



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Proclamations



New South Wales

## Proclamation

under the

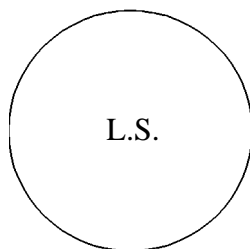
Greyhound and Harness Racing Administration Act 2004 No 36

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Greyhound and Harness Racing Administration Act 2004*, do, by this my Proclamation, appoint 1 October 2004 as the day on which the uncommenced provisions of that Act commence.

Signed and sealed at Sydney, this 25th day of August 2004.

By Her Excellency's Command,



L.S.

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

GOD SAVE THE QUEEN!

### Explanatory note

Parts 1 and 2 of, and Schedule 1 to, the *Greyhound and Harness Racing Administration Act 2004* commenced on the date of assent. The object of this Proclamation is to commence the remaining provisions of that Act.



## Proclamation

under the

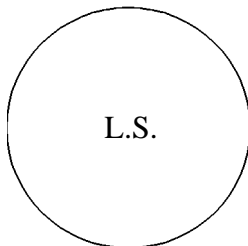
Statute Law (Miscellaneous Provisions) Act 2004 No 55

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (2) of, and Schedule 1.3 and Schedule 1.7 to, the *Statute Law (Miscellaneous Provisions) Act 2004*, do, by this my Proclamation, appoint 10 September 2004 as the day on which Schedule 1.3 and Schedule 1.7 to that Act commence.

Signed and sealed at Sydney, this 8th day of September 2004.

By Her Excellency's Command,



BOB DEBUS, M.P.,  
Attorney General

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence the amendments to the *Associations Incorporation Act 1984* and the *Country Women's Association of New South Wales Incorporation Act 1931* made by Schedule 1.3 and Schedule 1.7, respectively, to the *Statute Law (Miscellaneous Provisions) Act 2004*.

Schedule 1.7 updates a provision in the *Country Women's Association of New South Wales Incorporation Act 1931* relating to the lodgment for registration of copies of the rules of the Country Women's Association (and makes supplemental amendments). Schedule 1.3 makes consequential amendments to the *Associations Incorporation Act 1984*.

This Proclamation is made under section 2 (2) of, and Schedule 1.3 and Schedule 1.7 to, the *Statute Law (Miscellaneous Provisions) Act 2004*.

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# Regulations

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## Greyhound and Harness Racing Administration (Appeals) Regulation 2004

under the

Greyhound and Harness Racing Administration Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Greyhound and Harness Racing Administration Act 2004*.

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

### Explanatory note

The object of this Regulation is to replace the *Greyhound Racing (Appeals) Regulation 1999* and the *Harness Racing (Appeals) Regulation 1999*, which are to be repealed by the *Greyhound and Harness Racing Administration Act 2004*. This Regulation is in substantially the same terms as the Regulations to be repealed. This Regulation provides for administrative and procedural matters concerning appeals to the Greyhound and Harness Racing Regulatory Authority and the Greyhound and Harness Racing Appeals Tribunal.

This Regulation is made under the *Greyhound and Harness Racing Administration Act 2004*, including section 25 (regulations concerning appeals and special inquiries) and section 50 (the general regulation-making power).

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

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 Greyhound and Harness Racing Administration (Appeals) Regulation 2004
 

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## Greyhound and Harness Racing Administration (Appeals) Regulation 2004

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Clause 1	Greyhound and Harness Racing Administration (Appeals) Regulation 2004
Part 1	Preliminary

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## Greyhound and Harness Racing Administration (Appeals) Regulation 2004

under the

Greyhound and Harness Racing Administration Act 2004

### Part 1 Preliminary

#### 1 Name of Regulation

This Regulation is the *Greyhound and Harness Racing Administration (Appeals) Regulation 2004*.

#### 2 Commencement

This Regulation commences on 1 October 2004.

#### 3 Definitions

(1) In this Regulation:

*chief executive officer* means the chief executive officer of the Authority.

*Secretary of the Tribunal* means the person designated under clause 4 to act as the Secretary of the Tribunal for the time being.

*the Act* means the *Greyhound and Harness Racing Administration Act 2004*.

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

#### 4 Secretary of the Tribunal

(1) The Tribunal may, by order in writing, designate a member of staff of the Authority to act as the Secretary of the Tribunal.

(2) The Tribunal is to consult with the chairperson of the Authority before making an order under subclause (1).

Greyhound and Harness Racing Administration (Appeals) Regulation 2004 Clause 5

Appeals to Authority

Part 2

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## Part 2 Appeals to Authority

### 5 Appeals to Authority

Appeals to the Authority under section 19 of the Act are to be made in accordance with this Part.

### 6 Decisions from which an appeal lies to Authority

For the purposes of section 19 (1) of the Act, one or more of the following decisions may be appealed to the Authority:

- (a) a decision to fine a person an amount exceeding \$50 but less than \$550,

**Note.** A person may opt whether to appeal to the Tribunal or the Authority in relation to a decision to impose a fine of more than \$50 but less than \$550. Fines greater than \$550 must be appealed to the Tribunal.

- (b) a decision to place an endorsement on the registration certificate of a greyhound for fighting or failing to pursue the lure, that gives rise to a disqualification of the greyhound for a period exceeding 4 weeks,
- (c) a decision to disqualify a greyhound from participating in greyhound racing, but only if the decision to disqualify is made in conjunction with a decision to impose a penalty on a person (the latter being a decision in respect of which an appeal may be made to the Authority),
- (d) a decision to disqualify for a period of less than 4 weeks any horse from participating in harness racing,
- (e) a decision to suspend, for a period of less than 14 days, any right or privilege conferred on a person by the Act or by a rule,
- (f) a decision to reduce in grade a driver for a period of less than 4 weeks,
- (g) a decision relating to the payment of a bet.

### 7 Further investigation of appeal

- (1) If the Authority, at any time before determining an appeal, is of the opinion that the subject-matter of the appeal or any matter connected with it should be investigated, or that the evidence considered on the appeal should be reconsidered, the Authority may:
- (a) itself conduct the investigation, or

Clause 8	Greyhound and Harness Racing Administration (Appeals) Regulation 2004
Part 2	Appeals to Authority

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- (b) direct that the investigation be conducted by the person or body against whose decision the appeal is brought, and that the person or body report the result of the investigation to the Authority, or
  - (c) remit the whole or any part of the subject-matter of the appeal for reconsideration by the person or body against whose decision the appeal is brought and may give such directions as it thinks fit in relation to that reconsideration.
- (2) A right of appeal lies to the Authority in respect of any decision given by a person or body arising out of any reconsideration referred to in subclause (1) (c) as if the decision were an original decision of that person or body.

#### **8 Procedure for initiating and hearing appeals**

- (1) An appeal is to be initiated by the lodging of a written notice of appeal with the chief executive officer within 14 days of the date on which the appellant is notified of the decision to be appealed against.
- (2) A notice of appeal must specify the grounds of appeal (including the particulars of those grounds). The appeal is limited to those grounds, except by leave of the Authority.
- (3) The chief executive officer is, on receiving a notice of appeal:
  - (a) to send the greyhound racing club or harness racing club concerned a copy of the notice of appeal, and
  - (b) to serve on the appellant a transcript of the evidence taken at the hearing in respect of the decision appealed against, and
  - (c) to send the members of the Authority a copy of the notice of appeal along with any such transcript of evidence.
- (4) The date, time and place for the hearing of an appeal is to be fixed by the chief executive officer. The chief executive officer is to give at least 7 days' written notice of such date, time and place to the appellant and the greyhound racing club or harness racing club concerned, and to such other persons as the chief executive officer thinks fit.
- (5) The Authority is to commence the hearing of an appeal as soon as practicable within 28 days of the lodging of the notice of appeal.
- (6) The Authority may, in a particular case, extend any period of time specified in this clause if in its opinion the circumstances of the case so require.



Greyhound and Harness Racing Administration (Appeals) Regulation 2004    Clause 9

Appeals to Authority

Part 2

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## **9 Fees**

- (1) A notice of appeal to the Authority must be accompanied by a fee of \$100 when it is lodged.
- (2) On the determination or withdrawal of the appeal, the Authority may, if it thinks fit, direct that the fee (or part of the fee) is to be repaid to the appellant.

## **10 Suspension or variation of decision pending determination of appeal**

- (1) The Authority may, on written application by an appellant lodged with the chief executive officer, order that the decision appealed against:
  - (a) is not to be carried into effect, or
  - (b) is to be carried into effect only to the extent specified in the order,pending the determination of the appeal. Any such order has effect for the period it is in force.
- (2) The Authority may, in making any such order, impose conditions. The order is taken not to be in force for any period during which any such condition is not complied with.
- (3) An order remains in force until it is revoked by further order by the Authority or the appeal to which it relates is dismissed, determined or withdrawn (whichever happens first).

## **11 Withdrawal of appeal**

An appeal duly lodged may not be withdrawn except with the leave of the Authority. In granting any such leave, the Authority may impose such conditions as to the payment of costs or otherwise as it thinks fit.

## **12 Persons required to attend hearings or produce documents**

- (1) The Authority may, by written notice served on any person, require the person to attend at a time, date and place specified in the notice for the purposes of:
  - (a) giving evidence relating to an appeal being heard or to be heard by the Authority, or
  - (b) producing any document, relating to such an appeal, specified in the notice that is in the person's possession or under the person's control.

Clause 13	Greyhound and Harness Racing Administration (Appeals) Regulation 2004
Part 2	Appeals to Authority

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- (2) The Authority may do so either on its own motion or on application by the appellant.
- (3) A person who is served with a notice under this clause must not, without reasonable excuse, fail or refuse to comply with the requirements of the notice.  
Maximum penalty: 5 penalty units.
- (4) A person who is served with a notice under this clause is to be given at the time of service an amount sufficient to cover the travelling and any other expenses likely to be incurred by the person in attending at the time, date and place specified in the notice.

### **13 Evidence on appeal**

- (1) The Authority, when hearing an appeal, is to consider as the evidence in the matter the evidence presented at the hearing in respect of the decision appealed against.
- (2) The Authority may not consider any other evidence unless it is satisfied that it is relevant to the subject-matter of the appeal and that there is good reason why it was not presented at the earlier hearing. If any new evidence is presented at the hearing of the appeal, the greyhound racing club or harness racing club concerned is to be given an opportunity to make submissions in respect of that evidence at the hearing.
- (3) The Authority, when hearing an appeal, is not bound by the rules of, or practice as to, evidence but may inform itself of any matter in such manner as it thinks fit.

### **14 Determination of appeal**

- (1) The Authority may do any of the following in respect of an appeal:
  - (a) dismiss the appeal,
  - (b) confirm the decision appealed against or vary the decision by substituting any decision that could have been made by the steward or greyhound racing club or harness racing club (as the case requires),
  - (c) refer any matter relating to the decision appealed against to the steward or greyhound racing club or harness racing club that made that decision (in accordance with directions given by the Authority),
  - (d) order the refund of any stake paid or monetary prize given in connection with any race to which the appeal relates,

Greyhound and Harness Racing Administration (Appeals) Regulation 2004 Clause 15

Appeals to Authority

Part 2

- 
- (e) order the return of any prize (other than a monetary prize) given in connection with any race to which the appeal relates,
  - (f) make such other order in relation to the disposition of the appeal as the Authority thinks fit.
- (2) If the Authority makes an order under subclause (1) (d) requiring a person to refund any stake paid, or monetary prize given, to the person and the order is served on the person, personally or by post, the amount of the stake or prize becomes a debt payable by that person to the person to whom the stake or prize is required by the order to be refunded.
  - (3) If the Authority makes an order under subclause (1) (e) requiring a person to return a prize (other than a monetary prize) within a specified period and the order is served on the person, personally or by post, and the person does not comply with the order within the specified period, an amount equal to the value of the prize becomes a debt payable by that person to the person to whom the prize is required to be returned.

#### **15 Conduct of appeal**

The Authority may, subject to the Act and this Part, direct the manner in which any appeal before it is to be conducted.

#### **16 Costs where appeal dismissed**

- (1) On dismissing an appeal, the Authority may order the appellant to pay to it the actual costs incurred by the Authority in hearing the appeal, including costs of any lawyer retained to assist the Authority in determining the appeal (but not including any costs incurred by members of the Authority in hearing the appeal).
- (2) On service on an appellant of such an order for the payment of costs, the amount of the costs specified in the order becomes a debt payable by the appellant to the Authority.

Clause 17 Greyhound and Harness Racing Administration (Appeals) Regulation 2004

Part 3 Appeals to Tribunal

## Part 3 Appeals to Tribunal

### 17 Appeals to Tribunal

Appeals to the Tribunal under section 19 of the Act are to be made in accordance with this Part.

### 18 Decisions from which an appeal lies to Tribunal

- (1) For the purposes of section 19 (1) and (2) of the Act, one or more of the following decisions may be appealed to the Tribunal:
  - (a) a decision to disqualify a person,
  - (b) a decision to cancel the registration of, or to refuse to register, a person,
  - (c) a decision to cancel the registration of, or to refuse to register:
    - (i) a greyhound (including registration of a greyhound as a sire and registration of a litter of greyhounds), or
    - (ii) a harness racing horse,
  - (d) a decision to fine a person an amount of \$50 or more,
 

**Note.** A person may opt whether to appeal to the Tribunal or the Authority in relation to a decision to impose a fine of more than \$50 but less than \$550. Fines greater than \$550 must be appealed to the Tribunal.
  - (e) a decision to disqualify a greyhound from participating in greyhound racing, but only if the decision to disqualify is made in conjunction with a decision to impose a penalty on a person (the latter being a decision in respect of which an appeal may be made to the Tribunal),
  - (f) a decision to disqualify for a period of 4 weeks or more any horse from participating in harness racing,
  - (g) a decision to suspend, for a period of 14 days or more, any right or privilege conferred on a person by the Act or by a rule,
  - (h) a decision to reduce in grade a driver for a period of 4 weeks or more,
  - (i) a decision of the Authority in determining an appeal under section 19 (1) of the Act.
- (2) For the purposes of section 19 (1) of the Act, any of the following decisions of a greyhound racing club, a harness racing club, a steward of a greyhound racing club or a steward of the Authority may be appealed by the Authority to the Tribunal:

Greyhound and Harness Racing Administration (Appeals) Regulation 2004    Clause 19

Appeals to Tribunal

Part 3

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- (a) a decision not to lay charges after an inquiry,
  - (b) a decision to impose a penalty,
  - (c) a decision to impose no penalty.

### **19 Procedure for initiating and hearing appeals**

- (1) An appeal is to be initiated by the lodging of a written notice of appeal with the Secretary of the Tribunal within 7 days of the date on which the appellant is notified of the decision to be appealed against.
- (2) The Secretary of the Tribunal is, on receiving a notice of appeal:
  - (a) to forward notice of it to the Tribunal, and
  - (b) if the appeal is in relation to greyhound racing and if the placing of any greyhound may be affected by the result of the appeal, to give a copy of the notice of the appeal to the owner of the greyhound (if the owner is not the appellant) and to the greyhound racing club concerned, and
  - (c) if the appeal is in relation to harness racing and if the placing of any horse may be affected by the result of the appeal, to give a copy of the notice of the appeal to the owner of the horse (if the owner is not the appellant) and to the harness racing club concerned, and
  - (d) to serve on the appellant a transcript of the evidence taken at the hearing in respect of the decision appealed against.
- (3) Within 7 days of receiving the transcript of evidence, the appellant is to lodge with the Secretary of the Tribunal a written notice of the grounds of appeal. The appeal is limited to those grounds, except by leave of the Tribunal.
- (4) On receiving notice of the grounds of appeal, the Secretary of the Tribunal is to forward 3 copies of the notice to the Tribunal along with a transcript of the evidence taken at the hearing in respect of the decision appealed against.
- (5) The date, time and place for the hearing of an appeal is to be fixed by the Tribunal. The Secretary of the Tribunal is to give at least 7 days' written notice of such date, time and place to the appellant and to such other persons as the Tribunal thinks fit.

Clause 20	Greyhound and Harness Racing Administration (Appeals) Regulation 2004
Part 3	Appeals to Tribunal

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- (6) The Tribunal is to commence the hearing of an appeal as soon as reasonably practicable after the lodging of the notice of the grounds of appeal.
- (7) The Tribunal may, in a particular case, extend any period of time specified in this clause if in its opinion the circumstances of the case so require.

## **20 Expedited hearing**

- (1) If the Tribunal is of the opinion that an appeal should be heard and determined as a matter of urgency, the Tribunal may, by order made with the concurrence of the appellant:
  - (a) dispense with the requirement for a transcript of the evidence taken at the hearing in respect of the decision appealed against to be served on the appellant and forwarded to the Tribunal, and
  - (b) shorten the time fixed under clause 19 (5).
- (2) If such an order is made:
  - (a) the Tribunal may rely on such evidence as is available to it concerning the hearing in respect of the decision appealed against, and
  - (b) the appellant must lodge a notice of the grounds of appeal in such manner and within such time as the Tribunal directs. The appeal is limited to those grounds, except by leave of the Tribunal.

## **21 Fees**

- (1) A notice of appeal to the Tribunal must be accompanied by a fee of \$100 when it is lodged.
- (2) The fee may be paid at a later time with the consent of the Tribunal.
- (3) On the determination or withdrawal of the appeal, the Tribunal may, if it thinks fit, direct that the fee (or part of the fee) is to be repaid to the appellant.

## **22 Suspension or variation of decision pending determination of appeal**

- (1) The Tribunal may, on written application by an appellant lodged with the Secretary of the Tribunal, order that the decision appealed against:
  - (a) is not to be carried into effect, or

Greyhound and Harness Racing Administration (Appeals) Regulation 2004 Clause 23

Appeals to Tribunal

Part 3

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(b) is to be carried into effect only to the extent specified in the order,

pending the determination of the appeal. Any such order has effect for the period it is in force.

- (2) The Tribunal may, in making any such order, impose conditions. The order is taken not to be in force for any period during which any such condition is not complied with.
- (3) An order remains in force until it is revoked by further order by the Tribunal or the appeal to which it relates is dismissed, determined or withdrawn (whichever happens first).

### **23 Withdrawal of appeal**

An appeal duly lodged may not be withdrawn except with the leave of the Tribunal. In granting any such leave, the Tribunal may impose such conditions as to the payment of costs or otherwise as it thinks fit.

### **24 Evidence on appeal**

The Tribunal, when hearing an appeal, is not bound by the rules of, or practice as to, evidence but may inform itself of any matter in such manner as it thinks fit.

### **25 Hearings in absence of a party and representation at hearings**

- (1) The Tribunal may hear an appeal in the absence of a party to the appeal.
- (2) The Tribunal may grant leave for each party to be represented by a lawyer or agent at the hearing of an appeal.

### **26 Assessors**

- (1) One or more greyhound racing assessors may assist the Tribunal in hearing an appeal in relation to greyhound racing if the Tribunal, whether before or during the hearing, so directs.
- (2) One or more harness racing assessors may assist the Tribunal in hearing an appeal in relation to harness racing if the Tribunal, whether before or during the hearing, so directs.
- (3) The Tribunal is to determine the greyhound racing assessors or harness racing assessors who may assist the Tribunal in hearing the appeal concerned.

Clause 27 Greyhound and Harness Racing Administration (Appeals) Regulation 2004

Part 3 Appeals to Tribunal

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- (4) The Tribunal may, at any time during the hearing of an appeal, dispense with the services of any greyhound racing assessor or harness racing assessor assisting the Tribunal.
- (5) An appellant or other party is not entitled to make any submission or objection in relation to the exercise of the Tribunal's functions under this clause.

### **27 Costs**

- (1) On determining an appeal, the Tribunal may make such orders as to the payment of costs as the Tribunal thinks fit.
- (2) On service on a party to an appeal of an order for the payment of costs, the amount of the costs specified in the order becomes a debt payable by the party to the person specified in the order as the person to whom the costs are to be paid.

### **28 Orders to return stake or prize**

- (1) If the Tribunal makes an order under section 23 (1) (d) of the Act requiring a person to refund any stake paid, or monetary prize given, to the person and the order is served on the person, personally or by post, the amount of the stake or prize becomes a debt payable by that person to the person to whom the stake or prize is required by the order to be refunded.
- (2) If the Tribunal makes an order under section 23 (1) (d) of the Act requiring a person to return a prize (other than a monetary prize) within a specified period and the order is served on the person, personally or by post, and the person does not comply with the order within the specified period, an amount equal to the value of the prize becomes a debt payable by that person to the person to whom the prize is required to be returned.

### **29 Conduct of appeal**

The Tribunal may, subject to the Act and this Part, direct the manner in which any appeal before it is to be conducted.



Greyhound and Harness Racing Administration (Appeals) Regulation 2004    Clause 30

Miscellaneous    Part 4

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## **Part 4    Miscellaneous**

### **30    Contempt**

A person appearing before the Tribunal in connection with an appeal must not say or do anything that is likely to bring the Tribunal into contempt.

Maximum penalty: 5 penalty units.

### **31    Savings**

- (1) Any act, matter or thing that, immediately before the repeal of the *Greyhound Racing (Appeals) Regulation 1999*, had effect under that Regulation is taken to have effect under this Regulation.
- (2) Any act, matter or thing that, immediately before the repeal of the *Harness Racing (Appeals) Regulation 1999*, had effect under that Regulation is taken to have effect under this Regulation.

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# Rules

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## District Court Amendment (Judicial Registrar) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 17 August 2004.

A Grew  
Secretary of the Rule Committee

### Explanatory note

The object of this Rule is to insert a new Part 43A in the *District Court Rules 1973* to make provision with respect to the functions of the Judicial Registrar of the Court.

Clause 1 District Court Amendment (Judicial Registrar) Rule 2004

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## **District Court Amendment (Judicial Registrar) Rule 2004**

under the

District Court Act 1973

### **1 Name of Rule**

This Rule is the *District Court Amendment (Judicial Registrar) Rule 2004*.

### **2 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.

District Court Amendment (Judicial Registrar) Rule 2004

Amendment

Schedule 1

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## Schedule 1      Amendment

(Clause 2)

### Part 43A

Insert after Part 43:

## Part 43A Judicial Registrar

### Division 1      General

#### 1      Powers of the Judicial Registrar

- (1) For the purposes of section 18FB (1) of the Act, all of the powers of the Court are conferred on the Judicial Registrar other than:
  - (a) any of the powers of the Court in its criminal jurisdiction, or
  - (b) the power of the Court to deal with contempt of Court.
- (2) Subrule (1) (b) does not prevent the Judicial Registrar from reporting to the Court constituted by a Judge any allegation of contempt of the Court.

#### 2      Reference of matter to the Court

The Judicial Registrar may, of his or her own motion or on application by a party, refer any proceedings before the Judicial Registrar to the Court constituted by a Judge.

#### 3      Court may order removal of proceedings from Judicial Registrar

The Court constituted by a Judge may, before the conclusion of any proceedings before the Judicial Registrar (other than proceedings for an interlocutory order) and on application by a party, order that the proceedings be removed into the Court as so constituted.

#### 4      Court may dispose of matter referred by or removed from Judicial Registrar

If proceedings are referred to the Court constituted by a Judge under rule 2 or removed into the Court under rule 3, the Court may:

- (a) hear and determine any matter in the proceedings that was before the Judicial Registrar, or

## District Court Amendment (Judicial Registrar) Rule 2004

Schedule 1 Amendment

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- (b) determine any question arising in the proceedings and remit the proceedings to the Judicial Registrar with such directions as the Court thinks fit.

## **Division 2      Setting aside or varying judgments and orders of Judicial Registrar**

### **5      Definitions**

In this Division:

*application* means an application (other than a cross-application) made to the Court for an order under section 18FB (2) of the Act varying or setting aside a judgment given, or an order (other than an interlocutory order) made, by the Judicial Registrar.

*cross-application* means an application made under rule 11 (1).

### **6      Making of applications**

- (1) An application for an order under section 18FB (2) of the Act is to be made by way of a notice of motion.
- (2) An application must be made within 28 days after the date on which the Judicial Registrar gave the judgment, or made the order, that is the subject of the application.

### **7      Contents of notice of motion**

A notice of motion for the purposes of rule 6 (1) must state:

- (a) whether the application relates to the whole or part only, and what part, of the decision of the Judicial Registrar, and
- (b) briefly, but specifically, the grounds relied on in support of the application, and
- (c) what judgment or order the applicant seeks in place of the judgment or order of the Judicial Registrar.

### **8      Service of notice of motion**

The applicant must, within 5 days after the date of filing of the notice of motion for the purposes of rule 6 (1), serve the notice of motion on each respondent.

### **9      Evidence**

- (1) Oral evidence is not to be adduced on an application except by leave of the Court.

## District Court Amendment (Judicial Registrar) Rule 2004

Amendment

Schedule 1

- 
- (2) An applicant who seeks leave under subrule (1) must serve any affidavits on each respondent not more than 7 days after the making of the application containing such evidence.

**10 Effect of application**

- (1) An application does not:
- (a) operate as a stay of execution or of proceedings under the decision of the Judicial Registrar, or
  - (b) invalidate any intermediate act or proceedings, except so far as the Court may direct or, subject to any direction of the Court, as the Judicial Registrar may direct.
- (2) If any step has been taken for the enforcement of a judgment or order of the Judicial Registrar and the Court sets aside or varies the judgment or order on an application, the Court may make such orders for reinstatement as the Court thinks fit.

**11 Cross-applications**

- (1) If a respondent to an application in respect of any judgment or order of a Judicial Registrar wishes to apply to set aside or vary the whole or any part of the judgment or order, the respondent must file a notice of motion.
- (2) A notice of motion by a respondent must be filed within 21 days after service of the notice of motion of the applicant on the respondent.
- (3) Subject to subrules (1), (2) and (4), the provisions of this Division relating to an application apply to a cross-application as if the cross-application were an application.
- (4) Rule 6 does not apply to a cross-application.

**12 Notice of contention**

If a respondent to an application wishes to contend that the judgment or order of the Judicial Registrar that is the subject of the application should be affirmed on grounds other than those relied on by the Judicial Registrar, but does not seek a discharge or variation of any part of the decision of the Judicial Registrar, the respondent need not file a notice of motion but must, within 28 days after service of the notice of motion of the applicant on the respondent, give written notice of that contention stating briefly, but specifically, the grounds relied on in support of the contention.



New South Wales

# District Court Amendment (Preliminary Dismissal Orders) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 17 August 2004.

A Grew  
Secretary of the Rule Committee

## Explanatory note

The object of this Rule is to amend the *District Court Rules 1973* to enable the Court to make a preliminary dismissal order under rule 7A of Part 1 against a plaintiff who does not appear when an action is called on for trial even if the plaintiff has not been notified that the order may be made.

Clause 1            District Court Amendment (Preliminary Dismissal Orders) Rule 2004

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## **District Court Amendment (Preliminary Dismissal Orders) Rule 2004**

under the

District Court Act 1973

### **1 Name of Rule**

This Rule is the *District Court Amendment (Preliminary Dismissal Orders) Rule 2004*.

### **2 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.



District Court Amendment (Preliminary Dismissal Orders) Rule 2004

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

**[1] Part 1, rule 7A**

Omit “The Court” from rule 7A (2).

Insert instead “Subject to rule 5A (1) (d) of Part 26, the Court”.

**[2] Part 26, rule 5A**

Omit “only, or” from rule 5A (1) (b). Insert instead “only,”.

**[3] Part 26, rule 5A (1) (c)**

Omit “claim or costs.”. Insert instead “claim or costs, or”.

**[4] Part 26, rule 5A (1) (d)**

Insert after rule 5A (1) (c):

- (d) if the plaintiff does not appear, the Court may proceed to make a preliminary dismissal order (within the meaning of rule 7A of Part 1) in respect of proceedings brought by the plaintiff even if the plaintiff has not been notified that the order may be made in accordance with rule 7A (2) of Part 1.

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# Department of Infrastructure, Planning and Natural Resources

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## Infrastructure and Planning



New South Wales

## **Cessnock Local Environmental Plan 1989 (Amendment No 103)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N03/00300/S69)

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

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 103)

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## **Cessnock Local Environmental Plan 1989 (Amendment No 103)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 103)*.

### **2 Aims of plan**

This plan aims to rezone land to which this plan applies to Zone 2 (a)—Residential “A” Zone under *Cessnock Local Environmental Plan 1989*.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Cessnock, being Lot 114, DP 755231, Northcote Street, Kurri Kurri, as shown edged heavy black and lettered “2 (a)” on the map marked “Cessnock Local Environmental Plan 1989 (Amendment No 103)” deposited in the office of the Cessnock City Council.

### **4 Amendment of Cessnock Local Environmental Plan 1989**

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

Cessnock Local Environmental Plan 1989 (Amendment No 103)



## **Cessnock Local Environmental Plan 1989 (Amendment No 106)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N04/00061/S69)

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

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 106)

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## **Cessnock Local Environmental Plan 1989 (Amendment No 106)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 106)*.

### **2 Aims of plan**

This plan aims to extend the application of clause 17 of *Cessnock Local Environmental Plan 1989 (the 1989 plan)* to the land to which this plan applies to allow for the subdivision of the land where the subdivision is, in the opinion of Cessnock City Council, required as an integral part of a major tourist recreation facility.

This plan also aims to amend the 1989 plan to remove a spent provision.

### **3 Land to which plan applies**

This plan applies to land situated in the City of Cessnock, being part of Lots 20 and 24, DP 1044459, Main Road 220, Rothbury, as shown edged heavy black and cross-hatched on the map marked "Cessnock Local Environmental Plan 1989 (Amendment No 106)" deposited in the office of Cessnock City Council.

### **4 Amendment of Cessnock Local Environmental Plan 1989**

*Cessnock Local Environmental Plan 1989* is amended as set out in Schedule 1.

Cessnock Local Environmental Plan 1989 (Amendment No 106)

Amendments

Schedule 1

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## **Schedule 1 Amendments**

(Clause 4)

### **[1] Clause 5 Definitions**

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

Cessnock Local Environmental Plan 1989 (Amendment  
No 106)

### **[2] Clause 17 Subdivision of land within Zone No 1 (v) in conjunction with major tourism development**

Omit clause 17 (5).



## **Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/00606/PC)

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

Clause 1 Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)

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## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)*.

### 2 Aims of plan

The aim of this plan is to amend *Dubbo Local Environmental Plan 1997—Rural Areas* to:

- (a) rezone Lot 146 DP 754328 from Zone 1 (S) (the Small Farm Estates Zone) to Zone 1 (A) (the Dryland Agriculture Zone), and
- (b) enable the creation of an allotment for, and the subsequent construction and use of, a drag racing facility on part of the land comprised of that land and other land in Zone 1 (A) (the Dryland Agriculture Zone), and
- (c) ensure that the construction and operation of the drag racing facility in the Dryland Agriculture Zone:
  - (i) does not unreasonably impact upon the amenity of the locality by virtue of noise, odour or dust emissions or from traffic movement, and
  - (ii) does not contribute to water or land pollution from stormwater runoff, effluent disposal, solid waste or litter.

### 3 Land to which plan applies

This plan applies to the following land to which *Dubbo Local Environmental Plan 1997—Rural Areas* applies:

- (a) Lot 146 DP 754328, which is shown edged heavy black and coloured buff on the map marked “Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)”



Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)      Clause 4

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deposited in the office of the Council of the City of Dubbo,  
and

- (b) Lots 80 and 125 DP 754328 and Lot 1 DP 822455, Gilgandra Rd, Dubbo.

**4 Amendment of Dubbo Local Environmental Plan 1997—Rural Areas**

*Dubbo Local Environmental Plan 1997—Rural Areas* is amended as set out in Schedule 1.

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

### [1] Schedule 1 Dictionary

Insert in alphabetical order in Part A:

***Drag racing facility*** means a facility for motor sports and associated activities, predominantly involving the competitive racing of motor vehicles, including motorcycles, on a track over a pre-determined distance and includes associated braking areas, safety and emergency facilities, pit and scrutineering areas, officials and spectator facilities and amenities, timing and lighting equipment and associated vehicle parking areas.

***Drag racing special events*** means any international, national or State title or championship drag racing event. Such an event generally involves the racing or use of “Jet Cars”, “Top Fuellers”, “Doorslammers” and “Top Alcohol/Methanol” drag racing vehicles or their equivalent.

### [2] Schedule 1

Insert in appropriate order in the definition of ***Zoning map*** in Part B:

Dubbo Local Environmental Plan 1997—Rural Areas  
(Amendment No 4)

### [3] Schedule 6 Additional uses of land

Insert at the end of the Schedule:

- Development consisting of subdivision of the land comprised in Lots 80, 125 and 146 DP 754328 and Lot 1 DP 822455 into two lots, one lot for use for the purposes of a drag racing facility and the other lot for use for the purposes of agriculture and development for the purposes of a drag racing facility (and an ancillary caretaker’s cottage) on the former of those two lots, subject to the following:
  - (a) Consent must not be granted to creation of the lot to be used for the purpose of a drag racing facility unless the consent authority is satisfied that the lot is suitable for that use.

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)

## Amendments

## Schedule 1

- 
- (b) Consent must not be granted to use of the drag racing facility for drag racing unless the consent authority is satisfied, whether because of conditions of the development consent or otherwise, that operation of the drag racing facility will be undertaken in accordance with the following criteria:
- (i) subject to subparagraph (ii), noise measured at the most noise-affected location within 30 metres of the 8 nearest residences (other than the caretaker's cottage) will be no greater than  $L_{Aeq(15min)}$  55 dB(A) between 7 am–10 pm (Monday to Saturday) and 8 am–10 pm (Sunday and public holidays),
  - (ii) noise measured at that location will be no greater than  $L_{Aeq(15min)}$  45 dB(A) between 10 pm (Monday to Saturday)–7 am on the next day and between 10 pm on Sunday and public holidays–8 am on the next day,
  - (iii) all events, other than drag racing special events, will be held only between the hours of 9 am–6 pm Monday to Saturday and 10 am–6 pm Sundays and public holidays,
  - (iv) the drag racing facility will be managed and operated in accordance with a Noise Management Plan approved by the consent authority before any development consent allowing use of the facility is granted (or as amended from time to time afterwards with the approval of the consent authority).
- (c) Consent must not be granted to the carrying out of any work, or the erection of any building, to be used for the purpose of a drag racing facility, unless the consent authority has had regard to the following:
- (i) the local environmental study prepared under section 57 of the Act in connection with preparation of draft *Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)*,

## Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)

## Schedule 1 Amendments

- 
- (ii) a Soil and Water Management Plan,
  - (iii) a Stormwater (Quality and Quantity) Management Plan,
  - (iv) a Litter and Solid Waste Management Plan,
  - (v) a Traffic Impact Statement and Traffic Management Plan (including recommendations for on-site car parking arrangements and a comparison with similar venues),
  - (vi) a Landscaping Plan,
  - (vii) an Emergency Management Plan.
- (d) Consent must not be granted to any development for the purpose of a drag racing facility unless:
- (i) the development has been notified by the consent authority in writing to adjoining property owners (and to any other property owner who, in the opinion of the consent authority, may be affected by the proposal) and by advertisement published as a notice in a newspaper circulating generally in the Dubbo City area, and
  - (ii) the written notice and advertisement stated that any person may make a written submission to the consent authority in relation to the proposed development during the period of not less than 21 days specified in the notice or advertisement, and
  - (iii) the consent authority has had regard to any submissions received within the specified period before granting the consent.
- (e) Consent must not be granted to development for the purpose of the caretaker's cottage (which is not a necessary part of the proposed development) unless the consent authority is satisfied that:
- (i) no other dwelling will be situated on the lot created for the purpose of the drag racing facility, and

Dubbo Local Environmental Plan 1997—Rural Areas (Amendment No 4)

Amendments

Schedule 1

- 
- (ii) use of the caretaker's cottage will be ancillary to the drag racing facility, and
  - (iii) the caretaker's cottage will be transportable and relocatable, and
  - (iv) the caretaker's cottage will be removed if the drag racing facility ceases to operate for a period greater than 2 years.
- (f) Consent must not be granted to the subdivision unless the consent authority is satisfied that the lot created for the purpose of agriculture will not be occupied by a dwelling unless the lot forms part of a larger holding on which a dwelling is allowed with development consent under another provision of this plan.



## **Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/01973/S69)

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

Clause 1           Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)

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## **Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to facilitate the orderly and integrated development of land to which this plan applies, and
- (b) to provide housing above shops and in close proximity to transport services and employment.

### **3 Land to which plan applies**

This plan applies to land in the Hornsby local government area bounded by the Pacific Highway, Amor Street, Wattle Street and Wattle Lane, Asquith as shown edged heavy black on the diagram headed "Diagram 15" in Schedule 1 [2].

### **4 Amendment of Hornsby Shire Local Environmental Plan 1994**

*Hornsby Shire Local Environmental Plan 1994* is amended as set out in Schedule 1.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)

Amendments

Schedule 1

## Schedule 1 Amendments

(Clause 4)

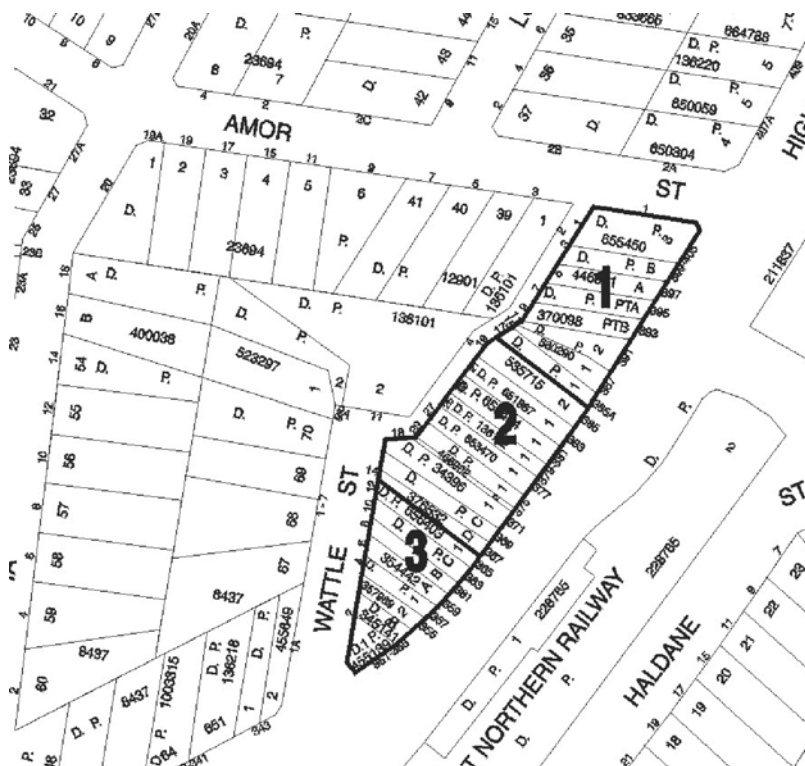
### [1] Clause 23 Dictionary

Omit the definition of *shop* where first occurring in clause 23 (1).

### [2] Schedule B

Insert after the matter relating to diagram 14:

#### Diagram 15



#### Land described in diagram 15

- 1 The Council may approve a floorspace ratio in respect of the land marked "1" and shown edged heavy black on Diagram 15 that exceeds 1:1, but does not exceed 2:1 if:



## Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)

## Schedule 1 Amendments

- 
- (a) the site area is greater than 2,500 square metres, and
    - (b) the gross floor area that results in a floorspace ratio in excess of 1:1 is used, or is proposed to be used, exclusively for the purpose of multi-unit housing, and
    - (c) a minimum of 0.5:1 and a maximum of 1:1 of the floorspace ratio of the development is used, or is proposed to be used, exclusively for commercial, retail or business purposes, and
    - (d) the Council has taken into consideration the principles, design, height and setback controls of the *Asquith Commercial Centre Masterplan* contained in the *Business Lands Development Control Plan* adopted by Council on 5 November 2003.
  - 2 The Council may approve a floorspace ratio in respect of the land marked "2" and shown edged heavy black on Diagram 15 that exceeds 1:1, but does not exceed 2.3:1 if:
    - (a) the site area is greater than 3,000 square metres, and
    - (b) the gross floor area that results in a floorspace ratio in excess of 1:1 is used, or is proposed to be used, exclusively for the purpose of multi-unit housing, and
    - (c) a minimum of 0.75:1 and a maximum of 1:1 of the floorspace ratio of the development is used, or is proposed to be used, exclusively for commercial, retail or business purposes, and
    - (d) a public precinct is provided comprising an open air space of at least 600 square metres in area, and
    - (e) the Council has taken into consideration the principles, design, height and setback controls of the *Asquith Commercial Centre Masterplan* contained in the *Business Lands Development Control Plan* adopted by Council on 5 November 2003.

Hornsby Shire Local Environmental Plan 1994 (Amendment No 83)

Amendments

Schedule 1

- 
- 3 The Council may approve a floorspace ratio in respect of the land marked "3" and shown edged heavy black on Diagram 15 that exceeds 1:1, but does not exceed 2.15:1 if:
- (a) the site area is greater than 1,600 square metres, and
  - (b) the gross floor area that results in a floorspace ratio in excess of 1:1 is used, or is proposed to be used, exclusively for the purpose of multi-unit housing, and
  - (c) a minimum of 0.7:1 and a maximum of 1:1 of the floorspace ratio of the development is used, or is proposed to be used, exclusively for commercial, retail or business purposes, and
  - (d) an arcade, passageway, thoroughfare or other means of providing a pedestrian link through the site is provided which, in the opinion of the Council, will be of benefit to occupants of or visitors to the development and other buildings in the Asquith Commercial Centre, and
  - (e) the Council has taken into consideration the principles, design, height and setback controls of the *Asquith Commercial Centre Masterplan* contained in the *Business Lands Development Control Plan* adopted by Council on 5 November 2003.



## **Greater Taree Local Environmental Plan 1995 (Amendment No 53)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G98/00175/S69; 0003/2004R)

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

Clause 1 Greater Taree Local Environmental Plan 1995 (Amendment No 53)

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## **Greater Taree Local Environmental Plan 1995 (Amendment No 53)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Greater Taree Local Environmental Plan 1995 (Amendment No 53)*.

### **2 Aims of plan**

This plan aims to rezone the land to which this plan applies:

- (a) to ensure zone boundaries correspond with approved development boundaries, and
- (b) to effect a relocation of certain commercial land within the Harrington Waters Estate.

### **3 Land to which plan applies**

This plan applies to land within the western part of Harrington township, as shown edged heavy black on the map marked "Greater Taree Local Environmental Plan 1995 (Amendment No 53)" deposited in the office of the Greater Taree City Council.

### **4 Amendment of Greater Taree Local Environmental Plan 1995**

*Greater Taree Local Environmental Plan 1995* is amended by inserting in appropriate order in the definition of *the map* in clause 4 (1) the following words:

Greater Taree Local Environmental Plan 1995 (Amendment No 53)

## Natural Resources

### WATER ACT 1912

#### Notice Under Section 22B

#### Pumping Suspensions

#### Bucca Bucca Creek and its Tributaries

THE Department of Infrastructure, Planning and Natural Resources pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Bucca Bucca Creek and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licences under Part 2 of the Act that from Saturday, 4 September 2004 and until further notice, the right to pump water is **SUSPENDED**.

This suspension excludes water supply for town water supply, stock, domestic and farming (fruit washing and dairy washdown) purposes.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- a) where the offence was committed by a Corporation – 200 penalty units.
- b) where the offence was committed by any other person – 100 penalty units.

One penalty unit = \$110.00.

Dated this 3rd day of September 2004.

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

GA2:476151

### WATER ACT 1912

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

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

#### *Murrumbidgee Valley*

Alison Emily CRAWLEY for a pump on the Queanbeyan River, Lot 38, DP 226218, Parish of Googong, County of Murray, for a water supply for domestic purposes (new licence) (Reference: 40SL70651).

William Ronald WHEELER and Edith WHEELER for a pump on the Queanbeyan River, Lot 38, DP 226218, Parish of Googong, County of Murray, for a water supply for domestic purposes (new licence) (Reference: 40SL70652).

Allan Stuart PANKHURST and Christine PANKHURST for a pump on the Murrumbidgee River, Lot 4, DP 701582, Parish of Wallaroo, County of Murray, for a water supply for domestic purposes and irrigation of 8 hectares and supply of stock and domestic water to the occupiers of Lot 4, DP 701582, Parish of Wallaroo, County of Murray (new licence – irrigation entitlement via permanent transfer) (Reference: 40SL71033).

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

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

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

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

### WATER MANAGEMENT ACT 2000

#### Order Under Section 85A

#### Authority to take Water not Credited to a Water Allocation Account

#### Murrumbidgee Regulated River Water Source

PURSUANT to section 85A of the Water Management Act 2000, the Minister for Natural Resources, by this Order, authorises regulated river (general security) access licences in the Murrumbidgee Regulated River Water Source as defined in the Water Sharing Plan for the Murrumbidgee Regulated River Water Sources 2003 and currently in force, to take water from uncontrolled flows where that water has not been credited to the accounts of those licences, as specified in announcements made by the Department of Infrastructure Planning and Natural Resources in accordance with clauses 39(6) of the Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2003.

These announcements will be made:

- (1) when the sum of available water determinations made for regulated river (general security) access licences in the Murrumbidgee Regulated River Water Source is less than or equivalent to 0.7 Megalitres per unit share, and
- (2) for the sections of the water source where access to water by supplementary water access licences is permitted.

The maximum volume that may be accounted as being extracted by each access licence from uncontrolled flows in any water year shall be equivalent to 0.85 Megalitres multiplied by the number of unit shares of the access licence minus the sum of available water determinations made for regulated river (general security) access licences in the Murrumbidgee Regulated River Water Source.

This Order takes effect on the date of gazettal and continues until it is revoked by a later Order or until the Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2003 ceases.

Dated at Albury this 20th day of July 2004.

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

**WATER MANAGEMENT ACT 2000**

Order Under Section 323

Temporary Water Restriction Order  
Upper Brunswick River Water Source

PURSUANT to section 323 of the Water Management Act 2000, I, DES SCHRODER, Regional Director North Coast, Department of Infrastructure, Planning and Natural Resources, on being satisfied that it is necessary in the public interest to do so because of water shortage, do, by this Order, direct that:

- (a) the taking of water for irrigation, industrial, recreation and any other commercial purpose from rivers in the Upper Brunswick River Water Source as defined in the Water Sharing Plan for the Upper Brunswick River Water Source 2003 and currently in force is totally prohibited as the flow in the Brunswick River, and its tributaries is insufficient to meet all requirements, and
- (b) Notwithstanding (a), approved runoff harvesting dams on hillsides or minor streams, as defined by the Harvestable Rights Order, and instream dams which pass all inflows, may continue to be used to take water for commercial purposes.

This Order takes effect on the date of first broadcasting and will continue until it is repealed by a further Order.

Dated at Grafton this 7th day of September 2004.

DES SCHRODER,  
Regional Director North Coast,  
Department of Infrastructure, Planning  
and Natural Resources  
(by delegation)

**WATER ACT 1912  
ORDER**

Section 22BA, Water Act 1912

The Mowamba River and all its Tributaries

THE Water Administration Ministerial Corporation, being satisfied that the water sources in the SCHEDULE are unlikely to have more water available than is sufficient to meet the requirements of those already entitled by law to take water from the water sources (and such other requirements for water from the sources as have been determined by the Ministerial Corporation), now declares that on and from the date of publication of this Order in the *Government Gazette*, no application for an entitlement for a work to which Part 2 of the Water Act 1912, extends may be made except as specified below until this order is revoked by a subsequent Notice published in the *Government Gazette*.

This order relates to all applications for entitlements other than applications for:

1. Water supply (including supply for irrigation) for experimental, research or teaching purposes;
2. Water supply for town or village water supply purposes;
3. Water supply for Aboriginal (cultural) purposes;
4. Permits for extraction of water for industrial (road construction/dust suppression) purposes, bank revegetation or environmental enhancement purposes;
5. Permits for extraction of water by water carters provided any water abstracted shall be used for drought relief purposes;

6. Permits to extract water for hydrostatic testing of gas pipelines;
7. Hydro-power generation or other commercial undertakings provided any water abstracted is returned to the water source undiminished in quantity and quality;
8. Works referred to in any Order made under section 5(5) of the Water Act.

Signed for the Water Administration Ministerial Corporation:

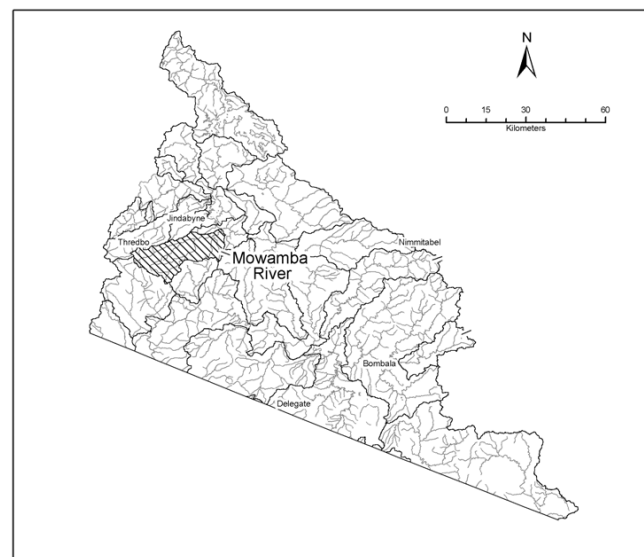
AXEL TENNIE,  
Regional Director,  
South Coast Region

Department of Infrastructure, Planning and  
Natural Resources,

Dated: 6 September 2004.

**SCHEDULE**

All the 'rivers' in the hatched area as shown on the diagram hereunder.

**WATER ACT 1912**

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

Keith William JACKSON for a proposed earthen bywash dam (capacity 2.0 megalitres) and pump on 1st order unnamed watercourse on 2/1014722, Parish of Yarrunga, County of Camden, for the conservation of water and water supply for stock and domestic purposes and the irrigation of 2.0 hectares (vegetables and flowers) (new licence) (Reference: 10SL56606) (GA2:493314).

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

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

W. CONNERS,  
Natural Resource Project Officer,  
Sydney/South Coast Region

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

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## Department of Lands

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### DUBBO OFFICE

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

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

#### REVOCATION OF RESERVATION OF CROWN LAND

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

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

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#### SCHEDULE

##### COLUMN 1

Land District: Walgett.  
Local Government Area:  
Walgett Shire Council.  
Locality: Merritombea.  
Reserve No.: 94922.  
Public Purpose: Future public requirements.  
Notified: 22 May 1981.  
Lot 39, DP No. 750291,  
Parish Merritombea,  
County Baradine;  
Lot 85, DP No. 750291,  
Parish Merritombea,  
County Baradine;  
Lot 27, DP No. 750291,  
Parish Merritombea,  
County Baradine;  
Lot 86, DP No. 750291,  
Parish Merritombea,  
County Baradine;  
Lot 97, DP No. 750291,  
Parish Merritombea,  
County Baradine;  
Lot 115, DP No. 750291,  
Parish Merritombea,  
County Baradine;  
Lot 43, DP No. 750291,  
Parish Merritombea,  
County Baradine.  
File No.: DB04 H 141/1.

##### COLUMN 2

The part being Lot 85,  
DP No. 750291,  
Parish Merritombea,  
County Baradine, of an area of  
64.61 hectares.

Note: Application by Alan Ronald Ashton to convert Perpetual Lease 129076 to Incomplete Purchase 129976.



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

**FORFEITURE OF A WESTERN LANDS LEASE**

IT is hereby notified for public information that in pursuance of section 28BA of the Western Lands Act 1901, the Western Lands Lease particularised hereunder has been forfeited.

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

Western Lands Lease No.: 10759.

Name of Lessee: Ken KENNEDY.

Area Forfeited: Lot 2, section 2, DP 758612.

Administrative District: Walgett.

Shire: Walgett.

Date of Forfeiture: Date of Gazettal.

Reason for Forfeiture: Non payment of Crown dues.

**ALTERATION OF PURPOSE OF A WESTERN  
 LANDS LEASE**

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

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

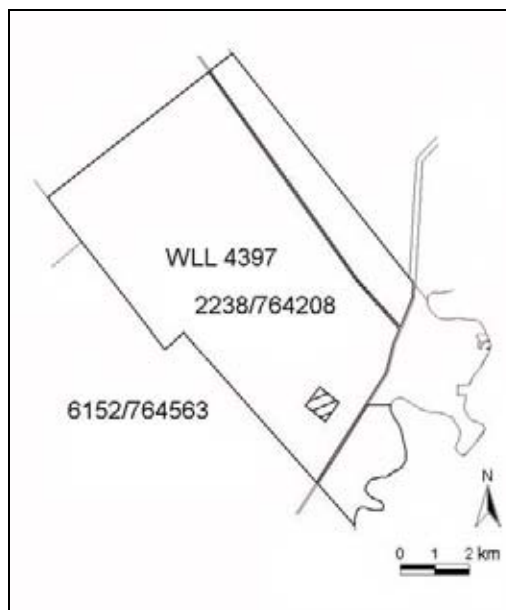
*Administrative District – Bourke;*  
*Shire – Bourke;*  
*Parishes – Dunlop and Nalticomebee;*  
*County – Landsborough.*

The purpose of Western Lands Lease 4397, being the land contained within Folio Identifier 2238/764208 has been altered from "Grazing" to "Grazing and Cultivation" effective from 8 September 2004.

As a consequence of the alteration of purpose rent will be assessed annually in line with the Western Lands Act 1901 and Regulations. The conditions have been altered by the inclusion of the special conditions following.

**SPECIAL CONDITIONS ATTACHED TO  
 WESTERN LANDS LEASE 4397**

1. The lessee shall only conduct irrigated cultivation within the area of 49 hectares indicated by hatching on the diagram hereunder. Any other cultivation outside this area will only be allowable with the consent of the Commissioner or Minister.
2. The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997, particularly in relation to disposal of tailwaters or waters which may be contaminated with fertiliser, herbicide or pesticide or similar chemicals.
3. The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.
4. Incised drainage lines, other than man made structures, which carry water after storms shall be left uncultivated in the channels and for a distance of at least 20 metres on either side of the banks of the channels except when the Commissioner specifies otherwise.
5. Aboriginal sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.
6. Stubble shall be retained on the soil surface and shall not be burnt, except with the approval of the Commissioner or his delegate. Where such approval is granted and stubble burning is carried out with the approval as per requirements of the NSW Rural Fire Services.



Should any Aboriginal archaeological relics or sites be uncovered during the proposed works, work is to cease immediately. The lessee must consider the requirements of the National Parks and Wildlife Act 1974, with regard to Aboriginal relics. Under section 90 it is an offence to damage or destroy relics without prior consent of the Director-General of the Department of Environment and Conservation.

If an Aboriginal site is found in this area, the subject of this consent, the cultivation must cease until the consent holder has notified the Department of Environment and Conservation of the existence of the Aboriginal site. Contact details are: The Manager, Cultural Heritage Unit, Department of Environment and Conservation, Phone (02) 6883 5324 or at 58-62 Wingewarra Street, Dubbo.



7. The lessee shall establish windbreaks at his/her own expense as may be ordered by the Commissioner to provide adequate protection of the soil.
8. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
9. The lessee shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Services.
10. Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.
11. Disposal of tailwater into creeks and rivers is controlled by the Environment Protection Authority under the Clean Waters Act. Before disposing of any tailwater or water which may be contaminated with fertiliser, herbicide or pesticide the Environment Protection Authority must be contacted.
12. The area allowed to be cultivated partly covers Travelling Stock Reserve 32957. Suitable arrangements should be made with the Bourke Rural Lands Protection Boards regarding the movement of stock in those areas. If suitable arrangements cannot be made with the Rural Lands Protection Board, the matter will be determined by the Western Lands Commissioner.

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### GOULBURN OFFICE

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

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

#### REVOCATION OF RESERVATION OF CROWN LAND

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

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

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#### SCHEDULE

##### COLUMN 1

Land District: Boorowa.  
Local Government Area:  
Harden Shire Council.  
Locality: Berremangra.  
Reserve No.: 39802.  
Public Purpose: Public  
recreation.  
Notified: 14 October 1905.  
File No.: GB80 R 171.

##### COLUMN 2

The whole being Lot 156,  
DP No. 753592, Parish  
Birrema, County Harden, of an  
area of 3.382 hectares.

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#### DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

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

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#### SCHEDULE

##### COLUMN 1

Berremangra Recreation  
Reserve Trust.

##### COLUMN 2

Reserve No.: 39802.  
Public Purpose: Public  
recreation.  
Notified: 14 October 1905.  
File No.: GB80 R 171.

#### APPOINTMENT OF TRUST BOARD MEMBERS

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

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

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#### SCHEDULE 1

##### COLUMN 1

Catherine  
HARRISON  
(new member).

##### COLUMN 2

Araluen Recreation  
Reserve Trust.

##### COLUMN 3

Reserve No.: 81367.  
Public Purpose: Public  
recreation.  
Notified: 30 January 1959.  
File No.: GB80 R 235.

#### Term of Office

For a term commencing the date of this notice and expiring  
18 December 2008.

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#### SCHEDULE 2

##### COLUMN 1

Jodie Maree  
DIVALL  
(new member).

##### COLUMN 2

Towrang  
Community Hall  
Reserve Trust.

##### COLUMN 3

Reserve No.: 130073.  
Public Purpose: Community  
purposes.  
Notified: 16 February 1996.  
File No.: GB93 R 50.

#### Term of Office

For a term commencing the date of this notice and expiring  
30 January 2008.

**GRAFTON OFFICE**  
**76 Victoria Street (PO Box 272), Grafton NSW 2460**  
**Phone: (02) 6640 2020 Fax: (02) 6640 2036**

**REVOCATION OF RESERVATION OF CROWN LAND**

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

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

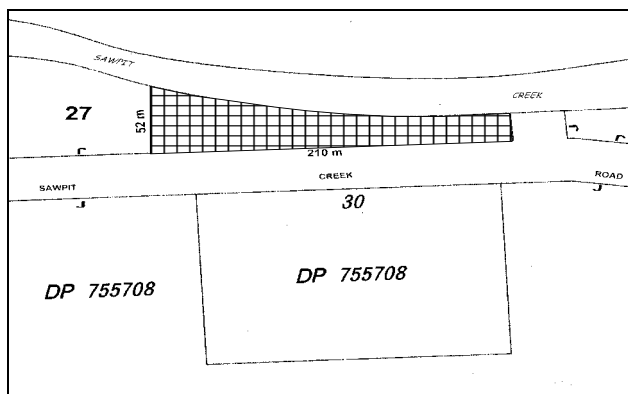
SCHEDULE

**COLUMN 1**

Land District: Casino.  
 Local Government Area:  
 Kyogle Council.  
 Locality: Lindsay View.  
 Reserve No.: 71230.  
 Public Purpose: Soil  
 conservation.  
 Notified: 9 June 1944.  
 Lot 27, DP No. 755708,  
 Parish Findon,  
 County Rous.  
 File No.: GF02 H 106/1.

**COLUMN 2**

The part being Lot PT 27,  
 DP No. 755708, Parish Findon,  
 County Rous, of an area of  
 8023 square metres as shown  
 hatched on diagram below.



**ROADS ACT 1993**

**ORDER**

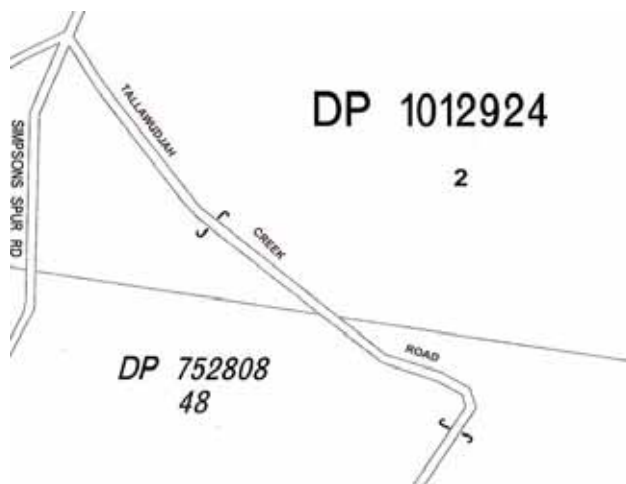
Transfer of a Crown Road to a Council

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

Crown road 20.115 wide as shown shaded on diagram below, Parish Bagawa, County Fitzroy, at Glenreagh.



SCHEDULE 2

Roads Authority: Clarence Valley Council.

File No.: GF04 H 131.

Council's Reference: 2003/213.

**HAY OFFICE****126 Lachlan Street (PO Box 182), Hay NSW 2711****Phone: (02) 6993 1306 Fax: (02) 6993 1135****ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

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

**SCHEDULE****COLUMN 1**

Land District: Deniliquin.  
Local Government Area:  
Berrigan Council.  
Locality: Tocumwal.  
Lot 281, DP No. 46249,  
Parish Tocumwal,  
County Denison;  
Lot 283, DP No. 46250,  
Parish Tocumwal,  
County Denison.  
Area: 2.336 hectares.  
File No.: HY83 H 161.

**COLUMN 2**

Reserve No.: 1130.  
Public Purpose: Racecourse.  
Notified: 8 May 1874.  
Lot 233, DP No. 257465,  
Parish Tocumwal,  
County Denison.  
New Area: 33.096 hectares.

**MAITLAND OFFICE****Cnr Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4934 2280 Fax: (02) 4934 2252****APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

**ROADS ACT 1993****ORDER****Transfer of Crown Roads to a Council**

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

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Frank Adam HACKNEY (new member).	Walka Water Works Trust.	Reserve No.: 97511. Public Purpose: Preservation of historical sites and buildings. Notified: 2 November 1984. File No.: MD84 R 44/9.

**Term of Office**

For a term commencing the date of this notice and expiring 10 February 2005.

**SCHEDULE 1**

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

That part of the Crown Road 20.115 wide being Dunbar Road, Estelville from the intersection of George Booth Drive extending northerly, westerly and northerly again to the southern boundary of Lot 114, DP 755262 (being east of Lot 37, DP 849003, Lot 104, DP 1000408, being east and north of Lot 18, DP 849003 and being north and east again of Lot 104, DP 1000408).

**SCHEDULE 2**

Roads Authority: Lake Macquarie Council.

File No.: MD03 H 371.

Council's Reference: 3/31/242/070 and F2004/06242.

**MOREE OFFICE****Frome Street (PO Box 388), Moree NSW 2400****Phone: (02) 6752 5055 Fax: (02) 6752 1707****APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

**SCHEDULE 1**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Kim Louise WELLS (new member), Ami-Lea FOOTE (new member), John Leslie RILEY (re-appointment), Laurence John RILEY (re-appointment), Kenneth Raymond TURNER (re-appointment), Matthew John JONES (re-appointment).	Warialda Rail Public Recreation Reserve Trust.	Reserve No.: 55457. Public Purpose: Public recreation. Notified: 26 May 1922. File No.: ME81 R 88.

**Term of Office**

For a term commencing the date of this notice and expiring 9 September 2009.

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Jennifer SMITH (re-appointment), Ian Douglas JACKMAN (new member), Kenneth Ernest KATON (re-appointment), Grace Evelyn KATON (new member), Scott Andrew Gostwyck CORY (new member), Maria Joyce CORY (re-appointment), Edward Stephen CORY (new member).	Terry Hie Hie Public Recreation Reserve Trust.	Reserve No.: 84414. Public Purpose: Public recreation. Notified: 3 May 1963. File No.: ME83 R 15.

**Term of Office**

For a term commencing the date of this notice and expiring 9 September 2009.

**SCHEDULE 3**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Brian David SCHWAGER (new member), Charles David HAMILTON (re-appointment), Bernard Michael Ernest MAXWELL (re-appointment), Bryan Frederick TURNER (re-appointment), Philip Alfred LAWRENCE (re-appointment), Linda Jill SWEETMAN (re-appointment).	Wee Waa Showground Trust.	Dedication No.: 560032. Public Purpose: Racecourse and showground. Notified: 22 July 1914. File No.: ME80 R 32.

**Term of Office**

For a term commencing the date of this notice and expiring 9 September 2009.

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

IN the *Government Gazette* of 3 September 2004, Folio 7400, under the heading "Notification of Closing of Public Road" in the second note, it states that the land was added to R.82377 on 28 March 2003, Folio 4245, that date and the folio reference are incorrect. The land, Lot 1, DP 722793 was actually added to R.82377 for Public Recreation vide *Government Gazette* of 28 December 2001, Folio 10833.

File No.: NA89 H 395.

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

**ORANGE OFFICE****92 Kite Street (PO Box 2146), Orange NSW 2800****Phone: (02) 6393 4300 Fax: (02) 6362 3896****ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

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

**SCHEDULE****COLUMN 1**

Land District: Parkes.  
Local Government Area:  
Parkes Shire Council.  
Locality: Parkes.  
Lot 6, DP No. 1036577,  
Parish Parkes,  
County Ashburnham;  
Lot 7, DP No. 1036577,  
Parish Parkes,  
County Ashburnham;  
Lot 8, DP No. 1036577,  
Parish Parkes,  
County Ashburnham;  
Lot 10, DP No. 1036577,  
Parish Parkes,  
County Ashburnham.  
Area: 5684 square metres.  
File No.: OE00 H 72/1.

**COLUMN 2**

Reserve No.: 87509.  
Public Purpose: Travelling  
stock.  
Notified: 14 November 1969.  
Lot, 7013, DP No. 750179#,  
Parish Parkes,  
County Ashburnham;  
Lot, 7014, DP No. 750179#,  
Parish Parkes,  
County Ashburnham;  
Lot, 7015, DP No. 750179#,  
Parish Parkes,  
County Ashburnham.  
New Area: 68.76 hectares.

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

**NOTIFICATION OF CLOSING OF A ROAD**

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

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

**Description**

*Land District – Bathurst/Orange; Shire – Oberon.*

Road Closed: Lots 4 and 5, DP 1071064, Parish Swatchfield, County Westmoreland.

File No.: OE03 H 121.

Note: On closing title to the land comprised in Lots 4 and 5 remain vested in the Crown.

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

A Draft Land Assessment has been prepared for Crown Land situated at Mount Macdonald, being land described hereunder.

Inspection of this Draft Assessment can be made at the Orange Office of Crown Lands, Department of Lands, Cnr Kite and Anson Streets, Orange 2800 (PO Box 2146) and Cowra Shire Council Chambers, during normal business hours.

Representations are invited from the public on the Draft Assessment. These may be made in writing for a period of 28 days commencing from 10 September 2004, and should be addressed to Louise Harcombe, Orange, at the above address.

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

**Description**

*Parish – Dunleary; County – Bathurst;  
Land District – Blayney; Shire – Cowra.*

Approximately 1.58 hectares of unreserved Crown Land, within Licence 31645, containing Crown Land in section 3, DP 758718, adjoining Crown lane and unnumbered Crown parcel west of freehold Lots 9 and 10, DP 758718, located at Mount Macdonald.

File No.: OE87 H 1449.

**SYDNEY METROPOLITAN OFFICE**  
**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150**  
**(PO Box 3935, Parramatta NSW 2124)**  
**Phone: (02) 9895 7657 Fax: (02) 9895 6227**

**ERRATUM**

IN the notice appearing in the *NSW Government Gazette* No. 134, dated 13 August 2004, Folio 6559, under the heading "Roads Act, 1993 – Order – Transfer of a Crown Road to Council", Schedule 1 is cancelled and the following inserted in lieu thereof:

**SCHEDULE 1**

*Land District – Metropolitan;*  
*Local Government Area – Warringah;*  
*Parish – Manly Cove; County – Cumberland.*

The part of the unnamed Crown public road 20.115 metres wide to the east of Lot 2, DP 518449 from the easterly prolongation of the northern boundary of Laurie Place at Belrose southerly to the intersection of the southern part of Perentie Road.

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

**ERRATUM**

IN the notice appearing in the *NSW Government Gazette* No. 197, dated 19 December 2003, Folio 11473, under the heading "Notification of Closing of Roads", with regard to the closing of the road comprised in Lot 100, DP 1062450 at Mortlake, Parish Concord (Sheet 3), County Cumberland, in Notes:

2] thereunder, replace "DP 1061011" with "DP 1062450".

File No.: MN03 R 134.

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

**ERRATUM**

IN the notice appearing in the *Government Gazette* No. 134, dated 13 August 2004, Folio 6559, under the heading "Proposed Dedication of Crown Land for a Public Purpose" the description of the land is amended as follows.

File No.: MN04 R 19.

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

Replacement of the Lots with:

7060 in DP1070986  
 7061 in DP1070989  
 7062 in DP1070987  
 7063 in DP1070983  
 7064 in DP1070990  
 7065 in DP1070984  
 7066 in DP1070985

Replacement of the Torrens Title Folio Identifiers with:

7060/DP1070986  
 7061/DP1070989  
 7062/DP1070987  
 7063/DP1070983  
 7064/DP1070990  
 7065/DP1070984  
 7066/DP1070985

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

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

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

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Cecil William GLEESON (re-appointment), Thomas Robert McINNES (re-appointment), Raymond HOSWELL (new member), Beryl May MANNION (new member), Shane Henry WOODS (new member).	Borambil Recreation Reserve Trust.	Reserve No.: 46567. Purpose: Public recreation. Notified: 10 May 1911. Locality: Borambil. File No.: TH79 R 27.

**Term of Office**

For a term commencing this day and expiring on  
31 August 2009.



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

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

Transfer of Crown Road to a Council

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

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

**SCHEDULE 1**

*Parish – Forster; County – Gloucester;*  
*Land District – Taree;*  
*Local Government Area – Great Lakes.*

Crown public road known as Townsend Street, Forster, extending from Macintosh Street to Strand Street.

**SCHEDULE 2**

Roads Authority: Great Lakes Council.

File No: TE98 H 102.

Council Reference: Doc No 512853 JMCL:DH.

**ERRATUM**

APPEARING in the *Government Gazette* No. 94 of 13 June 1986, Folio 2730, under the heading 'Incorporation of Reserve Trusts', should read 'Reserve 63576' in lieu of 'Reserve 6357'.

File No.: TE85 R 4.

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

**ROADS ACT 1993**

Acquisition of Land for the Purpose of Road

IN pursuance of the provisions of the Roads Act 1993, the land hereunder described is acquired for road and dedicated as a public road, such road is hereby declared to be a Crown road.

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

**Description**

*Parish – Burrawan; County – Macquarie;*  
*Land District – Taree;*  
*Local Government Area – Hastings.*

Opening of a road at Wauchope.

Land acquired and dedicated for a public road (Crown road): Lot 1, DP 1072546.

Title and area affected: Folio Identifier 7/835390.

File No.: TE04 H 34.

**REVOCATION OF APPOINTMENT OF RESERVE TRUST**

PURSUANT to section 92(3)(C) of the Crown Lands Act 1989, the appointment of the reserve trust specified in Column 1 of the Schedule hereunder, as trustee of the reserve, or part of the reserve, specified opposite thereto in Column 2 of the Schedule, is revoked.

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

**SCHEDULE****COLUMN 1**

Kundabung Public  
Recreation Reserve Trust.

**COLUMN 2**

Reserve No.: 81084.  
Public Purpose: Public  
recreation.

Notified: 26 September 1958.  
File No.: TE04 R 95.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

**SCHEDULE****COLUMN 1**

Dianne GAMACK,  
Colin MACKAY,  
Peter Ian REID,  
Quinton TITMUS,  
Elizabeth Sally  
HOPKINS  
(new members);  
Phillip Wayne  
MORTON,  
Cedric Lester  
AVERY  
(re-appointments).

**COLUMN 2**

Rollands Plains  
Recreation Reserve  
Trust.

**COLUMN 3**

Reserve No.: 35451.  
Public Purpose: Public  
recreation.  
Notified: 6 December 1902.  
File No.: TE80 R 183/2.

**Term of Office**

For a term commencing the date of this notice and expiring 9 September 2009.



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

**REVOCATION OF APPOINTMENT OF  
RESERVE TRUST**

PURSUANT to section 92(3)(c) of the Crown Lands Act 1989, the appointment of the reserve trust specified in Column 1 of the Schedules hereunder, as trustee of the reserve(s), or part(s) of the reserve(s), specified opposite thereto in Column 2 of the Schedules, is revoked.

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

SCHEDULE 1

COLUMN 1	COLUMN 2
Lockhart Council Crown Reserves Reserve Trust.	Reserve No.: 69046. Public Purposes: Public hall and public recreation. Notified: 23 February 1940. Reserve No.: 81318. Public Purpose: Public recreation. Notified: 19 December 1958. File No.: WA86 A 16.

SCHEDULE 2

COLUMN 1	COLUMN 2
Tumut Shire Council Crown Reserves Reserve Trust.	Reserve No.: 86664. Public Purpose: Rest park. Notified: 15 March 1968. File No.: WA00 H 147.

SCHEDULE 3

COLUMN 1	COLUMN 2
Wagga Wagga City Council Crown Reserves Reserve Trust.	Reserve No.: 62497. Public Purpose: Public recreation. Notified: 20 February 1931. Reserve No.: 82396. Public Purpose: Public recreation. Notified: 26 February 1960. File No.: WA84 R 36.

**APPOINTMENT OF RESERVE TRUST AS  
TRUSTEE OF A RESERVE**

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Junee Shire Council Crown Reserves Reserve Trust.	Reserve No.: 82396. Public Purpose: Public recreation. Notified: 26 February 1960. Reserve No.: 62497. Public Purpose: Public recreation. Notified: 20 February 1931. File No.: WA84 R 36.

**NOTIFICATION OF CLOSING OF A ROAD**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder specified is closed, the road 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 – Wallace; County – Clarendon;  
Land District – Wagga Wagga; Shire – Junee.*

Road Closed: Lot 1, DP 1070804 at Harefield subject to easement for water supply 10 wide and right of carriage way 6 wide created by Deposited Plan 1070804.

File No.: WA00 H 165.

Note: On closing, the land within Lot 1, DP 1070804 remains vested in the State of New South Wales as Crown Land.

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# Department of Primary Industries

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## NSW Fisheries

### **FISHERIES MANAGEMENT ACT 1994**

#### Section 8 Notification – Fishing Closure

#### Maximum Vessel Size Permitted to Operate in NSW Waters and Managed Fisheries

I, IAN MACDONALD, M.L.C., prohibit the use of vessels in excess of 32.0 metres from taking fish or undertaking any fishing activity in waters to which the Act applies unless authorised by a permit issued by the Minister.

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

Note: Existing boat replacement rules as detailed in the Fisheries Management (General) Regulation 2002 and the Commercial Licensing Policy 2003, continue to apply.

IAN MACDONALD, M.L.C.,  
NSW Minister for Agriculture and Fisheries

## Mineral Resources

NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(04-605)

No. 2418, COLUMBINE RESOURCES PTY LTD (ACN 110 711 656), area of 66 units, for Group 1, dated 30 August, 2004. (Orange Mining Division).

(04-606)

No. 2419, COLUMBINE RESOURCES PTY LTD (ACN 110 711 656), area of 78 units, for Group 1, dated 30 August, 2004. (Orange Mining Division).

(04-607)

No. 2420, Russell Colin WHEAR, area of 4 units, for Group 2, dated 30 August, 2004. (Armidale Mining Division).

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

NOTICE is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(T03-0990)

No. 2248, now Exploration Licence No. 6256, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165), County of Cowper, Map Sheet (8236), area of 100 units, for Group 1, dated 16 June, 2004, for a term until 15 June, 2006.

(T04-0010)

No. 2274, now Exploration Licence No. 6289, John Leslie LOVE, Counties of Clive and Gough, Map Sheet (9239), area of 5 units, for Group 2, dated 30 August, 2004, for a term until 29 August, 2006.

(T04-0045)

No. 2307, now Exploration Licence No. 6286, MATILDA RESOURCES PTY LTD (ACN 106 708 838), Counties of Evelyn and Tongowoko, Map Sheet (7238, 7239), area of 99 units, for Group 1, dated 23 August, 2004, for a term until 22 August, 2006.

(T04-0046)

No. 2308, now Exploration Licence No. 6287, Gerald Sylvester BYRNES, County of Wentworth, Map Sheet (7330), area of 1 unit, for Group 2, dated 24 August, 2004, for a term until 23 August, 2006.

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

NOTICE is given that the following applications have been withdrawn:

### EXPLORATION LICENCE APPLICATION

(04-542)

No. 2365, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), County of Cunningham, County of Flinders and County of Mouramba, Map Sheet (8133, 8134, 8233). Withdrawal took effect on 31 August, 2004.

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

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

(T96-1070)

Exploration Licence No. 5130, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), area of 57 units. Application for renewal received 1 September, 2004.

(T98-1108)

Exploration Licence No. 5526, AUSTMINEX NL (ACN 005 470 799), area of 9 units. Application for renewal received 3 September, 2004.

(T02-0033)

Exploration Licence No. 5990, RIO TINTO EXPLORATION PTY LIMITED (ACN 000 057 125), area of 14 units. Application for renewal received 17 August, 2004.

(T02-0065)

Exploration Licence No. 5998, PAN GEM RESOURCES (AUST) PTY LTD (ACN 064 972 621), area of 3 units. Application for renewal received 2 September, 2004.

(T02-0074)

Exploration Licence No. 6009, JERVOIS MINING LIMITED (ACN 007 626 575), area of 23 units. Application for renewal received 30 August, 2004.

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

### RENEWAL OF CERTAIN AUTHORITY

NOTICE is given that the following authority has been renewed:

(C91-0015)

Authorisation No. 438, BENGALLA MINING COMPANY PTY LIMITED (ACN 053 909 470), County of Brisbane, Map Sheet (9033), area of 660 square metres, for a further term until 7 May, 2009. Renewal effective on and from 27 August, 2004.

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

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# Roads and Traffic Authority

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## ROADS ACT 1993

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

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

ROSEMARIE BARRETTO,  
Senior Traffic Engineer,  
Penrith City Council  
23 August 2004

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### SCHEDULE

#### Part 1 – General

##### 1.1 Citation

This Notice may be cited as Penrith City Council 4.6m High Vehicle Notice No. 1/ 2004.

##### 1.2 Commencement

This Notice takes effect from the date of gazettal.

##### 1.3 Effect

This Notice remains in force until 30 June 2006, unless it is amended or repealed earlier.

##### 1.4 Application

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

##### 1.5 Limitations

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

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#### Part 2 – Vehicle Classes

##### 2.1 Class 1 Vehicles

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

##### 2.2 Class 2 vehicles

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

##### 2.3 Class 3 vehicles

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

## Part 3 – Routes

**3.1 Routes****4.6m high vehicles routes within the Penrith City Council**

Road	Starting point	Finishing point
Batt Street	Mulgoa Road	Regentville Road
Regentville Road	Batt Street	Abel Street
Abel Street	Regentville Road	York Road

**ROADS ACT 1993**

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

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

GHOLAM R. SHIRAN,  
 Transport Analyst,  
 Fairfield City Council  
 (by delegation from the Minister for Roads)  
 1 September 2004

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 Schedule
**1. Citation**

This Notice may be cited as the Fairfield City Council B-Double Notice No. 2/ 2004.

**2. Commencement**

This Notice takes effect from the date of gazettal.

**3. Effect**

This Notice remains in force until 1 March 2005, unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes****B-Double routes within the Fairfield City Council**

Type	Road	Starting point	Finishing point	Condition
25	River Avenue, Carramar	Woodville Road	The Horsley Drive	Six month trial to assess route

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

Notice of Compulsory Acquisition of Land at  
Barooga in the Berrigan Shire Council Area

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

T. D. CRAIG,  
Manager,

Compulsory Acquisition and Road Dedication,  
Roads and Traffic Authority of New South Wales

**SCHEDULE**

ALL that piece or parcel of land situated in the Berrigan Shire Council Area, Parish of Barooga and County of Denison, shown as Lot 1, Deposited Plan 1062732 being part of the land dedicated as Barooga State Forest No. 103 by proclamation in *Government Gazette* No. 27 of 18 February 1914, on page 1033.

The land is said to be in the possession of the Forestry Commission of New South Wales.

(RTA Papers FPP 4M2024; RO 34.1152)

**ROADS ACT 1993****Order – Section 31**

Fixing or Varying of Levels of part of the  
Castlereagh Highway north of Lithgow in the  
Lithgow City Council Area

THE Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes or varies the levels of part of State Highway No. 18 – Castlereagh Highway between 11.0km and 13.77km north of Lithgow, as shown on the Roads and Traffic Authority plan No. 0018.258.RC.7062.

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

(RTA Papers FPP 258.5357)

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

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

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

T. D. CRAIG,  
Manager,

Compulsory Acquisition and Road Dedication,  
Roads and Traffic Authority of New South Wales

**SCHEDULE**

ALL those pieces or parcels of land situated in the Albury City Council Area, Parish of Albury and County of Goulburn, shown as:

Lot 16, Deposited Plan 715250, being the whole of the land in Certificate of Title 16/715250, dedicated for racecourse by notification in the *Government Gazette* of 16 July 1863 and said to be in the possession of the Crown and Albury Racing Club Limited as the Corporation appointed to manage the affairs of the Albury Racecourse Trust;

Lot 22, Deposited Plan 1001879, being part of the land in Deed of Conveyance Book 2198 No. 654 and said to be in the possession of Leslie Thomas Ryan, Leslie James Colquhoun and James Joseph McCarthy (registered proprietors) and Albury Racing Club Limited (occupant); and

Lot 2, Deposited Plan 1068462, being part of the land in Certificate of Title 38/1062299 and said to be in the possession of Albury Racing Club Limited (registered proprietor).

(RTA Papers: FPP 4M2353)

**ROADS ACT 1993**

Order – Sections 46, 49, 54 and 67

Yass Shire Council Area

Dedication of Land as Public Road and Declaration as a Controlled Access Road of Part of the Hume Highway between Connors Creek and Conroys Gap at Bookham

I, the Minister for Roads, pursuant to sections 46, 49, 54 and 67 of the Roads Act 1993, by this Order:

1. dedicate as public road the land described in Schedules 1 and 2 under;
2. declare to be a main road the said public road described in Schedule 2 and the public road described in Schedule 3 under;
3. declare to be a controlled access road the said main road described in Schedules 2 and 3;
4. declare that access to the said controlled access road is restricted; and
5. specify in Schedule 4 under, the points along the controlled access road at which access may be gained to or from other public roads.

CARL SCULLY, M.P.,  
Minister for Roads

**SCHEDULE 1**

ALL those pieces or parcels of land situated in the Yass Shire Council Area, Parish of Bookham and County of Harden shown as:

Lots 24 and 25, Deposited Plan 261471;

Lot 2, Deposited Plan 227354;

Lot 120, Deposited Plan 878500; and

Lot 64, Deposited Plan 1041962.

The above Lots are all shown on sheets 1 or 2 in RTA Plan 0002 515 AC 2242.

**SCHEDULE 2**

ALL those pieces or parcels of land situated in the Yass Shire Council Area, Parishes of Bookham, Mylora, Woolgarlo and Bowning and County of Harden shown as:

Lot 101, Deposited Plan 882367;

Lot 3, Deposited Plan 588152;

Lots 18 to 21 inclusive, Deposited Plan 261470;

Lot 33, Deposited Plan 1040951;

Lot 65, Deposited Plan 1041962;

Lots 18, 19 and 22 to 27 inclusive, Deposited Plan 245507;

Lots 6 and 7, Deposited Plan 245506;

Lots 1 and 2, Deposited Plan 542041;

Lots 2 to 5 inclusive, 11, 12, 14 and 15, Deposited Plan 237815;

Lot 61, Deposited Plan 1038444; and

Lots 1 and 2, Deposited Plan 237814.

The above Lots are all shown on sheets 1, 2 or 3 in RTA Plan 0002 515 AC 2242.

**SCHEDULE 3**

ALL those pieces or parcels of public road situated in the Yass Shire Council Area, Parishes of Bookham, Mylora, Woolgarlo and Bowning and County of Harden shown as:

Lot 5, Deposited Plan 588152;

Lots 22 to 25 inclusive, Deposited Plan 261470;

Lots 133 to 159 inclusive, 161 and 163 to 169 inclusive, Deposited Plan 878500;

Lots 34, 35 and 36, Deposited Plan 1040951;

Lots 18 and 19, section 3, Deposited Plan 758133;

Lots 1, 2 and 3, section 1, Deposited Plan 758133;

Lot 66, Deposited Plan 1041962;

Lot 6, Deposited Plan 245507

Lots 125 to 144 inclusive, 146 and 147, Deposited Plan 876302;

Lots 215 to 239 inclusive, Deposited Plan 878465; and

Lots 6 to 10 inclusive, Deposited Plan 237815.

The above Lots are all shown on sheets 1, 2 or 3 in RTA Plan 0002 515 AC 2242.

**SCHEDULE 4**

Between the points A and B;

between the points C and D;

between the points E and F;

between the points G and H;

between the points J and K; and

between the points L and M, all shown on sheets 1 or 2 in RTA Plan 0002 515 AC 2242.

(RTA Papers FPP 98M1835; RO 2/515.1311)



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

Notice of Compulsory Acquisition of Land at  
Smithfield in the Fairfield City Council Area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in Schedule 1 and the interest in land described in Schedule 2 below are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993.

T. D. CRAIG,  
Manager,

Compulsory Acquisition and Road Dedication,  
Roads and Traffic Authority of New South Wales

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**SCHEDULE 1**

ALL that piece or parcel of land situated in the Fairfield City Council Area, Parish of Saint Luke and County of Cumberland, shown as Lot 17, Deposited Plan 1066747 being part of the land in Certificate of Title 1/91050.

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**SCHEDULE 2**

AN easement in gross for electricity purposes as provided in Schedule 4A of the Conveyancing Act 1919, over the site shown as "proposed easement for electricity purposes var. width" and designated by the letter [E] on Deposited Plan 1066747, affecting part of the land in Certificate of Title 1/91050.

The land is said to be in the possession of Sennpass Pty Limited (registered proprietor) and Westpac Banking Corporation (mortgagee).

(RTA Papers: FPP 4M2058)



## Other Notices

### CIVIL LIABILITY ACT 2002

#### ORDER

I, ROBERT JOHN DEBUS, M.P., Attorney General, in pursuance of section 17(1) of the Civil Liability Act 2002, by this Order, declare the amount that is to apply for the purposes of section 16(2) of the Civil Liability Act to be \$400 000 from 1 October 2004.

Signed at Sydney, this 26th day of August 2004.

BOB DEBUS, M.P.,  
Attorney General

### DISTRICT COURT ACT 1973

District Court of New South Wales

#### Direction

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

Albury, 10:00 a.m., 1 November 2004 (2 weeks), in lieu of 25 October 2004 (3 weeks).

Dated this 31st day of August 2004.

R. O. BLANCH,  
Chief Judge

### DISTRICT COURT ACT 1973

District Court of New South Wales

#### Direction

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

Byron Bay, 10:00 a.m., 5 October 2004 (1 week).

Dated this 8th September 2004.

R. O. BLANCH,  
Chief Judge

### THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (NSW)

Notice of Exhibition of the Draft Threat Abatement Plan for the 'Invasion of Native Plant Communities by Bitou Bush'

THE Department of Environment and Conservation (NSW) hereby gives notice of the exhibition of the draft threat abatement plan for the 'invasion of native plant communities by bitou bush'. Public submissions are invited from Saturday, 11 September, till the Friday, 22 October 2004. Exhibition details will be published on 11 September 2004, in the:

- *Sydney Morning Herald*.

On the 13 September 2004 in the:

- *Tweed Daily News*;
- *Port Macquarie News*;
- *Illawarra Mercury*.

On the 14 September 2004, in the:

- *Coffs Harbour Advocate*.

KEVIN SHANAHAN,  
A/Manager,  
Conservation Operations Section,  
Parks and Wildlife Division,  
Department of Environment and Conservation

### FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

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

This direction is subject to the following terms and conditions:

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

Signed at Sydney this 6th day of September 2004.

ROBYN KRUK,  
Director-General

### GEOGRAPHICAL NAMES ACT 1966

Notice of Assignment of Geographical Names and Boundaries for Address Localities in the Hawkesbury Local Government Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the names and boundaries of the following suburbs and localities in Hawkesbury Local Government Area, to be used as the address, as shown on map GNB3716:

Suburbs: Blaxlands Ridge, Bligh Park, Bowen Mountain, Clarendon, Colo, Cumberland Reach, East Kurrajong, Ebenezer, Freemans Reach, Glossodia, Grose Vale,

Grose Wold, Hobartville, Kurrajong, Kurrajong Heights, Kurrajong Hills, Kurmond, Maraylya, McGraths Hill, Mulgrave, North Richmond, Oakville, Pitt Town, Richmond, Sackville, South Windsor, Tennyson, The Slopes, Wilberforce, Windsor, Windsor Downs, Yarramundi.

Localities: Bucketty, Central Colo, Central Macdonald, Colo Heights, Cornwallis, Fernances, Higher Macdonald, Lower Macdonald, Mellong, Mogo Creek, Mountain Lagoon, Perrys Crossing, Pitt Town Bottoms, Richmond Lowlands, Scheyville, St Albans, The Devils Wilderness, Upper Colo, Upper Macdonald, Webbs Creek, Wrights Creek, Wheeny Creek, Womerah.

The following suburbs and localities which are assigned in adjoining Local Government Areas are now also assigned in the Hawkesbury Local Government Area as shown on map GNB3716:

Agnes Banks, Berambing, Bilpin, Cattai, Leets Vale, Lower Portland, Putty, Riverstone, Ten Mile Hollow, Vineyard, Wisemans Ferry.

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Boards Web Site at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

WARWICK WATKINS,  
Chairperson

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

#### HERITAGE ACT 1977

Direction Pursuant to Section 34(1)(A)  
to List an Item on the State Heritage Register  
The Great Synagogue, 185A Elizabeth Street,  
Sydney

SHR No. 1710

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

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

Sydney, 23rd day of August 2004.

#### SCHEDULE "A"

The item known as The Great Synagogue, 185A Elizabeth Street, Sydney, situated on the land described in Schedule "B".

#### SCHEDULE "B"

All those pieces or parcels of land known as Lot 1, DP 52572 in Parish of St James, County of Cumberland, shown on the plan catalogued HC 1971 in the office of the Heritage Council of New South Wales.

#### HERITAGE ACT 1977

Revocation of Interim Heritage Order No. 91

Lachlan Vintage Village Forbes

IN pursuance of section 29(3) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation furnished by the Heritage Council do, by this notice, revoke the Interim Heritage Order No. 91 over the item specified in Schedule "A". This revocation shall apply to the curtilage or site of the item, being the land described in Schedule "B".

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

Sydney, 1st day of September 2004.

#### SCHEDULE "A"

The property known as Lachlan Vintage Village, situated on the Newell Highway at Forbes, on the land described in Schedule "B", and all associated buildings, fixtures, fittings and movable heritage items; but excluding the Abernathy Lathe, an item listed on the State Heritage Register (00942).

#### SCHEDULE "B"

All those pieces or parcels of land known as Lot 2-3, DP 585133; Lot 3, DP238714; Lot 1713, DP 728811; Lot 1714, DP 728811; Lot 1715, DP728811; Lot 823, DP750158; Lot 1508, DP750158; Lot 1671, DP 750158; Lot 1672, DP 750158; Lot 1695, DP 46503, in Parish of Forbes, County of Ashburnham, shown on the plan catalogued in the office of the Heritage Council of New South Wales.

#### HERITAGE ACT 1977

Direction Pursuant to Section 34(1)(A)  
to List an Item on the State Heritage Register

Bathurst Cathedral Bells, All Saints Anglican  
Cathedral Bathurst

SHR No. 1707

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage of the item described in Schedule "B". The listing is subject to the Heritage Council approved exemption described in Schedule "C".

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

Sydney, 26th day of August 2004.

## SCHEDULE "A"

The item known as the Bathurst Cathedral Bells, All Saints Anglican Cathedral Bathurst, situated as described in Schedule "B".

## SCHEDULE "B"

The collection of six church bells manufactured in the mid-1850s known as the Bathurst Cathedral Bells. One bell is currently on display in the narthex or foyer to the All Saints Anglican Cathedral, Church Street, Bathurst and the other five are currently in storage at Dawson's Removals and Storage, Lot 3, Littlebourne Street, Kelso. The curtilage includes only the six foundry-cast bell-metal bells cast by Warner & Sons.

## SCHEDULE "C"

All works and activities in accordance with a Collections Management Strategy endorsed by the Director of the Heritage Office.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34(1)(A)  
to List an Item on the State Heritage Register

St John the Evangelist Church, Main Street,  
Wallerawang

SHR No. 1702

IN pursuance of section 34(1)(a) of the Heritage Act 1977, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

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

Sydney, 26th day of August 2004.

## SCHEDULE "A"

The item known as St John the Evangelist Church, Main Street, Wallerawang, situated on the land described in Schedule "B".

## SCHEDULE "B"

All those pieces or parcels of land known as Vol. 6589, Fol. 110, Vol. 6589, Fol. 111 and Lot 1, DP 372255 in Parish of Lidsdale, County of Cook, shown on the plan catalogued HC 1962 in the office of the Heritage Council of New South Wales.

**HUNTER WATER ACT 1991  
LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Compulsory Acquisition of Easement

Valentine to Belmont Pipeline

HUNTER WATER CORPORATION declares, with the approval of Her Excellency the Governor and the Executive Council that the easement described in the Schedule below is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for sewerage purposes under the Hunter Water Act 1991.

Dated at Sydney this 25th day of August 2004.

KEVIN YOUNG,  
Managing Director,  
Hunter Water Corporation

## SCHEDULE

Interest in Land

Easement rights as described under the heading Easement for Sewermain in Memorandum O352656 filed in the Land Titles Office over the sites shown as:

"C" PROPOSED EASEMENT FOR SEWERMAIN  
VARIABLE WIDTH" in Deposited Plan 1061076 within  
Lot 20, DP 817883.

(C5/111758)

**LOCAL GOVERNMENT ACT 1993**

## ERRATUM

IN the notification published in *Government Gazette* No. 142, dated 3 September 2004, on page 7430, the land vested in Bathurst City Council for the Bathurst Water Supply Augmentation Stage 2E Scheme at Ben Chifley Dam by the Local Government Act 1993, should have been vested in Bathurst Regional Council.

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

**LOCAL GOVERNMENT ACT 1993**

Moruya Heads Sewerage Augmentation – S866

Vesting of Land and Easements in Eurobodalla  
Shire Council

THE Minister for Energy and Utilities of the State of New South Wales, declares that the land and easements described in the Schedule hereto, which were acquired for the purpose of the Moruya Heads Sewerage Augmentation Scheme, are vested in Eurobodalla Shire Council.

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

## SCHEDULE

Land

Lot 1 in Deposited Plan 1052051.

## Interest in Land

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

Deposited Plan 1052051 (SB55409) as '(A) PROPOSED EASEMENT FOR SEWER PIPELINE 3 AND 5 WIDE', excluding Lot 182 in Deposited Plan 1017102.

DoC Reference: 209.

**PESTICIDES ACT 1999**

## Notice Under Section 48(4)

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

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

## SCHEDULE

## Aircraft (Pesticide Applicator) Licence

Name and address of Licensee	Date of Granting of Licence
FREDERICKSON AIR SERVICE PTY LTD 5 Bowen Terrace, The Range, QLD 4700.	2 September 2004.

**POISONS AND THERAPEUTIC GOODS ACT  
1966**

## Restoration of Drug Authority

IN accordance with the provisions of Clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002, a direction has been issued that the order prohibiting Dr Henry SZTULMAN of 34 York Street, East Gosford 2250, from supplying or having possession of drugs of addiction as authorised by Clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by Clause 76 of the Regulation, for the purpose of his profession as a medical practitioner, shall cease to operate from Friday, 10 September 2004.

ROBYN KRUK,  
Director-General

Department of Health, New South Wales,  
Sydney, 31 August 2004.

**POISONS AND THERAPEUTIC GOODS ACT  
1966**

## Restoration of Drug Authority

IN accordance with the provisions of Clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002, a direction has been issued that the Order prohibiting Dr Wafa SAMEN of 151-155 Hawkesbury Road, Westmead 2145,

from supplying or having possession of drugs of addiction as authorised by Clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by Clause 76 of the Regulation, for the purpose of his profession as a medical practitioner, shall cease to operate from 6 September 2004.

ROBYN KRUK,  
Director-General

Department of Health, New South Wales,  
Sydney, Thursday, 2 September 2004.

**POISONS AND THERAPEUTIC GOODS ACT  
1966**Order Under Clause 171(1)  
Poisons and Therapeutic Goods Regulation 2002

## Withdrawal of Drug Authority

IN accordance with the provisions of Clause 171(1) of the Poisons and Therapeutic Goods Regulation 2002, an Order has been made on Dale Warwick LARDEN, 37 Cranbrook Street, Botany 2019, prohibiting him until further notice, as a pharmacist from supplying, or having possession of, or manufacturing drugs of addiction, or manufacturing any preparation, admixture or extract of a drug of addiction as authorised by Clauses 101 and 102 of the Regulation.

This Order is to take effect on and from Friday, 10 September 2004.

ROBYN KRUK,  
Director-General

Department of Health, New South Wales,  
Sydney, Tuesday, 7 September 2004.

**RURAL FIRES ACT 1997**

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

## Area of Variation:

Southern Tablelands Incorporating;  
Greater Argyle Local Government Area;  
Upper Lachlan Local Government Area;  
Yass Valley Local Government Area.

The Local Bush Fire Danger period has been extended for the period 13 September 2004 until 30 September 2004.

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

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



## THREATENED SPECIES CONSERVATION ACT 1995

### Notice of Preliminary Determinations Proposed Additions to the Schedules

THE Scientific Committee, established by the Threatened Species Conservation Act, has made Preliminary Determinations to support proposals to list the following in the relevant Schedules of the Act.

#### Endangered Populations (Part 2 of Schedule 1)

*Eucalyptus oblonga* Blakely, population of the tree at Bateau Bay in the Wyong local government area.

Cobaki Lakes and Tweed Heads West population of the Long-nosed Potoroo *Potorous tridactylus* (Kerr 1792) in the Tweed local government area.

#### Endangered Ecological Communities (Part 3 of Schedule 1)

Freshwater Wetlands on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions.

Montane Peatlands and Swamps of the New England Tableland, NSW North Coast, Sydney Basin, South East Corner, South Eastern Highlands and Australian Alps bioregions.

Subtropical Coastal Floodplain Forest of the NSW North Coast bioregion.

Swamp Oak Floodplain Forest of the NSW North Coast, Sydney Basin and South East Corner bioregions.

### Notice of Preliminary Determinations Proposed Amendments to the Schedule

THE Scientific Committee, established by the Threatened Species Conservation Act, has made a Preliminary Determination to support a proposal to list River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions, as an ENDANGERED ECOLOGICAL COMMUNITY in Part 3 of Schedule 1 of the Act, and as a consequence to omit reference to Sydney Coastal River-Flat Forest from Part 3 of Schedule 1 of the Act.

THE Scientific Committee, established by the Threatened Species Conservation Act, has made a Preliminary Determination to support a proposal to list Swamp Sclerophyll Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions, as an ENDANGERED ECOLOGICAL COMMUNITY in Part 3 of Schedule 1 of the Act, and as a consequence to omit reference to Sydney Coastal Estuary Swamp Forest Complex in the Sydney Basin bioregion from Part 3 of Schedule 1 of the Act.

Any person may make a written submission regarding these Preliminary Determinations, which should be forwarded to:

Scientific Committee,  
PO Box 1967,  
Hurstville, NSW 2220.

Attention: Suzanne Chate, Executive Officer.

Submissions must be received by 22 October 2004.

Copies of these Determinations, which contain the reasons for the determinations, may be obtained free of charge:

On the Internet [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

By contacting the Scientific Committee Support Unit, C/- Department of Environment and Conservation, PO Box 1967, Hurstville, NSW 2220.

Tel: (02) 9585 6940 or Fax (02) 9585 6606.

In person at The National Parks Centre, 102 George Street, The Rocks, Sydney.

Copies of the determinations may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

The National Parks and Wildlife Service is part of the Department of Environment and Conservation.

Associate Professor PAUL ADAM,  
Chairperson,  
Scientific Committee

## WORKERS COMPENSATION ACT 1987

### NOTICE

(Concerning Indexation of WorkCover Benefits and Damages)

THE WorkCover Authority of New South Wales, pursuant to section 82 of the Workers Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from 1 October 2004, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

TABLE

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjustable Amount
WORKERS COMPENSATION ACT 1987		
s.25 (1)(a)	\$211,850.00	\$296,250.00
s.25 (1)(b)	\$66.60	\$93.10
s.35	\$1,000.00	\$1,398.30
s.37 (1)(a)(i)	\$235.20	\$328.90
s.37 (1)(a)(ii)	\$187.10	\$261.60
s.37 (1)(a)(iii)	\$170.00 \$153.00	\$237.70 \$213.90
s.37 (1)(b)	\$62.00	\$86.70
s.37 (1)(c)	\$44.30 \$99.10 \$164.16 \$230.90 \$66.60	\$61.90 \$138.60 \$229.50 \$322.90 \$93.10
s.63A (3)	\$1,500.00	\$2,097.50
s.40	\$1,000.00	\$1,398.30
Sch.6Pt.4Cl.7	\$341.30	\$477.20

(Latest Index Number: 182.9)

JON BLACKWELL,  
Chief Executive Officer,  
Workcover Authority

**WORKERS COMPENSATION ACT 1987****NOTICE**

(Concerning Indexation of Benefits Covered by  
Workers Compensation Act 1926)

THE WorkCover Authority of New South Wales, pursuant to section 82 of, and Parts 3-4 of Schedule 6 to the Workers Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from 1 October 2004, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

TABLE

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjustable Amount
WORKERS COMPENSATION ACT 1987 (re 1926 ACT)		
Sch.6 Pt.3Cl. 2(2)	\$76,700.00	\$107,250.00
Sch.6 Pt.3Cl. 2(3)	\$38.30	\$53.60
Sch.6Pt.4Cl.4 (1)(b)(i)	\$44.80	\$62.60
Sch.6Pt.4Cl.4 (1)(b)(ii)	\$22.50	\$31.50
Sch.6Pt.4Cl.4A (2)(a)	\$196.00	\$274.10
Sch.6Pt.4Cl.4A (2)(b)	\$155.90	\$218.00
Sch.6Pt.4, Cl.4A (2)(c)	\$141.60 \$127.50	\$198.00 \$178.30

(Latest Index Number: 182.9)

JON BLACKWELL,  
Chief Executive Officer,  
Workcover Authority

**WORKERS' COMPENSATION (DUST  
DISEASES) ACT 1942****NOTICE**

(Concerning Indexation of Benefits)

THE WorkCover Authority of New South Wales, pursuant to section 8(3)(d) of the Workers' Compensation (Dust Diseases) Act 1942, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from 1 October 2004, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

TABLE

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjustable Amount
WORKERS COMPENSATION (DUST DISEASES) ACT 1942		
s.8 (2B)(b)(i)	\$141,250.00	\$197,550.00
s.8 (2B)(b)(ii)	\$137.30	\$192.00
s.8 (2B)(b)(iii)	\$69.40	\$97.00

(Latest Index Number: 182.9)

JON BLACKWELL,  
Chief Executive Officer,  
Workcover Authority

**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

### GREATER HUME SHIRE COUNCIL

Roads Act 1993, Section 16(2)

Dedication of Land as Public Road

NOTICE is hereby given by the Greater Hume Shire Council in pursuance to section 16(2) of the Roads Act 1993, the land described in the Schedule below is hereby dedicated as a public road. PETER VENERIS, Acting General Manager, Greater Hume Shire Council, PO Box 70, Albury, NSW 2640.

#### SCHEDULE

The lane 31 links (6.235 metres) wide shown within section 35, DP 9695, Parish of Round Hill, County of Hume, being part of the residue comprised in Certificate of Title Volume 2140, Folio 241. [0649]

### GREATER TAREE CITY COUNCIL

Roads Act 1993

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

Naming of Roads

NOTICE is hereby given that Greater Taree City Council, in pursuance of the above Act and Regulations, has named new roads within Ocean Links Estate, Old Bar – Lot 51 and 53, DP 1057793. Ocean Links Estate is located off the southern end of Forest Lane, Old Bar. The new road names are: Flagtail Avenue, Greenbank Way, Curlew Place, Yellowfin Avenue, Mackerel Way, Eagle Close, Threadfin Court, Albacore Way, Mariner Avenue, Trevally Avenue, Marlin Court and Penguin Circuit. P. PINYON, General Manager, Greater Taree City Council, PO Box 482, Taree, NSW 2430. [0643]

### MOSMAN MUNICIPAL COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act  
1991

Notice of Compulsory Acquisition of Land

Laneway between Raglan and Musgrave Streets,  
Mosman

MOSMAN Municipal Council declares with the approval of Her Excellency the Governor that the lands described in the Schedule below, excluding any mines or deposits in those 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 Mosman this 4th day of October 2004. V. H. R. MAY, General Manager, Mosman Municipal Council, PO Box 211, Spit Junction, NSW 2088.

#### SCHEDULE

Drainage reserve and right of way 1.83 metres wide, pathway 1.83 metres wide and pathway 1.73 metres wide shown in DP 1000062. [0638]

### PORT STEPHENS COUNCIL

Roads Act 1993

NOTICE is hereby given that pursuant to section 10, Road Act 1993, Council hereby dedicates, as public road, the Council owned land set out in the Schedule below. Council resolution 168, dated 25th May, 2004. Dated at Raymond Terrace this 10th day of September, 2004. P. GESLING, General Manager, Port Stephens Council, PO Box 42, Raymond Terrace, NSW 2324. (Council File: 5425-001).

#### SCHEDULE

Lot 11, DP 1067063. [0648]

### TWEED SHIRE COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has approved the name of the roads to be dedicated in the plan of subdivision of Lot 103 in DP 1034762, known as Bellevue Heights at Murwillumbah as follows:

Mount Lindesay Avenue;  
Mount Ballow Avenue;  
Mount Ernest Crescent;  
Saddle Way.

Authorised by the delegated officer. GENERAL MANAGER, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah, NSW 2484. [0646]



## TUMBARUMBA SHIRE COUNCIL

NOTICE is hereby given to the persons named hereunder that the Council of the Tumbarumba Shire has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest and on which the amount of the rates and charges stated in each case, as at 2 June 2004, is due.

Owners or persons having an interest in the land  (a)	Description of the land  (b)	Amount of rates (including extra charges overdue for more than 5 years)  (c)	Amount of all other rates (including extra charges) due and in arrears  (d)	Total Outstanding (interest calculated to 2 June 2004)  (e)
Francis James DOUGHTY Estate	Part Lots 1 and 2, Lots 3, 4 and 5, DP 758887, section 5, Wagga Road, Rosewood	\$153.57	\$1,071.76	\$1,225.33
Thomas Michael BLAZEK	Lot 71, DP 226654, 13 Bradney Street, Khancoban	\$1,513.85	\$9,793.70	\$11,307.55
Harold Brian O'DONOGHUE	Lots 8 and 9, DP 260596, East Burra Creek Road, Tumbarumba	\$232.92	\$2,147.92	\$2,380.84
Bryce Nelson JONES and Bettina Ann WHITTEN	Lot 672, DP 755892, Booth Street, Tumbarumba	\$564.79	\$3,391.39	\$3,956.18
Bryce Nelson JONES and Bettina Ann WHITTEN	Lot 1, DP 1310742 and Lot 1, DP 365178, Booth Street, Tumbarumba	\$1,007.82	\$5,382.53	\$6,390.35
Greg and Tracee GOLDSPINK	Lot 7, DP 759003, King Street, Tumbarumba	\$267.24	\$5,376.25	\$5,643.49

Default of payment to the Council of the amount stated in Column (e) above and any other rates (including extra charges) becoming due and payable after the publication of this notice, before the time fixed for the sale, the said land will be offered by Auction at the Tumbarumba Shire Council Chambers, Winton Street, Tumbarumba, on Friday, 17 December 2004, at 4:00 p.m. The auction is being conducted by John A Alleyn & Co. P. BASCOMBE, General Manager, Tumbarumba Shire Council, PO Box 61, Tumbarumba, NSW 2653. [0639]

## ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BERYL JOHNSEN, late of 78 Woodlands Road, Liverpool, in the State of New South Wales, widow, who died on 6th January, 2004, must send particulars of his claim to the executors, Christine Beryl Leahy and Michael Frederick Johnsen, c.o. Steve Masselos & Co., Solicitors, PO Box A988, Sydney South, NSW 1235, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on date as number 111703/04. STEVE MASSELOS & CO., A Solicitor Corporation, 2nd Floor, 114-120 Castlereagh Street, Sydney, NSW 2000 (PO Box A988, Sydney South, NSW 1235), (DX305, Sydney), tel.: (02) 9264 7022. Reference: Mr Fitzgerald:sw:14634. [0636]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ELIZABETH VIOLET SIMPSON, late of 49 Frogmore Street, Mascot, in the State of New South Wales, who died on 28th May, 2004, must send particulars of their claim to the executor, Mary Helen Simpson, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington, NSW 2033, within one (1) calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 25th August, 2004. SIMPSON & CO., Solicitors, 103A Anzac Parade, Kensington, NSW 2033 (PO Box 340, Kensington 1465), tel.: (02) 9662 4381. Reference: IS:FS. [0639]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of VLADIMIR KOLESNIKOFF, late of Fairfield West, in the State of New South Wales, who died on 30th October, 2001, must send particulars of his/her claim to the administratrix, Tengoc Kolesnikoff, c.o. Mercuri & Co., Solicitors, PO Box 198, Five Dock, NSW 2046, within one (1) calendar month from publication of this notice. After that time the administratrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Letters of Administration was granted in New South Wales on 26th August, 2004. MERCURI & CO., Solicitors, PO Box 198, Five Dock, NSW 2046, (DX21014, Drummoyne). [0641]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ALTON LESLIE RULE, late of 3/24 The Strand, Penshurst, in the State of New South Wales, who died on 20th June, 2004, must send particulars of their claim to the executor, Loretta Shirley Hann, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale, NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 24th August, 2004. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale, NSW 2223 (DX11307, Hurstville), tel.: (02) 9570 2022. [0642]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of WILLIAM BURDETT TYSON, late of 43 Phillip Street, Blakehurst, in the State of New South Wales, who died on 15th July, 2004, must send particulars of their claim to the executor, June Lorraine Storey, c.o. Simpson & Co., Solicitors, 103A Anzac Parade, Kensington, NSW 2033, within one (1) calendar month from publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 25th August, 2004. SIMPSON & CO., Solicitors, 103A Anzac Parade, Kensington, NSW 2033 (PO Box 340, Kensington 1465), tel.: (02) 9662 4381. [0647]

## COMPANY NOTICES

NOTICE of resolution passed (appointment of liquidator).—In the matter of GRAHAM CAPP & ASSOCIATES PTY LIMITED, ACN 003 151 728.—Notice is hereby given that at an extraordinary general meeting of members of the above company duly convened and held at 187 Caroline Chisholm Drive, Winston Hills on 23rd August, 2004, the following Special and Ordinary Resolutions were passed “That the company be wound up voluntarily” and “That Paul Mervyn Meldrum be appointed as Liquidator of the company”. Dated this 2nd day of September, 2004. PAUL MERVYN MELDRUM, Liquidator, c.o. Roberts Nissen, Chartered Accountants, 2 Solander Centre, Solander Road, Kings Langley, NSW 2147. [0637]

NOTICE of winding up.—PERIFF PTY LTD, ACN 003 790 252 (in liquidation).—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovementioned company will be held at the office of Graham G Gunn & Co, 64 Tennyson Road, Mortlake on the 19th October, 2004, at 10:00 a.m., for the purpose of laying before the meeting the liquidators’ final account and report and giving any explanations thereof. Dated this 7th day of September, 2004. G G GUNN, Liquidator, c.o. Graham G Gunn & Co., PO Box 554, Concord, NSW 2137. [0644]

NOTICE of winding up.—PRODUCTION SUPPLY PROPERTIES PTY LTD, ACN 001 231 689 (in liquidation).—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovementioned company will be held at the office of Graham G Gunn & Co, 64 Tennyson Road, Mortlake on the 19th October, 2004, at 9:00 a.m., for the purpose of laying before the meeting the liquidators’ final account and report and giving any explanations thereof. Dated this 7th day of September, 2004. G G GUNN, Liquidator, c.o. Graham G Gunn & Co., PO Box 554, Concord, NSW 2137. [0645]

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MICHAEL J. O'SHEA, Acting Government Printer.