, serve 3 copies on every other interested party.

Subdivision 5 Use of material from leave applications**51.39 Court may order use of White Folder instead of preparation of Appeal Book and submissions**

The Court may:

- (a) order that a White Folder be treated as an Appeal Book or written submissions (or both), and
- (b) make such other ancillary orders as the Court thinks fit.

Subdivision 6 Notices of contention and objections to competency**51.40 Notices of contention** (cf SCR Part 51, rule 21)

A respondent who wishes to contend that the decision below should be affirmed on grounds other than those relied on by the court below, but does not seek a discharge or variation of any part of the orders of the court below:

- (a) need not file a notice of cross-appeal, and

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- (b) must, within 28 days after service on the respondent of the notice of appeal, file and serve on each interested party notice of that contention stating briefly, but specifically, the grounds relied on.

51.41 Objections to competency of appeal (cf SCR Part 51, rule 25)

- (1) A respondent who objects to the competency of an appeal must, by notice of motion filed and served on all other parties to the appeal within 28 days after service on the respondent of the notice of appeal, apply to the Court for an order dismissing the appeal as incompetent.
- (2) If the respondent fails to comply with subrule (1) and the appeal is nevertheless dismissed as incompetent:
 - (a) the respondent is not entitled to costs of the appeal unless the Court otherwise orders, and
 - (b) the Court may order the respondent to pay the appellant any costs of the appeal proving useless or unnecessary.

Division 6 Effect of applications for leave and appeals on court below

51.42 Copies of notices of intention to appeal, leave applications and summonses to be filed or lodged with court below (cf SCR Part 51, rule 14)

A person who files and serves a notice of intention to appeal or relevant originating process must:

- (a) where it relates to a decision in a Division of the Supreme Court—file a copy of it in the registry of the Division at the same time, or
- (b) in any other case:
 - (i) file a copy of it in the registry or office of the court below, or
 - (ii) lodge a copy of it with an officer of the court below concerned with its records or process.

51.43 Court below to retain exhibits if its decision is appealable (cf SCR Part 51, rule 29)

- (1) If an appeal from a decision lies to the Court, by leave or otherwise, the officer of the court below who has custody of the exhibits in the proceedings must, unless the court below orders otherwise, retain them for:
 - (a) 28 days after the material date, and

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- (b) if a notice of intention to appeal is filed or lodged—a further 3 months.
 - (2) On the filing or lodgment under rule 51.42 of a copy of a notice of appeal, the proper officer of the court below must make out and certify a list of the exhibits.
 - (3) If an exhibit is not available, the officer certifying must include such information as the officer can to enable the Registrar to obtain the exhibit.

51.44 Appeal proceedings do not operate as stay unless Court or court below directs (cf SCR Part 51, rule 15)

- (1) Subject to the filing of a relevant originating process, the Court may order that the decision below or the proceedings under the decision be stayed.
- (2) The filing of a relevant originating process does not:
 - (a) operate as a stay of proceedings under the decision below, or
 - (b) invalidate any intermediate act or proceedings.

Division 7 Proceedings other than appeal proceedings**51.45 Summons and written submissions to be filed** (cf SCR Part 51, rule 51)

- (1) Proceedings in the Court (other than appeal proceedings) must be commenced by summons.
- (2) An applicant in any such proceedings must file written submissions with the summons in accordance with subrule (3).
- (3) The written submissions must:
 - (a) not exceed 20 pages, and
 - (b) state the jurisdictional basis for the proceedings (whether legislative or at general law), and
 - (c) state the grounds on which relief is sought and, briefly, the applicant's argument in support of those grounds, and
 - (d) be signed by the barrister or solicitor who prepares the submissions or, where the party is not represented by a barrister or solicitor, by the party, and
 - (e) have the following typed or printed in a neat and legible manner under the signature referred to in paragraph (d):
 - (i) the name of the signatory,

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- (ii) a telephone number at which the signatory can be contacted,
 - (iii) if available, the signatory's facsimile number,
 - (iv) if available, the signatory's email address.

Division 8 Miscellaneous

Subdivision 1 Offers of compromise

51.46 Interpretation

In this Subdivision:

initiating party means an applicant, appellant or cross-appellant (as the case may be).

opposite party means a prospective respondent, respondent or cross-respondent (as the case may be).

party means an initiating party or opposite party.

proceedings in the Court includes a notice of intention to appeal that has been filed even if proceedings in the Court have not been formally commenced.

51.47 Making of offers of compromise

- (1) In any proceedings in the Court, any party may, by notice in writing, make an offer to any other party to compromise any claim in the proceedings, in whole or in part, on specified terms.
- (2) The provisions of Division 4 (Compromise) of Part 20 apply to any offer of compromise made under subrule (1), subject to the following modifications:
 - (a) a reference to a court is a reference to the Court,
 - (b) a reference to proceedings is a reference to proceedings in the Court,
 - (c) a reference to a plaintiff is a reference to an initiating party in the Court,
 - (d) a reference to a defendant is a reference to an opposite party in the Court,
 - (e) a reference to a trial is a reference to a hearing in the Court that is not limited to questions of practice or procedure,
 - (f) a reference to a verdict for the defendant is a reference to a judgment for the opposite party,
 - (g) a reference to the period for acceptance for an offer is a reference to the period until:

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- (i) the expiration of the time limited by the offer or otherwise 28 days, or
 - (ii) the time when the Court begins to give its decision or reasons for decision, whichever is the earlier, on a judgment (except an interlocutory judgment), whichever first occurs,
 - (h) such other modifications as are necessary.

51.48 Application of Division 3 of Part 42 to offers of compromise made in proceedings in Court

- (1) If an offer of compromise is made under rule 51.47, Division 3 of Part 42 applies, subject to subrule (2), rule 51.49 and the following modifications:
 - (a) rule 42.13 is to be read as if it provided that the Division applies where an offer of compromise (the *offer concerned*) is made as provided by rule 51.47 with respect to a plaintiff's claim (the *claim concerned*),
 - (b) a reference to a court is a reference to the Court,
 - (c) a reference to proceedings is a reference to proceedings in the Court,
 - (d) in the case of appeal proceedings:
 - (i) a reference to the plaintiff is a reference to the party who was a plaintiff in the court below, and
 - (ii) a reference to the defendant is a reference to the party who was a defendant in the court below,
 - (e) in the case of proceedings in the Court other than appeal proceedings:
 - (i) a reference to the plaintiff is a reference to the applicant, and
 - (ii) a reference to the defendant is a reference to the respondent,
 - (f) a reference to a trial is a reference to a hearing in the Court that is not limited to questions of practice or procedure,
 - (g) a reference to a verdict for the defendant is a reference to a judgment for the defendant,
 - (h) such other modifications as are necessary.
- (2) If the judgment does not permit the Court to determine whether a provision of Division 3 of Part 42 applies to an offer of compromise under rule 51.47 (for example, because the Court has ordered a retrial or remittal for assessment of damages):

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- (a) an order for costs must disregard the offer, and
 - (b) where the Court has ordered a retrial or remittal for assessment of damages:
 - (i) if the offer was made by the plaintiff below—the court below may make a further or different order under rule 42.14 with respect to the plaintiff's costs in the Court, or
 - (ii) if the offer was made by the defendant below—the Court may stay its order with respect to costs from the relevant date under rule 42.15 (2) (b) or rule 42.15A (2) (b) (as appropriate) and the court below may make a further or different order, or lift the stay, as appropriate.

51.49 Relevance of offers of compromise made in proceedings in court below

The Court may have regard to any offer of compromise made (whether under these rules or otherwise) in the court below.

Subdivision 2 Powers of Court**51.50 Security for costs** (cf SCR Part 51, rule 16)

- (1) In special circumstances, the Court may order that such security as the Court thinks fit be given for costs of an appeal.
- (2) Subject to subrules (1) and (3), no security for costs of an appeal is to be required.
- (3) Subrules (1) and (2) do not affect the powers of the Court under rule 42.21 (which relates to security for costs).

51.51 Additional evidence (cf SCR Part 51, rule 19)

- (1) This rule applies to an application to receive additional evidence.
- (2) The application must be made by motion returnable on the return day or, with leave of the Court, on a later day.
Note. Part 18 makes provision with respect to motions and notices of motion.
- (3) The grounds must be stated in an affidavit.
- (4) Evidence necessary to establish the grounds of the application, and the evidence the applicant wants the Court to receive, must be given by affidavit.
- (5) The evidence of any party in response must be given by affidavit filed within the time directed by the Court.

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- (6) A party must, not later than the time limited for filing an affidavit under this rule:
- (a) file as many copies of the affidavit as the Court may direct, and
 - (b) serve 3 copies of the affidavit on each other interested party.

51.52 Powers of Court on appeal not limited by certain procedural matters (cf SCR Part 51, rule 22)

- (1) The Court may exercise its powers under the *Civil Procedure Act 2005*, the *Supreme Court Act 1970* and these rules even if:
- (a) there is no appeal from some part of the decision below, or
 - (b) a party to the proceedings below has not appealed, or
 - (c) a ground for allowing or dismissing the appeal or varying the decision is not included in any notice of appeal, notice of cross-appeal or notice of contention, or
 - (d) there has been no appeal from some other decision in the proceedings.
- (2) If a person was not a party to the proceedings in which the decision below was given, but is served with a notice of appeal pursuant to a direction of the Court, the Court may give such decision as might have been given in the court below if the person served had been a party below.
- (3) The Court may, on terms, make any order to ensure the determination on the merits of the real question in controversy.
- (4) The Court may make any order that it might make on an application for a new trial or for the setting aside of a verdict or judgment.
- (5) This rule applies subject to any Act.

51.53 Circumstances in which Court may order new trial (cf SCR Part 51, rule 23)

- (1) The Court must not order a new trial on any of the following grounds:
- (a) misdirection, non-direction or other error of law,
 - (b) improper admission or rejection of evidence,
 - (c) that the verdict of the jury below was not taken on a question that the trial judge was not asked to leave to the jury,
 - (d) on any other ground,

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unless it appears to the Court that some substantial wrong or miscarriage has been thereby occasioned.

- (2) The Court may order a new trial on any question without interfering with the decision on any other question.
- (3) If it appears to the Court that some ground for a new trial affects part only of the matter in controversy, or one or some only of the parties, the Court may order a new trial as to that part only, or as to that party or those parties only.
- (4) If the Court makes an order under subrule (2) or (3), it may give such judgment or make such order as the nature of the case requires for the disposal of the remainder of the appeal.
- (5) If the Court orders a new trial, the Court may:
 - (a) impose conditions on any party for the purposes of the new trial, and
 - (b) direct admissions to be made by any party for the purpose of the new trial, and
 - (c) order that the testimony of any witness examined at the former trial may be read from the transcript, instead of the witness being again examined.

51.54 Reinstatement and restitution (cf SCR Part 51, rule 26)

If any step has been taken for the enforcement of a judgment or order that the Court varies or sets aside, the Court may make such orders for reinstatement or restitution as it thinks fit.

Note. Rule 51.19 provides for how claims for an order for reinstatement or restitution are to be made in appeals and cross-appeals.

51.55 Short reasons for decision (cf SCR Part 51, rule 59)

The Court may, when dismissing an appeal, exercise its power under section 45 (4) of the *Supreme Court Act 1970* to give reasons for its decision in short form.

Subdivision 3 Discontinuances**51.56 Discontinuance of proceedings in Court** (cf SCR Part 51, rules 4A and 6 (5) and (6))

- (1) An appellant may discontinue an appeal by filing a notice of discontinuance and serving it on each respondent who has been served with the notice of appeal.
- (2) The discontinuance of an appeal does not affect any cross-appeal.

Uniform Civil Procedure Rules (Amendment No 16) 2007

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- (3) An application for leave to cross-appeal to the Court is taken to be discontinued when an application for leave to appeal to the Court is discontinued, but only if the party who made the application for leave to cross-appeal has not been served with a notice of appeal in the proceedings.
 - (4) An application for leave to cross-appeal that is taken to be discontinued may be reinstated on application made within 21 days.
 - (5) An application for leave to cross-appeal to the Court is not affected by the discontinuance of any application for leave to appeal to the Court if a notice of appeal has been filed in the proceedings and served on the party who made the application for leave to cross-appeal.
 - (6) This rule does not limit the operation of rule 12.1 in relation to proceedings in the Court.
Note. Rules 12.1, 12.3, 12.4 and 42.19 apply, with necessary modifications, in relation to proceedings in the Court. See rule 51.1 (3) and (4).

Subdivision 4 Other**51.57 Hearing in fixed vacation** (cf SCR Part 51, rule 52)

- (1) An application for an order that an appeal or other proceedings be heard during the fixed vacation must, unless the Court otherwise orders, be accompanied by:
 - (a) an affidavit showing the grounds on which the application is based, and
 - (b) a draft order.**Note.** Rule 18.1 requires an interlocutory or other application to a court to be made by motion unless the rules otherwise provide.
- (2) The application may be dealt with by the Court in the absence of the public and without the attendance of any person.

51.58 Review of order of Judge of Appeal (cf SCR Part 51, rule 56)

An application to the Court for the variation or discharge of an order of a Judge of Appeal must be made on notice of motion filed:

- (a) within 14 days after the date on which the order is made, or
- (b) within such extended time as the Court may fix.

Uniform Civil Procedure Rules (Amendment No 16) 2007

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51.59 Review of decisions of Registrar (cf SCR Part 61, rule 4)

- (1) A Judge of Appeal may exercise the powers of the Court under Part 49 to review a decision of the Registrar.
- (2) This rule does not limit the powers of the Court to review decisions of the Registrar under Part 49.

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

Omit the matter relating to Part 51 (Court of Appeal) of the *Supreme Court Rules 1970*.



New South Wales

Uniform Civil Procedure Rules (Amendment No 15) 2007

under the

Civil Procedure Act 2005

The Uniform Rules Committee made the following rules of court under the *Civil Procedure Act 2005* on 30 August 2007.

Jennifer Atkinson
Secretary of the Rule Committee

Explanatory note

The object of these Rules is to amend the *Uniform Civil Procedure Rules 2005* in relation to representative proceedings, the variation and revocation of judgments and orders and the review of directions, certificates, orders, decisions and other acts of court registrars.

Rule 1 Uniform Civil Procedure Rules (Amendment No 15) 2007

Uniform Civil Procedure Rules (Amendment No 15) 2007

under the

Civil Procedure Act 2005

1 Name of Rules

These Rules are the *Uniform Civil Procedure Rules (Amendment No 15) 2007*.

2 Amendment of Uniform Civil Procedure Rules 2005

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

Uniform Civil Procedure Rules (Amendment No 15) 2007

Amendments

Schedule 1

Schedule 1 Amendments

(Rule 2)

[1] Rule 1.12 Extension and abridgment of time

Omit “The court” from rule 1.12 (1).

Insert instead “Subject to these rules, the court”.

[2] Rule 7.5 Judgments and orders in proceedings bind represented persons

Omit “has, by an order under rule 7.4, been appointed to represent” from rule 7.4 (1).

Insert instead “has, pursuant to rule 7.4, represented”.

[3] Rule 7.11 Executors, administrators and trustees

Omit “an order has been made under rule 7.4 appointing one or more of them to represent the others” from rule 7.11 (1).

Insert instead “one or more of them has represented the others pursuant to rule 7.4”.

[4] Rule 36.16 Further power to set aside or vary judgment or order

Omit “its power under subrules (1) and (2), the court may set aside or vary any order (whether or not part of a judgment)” from rule 36.16 (3).

Insert instead “its powers under subrules (1) and (2), the court may set aside or vary any judgment or order”.

[5] Rule 36.16 (3A)–(3C)

Insert after rule 36.16 (3):

- (3A) If notice of motion for the setting aside or variation of a judgment or order is filed within 14 days after the judgment or order is entered, the court may determine the matter, and (if appropriate) set aside or vary the judgment or order under subrule (1), as if the judgment or order had not been entered.
- (3B) Within 14 days after a judgment or order is entered, the court may of its own motion set aside or vary the judgment or order as if the judgment or order had not been entered.
- (3C) Despite rule 1.12, the court may not extend the time limited by subrule (3A) or (3B).

Uniform Civil Procedure Rules (Amendment No 15) 2007

Schedule 1 Amendments

[6] Rule 49.19

Omit the rule. Insert instead:

49.19 Review of registrar's directions, certificates, orders, decisions and other acts (cf SCR Part 61, rule 3; DCR Part 43, rule 15)

If in any proceedings a registrar gives a direction or certificate, makes an order or decision or does any other act, the court may, on application by any party, review the direction, certificate, order, decision or other act and make such order, by way of confirmation, variation, discharge or otherwise, as the court thinks fit.

[7] Rule 49.20 Applications generally

Omit "appeal must be instituted" from rule 49.20 (2).

Insert instead "notice of motion must be filed".

[8] Rule 49.20 (5)

Omit the subrule. Insert instead:

- (5) For the purposes of this rule, the *material date* is the date of the direction, certificate, order, decision or other act to be reviewed.

[9] Rule 49.20 (6) (c)

Insert "certificate," after "direction,".

[10] Rules 49.21–49.24

Omit the rules.

Other Legislation



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the species referred to in paragraph (a) as a critically endangered species under that Act and, as a consequence, to omit reference to that species as an endangered species and, accordingly:

- (a) Schedule 1A to that Act is amended by inserting in alphabetical order in Part 1 (under the heading “Plants”):

Proteaceae

* *Persoonia pauciflora* P.H. Weston

North
Rothbury
Persoonia

- (b) Schedule 1 to that Act is amended by omitting the following matter from Part 1 under the heading “Proteaceae” (under the heading “Plants”):

* *Persoonia pauciflora* P.H. Weston

Dated, this 24th day of August 2007.

Professor Lesley Hughes
Chairperson of the Scientific Committee

Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at www.nationalparks.nsw.gov.au,

Notice of Final Determination

- (b) by contacting the Scientific Committee Unit, by post C/- Department of Environment and Climate Change, PO Box 1967, Hurstville, 1481, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the Department of Environment and Climate Change Information Centre, Level 14, 59-61 Goulburn St, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the species referred to in paragraph (a) as a critically endangered species under that Act and, as a consequence, to omit reference to that species as an endangered species, accordingly:

- (a) Schedule 1A to that Act is amended by inserting before the heading “Plants” in Part 1:

Animals

Vertebrates

Birds

Psittacidae

- * *Neophema chrysogaster* (Latham, 1790)

Orange-bellied
Parrot

- (b) Schedule 1 to that Act is amended by omitting the following matter from Part 1 under the heading “Psittacidae” (under the headings “Animals”, “Vertebrates” and “Birds”):

- * *Neophema chrysogaster* (Latham, 1790)

Orange-bellied
Parrot

Dated, this 24th day of August 2007.

Professor Lesley Hughes
Chairperson of the Scientific Committee

Notice of Final Determination

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- (c) in person at the Department of Environment and Climate Change Information Centre, Level 14, 59-61 Goulburn St, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following species as an endangered species under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 1 in alphabetical order under the heading “Goodeniaceae” (under the heading “Plants”):

Dampiera fusca Rajput & Carolin

Dated, this 24th day of August 2007.

Professor Lesley Hughes
Chairperson of the Scientific Committee

Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Unit, by post C/- Department of Environment and Climate Change, PO Box 1967, Hurstville, 1481, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the Department of Environment and Climate Change Information Centre, Level 14, 59-61 Goulburn St, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following species as a vulnerable species under that Act and, accordingly, Schedule 2 to that Act is amended by inserting in Part 1 in alphabetical order under the heading “Fabaceae” (under the heading “Plants”):

Acacia ausfeldii Regel.

Dated, this 24th day of August 2007.

Professor Lesley Hughes
Chairperson of the Scientific Committee

Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Unit, by post C/- Department of Environment and Climate Change, PO Box 1967, Hurstville, 1481, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the Department of Environment and Climate Change Information Centre, Level 14, 59-61 Goulburn St, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following population as an endangered population under that Act and accordingly, Schedule 1 to that Act is amended by inserting in Part 2 immediately before the heading “Phascolarctidae” (under the headings “Animals”, “Vertebrates” and “Mammals”):

Pseudocheiridae

Petauroides volans (Kerr, 1792)

Greater Glider
population in the
Eurobodalla local
government area

Dated, this 24th day of August 2007.

Professor Lesley Hughes
Chairperson of the Scientific Committee

Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Unit, by post C/- Department of Environment and Climate Change, PO Box 1967, Hurstville, 1481, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the Department of Environment and Climate Change Information Centre, Level 14, 59-61 Goulburn St, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a final determination to insert the following ecological community as an endangered ecological community under that Act and, accordingly, Schedule 1 to that Act is amended by inserting in Part 3 in alphabetical order:

Southern Sydney sheltered forest on transitional sandstone soils in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

Dated, this 24th day of August 2007.

Professor Lesley Hughes
Chairperson of the Scientific Committee

Copies of final determination and reasons

Copies of the final determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Unit, by post C/- Department of Environment and Climate Change, PO Box 1967, Hurstville, 1481, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the Department of Environment and Climate Change Information Centre, Level 14, 59-61 Goulburn St, Sydney.

NSW SCIENTIFIC COMMITTEE

Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to list the Southern Sydney sheltered forest on transitional sandstone soils in the Sydney Basin Bioregion as an endangered ecological community in Part 3 of Schedule 1 of the Act. Listing of endangered ecological communities is provided for by Part 2 of the Act.

The Scientific Committee has found that:

1. Southern Sydney sheltered forest on transitional sandstone soils in the Sydney Basin Bioregion is the name given to the ecological community characterised by the species assemblage listed in paragraph 2. The community typically has an open forest structure, although disturbance may result in local manifestations as woodland or scrub. The community is typically associated with sheltered heads and upper slopes of gullies on transitional zones where sandstone outcrops may exist, but where soils are influenced by lateral movement of moisture, nutrients and sediment from more fertile substrates, such as shale/ironstone caps or dolerite dykes, in adjacent areas.
2. Southern Sydney sheltered forest on transitional sandstone soils is characterised by the following assemblage of species:

<i>Acacia binervata</i>	<i>Acacia linifolia</i>
<i>Acacia suaveolens</i>	<i>Acacia terminalis</i>
<i>Acacia ulicifolia</i>	<i>Allocasuarina littoralis</i>
<i>Angophora costata</i>	<i>Aotus ericoides</i>
<i>Banksia ericifolia</i> subsp. <i>ericifolia</i>	<i>Banksia oblongifolia</i>
<i>Banksia serrata</i>	<i>Banksia spinulosa</i> var. <i>spinulosa</i>
<i>Billardiera scandens</i>	<i>Calochlaena dubia</i>
<i>Cassyltha pubescens</i>	<i>Ceratopetalum gummiferum</i>
<i>Corymbia gummifera</i>	<i>Dampiera stricta</i>
<i>Dianella caerulea</i>	<i>Dodonaea triquetra</i>
<i>Doryanthes excelsa</i>	<i>Elaeocarpus reticulatus</i>
<i>Entolasia stricta</i>	<i>Epacris longiflora</i>
<i>Eucalyptus pilularis</i>	<i>Eucalyptus piperita</i>
<i>Gahnia sieberiana</i>	<i>Gleichenia dicarpa</i>
<i>Gonocarpus teucrioides</i>	<i>Grevillea oleoides</i>
<i>Hakea sericea</i>	<i>Hardenbergia violacea</i>
<i>Hibbertia aspera</i> subsp. <i>aspera</i>	<i>Imperata cylindrica</i> var. <i>major</i>
<i>Kunzea ambigua</i>	<i>Lepidosperma laterale</i>
<i>Leptomeria acida</i>	<i>Leptospermum polygalifolium</i>
<i>Lepyrodia scariosa</i>	<i>Leucopogon lanceolatus</i> var. <i>lanceolatus</i>
<i>Lindsaea linearis</i>	<i>Lomandra longifolia</i>
<i>Lomandra obliqua</i>	<i>Lomatia silaifolia</i>
<i>Opercularia aspera</i>	<i>Persoonia levis</i>
<i>Persoonia linearis</i>	<i>Persoonia pinifolia</i>
<i>Pittosporum undulatum</i>	<i>Platylobium formosum</i>
<i>Platysace linearifolia</i>	<i>Pteridium esculentum</i>
<i>Pultenaea daphnoides</i>	<i>Selaginella uliginosa</i>

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Smilax glyciophylla
Xanthosia pilosa

Xanthorrhoea arborea

3. The total species list of the community is considerably larger than that given above, with many species present in only one or two sites or in low abundance. The species composition of a site will be influenced by the size of the site, recent rainfall or drought condition and by its disturbance (including fire) history. The number of species, and the above ground relative abundance of species will change with time since fire, and may also change in response to changes in fire regime (including changes in fire frequency). At any one time, above ground individuals of some species may be absent, but the species may be represented below ground in the soil seed banks or as dormant structures such as bulbs, corms, rhizomes, rootstocks or lignotubers. The list of species given above is of vascular plant species; the community also includes micro-organisms, fungi, cryptogamic plants and a diverse fauna, both vertebrate and invertebrate. These components of the community are not well documented.
4. Southern Sydney sheltered forest on transitional sandstone soils is an open forest dominated by eucalypts with scattered subcanopy trees, a diverse shrub layer and well-developed groundcover of ferns, forbs, grasses and graminoids. Some stands may take on structural forms of woodland or scrub, as disturbance associated with past clearing has resulted in reduced density and/or dense regrowth of the tree stratum. The dominant trees include *Angophora costata*, *Eucalyptus piperita* and occasionally *E. pilularis*, particularly around Helensburgh. *Corymbia gummifera* occurs frequently within the community, although generally at lower abundance than the other eucalypts. An open subcanopy includes *Allocasuarina littoralis*, *Ceratopetalum gummiferum* and occasionally *Elaeocarpus reticulatus* and *Pittosporum undulatum*. The understorey includes an open, diverse shrub stratum with species of *Acacia*, *Banksia*, *Persoonia* and several other genera. *Leptospermum polygalifolium*, *Leucopogon lanceolatus* and *Lomatia silaifolia* are frequently occurring shrubs, as are *Allocasuarina littoralis* and some of the other subcanopy tree species. *Smilax glyciophylla* and several other scramblers frequently occur in the shrub and ground strata. The prominent ground stratum comprises ferns (*Calochlaena*, *Pteridium*, *Gleichenia*, *Lindsaea*), large emergent tussocks of *Doryanthes excelsa* and *Gahnia sieberiana*, and a range of grasses and graminoids including *Lomandra longifolia*, *Entolasia stricta*, *Imperata cylindrica*, *Lepidosperma laterale* and *Lepyrodia scariosa*. Herbs, *Gonocarpus teucroides* and *Dianella caerulea*, are also frequent components of the groundcover. There is considerable variation in species composition, richness and structure within the community in response to local edaphic gradients and geographic gradients across the range.
5. Southern Sydney sheltered forest on transitional sandstone soils is primarily associated with the heads and upper slopes of sandstone gullies, which are downslope from residual shale or ironstone caps. This is mainly gentle terrain, with slopes not often exceeding 10°, and sandstone outcrops occur infrequently, relative to sites within well-developed, steeper gullies. The associated shale caps may be weathered to varying degrees, and are sometimes represented only by outcropping ironstone on the adjacent ridges (indicating heavy weathering). Many of these shale and ironstone caps were mapped by Walker (1960) as the Woronora and Hammondville soil groups, although some locations of these soils were apparently overlooked at Walker's (1960) coarse scale of mapping. In some cases, the transitional edaphic habitat may occur where sandstone overlies shale (e.g.

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Garrawarra Ridge). The community also occurs on sandstone sites associated with substrates other than shales and ironstones. For example, on the lower alluvial flats of the Hacking River near Audley, colluvial input from steep adjacent sandstone slopes mixes with loamy riverine deposits to create an enriched sandy loam supporting an unusual variant of the community. Another unusual occurrence is associated with a small dolerite dyke in Royal National Park, where lateral movement of sandstone-derived soils mix with more fertile loams derived from the dolerite.

6. Southern Sydney sheltered forest on transitional sandstone soils intergrades with other plant assemblages on sandstone, shale and ironstone substrates. Features that distinguish Southern Sydney sheltered forest of transitional sandstone soils from vegetation more typical of sandstone gullies in the eastern Sydney basin include its occurrences of *Eucalyptus pilularis*, *Acacia binervata*, *Elaeocarpus reticulatus*, *Pittosporum undulatum* and its relatively dense groundcover of ferns, grasses, rushes, lilies and forbs. These elements are apparently a response to enrichment of sandstone-derived soils from sources of additional nutrients, such as shale/ironstone caps, or rarely dolerite dykes and riparian material, which result in deeper, less rocky, more fertile sandy loams than those typical of sandstone gullies. Forests that occur on shales in the vicinity of Southern Sydney sheltered forest on transitional sandstone soils typically have a greater component of mesophyllous species in their shrub and subcanopy stratum, and trees such as *Eucalyptus globoidea*, *E. resinifera*, *E. paniculata* or *Syncarpia glomulifera*, which are not common in this community. These latter forests are classified as 'Sydney Shale-Ironstone Cap Forest' (map unit p143) by Tindall *et al.* (2004) and Tozer *et al.* (2006). This regional-scale map unit includes Endangered Ecological Communities, including Duffys Forest Ecological Community in the Sydney Basin Bioregion and O'Hares Creek Shale Forest.
7. Southern Sydney sheltered forest on transitional sandstone soils includes 'Tall Blackbutt-Apple Shale Forest' (map unit 20 of NPWS (2002), map unit 16 of NPWS (2003)). However, the description of this map unit as occurring 'on remnant shale caps' (NPWS 2002, 2003) is inaccurate, as the community is associated primarily with transition zones between shale and sandstone (see paragraph 5 above, Orscheg *et al.* 2006). In the extensive regional vegetation surveys of Tindall *et al.* (2004) and Tozer *et al.* (2006), Southern Sydney sheltered forest on transitional sandstone soils is one of several plant assemblages classified within a broader map unit (p140), Coastal Sandstone Gully Forest (Orscheg *et al.* 2006). Southern Sydney sheltered forest on transitional sandstone soils belongs to the Sydney Coastal Dry Sclerophyll Forests vegetation class of Keith (2004).
8. Southern Sydney sheltered forest on transitional sandstone soils has been recorded from the local government areas of Campbelltown, Hurstville, Kogarah, Sutherland, Wollondilly and Wollongong within the Sydney Basin Bioregion and may occur elsewhere in the Bioregion.
9. Southern Sydney sheltered forest on transitional sandstone soils is found within an estimated total extent of occurrence of less than 45 000 ha, bounded approximately by Hurstville, Carss Park, Bundeena, Otford, Stanwell Tops, Darkes Forest, Punchbowl Creek and Menai. Within this range, the community is currently estimated to occupy an area of approximately 400 - 4 000 ha, (Orscheg *et al.* 2006). These estimates indicate that the geographic distribution of Southern Sydney sheltered forest on transitional sandstone soils is highly restricted.

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10. Clearing of areas where suitable habitat exists for Southern Sydney sheltered forest on transitional sandstone soils has occurred within the local government areas of Hurstville, Kogarah and Sutherland, where the community persists as small fragments surrounded by urban development. The remaining area of the community is principally in the upper Hacking River catchment around Helensburgh and in Royal National Park, although considerable clearing of the community has also occurred around the Helensburgh-Otford-Stanwell Tops area. Clearing has resulted in a moderate to large reduction in the geographic distribution of the community. Some areas of the community continue to be threatened by small-scale clearing and fragmentation associated with urban and rural residential subdivision, development and maintenance of transport corridors and easements. Clearing of native vegetation is listed as a Key Threatening Process under the Threatened Species Conservation Act.
11. The juxtaposition of Southern Sydney sheltered forest on transitional sandstone soils with urban and other developed areas exposes the community to influx of weeds and stormwater, heavy recreational use, incidental disturbance and some willful damage. These result in degradation of the community, reduction in its ecological function and ongoing management challenges that are typical of bushland remnants in urban landscapes (Benson and Howell 1990). Stands of the community located downslope from developed areas are predisposed to further degradation. Weed infestations are most severe on the interfaces between bushland and urban and industrial areas and along drainage lines that carry stormwater runoff from developed areas. Problematic weed species in the community include the following:

<i>Ageratina adenophora</i>	Crofton Weed
<i>Ageratina riparia</i>	
<i>Andropogon virginicus</i>	Whiskey Grass
<i>Asparagus</i> spp.	Spanish Heath
<i>Cinnamomum camphora</i>	Camphor Laurel
<i>Coreopsis lanceolata</i>	
<i>Hedychium gardnerianum</i>	
<i>Lantana camara</i>	Lantana
<i>Ligustrum sinense</i>	Small-leaved Privet
<i>Lilium formosum</i>	
<i>Lonicera japonica</i>	Honeysuckle
<i>Pennisetum clandestinum</i>	Kikuyu
<i>Plantago lanceolata</i>	
<i>Senna pendula</i>	
<i>Setaria gracilis</i>	
<i>Tradescantia albiflora</i>	

‘Invasion and establishment of exotic vines and creepers’, ‘Invasion of native plant communities by exotic perennial grasses’ and ‘Invasion, establishment and spread of Lantana (*Lantana camara* L. *sens. lat.*)’ are listed as Key Threatening Processes under the Threatened Species Conservation Act.

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12. Frequent fires and other fuel reduction measures may pose a threat to the community, particularly along urban interfaces, where it occurs within strategic fire management zones for asset protection. Royal National Park also has a history of frequent unplanned ignitions through arson and incidental causes (National Parks and Wildlife Service, fire history records). Frequent fires may interrupt life cycles of key plant species, resulting in changes to vegetation structure and fauna habitats (Catling 1991, Keith 1996). In combination with other disturbances, they may also accelerate weed invasion. 'High frequency fire resulting in the disruption of life cycle processes in plants and animals and loss of vegetation structure and composition' is listed as a Key Threatening Process under the Threatened Species Conservation Act. Conversely, small isolated vegetation remnants in long-established urban areas may experience very long intervals between fires, resulting in senescence and recruitment failure in some species whose populations depend on periodic fires for persistence.
13. The distribution of Southern Sydney sheltered forest on transitional sandstone soils occurs within an area that has been invaded by exotic Rusa deer (Moriarty 2002). Deer are generalist herbivores that browse and graze on a wide range of native and exotic plant species (Keith and Pellow 2004). This adversely affects survival and reproduction in some native plants. The effects of deer herbivory appear to be more severe in small, recently burnt areas, as the animals concentrate their foraging activities on these areas to obtain fresh plant growth. Deer populations reach very high densities in areas where Southern Sydney sheltered forest on transitional sandstone soils adjoins the urban interface, including areas such as Helensburgh and Grays Point. 'Herbivory and environmental degradation caused by feral deer' is listed as a Key Threatening Process under the Threatened Species Conservation Act.
14. Ongoing fragmentation, influx of stormwater, pollutants and nutrients, the invasion of weeds, changes in vegetation structure and continuing degradation associated with altered fire regimes and feral deer have collectively resulted in a large reduction in the ecological function of the community.
15. Southern Sydney sheltered forest on transitional sandstone soils in the Sydney Basin Bioregion is eligible to be listed as an endangered ecological community as, in the opinion of the Scientific Committee, it is facing a high risk of extinction in New South Wales in the immediate future, as determined in accordance with the following criteria as prescribed by the Threatened Species Conservation Regulation 2002:

Clause 26

The ecological community's geographic distribution is estimated or inferred to be:

(b) highly restricted,

and the nature of its distribution makes it likely that the action of a threatening process could cause it to decline or degrade in extent or ecological function over a time span appropriate to the life cycle and habitat characteristics of the ecological community's component species.

Clause 27

The ecological community has undergone, is observed, estimated, inferred or reasonably suspected to have undergone, or is likely to undergo within a time span appropriate to the life cycle and habitat characteristics of its component species:

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- (c) a large reduction in ecological function, as indicated by any of the following:
- (d) change in community structure
- (e) change in species composition
- (f) disruption of ecological processes
- (g) invasion and establishment of exotic species
- (h) degradation of habitat

Professor Lesley Hughes
Chairperson
Scientific Committee

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OFFICIAL NOTICES**Appointments****ABORIGINAL LAND RIGHTS ACT 1983**

Notice

I, the Honourable PAUL LYNCH, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 222(1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Andrew HOHOLT as Administrator to the Thungutti Local Aboriginal Land Council for a maximum period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in sections 52 and 52G of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration and expenses are not to exceed \$60,000 excluding GST without the prior approval of NSWALC. The Administrator's remuneration may include fees payable for the services of other personnel within the Administrator's firm who provide services as agents of the Administrator.

Signed and sealed this 2nd day of September 2007.

PAUL LYNCH, M.P.,
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN!

GOULBURN OFFICE**159 Auburn Street (PO Box 748), Goulburn NSW 2580****Phone: (02) 4824 3700 Fax: (02) 4822 4287****NOTIFICATION OF OPENING OF ROAD**

Roads Act 1993

IN pursuance of the provisions of section 12, Roads Act 1993, the land hereunder described as unoccupied Crown Land is dedicated for public road purposes and is vested in the Crown as a Public Crown Road.

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

Description

*Parish – Popong; County – Wallace;
Land District – Cooma; L.G.A. – Snowy River Council*

Opening of a road known as Lot 6, DP 1022842, the land is withdrawn for road.

File No.: GB99 H 73:JK.

GRAFTON OFFICE
76 Victoria Street (Locked Bag 10), Grafton NSW 2460
Phone: (02) 6640 3400 Fax: (02) 6642 5375

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Henry Albert STEVENS (re-appointment), Kay Annette JEFFERY (re-appointment), Rodney John DENT (new member), Linda Jane MARNEY (new member), Jane G. BRONOTTE (re-appointment), Gordon Harold CLARKE (re-appointment).	Iluka Koala Reserve Trust.	Reserve No.: 140072. Public Purpose: Environmental protection. Notified: 13 December 1991. File No.: GF91 R 28.

Term of Office

For a term commencing the date of this notice and expiring 6 September 2012.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Philip John GOOLEY (re-appointment), Allan Edward LEES (re-appointment), Maryanne BULLPITT (re-appointment), Michael BULLPITT (re-appointment), Charles Norman PATCH (re-appointment), Michael Leo McMAHON (re-appointment).	North Codrington Flood Refuge Reserve Trust.	Reserve No.: 51730. Public Purpose: Refuge in time of flood. Notified: 22 August 1916. File No.: GF81 R 321.

Term of Office

For a term commencing the date of this notice and expiring 6 September 2012.

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Andrew HUMPHREYS (new member).	Ruthven Public Recreation and Preservation of Native Flora Reserve Trust.	Reserve No.: 58065. Public Purpose: Public recreation and preservation of native flora. Notified: 12 June 1925. File No.: GF81 R 329.

Term of Office

For a term commencing the date of this notice and expiring 24 May 2012.

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

Parish – Ballina; County – Rous;
Land District – Lismore; Shire – Ballina Shire Council
 Crown public road south of Lot 126, DP 828137 and Lots 6, 5, 4 and part 3, DP 805289.
 Width to be transferred: 20.115 metres.

SCHEDULE 2

Roads Authority: Ballina Shire Council.
 Department of Lands Reference: GF06 H 342.

HAY OFFICE**126 Lachlan Street (PO Box 182), Hay NSW 2711****Phone: (02) 6990 1800 Fax: (02) 6993 1135****ROADS ACT 1993****ORDER**

Transfer of Crown Road to a Council

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

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

SCHEDULE 1

*Parish – Booororban; County – Townsend;
Land District – Hay; Shire – Conargo*

The Crown public roads comprising Johnson Street from the Cobb Highway to Joshua Street including intersection and Joshua Street to Boswell Street in the Village of Booororban.

SCHEDULE 2

Roads Authority: Conargo Shire Council.

File No.: HY07 H 70.

MAITLAND OFFICE**Newcastle Road (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9300 Fax: (02) 4934 2252****NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

*Parish – Clanricard; County – Brisbane;
Land District – Muswellbrook;
Local Government Area – Muswellbrook*

Road Closed: Lots 15, 16 and 18, DP 1072668 at Bengalla.

File No.: MD99 H 136.

Note: On closing, the land within Lots 15, 16 and 18, DP 1072668, will remain vested in the Crown as Crown Land.

PLAN OF MANAGEMENT FOR CROWN RESERVES UNDER DIVISION 6 OF PART 5 OF THE CROWN LANDS ACT 1989 AND CROWN LANDS REGULATION 2006

A draft plan of management has been prepared for the Crown Reserves described hereunder. These Reserves are either under the trusteeship of Port Stephens Council or the management of the NSW Department of Lands.

Inspection of the draft plan can be made during business hours at Port Stephens Council, 116 Adelaide Street, Raymond Terrace; the Department of Lands, Shop W11, Nelson Bay Marina, Teramby Road, Nelson Bay; the Department of Lands, Cnr Newcastle Road and Banks Street, East Maitland; Tomaree Library and Community Centre, Town Centre Circuit, Salamander Bay and Port Stephens Tourist Information Centre, Victoria Parade, Nelson Bay.

The draft plan will be on exhibition from 7 September 2007 to 2 November 2007. Comments on the draft plan are invited from the public and may be submitted in writing to the Project Manager, Port Stephens Regional Crown Reserve, PO Box 631, Nelson Bay NSW 2315 until 2 November 2007.

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

Description of Lands

*Land District – Newcastle Council Area – Port Stephens;
Parish – Tomaree; County – Gloucester*

Reserve R32059, Reserve R64421, Reserve R170169, Reserve R67366 and Part Reserve R753204.

Location: Nelson Bay.

File No.: 07/3381.

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Blacksmiths Community Reserve (R1014048) Trust	Reserve No. 1014048 Public Purpose: Community Purposes Notified: This Day File Reference: MD91H97/2

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lake Macquarie City Council	Blacksmiths Community Reserve (R1014048) Trust	Reserve No. 1014048 Public Purpose: Community Purposes Notified: This Day File Reference: MD91H97/2

RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Newcastle Local Government Area: Lake Macquarie City Council Locality: Blacksmiths <i>Lot Sec. D.P. No. Parish County</i> 2036 822133 Kahibah Northumberland Area: About 3599m ² File Reference: MD91H97/2	Reserve No. 1014048 Public Purpose: Community Purposes

MOREE OFFICE
Frome Street (PO Box 388), Moree NSW 2400
Phone: (02) 6752 5055 Fax: (02) 6752 1707

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 this road is extinguished.

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

Description

*Land District – Moree; Council – Moree Plains Shire;
Parishes – Boonangar and Noora; County – Benarba*

Lots 1, 2, 3 and 4 in DP 1115457, Parishes Boonangar and Noora, County Courallie.

File No.: ME00 H 216.

Note: Upon closure the land remains vested in the Crown as Crown Land.

NOWRA OFFICE**5 O'Keefe Avenue (PO Box 309), Nowra NSW 2541****Phone: (02) 4428 9100 Fax: (02) 4421 2172****REVOCATION OF RESERVATION OF CROWN LAND**

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

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Land District: Bega. Local Government Area: Bega Valley Shire Council. Locality: Broadwater. Reserve No.: 42017. Public Purpose: Public recreation. Notified: 18 September 1907. Lot Pt 7003, DP No. 1020048, Parish Yowaka, County Auckland; Lot 7005, DP No. 1069319, Parish Yowaka, County Auckland; Lot Pt 1, DP No. 1097991, Parish Yowaka, County Auckland. File No.: NA79 H 74.	The part being Lot Pt 1, DP No. 1097991, Parish Yowaka, County Auckland, of an area of about 2000 square metres.

Note: It is intended to set aside the land as road.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Land District: Bega. Local Government Area: Bega Valley Shire Council. Locality: Broadwater. Reserve No.: 1012388. Public Purpose: Access and public requirements, rural services, tourism purposes and environmental and heritage conservation. Notified: 15 September 2006. File No.: NA79 R 74.	The part being Lot 1, DP No. 1097991, Parish Yowaka, County Auckland, of an area of 7946 square metres.

Note: It is intended to set aside the land as road.

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>
Land District: Bega. Local Government Area: Bega Valley Shire Council. Locality: Broadwater.	The part being Lot Pt 1, DP No. 1097991, Parish Yowaka, County Auckland, of an area of about 5946 square metres.

Reserve No.: 750242.
Public Purpose: Future
public requirements.
Notified: 29 June 2007.
File No.: NA79 R 74.

Note: It is intended to set aside the land as road.

NOTIFICATION UNDER THE ROADS ACT 1993 OF SETTING ASIDE OF UNOCCUPIED CROWN LANDS AS ROAD AND OF DECLARATION OF ROADS TO BE PUBLIC ROADS

IN pursuance of the provisions of the Roads Act 1993, the unoccupied Crown Land specified is set aside as road and is dedicated as public road and dedicated to the public accordingly.

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

Description

*Parish – Yowaka; County – Auckland;
Land District – Bega;
Local Government Area – Bega Valley Shire*

Unoccupied Crown Land set aside for road: Lot 1, DP 1097991.

File No.: NA93 H 99.

Note: Lot 1, DP 1097991 is declared to be a Council public road.

Council Reference: DW949027.

ROADS ACT 1993**Order****Transfer of a Crown Road to a Council**

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is 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 cease to be a Crown road.

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

SCHEDULE 1**Description A**

*Land District – Nowra;
Council – Shoalhaven City Council;
Parishes – Bugong; County – St Vincent*

The Crown public road known as part of Bugong Fire Trail road commencing on the eastern boundary of Lot 2, DP 573947 and extending westerly for about 7 kilometers to the south western boundary of Lot 226, DP 751255.

Crown Reference: NA85 H 307.

SCHEDULE 2

Roads Authority: Shoalhaven City Council.

**PLAN OF MANAGEMENT FOR A CROWN RESERVE
UNDER DIVISION 6 OF PART 5 OF THE CROWN
LANDS ACT 1989**

A draft Plan of Management has been prepared for a Crown Reserve at Nowra being Nowra Showground described hereunder.

Inspection of the draft plan can be made at the following locations, Shoalhaven City Council's internet site at www.shoalhaven.nsw.gov.au/council/pubdocs/communityissues; City Administration Centre, Bridge Road, Nowra (Mon - Fri 9:am - 5:00pm); Nowra Library (Mon - Fri 9:30am - 8:00pm, Sat 9:30am - 3:00pm); NSW Department of Lands, 5 O'Keefe Avenue, Nowra (Mon - Fri 8:30am - 4:30pm).

Written submissions are invited from the public on the draft Plan and should be sent to the General Manager, Shoalhaven City Council, PO Box 42, Nowra or email council@shoalhaven.nsw.gov.au. Enquires on the draft Plan should be directed to Lila Sawko, Ph 4429 3152) by 5:00pm 10th October 2007.

TONY KELLY, M.P.,
Minister for Lands.

Description of Reserve

Land District - Nowra;
City - Shoalhaven;
Parish - Nowra;
Town - Nowra;
County - St Vincent

Dedication 580011 for Public Recreation.

(Nowra Showground) on 30.09.1938.

File Reference: NA80 R 145.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

IN pursuance of the provisions of the Roads Act, 1993, the road hereunder specified 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.

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

Description

Parish - Eurobodalla;
County - Dampier;
Land District - Moruya;
LGA - Eurobodalla

Lots 1 & 2 in DP 1114348 at Eurobodalla. File No. NA05 H 281.

Note: On closing, the land will remain vested in the State of New South Wales as Crown land.

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 A TRUST BOARD MEMBER

PURSUANT to the provisions of the Commons Management Act 1989, the undermentioned person was elected to fill the vacancy created by the passing away of a trust member of the St Albans Common and will hold office from date of gazette until the next trust board general election.

St Albans Common: Pierre Stokx.

File No.: MN81 R 18/2.

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

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

ROADS ACT 1993**ORDER**

Transfer of a Crown Road to a Council

IN pursuance of the provisions of Section 151, Roads Act 1993, the Crown road specified in Schedule 1 is 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

The Crown Public Road east of Lots 7, 8, 9, 10 and 18 in DP753369 Parish of Biralbung, County of Gowen

SCHEDULE 2

Road Authority: Walgett Shire Council. File References: W401080. Council's Reference: GMC:JC.

ROADS ACT 1993**ORDER**

Transfer of a Crown Road to a Council

IN pursuance of the provisions of Section 151, Roads Act 1993, the Crown road specified in Schedule 1 is 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

The Crown Public Road east of lot 38 in DP752576, Parish of Eiraban, County of Ewenmar.

SCHEDULE 2

Road Authority: Gilgandra Shire Council. File Reference: W401081. Council's Reference: GMC:JC.

Department of Planning



New South Wales

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 23)

under the

Environmental Planning and Assessment Act 1979

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S07/00995-1)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 State Environmental Planning Policy (Major Projects) 2005 (Amendment No 23)

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 23)

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 23)*.

2 Aims of Policy

The aims of this Policy are:

- (a) to insert development standards into *Burwood Planning Scheme Ordinance* relating to density, height and mix of uses in relation to land, known as 1 Railway Parade, Burwood (*the subject land*), and
- (b) to establish appropriate development controls for the subject land in a manner consistent with the Sydney Metropolitan Strategy and the draft *Burwood Town Centre Local Environmental Plan 2007*, and
- (c) to facilitate the development of an important urban site of significance to the State, being the subject land, so as to provide for the orderly economic use of that land for the benefit of the State, and
- (d) to promote and co-ordinate the economic use and development of the Burwood Town Centre, and
- (e) to provide a suitable mixture of compatible land uses on a key site within the Burwood Town Centre, and
- (f) to promote the development of the subject land that is appropriate and satisfies the principles of ecologically sustainable development, and
- (g) to encourage the revitalisation of the subject land, and
- (h) to promote mixed use planning by locating mutually supportive and compatible uses (such as residential uses, places of employment and shops) in close proximity to each other so as to minimise vehicular travel, and

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 23)

Clause 3

-
- (i) to maximise public transport patronage and encourage walking and cycling.

3 Land to which Policy applies

This Policy applies to land known as 1 Railway Parade, Burwood, being Lots 14 and 15 DP 749949.

4 Amendment of State Environmental Planning Policy (Major Projects) 2005

State Environmental Planning Policy (Major Projects) 2005 is amended as set out in Schedule 1.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 23)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] **Clause 13**

Insert after clause 12:

13 Amendment of other environmental planning instruments

The environmental planning instruments specified in Schedule 4 are amended as set out in that Schedule.

[2] **Schedule 4**

Insert after Schedule 3:

Schedule 4 Amendment of other environmental planning instruments

(Clause 13)

Burwood Planning Scheme Ordinance

Clause 78U

Insert after clause 78T:

78U Development of certain land—1 Railway Parade, Burwood

- (1) This clause applies to land known as 1 Railway Parade, Burwood, being Lots 14 and 15 DP 749949.
- (2) Nothing in this Ordinance prevents, with the consent of the Council, the carrying out of development on the land to which this clause applies for any of the following purposes:
 - (a) commercial premises,
 - (b) mixed development,
 - (c) residential flat buildings,
 - (d) shops.
- (3) The ratio of total floor space of all buildings erected or proposed to be erected on the land to which this clause applies to the area of that land is not to exceed 5:1.
- (4) The ratio of total floor space of any residential flat buildings erected or proposed to be erected on the land to

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 23)

Amendments

Schedule 1

which this clause applies to the area of that land is not to exceed 3.5:1.

- (5) The ratio of total floor space of any buildings erected or proposed to be erected on the land to which this clause applies for the purposes of commercial premises or shops to the area of that land is not to be less than 1:5.
- (6) Development must not be carried out on the land to which this clause applies if it results in a building that exceeds 17 storeys in height.
- (7) *State Environmental Planning Policy No 1—Development Standards* does not apply to a development standard imposed by this clause.



New South Wales

Blue Mountains Local Environmental Plan 2005 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRW0000428/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Blue Mountains Local Environmental Plan 2005 (Amendment No 8)

Blue Mountains Local Environmental Plan 2005 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Blue Mountains Local Environmental Plan 2005 (Amendment No 8)*.

2 Aims of plan

The aim of this plan is to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to Lot 3, DP 505403, 59A Springwood Avenue, Springwood, as shown edged heavy black on the map marked "Blue Mountains Local Environmental Plan 2005 (Amendment No 8)" deposited in the office of the Council of the City of Blue Mountains.

4 Amendment of Blue Mountains Local Environmental Plan 2005

Blue Mountains Local Environmental Plan 2005 is amended as set out in Schedule 1.

Blue Mountains Local Environmental Plan 2005 (Amendment No 8)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 7 Classification and reclassification of public land as operational land

Insert in alphabetical order by Locality in Part 2 under the headings “**Locality**”, “**Description**” and “**Any trusts etc not discharged**” respectively:

Springwood	Lot 3, DP 505403, 59A Springwood Avenue, Springwood	Nil
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New South Wales

Bathurst Local Environmental Plan 1997—Classification and Reclassification of Public Land (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (D06/00008/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Bathurst Local Environmental Plan 1997—Classification and
Reclassification of Public Land (Amendment No 3)

Bathurst Local Environmental Plan 1997— Classification and Reclassification of Public Land (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bathurst Local Environmental Plan 1997—Classification and Reclassification of Public Land (Amendment No 3)*.

2 Aims of plan

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

3 Land to which plan applies

This plan applies to land situated in the local government area of Bathurst Regional, being Lots 626, 628 and 629, DP 253547, Swanbrooke Street, Windradyne, as shown edged heavy black on the map marked “Bathurst Local Environmental Plan 1997—Classification and Reclassification of Public Land (Amendment No 3)” deposited in the office of Bathurst Regional Council.

4 Amendment of Bathurst Local Environmental Plan 1997—Classification and Reclassification of Public Land

Bathurst Local Environmental Plan 1997—Classification and Reclassification of Public Land is amended by inserting in alphabetical order of street name in Part 3 of the Schedule under the heading “**Windradyne**” in Columns 1, 2 and 3, respectively, the following words:

Swanbrooke Street	Lots 626, 628 and 629, DP 253547, as shown edged heavy black on the map marked “Bathurst Local Environmental Plan 1997—Classification and Reclassification of Public Land (Amendment No 3)” deposited in the office of Bathurst Regional Council.	Nil.
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New South Wales

Camden Local Environmental Plan No 142

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRW0000232/S69)

Minister for Planning

Clause 1 Camden Local Environmental Plan No 142

Camden Local Environmental Plan No 142

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Camden Local Environmental Plan No 142*.

2 Aims of plan

This plan aims to allow, with the consent of Camden Council, the carrying out of development on the land to which this plan applies for the purpose of aged persons' accommodation.

3 Land to which plan applies

This plan applies to land in the local government area of Camden, being Lot 1, DP 599327, Lot 1, DP 1101108 and Lots 4 and 5, DP 253184, Nos 647–667 Cobbitty Road, Cobbitty, as shown edged heavy black on the map marked "Camden Local Environmental Plan No 142" deposited in the office of Camden Council.

4 Amendment of Camden Local Environmental Plan No 48

Camden Local Environmental Plan No 48 is amended by inserting at the end of Schedule 3 the following words:

Lot 1, DP 599327, Lot 1, DP 1101108 and Lots 4 and 5, DP 253184, Nos 647–667 Cobbitty Road, Cobbitty, as shown edged heavy black on the map marked "Camden Local Environmental Plan No 142"—aged persons' accommodation, being a group of buildings for the purpose of accommodating aged persons with ancillary buildings to cater for the needs of the residents.



New South Wales

Dungog Local Environmental Plan 2006 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N07/00090/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Dungog Local Environmental Plan 2006 (Amendment No 1)

Dungog Local Environmental Plan 2006 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Dungog Local Environmental Plan 2006 (Amendment No 1)*.

2 Aims of plan

This plan aims to allow, with the consent of Dungog Shire Council, the erection of one dwelling-house on each of the parcels of land to which this plan applies.

3 Land to which plan applies

This plan applies to land situated in the local government area of Dungog, being Lot 38, DP 753139, 319 Wangat Trig Road, Bandon Grove and Lot 1, DP 742930, 355 Cross Keys Road, Mt Rivers.

4 Amendment of Dungog Local Environmental Plan 2006

Dungog Local Environmental Plan 2006 is amended by inserting after the heading to Schedule 1 the following words:

Column 1	Column 2
Locality	Description
Bandon Grove	
319 Wangat Trig Road	Lot 38, DP 753139
Mt Rivers	
355 Cross Keys Road	Lot 1, DP 742930



New South Wales

Greater Taree Local Environmental Plan 1995 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (NEW0004635/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Greater Taree Local Environmental Plan 1995 (Amendment No 35)

Greater Taree Local Environmental Plan 1995 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Greater Taree Local Environmental Plan 1995 (Amendment No 35)*.

2 Aims of plan

The aim of this plan is to permit development on the land to which this plan applies for purposes that cater to tourists, including residential, retail and commercial development, tourist accommodation, restaurants, take away food outlets and other facilities.

3 Land to which plan applies

This plan applies to Lots 1 and 2, DP 333852, Lots A, B and C, DP 164674, Lot 4, Sec 4, DP 3933, Lots 1 and 2, DP 784833 and Lot 15, DP 330007, Victoria Street, Taree.

4 Amendment of Greater Taree Local Environmental Plan 1995

Greater Taree Local Environmental Plan 1995 is amended as set out in Schedule 1.

Greater Taree Local Environmental Plan 1995 (Amendment No 35)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Definitions

Insert in alphabetical order in clause 4 (1):

attic means any habitable space, but not a separate dwelling, contained wholly within a roof, where the pitch of the roof creating the space does not exceed 36 degrees (except for minor elements such as dormer windows and the like).

floor space ratio means the ratio of the gross floor area of all buildings on a site area to the site area.

mezzanine means an intermediate floor within a room.

storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine, or
- (c) an attic.

[2] Schedule 5 Development for certain additional purposes

Insert at the end of the Schedule:

<p>Lots 1 and 2, DP 333852, Lots A, B and C, DP 164674, Lot 4, Sec 4, DP 3933, Lots 1 and 2, DP 784833 and Lot 15, DP 330007, Victoria Street, Taree.</p>	<p>Development for residential, retail or commercial purposes or development that will cater to tourists such as development for the purposes of tourist accommodation, restaurants, take away food outlets or other facilities or any combination of those purposes, but only if the Council is satisfied that the proposed development:</p>
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- (a) will not result in a floor space ratio that exceeds 2:1, and
- (b) will not be greater than 5 storeys.



New South Wales

Pittwater Local Environmental Plan 1993 (Amendment No 84)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S06/00039/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Pittwater Local Environmental Plan 1993 (Amendment No 84)

Pittwater Local Environmental Plan 1993 (Amendment No 84)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Pittwater Local Environmental Plan 1993 (Amendment No 84)*.

2 Aims of plan

This plan aims to allow, with the consent of Pittwater Council:

- (a) the subdivision of each allotment of land to which this plan applies so as to create no more than 2 allotments, and
- (b) the erection of a dwelling-house on each of the vacant allotments so created.

3 Land to which plan applies

This plan applies to Lot 76, DP 589733 and Lot 2, DP 585530, 4 and 14 Ingleside Road, Ingleside, as shown edged heavy black on the map marked "Pittwater Local Environmental Plan 1993 (Amendment No 84)" deposited in the office of Pittwater Council.

4 Amendment of Pittwater Local Environmental Plan 1993

Pittwater Local Environmental Plan 1993 is amended as set out in Schedule 1.

Pittwater Local Environmental Plan 1993 (Amendment No 84)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 14C

Insert after clause 14B:

14C Subdivision of further land at Ingleside Road, Ingleside

- (1) This clause applies to each of the following allotments of land:
 - (a) Lot 76, DP 589733, 4 Ingleside Road, Ingleside,
 - (b) Lot 2, DP 585530, 14 Ingleside Road, Ingleside.
- (2) Despite any other provision of this plan, the council may consent to the subdivision of an allotment to which this clause applies so as to create no more than 2 lots.

[2] Schedule 12 Development of certain land at Ingleside

Insert at the end of the Schedule:

An allotment of vacant land created by a subdivision referred to in clause 14C.



New South Wales

Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P06/00002/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)

Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)*.

2 Aims of plan

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

3 Land to which plan applies

This plan applies to:

- (a) Lots 47–49, DP 5709, 45–49 Croydon Street, Cronulla, as shown edged heavy black on Sheet 1 of the map marked “Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)” deposited in the office of Sutherland Shire Council, and
- (b) part of Lot 2, DP 786685, part of 99R Caldarra Road, Engadine, as shown edged heavy black on Sheet 2 of that map.

4 Amendment of Sutherland Shire Local Environmental Plan 2006

Sutherland Shire Local Environmental Plan 2006 is amended as set out in Schedule 1.

Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 4)

Schedule 4 Classification and reclassification of public land

Insert in Part 2 of the Schedule in alphabetical order of locality in Columns 1, 2 and 3, respectively:

Cronulla

45 Croydon Street	Lot 47, DP 5709, as shown edged heavy black on Sheet 1 of the map marked "Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)"	Easement and covenant (633007) as noted on Certificate of Title Folio Identifier 47/5709
47 Croydon Street	Lot 48, DP 5709, as shown edged heavy black on Sheet 1 of the map marked "Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)"	Right of drainage and covenant (670851) as noted on Certificate of Title Folio Identifier 48/5709
49 Croydon Street	Lot 49, DP 5709, as shown edged heavy black on Sheet 1 of the map marked "Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)"	Easement, covenant and building conditions (681897) as noted on Certificate of Title Folio Identifier 49/5709

Engadine

99R Caldarra Road (part)	Part of Lot 2, DP 786685, as shown edged heavy black on Sheet 2 of the map marked "Sutherland Shire Local Environmental Plan 2006 (Amendment No 2)"	Easements (D20889, H166931 and U335084) as noted on Certificate of Title Folio Identifier 2/786685
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New South Wales

Wyong Local Environmental Plan 1991 (Amendment No 169)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (CC0000058/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 169)

Wyong Local Environmental Plan 1991 (Amendment No 169)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 169)*.

2 Aims of plan

This plan aims to amend *Wyong Local Environmental Plan 1991* so as to permit, with the consent of Wyong Shire Council, the carrying out of development on the land to which this plan applies for the purposes of a medical centre, associated car parking and landscaping.

3 Land to which plan applies

This plan applies to land situated in the local government area of Wyong, being Lots 2 and 3, DP 700029, Nos 599 and 601 The Entrance Road, Bateau Bay, as shown edged heavy black on the map marked “Wyong Local Environmental Plan 1991 (Amendment No 169)” deposited in the office of Wyong Shire Council.

4 Amendment of Wyong Local Environmental Plan 1991

Wyong Local Environmental Plan 1991 is amended by inserting at the end of Schedule 2 the following words:

Lots 2 and 3, DP 700029, Nos 599 and 601 The Entrance Road, Bateau Bay, as shown edged heavy black on the map marked “Wyong Local Environmental Plan 1991 (Amendment No 169)”—medical centre, associated car parking and landscaping.

Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Notice of Receipt of Application for Aquaculture Lease
Notification under s.163 (7) of the Fisheries Management
Act 1994, and cl.33 of the Fisheries Management
(Aquaculture) Regulation 2002

NSW Department of Primary Industries (NSW DPI) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters. Location is the Richmond River, described as follows:

- Approx. 1.69731 hectares over former oyster lease OL77/051 (AL07/003 if granted).

NSW DPI is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. NSW DPI is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number AL07/003 to be signed and dated with a return address. If additional expressions of interest are received, NSW DPI may offer the area for leasing through a competitive public tender process, auction or ballot.

If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act 1994. Specific details of the proposed lease can be obtained, or enquiries made with NSW DPI, Aquaculture Administration Section, Port Stephens on (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification:

Director,
Fisheries Conservation and Aquaculture Branch,
Aquaculture Administration Section,
Port Stephens Fisheries Centre,
Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture Branch,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Section 177(1) – Notice of Aquaculture Lease Cancellation

OL83/176 within the estuary of Tweed River, having an area of 0.3180 hectares formerly leased by Gary Kirkham.

OL87/179 within the estuary of Tweed River, having an area of 0.9035 hectares formerly leased by Gary Kirkham.

Clause 39 (4) - Notice of Aquaculture Lease Renewal

The Minister has renewed the following class 1 Aquaculture Leases:

OL77/127 within the estuary of Wallis Lake, having an area 0.4488 hectares to Trevor Dent of Tuncurry, NSW, for a term of 15 years expiring on 31 December 2022.

OL75/239 within the estuary of the Clyde River, having an area of 2.4667 hectares to Stefanos Paschalidis of Batemans Bay, NSW, for a term of 15 years expiring on 8 August 2021.

OL74/096 within the estuary of the Clyde River, having an area of 4.4285 hectares to Isidoris and Maria Paschalidis of Batemans Bay, NSW, for a term of 15 years expiring on 13 December 2022.

OL75/030 within the estuary of the Wallaga Lake, having an area 3.9370 hectares to John Smith, of Bermagui, NSW, for a term of 15 years expiring on 25 May 2022.

OL76/128 within the estuary of the Clyde River, having an area 0.7366 hectares to Dennis Kelly of Batehaven, NSW, for a term of 15 years expiring on 05 July 2022.

BILL TALBOT,
Director, Fisheries Conservation & Aquaculture Branch
Agriculture, Fisheries and Regional Relations Division
Department of Primary Industries

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(07-393)

No. 3290, BALRANALD GYPSUM PTY LTD (ACN 081 196 947), area of 14 units, for Group 2, dated 28 August, 2007. (Broken Hill Mining Division).

(07-394)

No. 3291, BALRANALD GYPSUM PTY LTD (ACN 081 196 947), area of 4 units, for Group 2, dated 28 August, 2007. (Broken Hill Mining Division).

(07-395)

No. 3292, BALRANALD GYPSUM PTY LTD (ACN 081 196 947), area of 10 units, for Group 2, dated 28 August, 2007. (Wagga Wagga Mining Division).

(07-396)

No. 3293, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 62 units, for Group 1, dated 30 August, 2007. (Broken Hill Mining Division).

(07-397)

No. 3294, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 67 units, for Group 1, dated 30 August, 2007. (Broken Hill Mining Division).

(07-398)

No. 3295, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 17 units, for Group 1, dated 30 August, 2007. (Broken Hill Mining Division).

(07-399)

No. 3296, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 18 units, for Group 1, dated 30 August, 2007. (Broken Hill Mining Division).

(07-400)

No. 3297, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 12 units, for Group 1, dated 30 August, 2007. (Broken Hill Mining Division).

(07-401)

No. 3298, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 89 units, for Group 1, dated 30 August, 2007. (Broken Hill Mining Division).

(07-402)

No. 3299, PANGAEA MINERALS PTY LIMITED (ACN 120 631 316), area of 32 units, for Group 6, dated 31 August, 2007. (Orange Mining Division).

(07-403)

No. 3300, KEMPFIELD SILVER PTY LTD (ACN 124 780 276), area of 8 units, for Group 1, dated 31 August, 2007. (Orange Mining Division).

(07-404)

No. 3301, KEMPFIELD SILVER PTY LTD (ACN 124 780 276), area of 19 units, for Group 1, dated 31 August, 2007. (Orange Mining Division).

(07-405)

No. 3302, KEMPFIELD SILVER PTY LTD (ACN 124 780 276), area of 31 units, for Group 1, dated 31 August, 2007. (Orange Mining Division).

(07-446)

No. 3303, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 29 units, for Group 1, dated 3 September, 2007. (Cobar Mining Division).

(T07-447)

No. 3304, HUDSON ATTAPULGITE PTY LTD (ACN 008 701 255), area of 99 units, for Group 2, dated 4 September, 2007. (Inverell Mining Division).

MINING LEASE APPLICATION

(07-6460)

No. 308, XSTRATA MT OWEN PTY LIMITED (ACN 003 827 361), area of about 130.67 hectares, for the purpose of any building or mining plant, any road, railway, tramway, bridge or jetty, any reservoir, dam, drain or water race and any cable, conveyor, pipeline, telephone line or signal, dated 27 August, 2007. (Singleton Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(07-556)

No. 3053, now Exploration Licence No. 6861, COALWORKS LIMITED (ACN 114 702 831), County of Urana, Map Sheet (8126, 8127), area of 5480 hectares, for Group 9, dated 28 August, 2007, for a term until 28 August, 2010.

(07-174)

No. 3069, now Exploration Licence No. 6860, ELLEMBY RESOURCES PTY LTD (ACN 069 359 011), Counties of

Poole and Tongowoko, Map Sheet (7238, 7239), area of 47 units, for Group 1, dated 16 August, 2007, for a term until 16 August, 2009.

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

NOTICE is given that the following application has been refused:

EXPLORATION LICENCE APPLICATION

(07-238)

No. 3135, ARASTRA EXPLORATION PTY LTD (ACN 085 025 798), County of Yungnulgra, Map Sheet (7436). Refusal took effect on 29 August, 2007.

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

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

(T99-0136)

Exploration Licence No. 5635, SNOWMIST PTY LTD (ACN 011 041 384) AND ALAMO LIMESTONE PTY LTD (ACN 094 851 911), area of 3 units. Application for renewal received 30 August, 2007.

(04-656)

Exploration Licence No. 6465, SCORPIO RESOURCES PTY LTD (ACN 109 158 769), area of 54 units. Application for renewal received 29 August, 2007.

(05-191)

Exploration Licence No. 6466, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 148 units. Application for renewal received 4 September, 2007.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(04-612)

Exploration Licence No. 6404, PLATSEARCH NL (ACN 003 254 395), Counties of Farnell and Yancowinna, Map Sheet (7134), area of 99 units, for a further term until 19 April, 2009. Renewal effective on and from 28 August, 2007.

(C00-1099)

Consolidated Coal Lease No. 708 (Act 1973), LIDDELL TENEMENTS PTY LIMITED (ACN 051 529 876), Parish of Liddell, County of Durham, Map Sheet (9133-3-N, 9133-3-S), area of 3228 hectares, for a further term until 30 December, 2023. Renewal effective on and from 9 July, 2007.

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

PART CANCELLATION

NOTICE is given that the following authority has been cancelled in part:

(C03-0075)

Coal Lease No. 382 (Act 1973), MAITLAND MAIN COLLIERIES PTY LTD (ACN 000 012 652), CVRD AUSTRALIA (GC) PTY LTD (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), Parish of Auckland, County of Durham; Parish of Broughton, County of Durham; Parish of Goorangoola, County of Durham; and Parish of Vane, County of Durham, Map Sheet (9133-3-S).

Description of area cancelled:

An area of 7.6 hectares. For further information contact Titles Branch.

Part cancellation took effect on 29 November, 2006.

The authority now embraces an area of 65.2 hectares.

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

TRANSFERS

(07-4112)

Exploration Licence No. 5965, formerly held by MT ARTHUR COAL PTY LIMITED (ACN 000 181 902) has been transferred to HUNTER VALLEY ENERGY COAL PTY LTD (ACN 062 894 464). The transfer was registered on 28 August, 2007.

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

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

BERRIGAN SHIRE 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 may be used subject to any requirements or conditions set out in the Schedule.

ROWAN PERKINS,
General Manager,
Berrigan Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Berrigan Shire Council B-Doubles Notice No. 2/2007.

2. Commencement

This Notice takes effect on 8 September 2007.

3. Effect

This Notice remains in force until 8 September 2007.

4. Application

This Notice applies to those B-Doubles 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

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	00.	Kelly Street, Tocomwal.	Jerilderie Street (MR 550), Tocomwal.	Charlotte Street, Tocomwal.	For duration of Tocomwal 150 Years Celebrations Grand Parade only on 8 September 2007.
25.	00.	Charlotte Street, Tocomwal.	Kelly Street, Tocomwal.	Bruton Street, Tocomwal.	For duration of Tocomwal 150 Years Celebrations Grand Parade only on 8 September 2007.
25.	00.	Bruton Street, Tocomwal.	Charlotte Street, Tocomwal.	Murray Street, Tocomwal.	For duration of Tocomwal 150 Years Celebrations Grand Parade only on 8 September 2007.
25.	00.	Murray Street, Tocomwal.	Bruton Street, Tocomwal.	Hill Street, Tocomwal.	For duration of Tocomwal 150 Years Celebrations Grand Parade only on 8 September 2007.
25.	00.	Hill Street, Tocomwal.	Murray Street, Tocomwal.	Newell Highway (SH 7), Tocomwal.	For duration of Tocomwal 150 Years Celebrations Grand Parade only on 8 September 2007.

ROAD TRANSPORT (GENERAL) ACT 2005

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

BERRIGAN SHIRE 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 may be used subject to any requirements or conditions set out in the Schedule.

ROWAN PERKINS,
General Manager,
Berrigan Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Berrigan Shire Council B-Doubles Notice No. 7/2006.

2. Commencement

This Notice takes effect on 8 September 2007.

3. Effect

This Notice remains in force until 8 September 2007.

4. Application

This Notice applies to those B-Doubles 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

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	00.	Corcoran Street, Berrigan.	Jerilderie Street (MR 564), Berrigan.	Drummond Street, Berrigan.	For duration of Berrigan Canola Festival Parade only on 8 September 2007.
25.	00.	Drummond Street, Berrigan.	Corcoran Street, Berrigan.	Riverina Highway (SH 20), Berrigan.	For duration of Berrigan Canola Festival Parade only on 8 September 2007.

ROAD TRANSPORT (GENERAL) ACT 2005

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

BERRIGAN SHIRE 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 may be used subject to any requirements or conditions set out in the Schedule.

ROWAN PERKINS,
General Manager,
Berrigan Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Berrigan Shire Council B-Doubles Notice No. 8/2006.

2. Commencement

This Notice takes effect on 30 November 2007.

3. Effect

This Notice remains in force until 1 December 2007.

4. Application

This Notice applies to those B-Doubles 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

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	00.	Corcoran Street, Berrigan.	Jerilderie Street (MR 564), Berrigan.	Drummond Street, Berrigan.	30 November 2007 to 1 December 2007.
25.	00.	Drummond Street, Berrigan.	Corcoran Street, Berrigan.	Riverina Highway (SH 20), Berrigan.	30 November 2007 to 1 December 2007.

ROAD TRANSPORT (GENERAL) ACT 2005

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

GOULBURN-MULWAREE CITY 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 4.6m high vehicles may be used subject to any requirements or conditions set out in the Schedule.

LUKE JOHNSON,
General Manager,
Goulburn-Mulwaree City Council
(by delegation from the Minister for Roads)
17 August 2007

SCHEDULE**1. Citation**

This Notice may be cited as Goulburn-Mulwaree City Council 4.6m high vehicle Route Notice No. 1 /2007.

2. Commencement

This Notice takes effect from 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 4.6m high vehicles that 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

4.6m high vehicle routes within the Goulburn-Mulwaree City Council.

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
4.6m high.	Finlay Road, Goulburn.	MR676 Hume Street.	Sloane Street.
4.6m high.	Sloane Street, Goulburn.	MR79 Clinton Street.	Garroorigang Road.
4.6m high.	Garroorigang Road, Goulburn.	Sloane Street.	Mazamet Road.
4.6m high.	Mazamet Road, Goulburn.	HW2 Hume Highway.	Entire Length.
4.6m high.	Robinson Street, Goulburn.	Lansdowne Street.	Finlay Road.

ROAD TRANSPORT (GENERAL) ACT 2005

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

GOULBURN MULWAREE 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 25m B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

LUKE JOHNSON,
General Manager,
Goulburn Mulwaree Council
(by delegation from the Minister for Roads)
17 August 2007

SCHEDULE
1. Citation

This Notice may be cited as Goulburn Mulwaree Council 25m B-Double Route Notice No. 2/2007.

2. Commencement

This Notice takes effect from 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-Double vehicles that 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

25m B-Double routes within the Goulburn Mulwaree Council.

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	Robinson Street, Goulburn.	Lansdowne Road.	Finlay Road.

ROAD TRANSPORT (GENERAL) ACT 2005

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

CLARENCE VALLEY 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 4.6 metre High Vehicles may be used subject to any requirements or conditions set out in the Schedule.

GENERAL MANAGER,
Clarence Valley Council
(by delegation from the Minister for Roads)
4 September 2007

SCHEDULE
1. Citation

This Notice may be cited as Clarence Valley Council 4.6 Metre High Vehicle Route Notice No. 2 /2007.

2. Commencement

This Notice takes effect 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 4.6m high 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

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
4.6 m high.	Watts Lane (East) Harwood Island.	Pacific Highway.	Mill Road.
4.6 m high.	Mill Road Harwood Island.	Watts Lane (East).	Harwood Sugar Mill weighbridge entrance.

ROADS TRANSPORT (GENERAL) ACT 2005

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

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

ALAN McCORMACK,
General Manager,
Parkes Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Parkes Shire Council B-Doubles Notice No. 2/2007.

2. Commencement

This Notice takes effect 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

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

5. Routes

B-Double routes within the Parkes Shire Council.

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting point</i>	<i>Finishing point</i>
25.	000.	Moulden Street, Parkes.	Main Road 61 (Condobolin Road).	Back Trundle Road.
25.	000.	Back Trundle Road, Parkes.	Moulden Street.	Parkes Landscaping Supplies (Lot 2, Back Trundle Road).

ROAD TRANSPORT (GENERAL) ACT 2005

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

GUNDAGAI SHIRE 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 may be used subject to any requirements or conditions set out in the Schedule.

G. A. J. TICKNER,
General Manager,
Gundagai Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Gundagai Shire Council B-Doubles Notice No. 02, 2007.

2. Commencement

This Notice takes effect from 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 B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 2005 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
SR 26.	Adjungbilly Road, Gundagai Shire.	14.0 km south east of the Gobarralong Road intersection.	18.8 km south east of Gobarralong Road at the Redhill Road intersection.
SR 27.	Redhill Road, Gundagai Shire.	0 km at the Adjungbilly Road intersection.	3.0 km south of Adjungbilly Road to the intersection between Redhill Road and Billapaloola Road.

ROAD TRANSPORT (GENERAL) ACT 2005

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

GUNDAGAI SHIRE 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 may be used subject to any requirements or conditions set out in the Schedule.

G. A. J. TICKNER,
General Manager,
Gundagai Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as Gundagai Shire Council 25 Metre B-Double Notice No. 01/2007.

2. Commencement

This Notice takes effect on 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-Double 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

<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
243.	West Street, Gundagai.	William Street.	Sheridan Street.
279.	Sheridan Street, Gundagai.	West Street.	Hume Highway.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

GENERAL MANAGER,
Murray Shire Council
(by delegation from the Minister for Roads)
2 July 2007

SCHEDULE**1. Citation**

This Notice may be cited as Murray Shire Council Road Train Route Notice No. 01/2007.

2. Commencement

This Notice takes effect on 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 Road Train 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

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
RT.		McCulloch Drive, Moama.	Neil Street.	Martin Road.
RT.		Neil Street, Moama.	Martin Road.	
RT.		Lawry Street, Moama.	Neil Street.	McCulloch Drive.
RT.		Bowlan Street, Moama.	McCulloch Drive.	
RT.		Marlin Street, Moama.	Bowlan Street.	
RT.	152.	Martin Road, Moama.	Cobb Highway (SH21).	Twenty Four Lane.

ROAD TRANSPORT (GENERAL) ACT 2005

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

MURRUMBIDGEE SHIRE 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 may be used subject to any requirements or conditions set out in the Schedule.

PAUL GOODSALL,
General Manager,
Murrumbidgee Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Murrumbidgee Shire B-Double Notice No. 1/2007.

2. Commencement

This Notice takes effect 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

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	000.	Boyd Street, Darlington Point.	Kidman Way.	Ross Street.	Travel permitted except for times 8.00am-9.30am and 2.30pm-4.00pm School Days.
25.	000.	Ross Street, Darlington Point.	Boyd Street.	Hay Road.	Travel permitted except for times 8.00am-9.30am and 2.30pm-4.00pm School Days.
25.	000.	Hay Road, Darlington Point.	Ross Street.	Britts Road.	Travel permitted except for times 8.00am-9.30am and 2.30pm-4.00pm School Days.
25.	000.	Britts Road, Darlington Point.	Hay Road.	1km west of Hay Road.	Travel permitted except for times 8.00am-9.30am and 2.30pm-4.00pm School Days.
25.	000.	Campbell Street, Darlington Point.	Hay Road.	0.25km west of Hay Road.	Travel permitted except for times 8.00am-9.30am and 2.30pm-4.00pm School Days.

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Erina in the Gosford 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 Gosford City Council area, Parish of Kincumber and County of Northumberland, shown as Lots 20 to 25 inclusive and 27, 28 and 29 Deposited Plan 1078946.

(RTA Papers: 184.1315)

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Green Point in the Gosford 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 that piece or parcel of land situated in the Gosford City Council area, Parish of Kincumber and County of Northumberland, shown as Lot 6 Deposited Plan 1026458.

(RTA Papers: 184.1268)

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Maitland in the Maitland 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 Maitland City Council area, Parish of Maitland and County of Northumberland, shown as Lots 1, 3, 4 and 5 Deposited Plan 258100.

(RTA Papers: 9/307.1224)

Department of Water and Energy

WATER ACT 1912

THE Local Land Board for the Land District of Tamworth will, at 10:00 a.m., on Tuesday, 18 September 2007, at the Tamworth Court House, Fitzroy Street, Tamworth, publicly inquire as to the desirability of granting an application for a licence under Part 2 of the Water Act 1912 by Tanja Stewart JARRATT, for a pump on the Peel River on Lots 6, 8 and 10, DP 755334, Parish Nemingha, County Parry, for irrigation purposes.

Any person who thinks their interests may be affected by the granting of this application may present their case at this hearing.

DENNIS MILLING,
Manager Licensing,
Department of Water and Energy

WATER ACT, 1912

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

Buckenderra Investments Pty Ltd for a pump on Lake Eucumbene being Part Lot 4 DP239065, Parish of Middlingbank, County of Wallace for water supply for industrial (caravan park) purposes.(Replacement license – replacing 10SL055305 due to increase in allocation)(Exempt from the 2007 South Coast Rivers embargo order) (Ref: 10SL056772) (GA2:502431).

Any inquiries regarding the above should be directed to the undersigned (Phone: 44-294442).

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

WAYNE RYAN,
Natural Resource Project Officer
South Coast Region

Department of Water & Energy
PO Box 309
Nowra NSW 2541

WATER ACT 1912

AN APPLICATION for a license under Part 5 of the Water Act, 1912, as amended, has been received as follows;

Murrumbidgee Valley

QUEANBEYAN CITY COUNCIL for a bore on Crown Reserve No.530051 (“Queanbeyan Public Park” –Lowe Street, Queanbeyan) Parish of Queanbeyan, County of Murray for a water supply for recreation purposes). New License. 40BL191602

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 8th October 2007 as prescribed by the Act.

S.F. WEBB,
Licensing Manager
Murray/Murrumbidgee Region

Department of Water and Energy
P.O. Box 156, LEETON NSW 2705
GA2 :398335

Other Notices

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

THE following Vocational Training Order is made under section 6 of the Apprenticeship and Traineeship Act 2001, in relation to the recognised traineeship vocation of Electrotechnology.

Citation

The order is cited as the Electrotechnology Order.

Order

The Order is given below.

(a) Term of Training

(i) Full-time

The nominal period of training shall be 12 months for a Certificate II outcome or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) Part-time

School based traineeships

In the case of school based part-time traineeships, trainees will undertake 180 days on-the-job training across a twenty-four (24) months period within which trainees shall be required to demonstrate competencies relevant to the Vocational Training Order.

While at school, training may extend to sixty (60) months where the Higher School Certificate is being delivered over a five (5) year period.

Students may work full-time during school vacations and/or weekends. They are not required to attend on-the-job and/or off-the-job training for more than one (1) day per week during examination periods or exam preparation periods.

Non school based traineeships

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

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

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

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competence specified in the Electrotechnology Industry Training Package UEE06.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

Certificate II Computer Assembly and Repair UEE 20506

Certificate II Gaming Machines Servicing UEE21106

Certificate II Antennae Equipment UEE21206

Certificate II Remote Area Essential Services UEE 21306

Certificate II Remote Area Power Supply Maintenance UEE 21406

Certificate II Renewable Energy UEE21506

Certificate II Security Assembly and Setup UEE 21606

Certificate II Technical Support UEE21706

Certificate II Electronics UEE 21906

Availability for Inspection

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

BANKS AND BANK HOLIDAYS ACT 1912

Notice

I, JOHN DELLA BOSCA, Minister for Industrial Relations, in pursuance of section 19(5) of the Banks and Bank Holidays Act 1912, in that it has been made to appear to me that circumstances relating to the incidence of equine influenza in New South Wales resulting in the postponement of the Ballina Cup Race Day have arisen so as to make it impractical that my appointment of the afternoon of Thursday, 13 September 2007, as a public half-holiday in the Ballina Shire Council area should be observed, do, by this my notice, cancel that appointment.

Dated at Sydney, this 5th day of September, 2007.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

ELECTRICITY SUPPLY ACT 1995**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Easements

TRANSGRID, by its delegate, Robert John RIGG, declares with the approval of her Excellency the Governor, with the advice of the Executive Council, that the interests described in Schedule 1 to this Notice in the land that is the land burdened and corresponding site of the easement described in Schedule 2 to this Notice are acquired by compulsory acquisition under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of the Electricity Supply Act 1995.

Dated at Sydney, this 29th day of August 2007.

ROBERT JOHN RIGG,
A/General Manager,
Business Services

SCHEDULE 1

Easement rights as described under the heading "Memorandum of Energy Transmission Easement" in Memorandum AD 96642P filed in the Department of Lands pursuant to section 80A of the Real Property Act 1900.

SCHEDULE 2

All that piece or parcel of land being Lot 14, Deposited Plan 1092321, in the Parish of Wongawilli, County of Camden, in the Local Government Area of Wollongong and said to be in the possession of the Sydney Catchment Authority is the "land burdened". All that part of the land burdened comprised within the site of the Avon Switching Station Premises shown in the plan held by TransGrid as P50720 is the corresponding "site of easement".

SCHEDULE 1

Easement rights as described under the heading "Memorandum of Energy Transmission Easement" in Memorandum AD 96642P filed in the Department of Lands pursuant to section 80A of the Real Property Act 1900.

SCHEDULE 2

All those pieces or parcels of land being part of Lot 1, Deposited Plan 552239; Lot 1, Deposited Plan 545735

and Lot 1, Deposited Plan 1052848, in the Parish of Burrawang, County of Camden and Local Government Area of Shoalhaven and said to be in the possession of Sydney Catchment Authority is the "land burdened". All that part of the land burdened comprised within the site of the Kangaroo Valley Switching Station Premises shown in the plan held by TransGrid as P50719 is the corresponding "site of easement".

FIRE BRIGADES ACT 1989

Order under Section 5 (2)

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of section 5 (2) of the Fire Brigades Act 1989, do, by this my Order, vary the Orders published in *New South Wales Government Gazette* No. 55 of 5 May 2000 (Campbelltown), No. 37 of 4 March 1983 (Grenfell), No. 107 of 26 August 2005 (Gundagai), No. 55 of 5 May 2000 (Liverpool), No. 95 of 3 June 1988 (Narromine) and reconstitute the Fire Districts in the following Schedule and declare that the provisions of the Fire Brigades Act shall apply to the area described in the Schedule.

Signed at Sydney, this 22nd day of August 2007.

By Her Excellency's Command,

NATHAN REES, M.P.,
Minister for Emergency Services

SCHEDULE

In this Schedule, a reference to a local government area is a reference to that area with boundaries as at the date of publication of the Order in the *New South Wales Government Gazette*.

Campbelltown Fire District

Comprising the existing Fire District in Campbelltown City Council, with additions and deletions as delineated on Map No. 088/05/01 kept in the office of the NSW Fire Brigades.

Grenfell Fire District

Comprising the existing Fire District in Weddin Shire Council, with deletions as delineated on Map No. 308/06/1 kept in the office of the NSW Fire Brigades.

Gundagai Fire District

Comprising the existing Fire District in Gundagai Shire Council, with additions as delineated on Map No. 313/06/1 kept in the office of the NSW Fire Brigades.

Liverpool Fire District

Comprising the existing Fire District in Liverpool City Council, with additions and deletions as delineated on Map No. 008/05/1 kept in the office of the NSW Fire Brigades.

Narromine Fire District

Comprising the existing Fire District in Narromine Shire Council, with additions and deletions as delineated on Map No. 401/04/1 kept in the office of the NSW Fire Brigades.

GEOGRAPHICAL NAMES ACT 1966

Notice to Discontinue a Geographical Name

PURSUANT to the provisions of section 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day discontinued the name below:

Discontinued Name: Taronga Wharf.
Assigned Name: Taronga Zoo Wharf.
Designation: Wharf.
L.G.A.: Mosman Council.
Parish: Willoughby.
County: Cumberland.
L.P.I. Map: Parramatta River.
1:100,000 Map: Sydney 9131.

WARWICK WATKINS,
Chairperson

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

LEGAL PROFESSION ADMISSION RULES 2005**PUBLIC NOTARIES APPOINTMENT RULES**Amendments to Legal Profession Admission Rules 2005
(August 2007)

- (1) Amend rule 59(3) by adding the words “ or been credited with or exempted from” after the word “passed” and before the word “eight”.
- (2) Amend the Third Schedule to the following:

Third Schedule

Item	Fee until 30/9/07 \$	Fee from 1/10/07 \$
Student registration application	150	160
Rule 67 application	35	40
Student course application	35	40
Rule 71 review	35	40
Academic transcript	35	40
Interview with examiner	90	90
Examination	100	120
Additional fees – examination in unscheduled location in a single examination period where permitted:		
NSW first subject/additional subject	200/150	200/150
Elsewhere in Australia first subject /additional subject	250/200	250/200
Overseas first subject/ additional subject	450/350	450/350
Section 26 application	200	200
Academic exemption application	180	180
Practical training exemption application	180	180
Admission application – Forms 10,11	360	380
Re-admission application – Form 12	720	950
Certificate of admission – Form 7	40	40
Original diplomas and certificates	110	110
Other applications and certificates	35	40
Late application (where permitted):		

Board examination – related	50	50
Admission – related and other	80	80
Photocopying – up to two pages	1	1
Dishonoured cheque	33	33
Duplicate receipt	10	10

Amendments to Public Notaries Appointment Rules

Amend the Second Schedule (Fees) as follows:

Second Schedule (Fees)

Item	Fee until 30/9/07 \$	Fee from 1/10/07 \$
Application for appointment	350	360
Application for certificate of current appointment	30	30
Original certificate of appointment (replacements)	100	100
Notification of change of particulars	30	30
Annual notification in Form 6	30	30
For any other application	30	35
Late application	—	80
Notarial Practice Course	(as approved from time to time)	(as approved from time to time)

LOCAL GOVERNMENT ACT 1993

Registration of a Political Party

IT is hereby notified that pursuant to the provisions of the Local Government Act 1993, the undermentioned political party is registered:

Australia First (Council Elections) Party

COLIN BARRY,
Electoral Commissioner

New South Wales Electoral Commission,
Level 25, 201 Kent Street,
Sydney NSW 2000.
27 August 2007

**PUBLIC WORKS ACT 1912
LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Compulsory Acquisition

Wollongbar Agricultural Institute

THE Minister for Commerce, with the approval of Her Excellency the Governor, declares that the interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for a public work.

On publication of this notice in the *New South Wales Government Gazette* the interest in land is vested in the Minister for Commerce as Constructing Authority under section 4 of the Public Works Act 1912.

ERIC MICHAEL ROOZENDAAL, M.L.C.,
Minister for Roads
and Minister for Commerce

SCHEDULE

Interest in Land

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

Deposited Plan 1106985 as '(E) PROPOSED EASEMENT FOR WATER PIPELINE 3 WIDE AND VARIABLE WIDTH.'

Reference: 341.

SPORTING INJURIES INSURANCE ACT 1978

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare by this order DEAF FOOTBALL AUSTRALIA to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Deaf Football.

Dated: Sydney, 23 August 2007.

MURRAY McLACHLAN,
Deputy Chairperson,
Sporting Injuries Committee

STATE OWNED CORPORATIONS ACT 1989

Direction Under Section 20P

TO: Dr Thomas Parry, AM,
Chairman,
Sydney Water Corporation

I, NATHAN REES, M.P., Minister for Water Utilities, with the approval of the Treasurer, hereby direct Sydney Water Corporation to arrange for:

- Sydney Water to construct, operate and undertake the Western Sydney Recycled Water Initiative Replacement Flows Project consisting of:
 - an Advanced Water Treatment Plant with interconnecting systems from Penrith, St Marys and Quakers Hill Sewage Treatment Plants;
 - associated infrastructure and a pipeline from the treatment plant;
 - a pilot plant at St Mary's Sewage Treatment Plant and associated infrastructure.

Reasons:

It is vitally important to secure Sydney's water supply for the benefit of the whole community.

The Western Sydney Recycled Water Initiative Replacement Flows Project is a major component of the 2006 Metropolitan Water Plan that outlines Government's plans to secure Sydney's water supply to at least 2015. The Plan demonstrates the Government's commitment to recycling and provides that by 2015, 70 billion litres of water will be recycled per year. This represents 11 per cent of Sydney's water supply.

The Replacement Flows Project will provide up to 18 billion litres per year of highly treated recycled water to the Hawkesbury-Nepean River as a replacement for water which would otherwise be released from Warragamba Dam for environmental, irrigation and riparian uses.

I am satisfied that these are exceptional circumstances that render it necessary to give the direction in the public interest.

Dated: 17 August 2007.

NATHAN REES, M.P.,
Minister for Water Utilities

TRANSPORT ADMINISTRATION ACT 1988 NO 109

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

Railway Level Crossing on the North Coast Rail Line at rail kilometres:

195.334; 196.923; 197.728; 198.271; 202.295;
203.622; 206.781; 209.215; 211.770; 212.365;
214.284; 225.308; 231.444; 233.415; 258.521;
263.349; 265.783 and 432.471.

All rights, easements and privileges in relation to these railway level crossings are now extinguished.

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

Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6

The treated Red Mud residues exemption 2007

Name

1. This exemption is to be known as ‘the treated Red Mud residues exemption 2007’.

Commencement

2. This exemption commences on 17 September 2007.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the Government Gazette.

Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of residues from any industrial or manufacturing process that involves the refining or processing of metals or metallic products is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Treated Red Mud residues from the processing of bauxite may only be land applied for growing vegetation where the conditions of this exemption are met.

Authority

5. This exemption is made under Clause 51, Part 6 of the Protection of the Environment Operations (Waste) Regulation 2005. This exemption is a general exemption and is given in respect of suppliers, processors and consumers.

Definitions

6. In this exemption:

Supplier means a person who supplies or causes or permits the supply of treated Red Mud residues to a party applying these substances to land. The supplier will generally be the generator or processor of the treated Red Mud residues.

Processor means a person who mixes, blends or otherwise incorporates treated Red Mud residues into a land application material.

Consumer means a person who applies or causes or permits the application of treated Red Mud residues to land. The consumer will generally be the landholder responsible for the land to which treated Red Mud residues are applied. Where a person responsible for transporting the treated Red Mud residues to the land application site is also the party applying the residues, this person is also recognised to be the consumer.

Treated Red Mud residues are neutralised residues generated by the extraction of aluminium from bauxite. These residues comprise of Hematite (& other iron oxides), hydrated alumina,

Sodalite, Quartz and calcium & magnesium minerals, carbonates and have a pH after treatment of less than 10.5.

In-residue means the treated Red Mud residues prior to blending, mixing or otherwise processing.

For further information on the terms used in this document refer to Appendix 1 –General Exemption Guidance.

Who This Exemption Applies To

7. The responsible person identified in Column 1 of Table 1 is exempt from the legislative provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

Table 1

Column 1	Column 2
Responsible person	Provisions from which the responsible person is exempt
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste not to be applied to certain land]

Conditions of this Exemption

8. The operation of this exemption is subject to the following conditions:

- 8.1 This exemption only applies to treated Red Mud residues from bauxite processing.
- 8.2 The supplier must comply with all requirements specified in section 11, ‘Supplier Responsibilities’.
- 8.3 The processor must comply with all requirements specified in section 12, ‘Processor Responsibilities’.
- 8.4 The consumer must comply with all requirements specified in section 13, ‘Consumer Responsibilities’.

Maximum contaminant concentrations

9. The in-residue contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

Table 2

Column 1	Column 2
Contaminant	Maximum concentration
pH	10.5
Electrical conductivity EC _{se} (dS/m)	4

Test methods

- 10.1 Test methods for measuring the pH of treated Red Mud residues require:
 - 10.1.1 Sample preparation by mixing 1 part by dry weight of the treated Red Mud residue with 5 parts by weight 0.01 M Calcium Chloride Solution.
 - 10.1.2 Measurement technique—National Environment Protection Council, Method 103 'pH', *Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999* available at: www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf
 - 10.1.3 Report as pH.
- 10.2 Test methods for measuring electrical conductivity of treated Red Mud residues require:
 - 10.2.1 Sample preparation by mixing 1 part treated Red Mud residue with 5 parts distilled/deionised water.
 - 10.2.2 Measurement technique—National Environment Protection Council, Method 104 'Electrical Conductivity', *Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999* available at: www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf (or equivalent analytical method with a 'detection limit' < 10% of stated 'electrical conductivity' limit in General Exemption).
 - 10.2.3 Report as 'electrical conductivity' in deciSeimens per metre (dS/m).

Supplier Responsibilities

11. The following conditions must be met by the supplier for this exemption to apply:

- 11.1 ***Chemical Characterisation***
 - 11.1.1 Suppliers of treated Red Mud residues must initially fully chemically and physically characterise their treated Red Mud residues.
 - 11.1.2 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1 and 10.2.
 - 11.1.3 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission, *National Code of Practice for the Preparation of Material Safety Data Sheets*, published in 2003, by the AGPS, Canberra.
- 11.2 ***Maximum allowable contaminant concentrations***
 - 11.2.1 The supplier must not cause or permit the land application of treated Red Mud where the in-residue contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 11.3 ***Information to be provided to the consumer***
 - 11.3.1 Where treated Red Mud residue is mixed, blended or otherwise incorporated into a land application material, the supplier must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that land application material to the consumer.
 - 11.3.2 Suppliers of treated Red Mud residue must provide a written statement of compliance to the consumer with each transaction of treated Red Mud residue, certifying that the treated Red Mud residue complies with the relevant conditions of this exemption.

- 11.3.3 Suppliers must provide the consumer with a copy of this exemption and the MSDS.
- 11.4 ***Monitoring and record keeping***
- 11.4.1 Suppliers of treated Red Mud residue must undertake routine testing of representative samples to ensure that the quality of the treated Red Mud residue is consistently maintained.
- 11.4.2 At a minimum, suppliers of treated Red Mud residues must test the residue three times a year where less than 1000 tonnes of residue is provided to consumers in total. Where more than 1000 tonnes of treated Red Mud residue is provided to consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.4.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities.
- 11.4.4 Records of results, quantity of treated Red Mud residue and the consumer's name must be kept for a minimum of three years.

Processor responsibilities

12. The following conditions only apply where the treated Red Mud residue is mixed, blended or otherwise incorporated into a land application material prior to land application. For requirements relating to the direct land application of treated Red Mud residue, refer to section 13, 'Consumer responsibilities'.

- 12.1 ***Maximum allowable contaminant concentrations***
- 12.1.1 Prior to mixing, blending or otherwise incorporating into a land application material, the processor must ensure that the in-residue contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.
- 12.2 ***Information to be provided to the consumer***
- 12.2.1 Where treated Red Mud residue is mixed, blended or otherwise incorporated into a land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that land application material to the consumer.
- 12.3 ***Monitoring and record keeping requirements***
- 12.3.1 Processors must obtain and keep a written statement with each transaction of treated Red Mud residue, certifying that the treated Red Mud residue complies with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of treated Red Mud residue received, the supplier's name and the date the treated Red Mud residue was received must be kept for a period of three years.

Consumer responsibilities

13. The following conditions only apply where the treated Red Mud residue is directly applied to the land. These conditions do not apply where the residue is mixed or blended with, or otherwise incorporated into, a land application material. The following conditions must be met by the consumer for this exemption to apply.

13.1 *Soil application*

13.1.1 Application rates must be equal to or less than the agronomic rate for the most limiting factor.

13.1.2 The treated Red Mud residue must be incorporated into the topsoil.

13.2 *Monitoring and record keeping*

13.2.1 Consumers applying treated Red Mud residue to land must obtain and keep a written statement with each transaction of residue received, certifying that the residue complies with the relevant conditions of this exemption.

13.2.2 Records of the quantity of treated Red Mud residue received and applied to land, the supplier's name and the date the residue was received must be kept for a period of three years.

Exemption Granted

Mark Gorta
Manager, Waste Management Section
Environment Protection Authority

30 August 2007

Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

Appendix 1—Guidance

Where the supplier and consumer are the same person

Records required to be kept by the supplier, as specified in section 11, ‘Supplier responsibilities’, that relate to 11.1 ‘Chemical characterisation’ of the treated Red Mud residue and that show compliance with 11.2 ‘Maximum contaminant concentrations’ are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

What is a ‘transaction’?

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a ‘transaction’ is taken to mean the contractual agreement between the two parties which specifies the exchange of treated Red Mud from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

Information to be included in a statement of compliance

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

Environmentally appropriate land application of treated Red Mud residue

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the treated Red Mud residue should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc. Any potential consequential implications for agricultural produce or future land use should also be considered.

While maximum contaminant concentration limits are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application and should normally be no more than the agronomic rate for the most limiting factor.

As a guide, EPA recommends that the in soil contaminant listed in Column 1 of Table 3 following application of treated Red Mud residue to soil should not exceed the concentrations listed in Column 2 of Table 3. It should be noted that these limits are provided as a guide only, and plants may display symptoms of toxicity, and/or reductions in yield may occur at values below these limits.

Table 3

Column 1	Column 2
Contaminant	Maximum in-soil concentration
pH	8
Electrical conductivity EC _{se} (dS/m)	4

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

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Baulkham Hills Shire Council declares, with the approval of Her Excellency the Governor, that the lands described in the schedule below, including minerals in the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993. Dated at Castle Hill this seventh day of September 2007. DAVE WALKER, General Manager, Baulkham Hills Shire Council.

SCHEDULE

Lot 21, DP 1103218.
Lot 23, DP 1103218.
Lot 25, DP 1103218.
Lot 27, DP 1103218.

[3485]

CANTERBURY CITY COUNCIL

Local Government Act 1993 Section 50(4)

PURSUANT to the provisions of the Local Government Act 1993 Section 50(4) the drainage reserves described in the Schedule are vested in the Canterbury City Council.

Schedule

Lot 2 in Deposited Plan 456397.
Lot 1 in Deposited Plan 669287.

[3486]

FORBES SHIRE COUNCIL

Roads (General) Regulation 2000

Shire of Forbes Shire Council

NOTICE is hereby given that the Forbes Shire Council in pursuance of division 2 of the above mentioned Regulation, proposes to name the road as shown hereunder:

<i>Present name</i>	<i>Proposed name</i>
Unnamed road running in an westerly direction from Farnell Street, being lots 26 and 27, DP1060198	Watson Close

Authorised by resolution of the council on 21st June 2007.
GENERAL MANAGER, Forbes Shire Council, PO Box 333, Forbes, NSW 2871.

[3487]

WALGETT SHIRE COUNCIL

Pesticides Regulation 1995

Pesticide Use Notification Plan

THE Walgett Shire Council wishes to advise that it has finalised a Pesticide Use Notification Plan in accordance with the Pesticide Regulation 1995.

The plan applies to public gardens, parks, playgrounds, sporting fields, ovals, showgrounds, swimming pools, bore baths and any public land owned or controlled by the Walgett Shire Council.

The plan is available at the Walgett Shire Councils office, 77 Fox Street, Walgett NSW 2832 and can be viewed on the Councils internet website www.walgett.nsw.gov.au.

This plan becomes effective as of 21 August 2007.

STEPHEN MCLEAN, General Manager, Walgett Shire Council, 77 Fox Street, Walgett NSW 2832.

[3488]

YOUNG SHIRE COUNCIL

Local Government Act 1993, Section 553(a)

Extension of Water Mains

NOTICE is given pursuant to section 553(a) of the Local Government Act 1993, as amended, that the water mains have been extended and the land served is described in the accompanying Schedule. Land that is not connected thereto shall become liable to water supply charges after twenty-one (21) days from the date of this notice. Land connected before the expiration of the twenty-one days shall be charged to that Water Access Fee from the date of connection.

ADRIAN HANRAHAN, General Manager, Locked Bag 5, Young 2594.

SCHEDULE

Lot 3	DP 839410
Lot 1	DP 839410
Lot 2	DP 839410
Lot 2	DP1065597
Lot 1	DP1065597
Lot 2	DP1037663
Lot 2	DP1060211
Lot 3	DP1060211
Lot 42	DP1107548
Lot 41	DP1107548
Lot 6	DP1085922
Lot 2	DP591123
Lot 11	DP787967
Lot 1	DP878117
Lot 2	DP878117
Lot 10	DP787967
Lot 8	DP606009
Lot 9	DP606009
Lot 2	DP511137
Lot 1	DP119578
Lot 474	DP754611
Lot 2	DP532684
Lot 37	DP599239
Lot 36	DP599239
Lot 39	DP599522
Lot 38	DP599522
Lot 2	DP1064778
Lot 4	DP1069768

[3489]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of MARY ISABEL WARE, late of Bexley Centre, 17/28 Harrow Road, Bexley, NSW 2207 in the State of New South Wales, who died on 15 June 2007, must send particulars of their claim to the executor, Helen Ware c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale 2223, on or before the expiration of 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 21 August 2007. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale 2223, (DX 11307 Hurstville), tel.: 9570 2022.

[3490]

NOTICE of intended distribution of estate. – Any person having any claim upon the Estate of KATHY LYNN TAYLOR, late of 2/17-19 Forsyth Street, Kingsford in the State of New South Wales, who died on 19th July 2007 must send particulars of their claim to the Executor Sylvana Cacciottolo care of Simpson & Co, Solicitors, 103A Anzac Parade, Kensington 2033 within one calendar month from publication of this notice. After that time, the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 30th August 2007. SIMPSON & CO, Solicitors, 103A Anzac Parade, KENSINGTON 2033, tel. ; 9662 4381 - P.O. Box 340, KENSINGTON 1465.

[3491]

NOTICE of intended distribution of estate. – Any person having any claim upon the Estate of GALINA COMPTON, late of Katoomba, retired Computer Operator in the State of New South Wales, who died on 26th May 2007 must send particulars of their claim to the Executor Peter Ewan Kennedy care of Ebsworth & Ebsworth, Solicitors, 126 Phillip Street, Sydney within one 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 August 2007. EBSWORTH & EBSWORTH, Solicitors, 126 Phillip Street, Sydney.

[3492]

COMPANY NOTICES

NOTICE is hereby given that the partnership previously subsisting between MIK Accounting Pty Limited ACN 109 085 065, SMP Accounting Pty Limited ACN 109 085 010, Morgan Financial Group Pty Limited ACN 106 441 132 and RRR Accounting Pty Limited ACN 109 085 038 carrying on the business as accountants at Miranda under the firm KPR Partners Pty Limited ACN 109 085 029 has been dissolved as so far as concerns the said RRR Accounting Pty Ltd ACN 109 085 038 who retires from the said firm as at 30 June 2007.

[3493]

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