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NEW SOUTH WALES

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LEGISLATION

Proclamations



New South Wales

Proclamation

under the

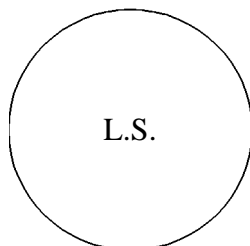
Residential Tenancies Amendment (Public Housing) Act 2004
No 66

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 *Residential Tenancies Amendment (Public Housing) Act 2004*, do, by this my Proclamation, appoint 6 December 2004 as the day on which Schedule 1 [1], [3], [4], [5] and [9] to that Act commence.

Signed and sealed at Sydney, this 1st day of December 2004.

By Her Excellency's Command,



L.S.

REBA PAIGE MEAGHER, M.P.,
Minister for Fair Trading

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence provisions of the *Residential Tenancies Amendment (Public Housing) Act 2004* relating to acceptable behaviour agreements for public housing tenants.

Regulations



New South Wales

Firearms (General) Amendment (Pistols) Regulation 2004

under the

Firearms Act 1996

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

JOHN WATKINS, M.P.,
Minister for Police

Explanatory note

The objects of this Regulation are as follows:

- (a) to make it clear that a category H licence issued for the genuine reason of business or employment does not authorise the possession or use of a pistol for a purpose that is a genuine reason other than business or employment (such as recreational hunting/vermin control or primary production),
- (b) to require the Commissioner of Police, except in certain cases, to refuse to issue a permit for a pistol if the pistol is to be used for the purposes of hunting or fishing or farming or grazing activities,
- (c) to make it clear that pre-1900 muzzle loading percussion lock pistols are exempt from the licensing and registration requirements of the *Firearms Act 1996* only if they are single shot pistols.

This Regulation is made under the *Firearms Act 1996*, including sections 8 (3), 29 (5) and 88 (the general regulation-making power).

Clause 1 Firearms (General) Amendment (Pistols) Regulation 2004

Firearms (General) Amendment (Pistols) Regulation 2004

under the

Firearms Act 1996

1 Name of Regulation

This Regulation is the *Firearms (General) Amendment (Pistols) Regulation 2004*.

2 Amendment of Firearms (General) Regulation 1997

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

Firearms (General) Amendment (Pistols) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 5A

Insert after clause 5:

5A Restriction on authority conferred by category H licence

- (1) The genuine reason of business or employment does not, in relation to a category H licence or an application for such a licence, include business or employment that constitutes any other genuine reason.

Note. Section 16 of the Act provides that a category H licence must not be issued unless the genuine reason established by the applicant is sport/target shooting, business or employment or firearms collection. The genuine reasons specified in section 12 of the Act are each mutually exclusive.

- (2) Accordingly, a category H licence issued to a person who has established business or employment as the genuine reason for being issued with the licence does not authorise the possession or use of a registered pistol for a purpose that is a genuine reason other than business or employment.

Note. For example, the licensee is not authorised to use the pistol for the purposes of:

- (a) hunting (including the control or suppression of vermin or pest animals) or fishing, or
- (b) farming or grazing activities (including the destruction of diseased or injured animals).

[2] Clause 9 Additional grounds for refusal of permit

Omit clause 9 (2) (b). Insert instead:

- (b) the protection of property.

[3] Clause 9 (3) and (4)

Insert after clause 9 (2):

- (3) The Commissioner must refuse to issue a permit authorising the possession or use of a registered pistol if the Commissioner is satisfied that the applicant intends to possess or use the pistol for the purposes of:

- (a) hunting (including the control or suppression of vermin or pest animals) or fishing, or
- (b) farming or grazing activities (including the destruction of diseased or injured animals).

Firearms (General) Amendment (Pistols) Regulation 2004

Schedule 1 Amendments

-
- (4) However, subclause (3) does not apply in relation to an applicant if the Commissioner is satisfied, on production of such evidence as the Commissioner may require, that the applicant has a medical condition or disability that prevents the applicant from using a rifle or shotgun for the purposes referred to in that subclause.

[4] Clause 111 Exemption for certain firearms manufactured before 1900

Insert “A percussion lock pistol is not a pre-percussion pistol unless it is a single-shot percussion lock pistol.” after “metallic cartridges.” in the definition of *pre-percussion pistol* in clause 111 (5).



New South Wales

Fisheries Management (General) Amendment (Advisory Bodies) Regulation 2004

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

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

Explanatory note

The object of this Regulation is to amend the *Fisheries Management (General) Regulation 2002* to:

- (a) establish a Seafood Industry Advisory Council to replace the Advisory Council on Commercial Fishing and the Advisory Council on Aquaculture, and
- (b) amalgamate the Management Advisory Committees that were established for the ocean fish trawl and ocean prawn trawl restricted fisheries, and
- (c) re-classify aquarium caulerpa as Class 1 noxious marine vegetation.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 209 (1), 231 and section 289 (the general regulation-making power).

Clause 1 Fisheries Management (General) Amendment (Advisory Bodies) Regulation
2004

Fisheries Management (General) Amendment (Advisory Bodies) Regulation 2004

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Advisory Bodies) Regulation 2004*.

2 Amendment of Fisheries Management (General) Regulation 2002

The *Fisheries Management (General) Regulation 2002* is amended as set out in Schedule 1.

Fisheries Management (General) Amendment (Advisory Bodies) Regulation
2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 106 Identification of recognised fishing grounds

Omit “Advisory Council on Commercial Fishing” from clause 106 (4) (a).
Insert instead “Seafood Industry Advisory Council”.

[2] Clause 340 Noxious fish and noxious marine vegetation (section 209 of the Act)

Omit “Class 2” from subclause (2). Insert instead “Class 1”.

[3] Clause 348 Establishment of advisory councils

Omit clause 348 (a) and (d). Insert in appropriate order:

- (a) a Seafood Industry Advisory Council,

[4] Clause 349

Omit the clause. Insert instead:

349 Seafood Industry Advisory Council

- (1) The Seafood Industry Advisory Council is to be composed of the following members:
 - (a) one person appointed on the nomination of each Management Advisory Committee referred to in Division 5, except for the Management Advisory Committee for the inland restricted fishery (that is, one member for each Management Advisory Committee),
 - (b) one person appointed to represent the retail fish industry,
 - (c) one person appointed to represent the wholesale fish industry,
 - (d) one person appointed to represent commercial fishers co-operatives,
 - (e) 2 persons appointed to represent the aquaculture industry, one of whom is nominated by the Peak Oyster Advisory Group established by the Department of Primary Industries,
 - (f) one person appointed on the nomination of the Indigenous Fisheries Strategy Working Group established by the Department of Primary Industries or such other body representing Indigenous persons as the Minister considers appropriate,

Fisheries Management (General) Amendment (Advisory Bodies) Regulation
2004

Schedule 1 Amendments

-
- (g) one person appointed on the nomination of the Nature Conservation Council of New South Wales.
- (2) The Minister may, by advertisement published in a newspaper circulating throughout the State, call for expressions of interest in membership of the Seafood Industry Advisory Council.
- (3) The Seafood Industry Advisory Council is to include the following members, who are not entitled to vote at meetings of the Council:
- (a) the Director-General or a nominee of the Director-General,
 - (b) the Director-General of the NSW Food Authority or a nominee of the Director-General of the NSW Food Authority,
 - (c) such other persons as the Minister considers appropriate.
- [5] Clause 352 Advisory Council on Aquaculture**
Omit the clause.
- [6] Clause 361 Chairperson and deputy chairperson of advisory council**
Omit subclause (3).
- [7] Clause 369 Composition of MAC**
Insert after clause 369 (2), before the note to the clause:
- (3) A single MAC is to be established for the ocean prawn trawl restricted fishery and the ocean fish trawl restricted fishery. Those restricted fisheries are taken, for the purposes of this Part, to be a single restricted fishery which is referred to in Part B of the Table as the ocean trawl restricted fishery.
- [8] Clause 369, Table**
Omit the matters relating to the ocean prawn trawl restricted fishery and the ocean fish trawl restricted fishery from Columns 1, 2 and 3 of Part B of the Table.
- [9] Clause 369 Table**
Insert in Columns 1, 2 and 3 of Part B of the Table, in appropriate order:
- | | | |
|-----------------------------------|---|---|
| Ocean trawl restricted fishery | 6 | 1 member representing commercial fishers who hold an ocean prawn trawl endorsement in the upper north coast region of the fishery |
|-----------------------------------|---|---|

Fisheries Management (General) Amendment (Advisory Bodies) Regulation
2004

Amendments

Schedule 1

1 member representing commercial fishers who hold an ocean prawn trawl endorsement in the Clarence region of the fishery

1 member representing commercial fishers who hold an ocean prawn trawl endorsement in the north coast region of the fishery

1 member representing commercial fishers who hold an ocean prawn trawl endorsement, or an ocean prawn trawl and an ocean fish trawl endorsement, in the central region of the fishery

2 members representing commercial fishers who hold an ocean fish trawl and ocean prawn trawl endorsement in the metropolitan, upper south coast or lower south coast regions of the fishery or any combination of those regions

[10] Clause 369, Notes to Table

Omit the matter relating to item 1.

[11] Clause 369, Notes to Table

Omit “ocean prawn trawl restricted fishery” from item 3.

Insert instead “ocean trawl restricted fishery”.

[12] Clauses 424 and 425

Insert in Part 14 as clauses 424 and 425:

424 Abolition of Advisory Council on Commercial Fishing and Aquaculture

(1) The following Advisory Councils are abolished on the commencement of the *Fisheries Management (General) Amendment (Advisory Bodies) Regulation 2004*:

- (a) Advisory Council on Commercial Fishing,
- (b) Advisory Council on Aquaculture.

Fisheries Management (General) Amendment (Advisory Bodies) Regulation
2004

Schedule 1 Amendments

- (2) A person who was a member of any such body immediately before its abolition ceases to be a member and is not entitled to any remuneration or compensation for the loss of that membership.

425 Amalgamation of MACs for ocean fish trawl and ocean prawn trawl restricted fisheries

- (1) The following Management Advisory Committees are abolished on the commencement of the *Fisheries Management (General) Amendment (Advisory Bodies) Regulation 2004*:
- (a) Management Advisory Committee for the ocean fish trawl restricted fishery,
 - (b) Management Advisory Committee for the ocean prawn trawl restricted fishery.
- (2) A person who was a member of any such body immediately before its abolition ceases to be a member and is not entitled to any remuneration or compensation for the loss of that membership.



New South Wales

Fisheries Management (General) Amendment (Management Advisory Committee Membership) Regulation 2004

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

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

Explanatory note

The object of this Regulation is to make further provision for the circumstances in which an elected member of a Management Advisory Committee may be removed from office by the Minister. The Regulation allows a Management Advisory Committee member to be removed from office if he or she ceases to be an effective representative of commercial fishers, engages in conduct that is likely to bring the fishing industry into disrepute or engages in unruly or disruptive behaviour at Committee meetings.

This Regulation also increases the fee payable for the lodgment of an appeal to the Share Management Fisheries Appeal Panel under the Act.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 84 (4), 231 and 289 (the general regulation-making power).

Clause 1 Fisheries Management (General) Amendment (Management Advisory Committee Membership) Regulation 2004

Fisheries Management (General) Amendment (Management Advisory Committee Membership) Regulation 2004

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Management Advisory Committee Membership) Regulation 2004*.

2 Amendment of Fisheries Management (General) Regulation 2002

The *Fisheries Management (General) Regulation 2002* is amended as set out in Schedule 1.

Fisheries Management (General) Amendment (Management Advisory Committee Membership) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 140 Making of appeals to Share Appeal Panel (section 84 of the Act)

Omit clause 140 (2)–(4). Insert instead:

- (2) An appeal is to be made in a form approved by the Director-General and is to be accompanied by a lodgment fee of \$275.
- (3) The Director-General may waive or reduce the fee, or refund the fee or any part of it, in such circumstances as the Director-General considers appropriate.
- (4) The Director-General is to notify the person making the appeal of the receipt of his or her appeal.

[2] Clause 405 Vacancy in office of a member

Insert at the end of clause 405 (3) (c):

, or

- (d) has, in the opinion of the Minister, ceased to effectively represent the shareholders or commercial fishers he or she was elected to represent, or
- (e) has, in the opinion of the Minister, engaged in conduct that is likely to bring the fishing industry into disrepute, or
- (f) has been formally reprimanded by the chairperson of the MAC of which he or she is a member for unruly or disruptive behaviour at a meeting of the MAC on not less than 3 occasions (whether occurring at the same meeting or at different meetings of the MAC).



New South Wales

Fisheries Management (General) Amendment (Section 220ZB Exemption) Regulation 2004

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

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

Explanatory note

The object of this Regulation is to exempt fish the taking of which does not constitute an offence under Part 7A (Threatened species conservation) of the *Fisheries Management Act 1994* from section 220ZB of the Act (which creates an offence of buying, selling or possessing any fish or marine vegetation of a threatened species). The Regulation also makes some consequential amendments.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 220ZB (2) (b) and 289 (the general regulation-making power).

Clause 1 Fisheries Management (General) Amendment (Section 220ZB Exemption)
Regulation 2004

Fisheries Management (General) Amendment (Section 220ZB Exemption) Regulation 2004

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Section 220ZB Exemption) Regulation 2004*.

2 Amendment of Fisheries Management (General) Regulation 2002

The *Fisheries Management (General) Regulation 2002* is amended as set out in Schedule 1.

Fisheries Management (General) Amendment (Section 220ZB Exemption)
Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] **Clause 20B Use of certain fishing gear prohibited in vicinity of Fish Rock**

Insert "Division 1 of" before "Part 11A" in the note to clause 20B (1).

[2] **Part 11A, and Division 1, headings**

Omit the heading to Part 11A. Insert instead:

Part 11A Threatened species conservation

Division 1 Prohibition or restriction of actions on critical habitat of grey nurse shark

[3] **Clause 340A Application of Division**

Omit "Part". Insert instead "Division".

[4] **Part 11A, Division 2**

Insert after clause 340C:

Division 2 Exemption from offence of buying, selling or possessing threatened species

340D Exemption

Any fish the taking of which does not constitute an offence under
Part 7A of the Act are exempt from section 220ZB of the Act.



Food Amendment (Penalty Notices) Regulation 2004

under the

Food Act 2003

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Food Act 2003*.

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

Explanatory note

The objects of this Regulation are:

- (a) to amend the *Food Regulation 2004* to prescribe certain offences under the *Food Act 2003* as offences for which penalty notices may be issued and to prescribe the penalty amounts for any such penalty notices, and
- (b) to make a consequential amendment to the *Food Production (Seafood Safety Scheme) Regulation 2001* and a law revision amendment to that Regulation consequent on the transfer of the Regulation from the *Food Production (Safety) Act 1998* (now repealed) to the *Food Act 2003*.

This Regulation is made under the *Food Act 2003*, including sections 102, 120 and 139 (the general regulation-making power).

Clause 1 Food Amendment (Penalty Notices) Regulation 2004

Food Amendment (Penalty Notices) Regulation 2004

under the

Food Act 2003

1 Name of Regulation

This Regulation is the *Food Amendment (Penalty Notices) Regulation 2004*.

2 Amendment of Food Regulation 2004

The *Food Regulation 2004* is amended as set out in Schedule 1.

3 Amendment of Food Production (Seafood Safety Scheme) Regulation 2001

The *Food Production (Seafood Safety Scheme) Regulation 2001* is amended as set out in Schedule 2.

Food Amendment (Penalty Notices) Regulation 2004

Amendment of Food Regulation 2004

Schedule 1

Schedule 1 Amendment of Food Regulation 2004

(Clause 2)

[1] Clause 9

Insert after clause 8:

9 Penalty notices

For the purposes of section 120 of the Act:

- (a) each offence arising under a provision specified in Column 1 of Schedule 1 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is:
 - (i) in the case of a penalty payable by an individual—the amount specified in relation to the offence in Column 2 of Schedule 1, and
 - (ii) in the case of a penalty payable by a corporation—the amount specified in relation to the offence in Column 3 of Schedule 1.

[2] Schedule 1

Insert after Part 4:

Schedule 1 Penalty notices

(Clause 9)

| Column 1 | Column 2 | Column 3 |
|----------------------|---------------------------|---------------------------|
| Provision of the Act | Penalty for an individual | Penalty for a corporation |
| Section 16 (1) | \$660 | \$1320 |
| Section 16 (2) | \$660 | \$1320 |
| Section 17 (1) | \$550 | \$1100 |
| Section 17 (2) | \$550 | \$1100 |
| Section 18 (1) | \$660 | \$1320 |
| Section 18 (2) | \$660 | \$1320 |
| Section 18 (3) | \$660 | \$1320 |
| Section 19 (1) | \$660 | \$1320 |

Page 3

Food Amendment (Penalty Notices) Regulation 2004

Schedule 1 Amendment of Food Regulation 2004

| Column 1 | Column 2 | Column 3 |
|--|----------------------------------|----------------------------------|
| Provision of the Act | Penalty for an individual | Penalty for a corporation |
| Section 20 (1) (a) | \$660 | \$1320 |
| Section 20 (1) (b) | \$660 | \$1320 |
| Section 20 (2) | \$660 | \$1320 |
| Section 21 (1) | \$330 | \$660 |
| Section 21 (2) | \$330 | \$660 |
| Section 21 (3) | \$330 | \$660 |
| Section 21 (4) | \$330 | \$660 |
| Section 35 (a) | \$1320 | \$2640 |
| Section 35 (b) | \$1320 | \$2640 |
| Section 35 (c) | \$1320 | \$2640 |
| Section 41 | \$660 | \$1320 |
| Section 42 | \$660 | \$1320 |
| Section 43 (2) | \$660 | |
| Section 43 (3) in respect of assaulting an authorised officer only | \$1320 | |
| Section 64 | \$660 | \$1320 |
| Section 77 | \$110 | \$220 |
| Section 83 | \$110 | \$220 |
| Section 89 (1) | \$110 | \$220 |
| Section 99 (2) | \$660 | |
| Section 100 (1) | \$330 | \$660 |
| Section 104 (1) | \$330 | \$660 |
| Section 104 (2) | \$330 | \$660 |
| Section 104 (3) | \$330 | \$660 |
| Section 104 (4) | \$330 | \$660 |
| Section 104 (5) | \$330 | \$660 |
| Section 136 (1) | \$330 | \$660 |

Food Amendment (Penalty Notices) Regulation 2004

Amendment of Food Production (Seafood Safety Scheme) Regulation 2001 Schedule 2

Schedule 2 Amendment of Food Production (Seafood Safety Scheme) Regulation 2001

(Clause 3)

[1] Clause 6 Meaning of “seafood business”

Omit clause 6 (2). Insert instead:

- (2) For the purposes of this Regulation, a *seafood business*:
 - (a) does not include the act of taking or catching marine fin fish, crustacea or cephalopod but includes any handling of such seafood immediately after it is taken or caught, whether the handling occurs on board a vessel or otherwise, and
 - (b) does not include the retail sale of seafood.

[2] Schedule 4 Penalty notices

Omit the matter relating to section 104 (1), (2) and (3) of the Act from Columns 1 and 2 of the Table to the Schedule.



Higher Education Amendment (Fees) Regulation 2004

under the

Higher Education Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Higher Education Act 2001*.

ANDREW REFSHAUGE, M.P.,
Minister for Education and Training

Explanatory note

The object of this Regulation is to reduce the fees prescribed in Schedule 1 to the *Higher Education Regulation 2003* to take account of a GST exemption. The Regulation also inserts into Schedule 1 of that Regulation the amount payable for assessment of the Associate degree, a new qualification recently endorsed by the Ministerial Council on Education, Employment, Training and Youth Affairs.

This Regulation is made under the *Higher Education Act 2001*, including section 25 (the general regulation-making power).

Clause 1 Higher Education Amendment (Fees) Regulation 2004

Higher Education Amendment (Fees) Regulation 2004

under the

Higher Education Act 2001

1 Name of Regulation

This Regulation is the *Higher Education Amendment (Fees) Regulation 2004*.

2 Amendment of Higher Education Regulation 2003

The *Higher Education Regulation 2003* is amended as set out in Schedule 1.

Higher Education Amendment (Fees) Regulation 2004

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 4)

Australian and overseas universities

| | |
|--|----------|
| Application by education institution for Minister's recommendation under section 4 of Act | \$10,000 |
| Assessment of education institution in connection with application for Minister's recommendation under section 4 of Act | \$40,000 |
| Application by education institution for registration as an overseas university under section 5 of Act | \$10,000 |
| Assessment of education institution in connection with application for registration as an overseas university under section 5 of Act | \$40,000 |

Australian and overseas higher education institutions

| | |
|---|---------|
| Application by education institution for registration as an Australian or overseas higher education institution under section 5 of Act | \$3,000 |
| Annual fee for registration of education institution under section 5 of Act as an Australian or overseas higher education institution | \$2,000 |
| Assessment of education institution in connection with application for termination of suspension of registration under section 6 of Act | \$3,000 |

Accreditation of higher education course

| | |
|---|---------|
| Application for accreditation of course of study under section 7 of Act (per course) | \$2,000 |
| Assessment of course of study in connection with application for accreditation under section 7 of Act (per course): | |
| (a) Diploma or advanced diploma | \$3,500 |
| (b) Associate degree | \$4,250 |
| (c) Bachelor degree | \$5,000 |

Page 3

Higher Education Amendment (Fees) Regulation 2004

Schedule 1 Amendment

| | | |
|--|---|---------|
| (d) | Graduate certificate, graduate diploma or other prescribed post-graduate qualification | \$3,500 |
| (e) | Master's degree | \$7,000 |
| (f) | Doctoral degree | \$7,000 |
| | Assessment of course of study in connection with application for termination of suspension of accreditation under section 8 of Act (per course) | \$3,000 |
| Approval to provide courses of study to overseas students | | |
| | Application for approval of education institution in relation to courses of study under section 10 of Act | \$5,000 |
| | Annual fee for approval of education institution under section 10 of Act: | |
| (a) | if number of courses covered by approval does not exceed 5, or | \$1,000 |
| (b) | if number of courses covered by approval exceeds 5 | \$2,000 |
| | Application to amend education institution's approval to add new courses | \$1,000 |
| | Assessment of education institution in connection with application for termination of suspension of approval under section 11 of Act | \$3,000 |



New South Wales

Police Amendment (NSW Police Medal) Regulation 2004

under the

Police Act 1990

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Police Act 1990*.

JOHN WATKINS, M.P.,
Minister for Police

Explanatory note

The object of this Regulation is to make provision in the *Police Regulation 2000* for the awarding of the NSW Police Diligent and Ethical Service Medal (also known as the NSW Police Medal). Under the proposed provision, the Commissioner of Police may award the Medal to police officers in accordance with ministerially approved guidelines. The guidelines are to be reviewed at least annually by the Commissioner.

This Regulation is made under the *Police Act 1990*, including section 219 (the general regulation-making power).

Clause 1 Police Amendment (NSW Police Medal) Regulation 2004

Police Amendment (NSW Police Medal) Regulation 2004

under the

Police Act 1990

1 Name of Regulation

This Regulation is the *Police Amendment (NSW Police Medal) Regulation 2004*.

2 Amendment of Police Regulation 2000

The *Police Regulation 2000* is amended by inserting the following after Division 8 of Part 2:

Division 8A New South Wales Police Medal

32A Conferral of Medal

- (1) The Commissioner may grant to a police officer the New South Wales Police Diligent and Ethical Service Medal (also known as the New South Wales Police Medal). The Medal is to be granted in accordance with the *Guidelines for the New South Wales Police Medal* approved by the Minister from time to time.
- (2) The Commissioner is to review the Guidelines at least annually and recommend any changes that the Commissioner considers necessary to the Minister.

Other Legislation



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

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

Potoroidae

Potorous tridactylus (Kerr 1792)

Long-nosed Potoroo, Cobakai Lakes
and Tweed Heads West population

Dated, this 26th day of November 2004.

Associate Professor Paul Adam
Chairperson of the Scientific Committee

Copies of final determination and reasons

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

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

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

Eucalyptus oblonga Blakely

Eucalyptus oblonga population at
Bateau Bay in the Wyong local
government area

Dated, this 26th day of November 2004.

Associate Professor Paul Adam
Chairperson of the Scientific Committee

Copies of final determination and reasons

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- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

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

Alga

Charophyta

Characeae

Nitella partita Nordst.

Dated, this 26th day of November 2004.

Associate Professor Paul Adam
Chairperson of the Scientific Committee

Copies of final determination and reasons

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

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.



New South Wales

Notice of Final Determination

under the

Threatened Species Conservation Act 1995

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

* *Pultenaea stuartiana* Williamson

Dated, this 26th day of November 2004.

Associate Professor Paul Adam
Chairperson of the Scientific Committee

Copies of final determination and reasons

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

- (a) on the Internet at www.nationalparks.nsw.gov.au,
- (b) by contacting the Scientific Committee Support Unit, by post C/- Department of Environment and Conservation, PO Box 1967, Hurstville, 2220, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the National Parks Centre, 102 George St, The Rocks, Sydney.

OFFICIAL NOTICES

Appointments

ABORIGINAL LAND RIGHTS ACT 1983

NOTICE

I, the Honourable ANDREW REFSHAUGE, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 222(1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Barry JAMESON as Administrator to the Jali Local Aboriginal Land Council for a maximum period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 52(1) of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration is not to exceed \$33,000.00 dollars (inclusive of GST).

Signed and sealed this 24th day of November 2004.

ANDREW REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN!

BOARD OF ADULT AND COMMUNITY EDUCATION ACT 1990

Instrument of Appointment

IN pursuance of section 5(2)(b) and Clause 3 of Part I of Schedule I of the Board of Adult and Community Education Act 1990, I, ANDREW REFSHAUGE, Minister for Education and Training appoint Ms Bronwyn CLINCH as a member of the Board of Adult and Community Education for three years commencing on 28 October 2004 and concluding on 27 October 2007.

Signed at Sydney this 15th day of October 2004.

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

BOARD OF ADULT AND COMMUNITY EDUCATION ACT 1990

Instrument of Appointment

IN pursuance of section 5(2)(b) and Clause 3 of Part I of Schedule I of the Board of Adult and Community Education Act 1990, I, ANDREW REFSHAUGE, Minister for Education and Training appoint Ms Cathy DUNCAN as a member of the Board of Adult and Community Education for three years commencing on 28 October 2004 and concluding on 27 October 2007.

Signed at Sydney this 15th day of October 2004.

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

BOARD OF ADULT AND COMMUNITY EDUCATION ACT 1990

Instrument of Appointment

IN pursuance of section 5(2)(b) and Clause 3 of Part I of Schedule I of the Board of Adult and Community Education Act 1990, I, ANDREW REFSHAUGE, Minister for Education and Training appoint Dr Denise FLEMING as a member of the Board of Adult and Community Education for three years commencing on 28 October 2004 and concluding on 27 October 2007.

Signed at Sydney this 15th day of October 2004.

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

BOARD OF ADULT AND COMMUNITY EDUCATION ACT 1990

Instrument of Appointment

IN pursuance of section 5(2)(b) and Clause 3 of Part I of Schedule I of the Board of Adult and Community Education Act 1990, I, ANDREW REFSHAUGE, Minister for Education and Training appoint Ms Cristina FICA as a member of the Board of Adult and Community Education for three years commencing on 28 October 2004 and concluding on 27 October 2007.

Signed at Sydney this 15th day of October 2004.

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

BOARD OF ADULT AND COMMUNITY EDUCATION ACT 1990

Instrument of Appointment

IN pursuance of section 5(2)(b) and Clause 3 of Part I of Schedule I of the Board of Adult and Community Education Act 1990, I, ANDREW REFSHAUGE, Minister for Education and Training appoint Ms Debbie LITTLEHALES as a member of the Board of Adult and Community Education for three years commencing on 28 October 2004 and concluding on 27 October 2007.

Signed at Sydney this 15th day of October 2004.

ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

**CRIMES (ADMINISTRATION OF SENTENCES)
ACT 1999**

Serious Offenders Review Council

Appointment of Acting Deputy Chairperson

HER Excellency the Governor, on the advice of the Executive Council and pursuant to the provisions of the Crimes (Administration of Sentences) Act 1999, has approved the appointment of Mr Charles Alexander VANDERVORD as Acting Deputy Chairperson of the Serious Offenders Review Council on and from 29 November 2004 up to and including 28 February 2005.

JOHN HATZISTERGOS,
Minister for Justice
and Minister Assisting the Premier on Citizenship

INCORPORATION ACT 1947

Churches of Christ in New South Wales

Appointment of Registrar

NOTICE is hereby given that in accordance with the provisions of the above Act the Churches of Christ Property Trust has appointed Peter Graeme DIXON as Registrar under the above Act. This appointment shall take effect from the date of this notice. The registered address of the Registrar is 389 Illawarra Road, Marrickville NSW 2204.

Dated at Sydney this 17th day of November 2004.

By Order of the Churches of Christ Property Trust.

ROBERT BROADY,
DAVID A. BENTLEY,
GREG MURRAY,
JAMES ASHLEY,
NEIL COWDERY,
PHILIP MOORE,
PETER DIXON
Members

Department of Infrastructure, Planning and Natural Resources

Infrastructure and Planning



New South Wales

Warringah Local Environmental Plan 2000 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S04/01858/S69)

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

Clause 1 Warringah Local Environmental Plan 2000 (Amendment No 12)

Warringah Local Environmental Plan 2000 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Warringah Local Environmental Plan 2000 (Amendment No 12)*.

2 Aims of plan

This plan aims:

- (a) to remove the time limit on the life of *Warringah Local Environmental Plan 2000*, and
- (b) to declare that a description in that plan of the desired future character of a locality does not prohibit any development, and
- (c) to provide that it is not necessary for development to comply strictly with any quantitative requirement (such as a requirement relating to area or height) in a general principle of development control contained in Part 4 of that plan.

3 Land to which plan applies

This plan applies to all land within the local government area of Warringah.

4 Amendment of Warringah Local Environmental Plan 2000

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

Warringah Local Environmental Plan 2000 (Amendment No 12)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 How long will this plan have effect?

Omit the clause.

[2] Clause 12 What matters are considered before consent is granted?

Insert “, but nothing in a description of desired future character creates a prohibition on the carrying out of development” after “Statement” in clause 12 (3) (b).

[3] Clause 12, note

Omit “presumed to be” wherever occurring.

[4] Clause 18 How will the built form of development be controlled?

Insert after clause 18 (2):

- (3) Nothing in this plan requires development to comply strictly with a quantitative requirement made in any general principle of development control.



Wollongong Local Environmental Plan 1990 (Amendment No 229)

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*. (W04/00056/S69)

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

Clause 1 Wollongong Local Environmental Plan 1990 (Amendment No 229)

Wollongong Local Environmental Plan 1990 (Amendment No 229)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wollongong Local Environmental Plan 1990 (Amendment No 229)*.

2 Aims of plan

This plan aims to allow, with the consent of Wollongong City Council, the carrying out of development on the land to which this plan applies for the purposes of a visitor information facility and restaurant.

3 Land to which plan applies

This plan applies to land situated in the City of Wollongong, being Lot 7044, DP 1056482, Princes Highway, Bulli Tops, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 229)” deposited in the office of the Council of the City of Wollongong.

4 Amendment of Wollongong Local Environmental Plan 1990

Wollongong Local Environmental Plan 1990 is amended by inserting at the end of Schedule 2 in Columns 1 and 2, respectively, the following matter:

| | |
|---|---|
| Lot 7044, DP 1056482, Princes Highway, Bulli Tops, as shown edged heavy black on the map marked “Wollongong Local Environmental Plan 1990 (Amendment No 229)” | Visitor information facility (providing tourism, community and cultural information and displays, and retail goods for sale); restaurant. |
|---|---|

Natural Resources

WATER ACT 1912

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

Kevin John CHENEY and Barbara Anne CHENEY for a pump on the Nepean River on Pt 52//733630, Parish of Cook, County of Cumberland, for water supply for domestic purposes (new licence) (not subject to the 1995 Hawkesbury/Nepean Embargo) (Reference: 10SL56616) (GA2:493315).

Any inquiries regarding the above should be directed to the undersigned (Telephone: [02] 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.

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

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

WATER ACT 1912

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

An application for approval of controlled works under section 167 within the proclaimed (declared) local area described hereunder has been received as follows:

Gwydir River Valley

Campbell Wilson JAQUET for earthen levees and channels on the Lower Gwydir Valley Floodplain on Lot 27/704629, Lot 16/750438, Lot 1/705367, all Parish of Bunna Bunna, all County of Benarba, for prevention of inundation of land by floodwaters on the property known as "Pimpampa", Rowena (Reference: 90CW810932) (GA2:472181).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed area, whose interest may be affected must be lodged with the Department's Resource Access Manager at Tamworth by 28 December 2004.

Plans showing the location of the works referred to in the above application may be viewed at the Moree Office of the Department of Infrastructure, Planning and Natural Resources.

GEOFF CAMERON,
Manager,
Resource Access

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

WATER ACT 1912

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

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

Gwydir River Valley

ALMA PASTORAL CO for a pump on an unnamed watercourse into Mungyer Lagoon on Lot 7, DP 750484, Parish of Moomin, County of Benarba, for water supply for stock purposes and irrigation of 162 hectares (cotton, wheat and other cash crops) (application seeks to change location of pumpsite – existing entitlement – no increase in entitlement – replaces previous advertisement) (LO Papers: 90SL100740) (GA2:472260).

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

GEOFF CAMERON,
Manager,
Resource Access

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

Department of Lands

FAR WEST REGIONAL OFFICE

45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830

Phone: (02) 6883 3000 Fax: (02) 6883 3099

DECLARATION OF LAND TO BE CROWN LAND

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared to be Crown land within the meaning of that Act.

(WL04H111)

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

SCHEDULE

Part of that parcel of land, being Lot 1 in DP 226886, appropriated or resumed by notification in the Government Gazette of 10 September 1965, under the Public Works Act 1912 and vested in the Housing Commission of New South Wales, in the Parish of Cobar, County of Robinson of 1420 square metres. Folio Identifiers 94 & 95 DP 262941.

ALTERATION OF CONDITIONS OF A WESTERN LANDS LEASE

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

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

*Administrative District – Wentworth;
Shire – Wentworth;
Parish – Avoca;
County – Wentworth*

The conditions of Western Lands Lease No 14312, being the land contained within Folio Identifier 6919/1004854 have been altered effective from 1 December 2004 by the inclusion of the following special conditions.

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 14312

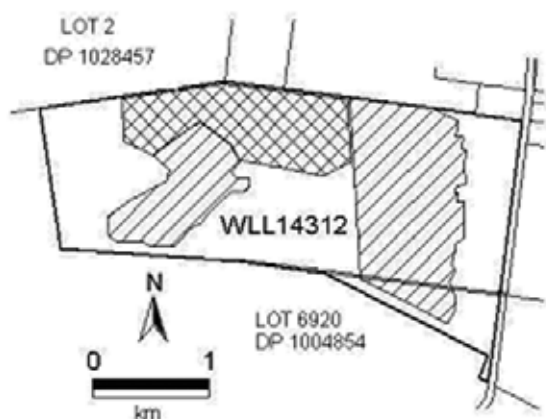
- 1 The lessee shall only conduct irrigated cultivation within the areas of 216 hectares indicated by hatching on the diagram hereunder. Any other cultivation outside this area will only be allowable with the consent of the Commissioner or the Minister.
- 2 The lessee shall not clear any native vegetation or remove any timber within the area shown hatched on the diagram hereunder unless written approval has been granted by either the Commissioner or the Minister.
- 3 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.
- 4 The lessee shall ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.
- 5 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.
- 6 Aboriginal sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.

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 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.
- 8 The lessee shall establish windbreaks at his/her own expense as may be ordered by the Commissioner to provide adequate protection of the soil.
- 9 The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
- 10 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.
- 11 Irrigation water is not to be permanently transferred from the lease without the prior permission of the Western Lands Commissioner.
- 12 The lessee must ensure that if cotton is to be grown, only a maximum of two cotton crops can be grown on any one area in any six consecutive years. During other years the area may be fallowed or sown to pasture, fodder or grain crops.
- 13 The area partly covers Travelling Stock Reserve 508 and suitable arrangements must be made with the Wentworth Rural Lands Protection Board prior to the commencement of any development. If suitable arrangements cannot be

made with the Rural Lands Protection Board, the matter will be determined by the Commissioner.

- 14 The lessee shall erect and maintain a domestic stockproof standard fence surrounding the area of 100 hectares shown cross-hatched on the diagram hereunder and ensure the area remains ungrazed by both domestic stock and feral animals.
- 15 The lessee shall not clear and vegetation or remove any timber within the area shown cross-hatched on the diagram hereunder unless written approval has been granted by either the Commissioner or the Minister.
- 16 The lessee shall manage the area shown cross-hatched on the diagram hereunder in accordance with best management practices specified in the document known as "Southern Mallee Regional Guidelines for the Development of Land Use Agreements".



SURRENDER OF A WESTERN LANDS LEASE

IT is hereby notified for public information that in pursuance of Section 33A of the Western Lands Act 1901, the Western Lands Lease particularised hereunder has been surrendered.

CRAIG KNOWLES MP,
Minister for Infrastructure and Planning
Minister for Natural Resources

Western Lands Lease No: 10003

Name of Lessee: The Scout Association of Australia, New South Wales Branch (formerly known as Boy Scouts Association NSW)

Area Surrendered: Allotment 5, Section 14, DP 758262 of 1012 m²

Date of Surrender: 1 December 2004

Administrative District: Walgett

Shire: Walgett

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

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE

COLUMN 1

Old Tintenbar Council
Chambers Reserve Trust.

COLUMN 2

Reserve No.: 57675.
Public Purpose: Municipal
purposes.
Notified: 12 December 1924.
File No.: GF03 R 35/1.

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE

COLUMN 1

Ballina Shire
Council.

COLUMN 2

Old Tintenbar
Council Chambers
Reserve Trust.

COLUMN 3

Reserve No.: 57675.
Public Purpose: Municipal
purposes.
Notified: 12 December 1924.
File No.: GF03 R 35.

For a term commencing the date of this notice.

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

The person for the
time being holding
the office of
President, Glenreagh
Pony Club
(ex-officio member).

COLUMN 2

Glenreagh Public
Recreation Reserve
Trust.

COLUMN 3

Reserve No.: 81867.
Public Purpose: Public
recreation.
Notified: 21 August 1959.
File No.: GF81 R 110.

Term of Office

For a term commencing the date of this notice and expiring
7 August 2008.

ERRATUM

IN the notice appearing in the *NSW Government Gazette* No. 187, Folio 8805, dated 26 November 2004, under the heading "Alteration of Corporate name of Reserve Trust", in Schedule 3, replace "Dorrobbee Grass Resrve Trust" with, "Dorrobbee Grass Reserve Trust".

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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District – Grafton; Shire – Clarence Valley.

Road Closed: Lots 2 and 6, DP 869926, at Dundurrabin,
Parish Blicks, County Fitzroy.

File No.: GF03 H 341 and GF03 H 357.

Note: On closing, the land within Lots 2 and 6 become vested
in the State of New South Wales as Crown Land.

Council's Reference: SRH:TT, DA 86/95, 3240.

MAITLAND OFFICE

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

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Parish – Sutton; County – Gloucester;
Land District – Newcastle;
Local Government Area – Port Stephens.*

Road Closed: Lot 1, DP 1072917 at Lemon Tree Passage.

File No.: MD04 H 69.

SCHEDULE

On closing, the land within Lot 1, DP 1072917 remains vested in Port Stephens Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 5660-005.

ALTERATION OF CORPORATE NAME OF RESERVE TRUST

PURSUANT to section 92(3) of the Crown Lands Act 1989, the corporate name of the reserve trust specified in Schedule 1 hereunder, which is trustee of the reserve referred to in Schedule 2, is altered to the corporate name specified in Schedule 3.

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

SCHEDULE 1

Swansea War Memorial (700037) Reserve Trust.

SCHEDULE 2

Reserve No.: 700037.

Public Purpose: Community purposes.

Notified: 11 July 1997.

File No.: MD80 R 82/2.

SCHEDULE 3

Swansea Memorial Hall Trust.

DECLARATION OF LAND TO BE CROWN LAND

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared to be Crown land within the meaning of that Act.

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

SCHEDULE

Description

*Land District – Muswellbrook;
Council – Muswellbrook;
Parish – Rowan and Brougham;
County – Durham.*

9562m2 being Lot 265 in D.P.1030447 and 32.73ha being Lot 264 in D.P.1030447, also being land in folios 265/1030447 and 264/1030447 held in the name of The Minister for Public Works.

File Ref: MD80R123.

RESERVATION OF CROWN LAND

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

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

SCHEDULE

| COLUMN 1 | COLUMN 2 |
|--|--------------------------------------|
| Land District: Muswellbrook | Reserve No. 1010588 |
| Local Government Area: Muswellbrook Council | Public Purpose: Public Recreation |
| Locality: Muswellbrook | |
| <i>Lot Sec. D.P. No. Parish County</i> | |
| 264 1030447 Rowan Durham | |
| Area: 32.73ha | |
| File Reference: MD80R123/2 | |

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE

| COLUMN 1 | COLUMN 2 |
|--|--------------------------------------|
| Muswellbrook Golf Course Reserve Trust | Reserve No. 1010588 |
| | Public Purpose: Public Recreation |
| | Notified: This Day |
| | File Reference: MD80R123/2 |

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE

| COLUMN 1 | COLUMN 2 | COLUMN 3 |
|----------------------|--|---|
| Muswellbrook Council | Muswellbrook Golf Course Reserve Trust | Reserve No. 1010588 Public Purpose: Public Recreation Notified: This Day File Reference: MD80R123/2 |

For a term commencing the date of this notice.

ORANGE OFFICE

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

DISSOLUTION OF A RESERVE TRUST

Pursuant to section 92(3)(a) of the Crown Lands Act 1989, the reserve trust which was constituted and appointed as trustee of the reserve specified in the Schedule hereunder prior to the establishment of the reserve trust as notified in the *Government Gazette* of the 26 November 2004, Folio 8807, is dissolved.

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

SCHEDULE

Reserve No. 94635 for water supply, notified 1 May 1981, at Forbes of 4281 square metres.

File No.: OE91 R 6/1.

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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District – Taree;
Local Government Area – Greater Taree.

Road Closed: Lot 1, DP 1075508 at Lansdowne, Parish of Lansdowne, County of Macquarie.

File No.: TE04 H 24.

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

Department of Primary Industries

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2002

Clause 37 (3) – Notice of Granting of Class 1 Aquaculture
Lease

THE Minister has granted the following Class 1 Aquaculture
Lease:

AL03/026 within the estuary of Manning River having an
area of 0.4439 hectares to Trevor MANSFIELD and Peter
MANSFIELD of Hawks Nest, NSW, for a term of 15 years
expiring on 24 September 2019.

Dr NICK RAYNS,
Director,
Fisheries Management,
Agriculture and Fisheries Division,
Department of Primary Industries

Roads and Traffic Authority

ROADS ACT 1993

Order - Sections 46, 49, 54 and 67

Byron Shire Council Area

Dedication of Land as Public Road and Declaration as a Controlled Access Road of part of the Pacific Highway between Ewingsdale and Tyagarah

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 Byron Shire Council area, Parish of Brunswick and County of Rous shown as:

Lots 27 and 28 Deposited Plan 877915;

Lot 1 Deposited Plan 883459;

Lot 32 Deposited Plan 1003475;

Lots 23, 24 and 25 Deposited Plan 858256;

Lots 49 to 57 inclusive Deposited Plan 858323; and

Lots 5 and 6 Deposited Plan 1013646.

The above Lots comprise the whole of the land in the correspondingly numbered Certificates of Title and are all shown on sheets 1 or 2 in RTA Plan 0010 062 AC 2741.

SCHEDULE 2

ALL those pieces or parcels of land situated in the Byron Shire Council area, Parish of Brunswick and County of Rous shown as:

Lots 29, 30, 31, 33, 34, 35, 37, 38 and 39 Deposited Plan 877915;

Lot 2 Deposited Plan 123323;

Lots 6 and 7 Deposited Plan 1036639;

Lots 11 and 12 Deposited Plan 1033512;

Lot 51 Deposited Plan 863788;

Lot 29 Deposited Plan 1003475;

Lots 17 and 18 Deposited Plan 858256;

Lots 102 and 103 Deposited Plan 863786; and

Lots 33, 34 and 36 to 46 inclusive Deposited Plan 858323.

The above Lots comprise the whole of the land in the correspondingly numbered Certificates of Title and are all shown on sheets 1 or 2 in RTA Plan 0010 062 AC 2741.

SCHEDULE 3

ALL those pieces or parcels of public road situated in the Byron Shire Council area, Parish of Brunswick and County of Rous shown as:

Lot 32 Deposited Plan 877915;

Lot 13 Deposited Plan 1033512;

Lot 30 Deposited Plan 1003475;

Lot 48 Deposited Plan 858323;

Lot 7 Deposited Plan 1013646; and

Lots 10 and 11 Deposited Plan 1017195.

The above Lots are all shown on sheets 1 or 2 in RTA Plan 0010 062 AC 2741.

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;

Between the points L and M;

between the points N and P;

between the points Q and R; and

between the points S and T; all shown on sheets 1 or 2 in RTA Plan 0010 062 AC 2741.

(RTA Papers 10/62.173)

ROADS ACT 1993

Erratum

THE following notices, which appeared in the Government Gazette on 26 November 2004, No. 187, folio 8815 contained some printing errors. The notices are now republished in full and the gazettal date remains 26 November 2004.

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Uargon in the Gilgandra Shire Council area

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

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

SCHEDULE

ALL those pieces or parcels of land situated in the Gilgandra Shire Council area, Parish of Uargon and County of Gowen, shown as Lots 4 to 7 inclusive, Deposited Plan 1044049.

(RTA Papers: FPP 2M3526; RO 17/165.1265)

ROADS ACT 1993

Order - Section 31

Fixing of Levels
of part of the Newell Highway north of Narrabri
in the Moree Plains Shire Council area

THE Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes the levels of part of State Highway No 17 – Newell Highway between 80.2 km to 82.7 km north of Narrabri, as shown on Roads and Traffic Authority Plan No 0017.291.RC.0021.

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

(RTA Papers FPP 291.5357; RO 17/291.1264;2)

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

Notice of Compulsory Acquisition of Land at

Billinudgel in the Byron 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 & Road Dedication
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL those pieces or parcels of land situated in the Byron Shire Council area, Parish of Billinudgel and County of Rous, shown as:

Lot 9 Deposited Plan 1071656, being part of land confirmed for railway purposes by notification in the Government Gazette of 1 November 1892 on page 8808; and

Lots 10 and 11 Deposited Plan 1071656, being parts of the land in Deed of Conveyance No 228 Book 542.

The land is said to be in the possession of the State Rail Authority of New South Wales.

(RTA Papers FPP 4M4520; RO 10/62.1609)

ROADS ACT 1993

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

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

Peter J. JORGENSEN,
General Manager
Conargo Shire Council (by delegation from the Minister for Roads)

Schedule

Citation

This Notice may be cited as the Conargo Shire Council B-Doubles Notice No. 2, 2004.

Commencement

This Notice takes effect from the date of the gazettal.

Effect

This Notice remains in force until 31st December 2008 unless it is amended or repealed earlier.

Application

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

Routes

B-Doubles routes within the Conargo Shire Council

| Type | Road No. | Road Name | Starting Point | Finishing Point | Conditions |
|------|----------|------------------------|----------------------------------|---|--|
| 25 | MR 296 | MR 296 Moulamein Rd | Wakool Shire Council Boundary | 13 Km east of Wakool Shire Council Boundary at "Woorooma" | Seasonal approval – travel is only permitted during the months of November and December, and March, April and May. |

ROADS ACT 1993

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

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

Peter J. JORGENSEN,
General Manager
Conargo Shire Council (by delegation from the Minister for Roads)

Schedule

Citation

This Notice may be cited as the Conargo Shire Council Road Train Notice No. 3, 2004.

Commencement

This Notice takes effect from the date of the gazettal.

Effect

This Notice remains in force until 31st December 2008 unless it is amended or repealed earlier.

Application

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

Routes

Road Train routes within the Conargo Shire Council

| Type | Road No. | Road Name | Starting Point | Finishing Point | Conditions |
|------|----------|-----------------|---|--------------------------------------|--|
| RT | 000 | Carrathool Road | “Steam Plains” entrance south to MR 552 (approx. distance 35 km). | Deniliquin – Jerilderie Road (MR552) | Seasonal approval – travel is only permitted during the months of November and December, and March, April and May. |
| RT | 000 | Yanco Road | “Aintree” west to Carrathool Road | Carrathool Road | Seasonal approval – travel is only permitted during the months of November and December, and March, April and May. |

ROADS ACT 1993

Notice under Clause 17 of the road Transport (Mass, Loading and Access) Regulation, 1996

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

Peter J. JORGENSEN,
General Manager
Conargo Shire Council (by delegation from the Minister for Roads)

Schedule

Citation

This Notice may be cited as the Conargo Shire Council B-Doubles Notice No. 3, 2004.

Commencement

This Notice takes effect from the date of the gazettal.

Effect

This Notice remains in force until 31st December 2008 unless it is amended or repealed earlier.

Application

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

Routes

B-Doubles routes within the Conargo Shire Council

| Type | Road No. | Road Name | Starting Point | Finishing Point | Conditions |
|------|----------|-----------------------------|-------------------------------|---|--|
| 25 | MR 319 | Moulamein to Maude Rd | Wakool Shire Council Boundary | North 6 km to Wanganella – Moulamein Road | Seasonal approval – travel is only permitted during the months of November and December, and March, April and May. |
| 25 | 000 | Wanganella – Moulamein Road | MR 319 | East 17 km to "Mooroolbark" | Seasonal approval – travel is only permitted during the months of November and December, and March, April and May. |

Other Notices

APPRENTICESHIP AND TRAINEESHIP TRAINING ACT 2001

Notice of Making of a Vocational Training Order

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

Citation

The order is cited as the Coal Mining Order.

Order

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of:

| Qualification | Nominal Term |
|--|--------------|
| Certificate II | 12 months |
| Certificate III – includes completion of Certificate II in the relevant qualification | 12 months |
| – by direct entry | 24 months |
| Certificate IV | 24 months |

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

(ii) Part-time

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

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

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

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Coal Competency Standards.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

**Certificate II in Surface Coal Operations
MNC20104**

Certificate II in Coal Preparation MNC20204

**Certificate II in Underground Coal Operations
MNC20304**

**Certificate III in Surface Coal Mining Operations
MNC30104**

Certificate III in Coal Preparation MNC30204

**Certificate III in Underground Coal Operations
MNC30304**

**Certificate IV in Surface Coal Mining (Open Cut
Examiner) MNC40104**

**Certificate IV in Surface Coal Mining
MNC40204**

**Certificate IV in Underground Coal Mining
MNC40304**

Availability for Inspection

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

**ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979**

DECLARATION

I, the Minister for Infrastructure and Planning, in pursuance of section 76A(7)(b) of the Environmental Planning and Assessment Act 1979, having formed the opinion that the class of development listed in the Schedule to this Declaration is of State environmental planning significance, declare it to be State significant development.

Dated this 22nd day of November 2004.

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

SCHEDULE

Electricity generation facility involving wind energy which:

- includes more than 30 towers; or
- has an installed generating capacity of more than 60 MW; or
- has an installed generating capacity of more than 30 MW and the towers are in more than one council area.

**ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979**

Order Under Section 110A

I, the Minister for Infrastructure and Planning, pursuant to section 110A of the Environmental Planning and Assessment Act 1979, nominate the Environment Protection Authority, within the meaning of section 5 of the Protection of the Environment Administration Act 1991, to be the nominated determining authority for the activity detailed in Schedule 1.

Dated: Sydney, 22 November 2004.

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

SCHEDULE 1

A proposal by Orica Australia Pty Ltd to construct and operate a groundwater treatment plant, including groundwater extraction and associated pipes and infrastructure, for the treatment of contaminated groundwater pursuant to Clean-Up Notice No. 1030236, dated 26 September 2003, and any variation to that Notice.

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7(1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder. Reference: GNB4860.

| | |
|----------------|-----------------|
| Assigned Name: | Marayong Park. |
| Designation: | Reserve. |
| L.G.A.: | Blacktown City. |
| Parish: | Prospect. |
| County: | Cumberland. |
| L.P.I. Map: | Riverstone. |
| 100,000 Map: | Penrith 9030. |
| Reference: | GNB 5033. |

| | |
|----------------|-----------------|
| Assigned Name: | Shanes Park. |
| Designation: | Reserve. |
| L.G.A.: | Blacktown City. |
| Parish: | Rooty Hill. |
| County: | Cumberland. |
| L.P.I. Map: | Riverstone. |
| 100,000 Map: | Penrith 9030. |
| Reference: | GNB 5033. |

| | |
|----------------|-----------------|
| Assigned Name: | Plumpton Park. |
| Designation: | Reserve. |
| L.G.A.: | Blacktown City. |
| Parish: | Rooty Hill. |
| County: | Cumberland. |
| L.P.I. Map: | Prospect. |
| 100,000 Map: | Penrith 9030. |
| Reference: | GNB 5033. |

| | |
|----------------|-----------------|
| Assigned Name: | Alpha Park. |
| Designation: | Reserve. |
| L.G.A.: | Blacktown City. |
| Parish: | Prospect. |
| County: | Cumberland. |
| L.P.I. Map: | Prospect. |
| 100,000 Map: | Penrith 9030. |
| Reference: | GNB 5033. |

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

WARWICK WATKINS,
Chairperson

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

HERITAGE ACT 1977

Order under Section 57(2) of the Heritage Act 1977
I, The Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), pursuant to section 57(2) of the Heritage Act 1977, on the recommendation of the Heritage Council of New South Wales, do by this Order revoke existing site specific exemptions published in the *Government Gazette* on 3 December 2003 and grant exemptions from section 57(1) of the Heritage Act 1977, for the things described in Schedule C in relation to the item described in Schedule A on the land described in Schedule B.

Dated: Sydney, 30th day of November 2004.

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

SCHEDULE A

The item known as the Sydney Opera House situated on the land described in Schedule B.

SCHEDULE B

All those pieces or parcels of land known as Lot 5, DP 775888 and Lot 4, DP 787933 in the Parish of St James, County of Cumberland, shown edged heavy black on the plan catalogued HC1918 in the Office of the Heritage Council of New South Wales.

SCHEDULE C

1. All development applications authorised by the Sydney Opera House Trust or lodged with the consent authority before 3 December 2003. These are:
 - “Proposed use of the northern broadwalk of the Opera House for events for a period of five years” (DA444-2003)
 - “The use of the southern forecourt of the Opera House for events (being low, medium and high impact events) for a potential maximum of 134 days per year (for a maximum 32 events per annum) over a three year period” (DA445-10-2003)
2. The use of the roof/shells as a place from which to project broadcasts or fireworks, for limited periods and on infrequent occasions, where this has no adverse effect on fabric rated “some”, “considerable” or “exceptional” significance in the Conservation Management Plan, J.S. Kerr (2003) (CMP).
3. The use of the roof/shells as a medium for the projection of colour or imagery where confined to exceptional, non-commercial occasions of brief duration, and only where this has no adverse effect on fabric rated “some”, “considerable” or “exceptional” significance in the CMP.
4. All maintenance that is consistent with the CMP.
5. All repainting in areas identified in the CMP as having “some”, “considerable” or “exceptional” significance, that employs the same colour scheme as an earlier scheme and maintains the general character.
6. All painting that is consistent with the CMP in areas identified in the CMP as having “low” significance or as being intrusive.
7. All repairs consistent with the CMP. Subject to Sydney Opera House Trust assessment for impact on heritage significance, the repair (such as re-fixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing, where this does not involve damage to or the removal of other fabric graded “some”, “considerable” or “exceptional” significance in the CMP.
8. Subject to Sydney Opera House Trust assessment for impact on heritage significance, all improvements to the operational efficiency and all changes to the backstage infrastructure of performance venues (such as widening the loading door or updating flying systems) where these have no adverse effect on fabric rated “some”, “considerable” or “exceptional” significance in the CMP and do not obstruct views identified as significant in the CMP.
9. Subject to Sydney Opera House Trust assessment for impact on heritage significance, all improvements to update and maintain technology requirements for providing industry standard information technology, telecommunications infrastructure and technical infrastructure where these changes have no adverse effect on fabric rated “some”, “considerable” or “exceptional” significance in the CMP and do not obstruct views identified as significant in the CMP.
10. All internal and external design and fit-out of shops and restaurants on the lower concourse/ lower forecourt, including changes in the size and fabric of elements such as walls, doorways and windows, where these changes have no adverse effect on fabric rated “some”, “considerable” or “exceptional” significance in the CMP and do not obstruct views identified as significant in the CMP.
11. All changes to the size and shape of shop spaces on the lower concourse/ lower forecourt, including that of the tour office and visitor centre, where these have no adverse effect on fabric rated “some”, “considerable” or “exceptional” significance in the CMP and do not obstruct views identified as significant in the CMP.
12. Subject to all efforts being made to minimise visual impacts, all temporary security arrangements consistent with current and future risk/threat assessments provided by State and/or Commonwealth security agencies or by recognised security consultants commissioned by Sydney Opera House Trust and the NSW Police.
13. All permanent security arrangements where these have no adverse effect on fabric rated of “some”, “considerable” or “exceptional” significance in the CMP and do not obstruct views identified as significant in the CMP. (Where approval is required, the Heritage Council will determine the application as soon as possible, i.e. no more than 3 days after receipt of public submissions where this is required, 5 days if not required.)
14. Temporary or permanent security works which is:
 - (a) Integrated development for which consent has been granted by the consent authority that is consistent with the general terms of proposed approval that have been provided to the consent authority by the Heritage Council, provided that all conditions included in the general terms of approval have been complied with,
 - (b) Integrated development for which the consent has been modified by the consent authority pursuant to s96 of the Environmental Planning and Assessment Act 1979 in a manner that is consistent with any comments provided by the Heritage Council to the consent authority.

Note 1

“Integrated development” and consent authority” have the same meaning as in the EP&A Act 1979. “General terms of proposed approval” means the ‘general terms of any approval proposed to be granted by the approval body in relation to the development’, as used in Division 5 of Part 4 of the EP&A Act 1979.

Note 2

Integrated development that is exempt under 14(b) above is not subject to the requirements in s65A of the Act in relation to modification of existing approvals.

15. All signage that conforms to a Signage Manual prepared by the Sydney Opera House Trust and endorsed by the Heritage Council.
16. All temporary signage and all permanent signage that conforms to current practices, is consistent with the CMP and does not obstruct views identified as

significant in the CMP. This exemption is to operate only until the endorsement of a Signage Manual by the Heritage Council which has been prepared by the Sydney Opera House Trust or within 12 months of the date of publication in the *Government Gazette* of this Order.

17. Minor changes and repairs to existing signage (such as replacing the poster in an illuminated box).
18. Removal of signage identified as intrusive or of low significance in the CMP.
19. All signage on and within lower concourse shop fronts, where this has no adverse effect on fabric rated "some", "considerable" or "exceptional" significance in the CMP and does not obstruct views identified as significant in the CMP. This exemption is to operate only until the endorsement of a Signage Manual by the Heritage Council which has been prepared by the Sydney Opera House Trust or within 12 months of the date of publication in the *Government Gazette* of this Order.
20. All temporary signage associated with temporary structures which is generally consistent with the CMP and where this has no adverse effect on fabric rated "some", "considerable" or "exceptional" significance in the CMP. This exemption is to operate only until the endorsement of a Signage Manual by the Heritage Council which has been prepared by the Sydney Opera House Trust or within 12 months of the date of publication in the *Government Gazette* of this Order.
21. All semi-permanent plasma and flat screen displays for the purpose of promoting performances and sponsors, that are consistent with the CMP, have no adverse effect on fabric rated "some", "considerable" or "exceptional" significance in the CMP and do not obstruct views identified as significant in the CMP. This exemption is to operate only until the endorsement of a Signage Manual by the Heritage Council which has been prepared by the Sydney Opera House Trust or within 12 months of the date of publication in the *Government Gazette* of this Order.
22. The erection and use of small long-stay structures to house on-line information, ticketing and banking services in interior and exterior spaces, that are consistent with the CMP, have no adverse effect on fabric rated "some", "considerable" or "exceptional" significance in the CMP and do not obstruct views identified as significant in the CMP.
23. The full-time operation of the "Dolce Vita" refreshment vending carts at six locations agreed by the Sydney Opera House Trust around the site plus the short-term operation of additional vending carts as required for short periods for special events. This exemption is in force until 2012 when the vending cart contract concludes.
24. The erection and use of temporary structures (including stages, fencing, portable lavatories, food and beverage services and small marquees to display sponsorships) associated with special performance events to be erected on the forecourt, broadwalk, podium stairs and podium platform where they have no adverse effect on fabric rated "some", "considerable" or "exceptional" significance in the CMP, minimise the impact on views identified as significant in the CMP and are consistent with the design terms of the CMP as far as possible.

These structures may be erected for low, medium or high impact events with the following frequencies including installation and removal periods: a maximum of 12 low impact events per annum, each lasting a maximum of 2 days; a maximum of 9 medium impact events per annum, each lasting up to 11 days for a total maximum of 50 days per annum; a maximum of 5 high impact events per annum each lasting up to 7 days for a total maximum of 25 days per annum; and a maximum of 6 functions per annum, each lasting a maximum of 7 days.

Definitions

- Low Impact: minimal temporary infrastructure with limited visual impact
- Medium Impact: marked visual and/or site access impact during the event itself but the scale and nature of infrastructure minimises such impact outside the performance/event time.
- High Impact: requires infrastructure that has a marked visual and/or site access impact both during and around the event (the use of high fencing and/or temporary audience seating for more than 24 hours automatically makes an event High Impact).

25. The erection and use of a covered temporary structure on the western side of the northern broadwalk of a maximum size of 400 square metres, inclusive of support infrastructure, to remain erected for a maximum of 21 days at a time and with a total maximum of 45 days per annum including installation and removal periods for infrequent special occasions, and to be consistent with the design terms of the CMP as far as possible.
26. The erection and use of a covered "permanent temporary" structure on the eastern side of the northern broadwalk, consistent with the design terms of the CMP, of a maximum size of 192 square metres, which can be expanded by another 192 square metres to 384 square metres in total. This expanded functions area may be erected on 12 days per month, generally in 3 blocks of 4 days for a maximum of 144 days per annum including installation and removal periods, where support infrastructure such as kitchens and toilets are situated inside the shells of the Opera House.
27. The erection and use of a covered temporary structure on the forecourt, which is consistent with the design terms of the CMP as far as possible, of a maximum size of 2,500 square metres to be erected up to 6 times per annum, for a maximum of 7 days at a time or 28 days overall per annum, including installation and removal periods, where all associated support infrastructure such as kitchens, refrigeration and toilets are included under the main structure, and the impact on views identified as significant in the CMP is minimised, and public access is maximised.

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

(L.S.) M. BASHIR, Governor.

I, Professor MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 218B of the Local Government Act 1993, hereby alter the boundaries of the Area of Yass Valley as described by Proclamation in *Government Gazette*

No. 57 of 17 March 2004 and the Areas of Upper Lachlan and Tumut as described by Proclamation in *Government Gazette* No. 57 of 17 March 2004, by taking part of the Area of Upper Lachlan described in "Schedule A – Area 1" hereto and adding it to the Area of Yass Valley and part of the Area of Tumut as described in "Schedule A – Area 2" hereto and adding it to the Area of Yass Valley so that the boundaries of the Area of Yass Valley shall be as described in "Schedule C" hereto, the boundaries of the Area of Upper Lachlan shall be as described in "Schedule B" hereto and the boundaries of the Area of Tumut shall be as described in "Schedule D" hereto. Yass Valley Council and Upper Lachlan Council and Yass Valley Council and Tumut Council are to make provision for the rates and charges over the parcels of rateable land affected by this Proclamation in the manner outlined in "Schedule E" and "Schedule F" hereto. (FF04/0022)

Signed and sealed at Sydney, this 17th day of November 2004.

By Her Excellency's Command,

Hon. TONY KELLY, M.L.C.,
Minister for Local Government

GOD SAVE THE QUEEN!

SCHEDULE A

Area 1. Land proposed to be transferred from the Area of Upper Lachlan to the Area of Yass Valley

Area about 323.58 square kilometres. Commencing at the intersection of the generally western boundary of the Parish of Eubinal, County of Harden and the range forming the generally south-western watershed of the Boorowa River: and bounded thence by that parish boundary and the generally northern boundary of that parish, generally north-westerly and generally easterly to the Boorowa River; by that river upwards to the south-western corner of Portion 99, Parish of Taunton, County of King; by the southern boundary of that portion and Portion 124 and a line along the eastern boundary of the said Portion 124 easterly and northerly to the south-western boundary of Portion 235; by part of that boundary and part of the northern boundary of that portion north-westerly and easterly to a line along the westernmost boundary of Portion 25; by boundaries of that portion northerly, easterly, southerly, again easterly and again southerly to the south-western corner of Portion 9; by the southern and part of the eastern boundary of that portion easterly and northerly to a line along the northern boundary of Portions 161, 133, 147 and 156; by that line easterly to a line along the eastern boundary of Portion 146; by that line northerly to the southern boundary of Portion 234; by boundaries of that portion westerly, northerly and easterly to the southernmost south-eastern corner of Portion 216; by the generally south-eastern boundary of that portion and Portion 213 generally north-easterly; by a line north-easterly to the southernmost corner of Portion 317, Parish of Olney; by the generally southern boundaries of that portion and Portions 150, 315, 314, 311 and 310 generally easterly to the western boundary of Portion 184; by part of that boundary and the southern boundary of that portion and a line along the western and southern boundary of Portion 202, southerly, easterly, again southerly and again easterly to the watershed dividing the tributaries of Pudman Creek from the headwaters of Kangiara and Crosby Creeks; by that watershed generally south-easterly to the westernmost corner of Portion 48, Parish of Crosby; by a line along the

generally north-eastern boundary of Portions 287, 263, 262, 233 and 213, and a line along the generally northern boundary of Portions 260, 261, 252 and 92 generally south-easterly and generally easterly to the north-eastern corner of the said Portion 92; by the easternmost boundary of that portion, and the eastern boundary of Portions 50 and 68, southerly to the south-eastern corner of the said Portion 68; by a line southerly to the easternmost north-eastern corner of Portion 288; by a line along the easternmost eastern boundary of the said Portion 288 and the eastern boundary of Portions 290, 271 and 73 southerly to the Boorowa River; by that river upwards to the western boundary of Portion 123, Parish of Blakney; by a line along part of that boundary and the generally western boundary of Portion 13 generally southerly to the northern boundary of Portion 186, Parish of Bango; by part of that boundary and part of the eastern boundary of that portion easterly and southerly to Thieves Creek; by that creek downwards and Blakney Creek upwards to the north-eastern corner of Portion 32; by part of the eastern boundary of that portion and a line along the northern boundary of Portions 88, 46, 103 and 105 southerly and easterly to the north-eastern corner of the said Portion 105; by a line along the eastern boundary of that portion and Portions 59 and 108, southerly to the range forming the south-western watershed of Blakney Creek; by that range and the range forming the generally south-western watershed of the Boorowa River, aforesaid, generally north-westerly to the point of commencement.

Area 2. Land proposed to be transferred from the Area of Tumut to the Area of Yass Valley

Area about 26.49 square kilometers. Commencing at the intersection of the easternmost northern boundary of the parish of Coree, County of Cowley and the Goodradigbee River: and bounded thence by that prolongation, westerly to the eastern boundary of Lot 40, DP 750980; by part of that boundary and the southern boundary of that lot, southerly and westerly and part of the eastern and the southern boundaries of Lot 36, DP 750980, southerly and westerly to Nightingale Creek and by that creek, downwards and Goodradigbee River, upwards to the point of commencement.

SCHEDULE B

Area of Upper Lachlan (as altered)

Area about 7088.86 square kilometres. Commencing at the confluence of the Lachlan and Abercrombie Rivers at Lake Wyangala: and bounded thence by the former river and Old Man Gunyah Creek upwards to the generally western boundary of Portion 139, Parish of Opton, County of King; by that boundary and the generally western boundaries of Portions 151, a line, 141 and 143 generally southerly to the range forming the eastern watershed of Pudman Creek; by that range generally southerly to the generally western boundary of Portion 185, Parish of Blakney; by that boundary and the generally western boundaries of Portions 71, 134 and 182 (part) generally southerly to the eastern prolongation of the generally southern boundary of Portion 64; by that prolongation and part of that boundary generally westerly to the range forming the south-eastern watershed of Pudman Creek; by that range generally south-westerly to the eastern boundary of Lot 2, DP 211320; by part of that boundary southerly and part of the southern boundary of that lot westerly to the northern prolongation of the eastern boundary of Portion 68; by that prolongation, boundary and the generally

south-eastern boundary of that lot, southerly and generally south-westerly, part of the generally eastern boundary of Portion 92, generally southerly, the eastern boundary of Portions 50 and 68, southerly to the south-eastern corner of the said Portion 68; by a line southerly to the easternmost north-eastern corner of Portion 288; by a line along the easternmost eastern boundary of the said Portion 288 and the eastern boundary of Portions 290, 271 and 73 southerly to the Boorowa River; by that river upwards to the western boundary of Portion 123, Parish of Blakney; by a line along part of that boundary and the generally western boundary of Portion 13 generally southerly to the northern boundary of Portion 186, Parish of Bango; by part of that boundary and part of the eastern boundary of that portion easterly and southerly to Thieves Creek; by that creek downwards and Blakney Creek upwards to the north-eastern corner of Portion 32; by part of the eastern boundary of that portion and a line along the northern boundary of Portions 88, 46, 103 and 105 southerly and easterly to the north-eastern corner of the said Portion 105; by a line along the eastern boundary of that portion and Portion 59 southerly to the Mundoonen Range; by that range generally south-easterly to its intersection with a line along the northernmost northern boundary of Lot 4, D.P. 587632; by that line westerly to the northernmost north-eastern corner of that lot; by the northernmost eastern and the southernmost northern boundaries of that lot southerly and easterly to the said Mundoonen Range; by that range generally south-easterly, Cullarin range, generally northerly to the road from Gunning to Collector; by that road, generally easterly and the Federal Highway, generally north-easterly to the range forming the eastern watershed of Collector Creek; by that range and the range forming the watershed between the Lachlan River and Collector Creek, generally north-westerly and generally westerly to the generally eastern boundary of the Parish of Milbang; by that boundary and the generally eastern boundaries of the Parishes of Mutmutbilly and Gurrunda generally northerly to Wollondilly River; by that river upwards and Oxley Creek, upwards to its source in the range forming the generally south-eastern watershed of Pejar Dam; by that range, generally north-easterly to the generally southern boundary of the Parish of Upper Tarlo; by part of that boundary and part of the generally eastern boundary of that parish, generally easterly and generally northerly and the generally northern boundary of the Parish of Rhyana, generally easterly to the Tarlo River; by that river downwards to the generally northern boundary of the Parish of Norrong; by part of that boundary, generally easterly to the Wollondilly River, aforesaid; by that river, downwards and Guineacor, Mares Forest and Wombeyan Creeks upwards to the generally southern boundary of the Parish of St Columba, County of Westmoreland; by part of that boundary easterly and part of the generally eastern boundary of that parish generally northerly to the western prolongation of the northern boundary of Portion 60, Parish of Guineacor; by that prolongation easterly to the generally northern boundary of the parish; by part of that boundary generally easterly to Murruin Creek; by that creek, Shivering Creek and an eastern branch of Shivering Creek upward to the source of the last mentioned creek at Mount Shivering; by a ridge from that mount north-easterly and Murruin Range generally north-westerly to the eastern corner of Portion 2, Parish of Banshea; by the south-eastern boundaries of that portion and Portion 1 southerly to the generally south-western boundary of that parish; by part of that boundary and part of the generally south-western boundary of the Parish of Abercorn generally

north-westerly to the western corner of Portion 8; by a line southerly to the source of a northern branch of Abercrombie River, aforesaid, and by that branch and river downwards to the point of commencement.

SCHEDULE C

Area of Yass Valley (as altered)

Area about 3985.11 square kilometres. Commencing at the intersection of the Murrumbidgee River and the boundary between the State of New South Wales and the Australian Capital Territory, near Cusacks Crossing: and bounded thence by that boundary, generally south-westerly to the source of Fastigata Creek; by a line westerly to Webbs Ridge; by that ridge generally north-easterly to the north-eastern corner of Lot 3, DP 751811; by part of the eastern boundary of Lot 4, DP 751811 northerly to the western prolongation of the easternmost northern boundary of the Parish of Coree, County of Cowley; by that prolongation westerly to the eastern boundary of Lot 40, DP 750980; by part of that boundary and the southern boundary of that lot, southerly and westerly, part of the eastern and the southern boundaries of Lot 36, DP 750980, southerly and westerly, the southern boundary of Portion 19, Parish of Weejasper, County of Buccleuch, part of an eastern and the southernmost boundary of Portion 27, and the southern boundary of Portion 26, easterly, southerly and again westerly to the south-western corner of the said Portion 26; by the generally western boundary of the Parishes of Weejasper and West Goodradigbee generally northerly to the Murrumbidgee River; by that river downwards to the generally western boundary of the Parish of Talmo, County of Harden; by part of that boundary generally northerly, the western, southern and eastern boundaries of Lot A, D.P. 358100 southerly, easterly and northerly, again the generally western boundary of the Parish of Talmo generally northerly to the north-western corner of Portion 96; by the southernmost western boundary of Portion 347, Parish of Bookham and the former generally western boundary of that Parish generally northerly to the road forming part of the western boundary of Portion 344; by that road, part of the generally western boundary of that Parish and part of the generally western boundary of the Parish of Mylora generally northerly to the north-western corner of Portion 201; by part of the northern boundary of that Portion easterly to its intersection with a line along the western boundary of Portion 189; by that line and that boundary, and part of the southern and the western boundaries of Portion 80, northerly, westerly and again northerly to Jugiong Creek; by that creek downwards to the generally western boundary of the Parish of Mylora; by part of that boundary northerly, the southern, the western and part of the northern boundaries of Lot 102, DP 753618 westerly, northerly and easterly, the generally western and generally north-western boundaries of the Parish of Binalong generally northerly and generally north-easterly, the generally south-western and generally northern boundaries of the Parish of Eubindal generally north-westerly and generally easterly to the Boorowa River; by that river upwards to the south-western corner of Portion 99, Parish of Taunton, County of King; by the southern boundary of that portion and Portion 124 and a line along the eastern boundary of the said Portion 124 easterly and northerly to the south-western boundary of Portion 235; by part of that boundary and part of the northern boundary of that portion north-westerly and easterly to a line along the westernmost boundary of Portion 25; by boundaries of that portion northerly, easterly, southerly, again easterly and again southerly to the south-western corner of Portion

9; by the southern and part of the eastern boundary of that portion easterly and northerly to a line along the northern boundary of Portions 161, 133, 147 and 156; by that line easterly to a line along the eastern boundary of Portion 146; by that line northerly to the southern boundary of Portion 234; by boundaries of that portion westerly, northerly and easterly to the southernmost south-eastern corner of Portion 216; by the generally south-eastern boundary of that portion and Portion 213 generally north-easterly; by a line north-easterly to the southernmost corner of Portion 317, Parish of Olney; by the generally southern boundaries of that portion and Portions 150, 315, 314, 311 and 310 generally easterly to the western boundary of Portion 184; by part of that boundary and the southern boundary of that portion and a line along the western and southern boundary of Portion 202, southerly, easterly, again southerly and again easterly to the watershed dividing the tributaries of Pudman Creek from the headwaters of Kangiara and Crosby Creeks; by that watershed generally south-easterly to the westernmost corner of Portion 48, Parish of Crosby; by a line along the generally north-eastern boundary of Portions 287, 263, 262, 233 and 213, and a line along the generally northern boundary of Portions 260, 261, 252 and 92 generally south-easterly and generally easterly to the north-eastern corner of the said Portion 92; by the easternmost boundary of that portion, and the eastern boundary of Portions 50 and 68, southerly to the south-eastern corner of the said Portion 68; by a line southerly to the easternmost north-eastern corner of Portion 288; by a line along the easternmost eastern boundary of the said Portion 288 and the eastern boundary of Portions 290, 271 and 73 southerly to the Boorowa River; by that river upwards to the western boundary of Portion 123, Parish of Blakney; by a line along part of that boundary and the generally western boundary of Portion 13 generally southerly to the northern boundary of Portion 186, Parish of Bango; by part of that boundary and part of the eastern boundary of that portion easterly and southerly to Thieves Creek; by that creek downwards and Blakney Creek upwards to the north-eastern corner of Portion 32; by part of the eastern boundary of that portion and a line along the northern boundary of Portions 88, 46, 103 and 105 southerly and easterly to the north-eastern corner of the said Portion 105; by a line along the eastern boundary of that portion and Portions 59 and 108, southerly to the Mundoonen Range: by that range, generally south-easterly, Cullarin range, generally northerly to the road from Gunning to Collector; by that road, generally easterly and the Federal Highway, generally south-westerly to the generally north-eastern boundary between the State of New South Wales and the Australian Capital Territory; by that boundary, and the north-western, aforesaid, boundary, generally north-westerly and south-westerly to the point of commencement.

SCHEDULE D

Area of Tumut (as altered)

Area about 4552.60 square kilometres. Commencing on the right bank of Tarcutta Creek at the northwestern corner of portion 94, Parish of Hillas, County of Wynyard: and bounded thence by the northern boundary of that portion, part of the western boundary of portion 16 and a line along the northern boundary of the said portion 16 and 17 easterly, northerly and again easterly to Bago Creek; by that creek upwards to its intersection with a line along the southern boundary of portion 27 and 10; by that line and part of the eastern boundary of portion 10 easterly and

northerly to the southwestern corner of portion 13; by the southern boundary of that portion easterly to the generally southwestern boundary of the Parish of Selwyn; by that boundary generally south-easterly to the generally western boundary of the Parish of Buddong, County of Selwyn; by the boundaries of that parish generally southerly and generally easterly to Honeysuckle Creek; by that creek downwards and the Tumut River and Happy Jack's River upwards to its intersection with a line parallel to and about 550 metres east of the western boundary of portion 9, Parish of Scott, by that line (being also the former eastern boundary of the Parish of Table Top) northerly to its intersection with the generally western boundary of the County of Wallace; by that boundary generally northerly to the Murrumbidgee River (North Branch); by that river upwards to the generally western boundary of the County of Cowley; by part of that boundary generally north-easterly to Gurrangorambla Range; by that range generally southerly and generally south-easterly to the generally south-eastern boundary of the Parish of Cooleman, County of Cowley; by that boundary generally north-easterly to the boundary between the State of New South Wales and the Australian Capital Territory; by that boundary generally northerly to the source of Fastigata Creek; by a line westerly to Webbs Ridge; by that ridge generally north-easterly to the north-eastern corner of Lot 3, DP 751811; by part of the eastern boundary of Lot 4, DP 751811 northerly to the western prolongation of the easternmost northern boundary of the Parish of Coree; by that prolongation westerly to the eastern boundary of Lot 40, DP 750980; by part of that boundary and the southern boundary of that lot, southerly and westerly, part of the eastern and the southern boundaries of Lot 36, DP 750980, southerly and westerly, the generally southern boundary of the Parish of Wee Jasper, County of Buccleuch; by that boundary and the generally western boundary of that parish, generally westerly and generally northerly, the generally north-eastern, the generally northern and part of the generally western boundaries of the parish of Cowrajogo, and a line along the western boundary of portion 81 generally northerly, generally westerly, generally southerly and southerly to the northern boundary of portion 9 REM; again by part of the said generally western boundary of the parish generally southerly to Shaking Bog Creek; by that creek downwards to its intersection with a line along the southern boundary of portion 229, Parish of Wyangle; by that line westerly to the southeastern corner of that portion; by the eastern boundary of that portion and portion 224 northerly; by the generally northern boundary of that parish and part of the generally northern boundary of the Parish of Brungle generally westerly to the northwestern corner of portion 226; by part of the western boundary of that portion, the generally northern boundary of portion 312 and part of the northern boundary of the former portion 262 shown in plan catalogued B1044-1713 generally westerly to the south-eastern corner of the former portion 144 shown in plan catalogued B1406-1713; by the eastern and a line along the northern boundary of that portion northerly and westerly to the eastern boundary of portion 143; by part of that boundary northerly to the said generally northern boundary of the Parish of Brungle; by that boundary generally westerly to the Tumut River; by that river upwards; by the generally northern boundary of the Parish of Minjary, County of Wynyard, generally westerly to the easternmost northeastern corner of the former portion 205 shown in plan catalogued W2532-2119; by the easternmost eastern and the generally southern boundary of that portion southerly, westerly and again southerly to the northernmost northeastern corner of portion 167, Parish of Calagat; by the

generally northern boundaries of that parish and the Parish of Euadera generally westerly and generally southeasterly to the northernmost northern boundary of portion 266, Parish of Ellerslie; by the boundaries of that portion westerly, southerly, again westerly and southerly and again westerly to the northeastern corner of portion 26; by a line along the northern boundary of that portion and portion 9 westerly to the northwestern corner of that portion; by a line along the western boundary of that portion southerly to the northern boundary of portion 89; by part of that boundary and part of the western boundary of that portion, the northern-most northern boundary of portion 90 and part of the eastern boundary and the southern boundary of portion 76 westerly, southerly, again westerly, again southerly and again westerly to the northeastern corner of portion 22; by part of the southwestern boundary of that portion southeasterly to its intersection with a line along the northern boundary of portion 74; by that line westerly to Yaven Yaven Creek; by that creek upwards to the mountain range forming the generally eastern boundary of portions 101, 103, 102 and 49, Parish of Blanch, and the generally southern boundary of portion 49 generally southerly and generally westerly to the range forming the generally eastern boundary of portions 35, 93, 91, 104, 89 and 26 and the generally northeastern boundary of portions 130, 129, 73, 120 and 80, Parish of Oberne, generally southerly and generally southeasterly to the northernmost corner of lot 1, DP 212749, by the northeastern boundaries of that lot generally southeasterly to the mountain range forming the boundary between portions 66 and 68, Parish of Dutson; by that range generally southerly to the northwestern corner of portion 101, Parish of Mate; by the boundaries of that portion generally southerly and generally southeasterly to the boundary dividing the Eastern and Central Divisions; by the boundary generally southeasterly to Tarcutta Creek; and by that creek upward to the point of commencement.

SCHEDULE E

- (1) Appropriate arrangements are to be made in relation to the rates and charges over the rateable parcels of land affected by this Proclamation. The General Manager of Yass Valley Council and the General Manager of Upper Lachlan Council are to reach a negotiated agreement on the nature of those arrangements.
- (2) In the event that the General Managers of Yass Valley Council and Upper Lachlan Council cannot come to a negotiated agreement on the matter of rates and charges, the Minister for Local Government will make a determination on that matter.

Such a determination may be made:

- (a) by referral to the Minister for Local Government by Yass Valley or by Upper Lachlan Council or by both of those Councils; or
- (b) without referral from those Councils if the Minister for Local Government is satisfied that the matter of rates and charges cannot be determined by agreement between Yass Valley Council and Upper Lachlan or if the Minister is not satisfied with an agreement between Yass Valley Council and Upper Lachlan Council.

SCHEDULE F

- (1) Appropriate arrangements are to be made in relation to the rates and charges over the rateable parcels of land affected by this Proclamation. The General

Manager of Yass Valley Council and the General Manager of Tumut Council are to reach a negotiated agreement on the nature of those arrangements.

- (2) In the event that the General Managers of Yass Valley Council and Tumut Council cannot come to a negotiated agreement on the matter of rates and charges, the Minister for Local Government will make a determination on that matter.

Such a determination may be made:

- a. by referral to the Minister for Local Government by Yass Valley or by Tumut Council or by both of those Councils; or
- b. without referral from those Councils if the Minister for Local Government is satisfied that the matter of rates and charges cannot be determined by agreement between Yass Valley Council and Tumut Council or if the Minister is not satisfied with an agreement between Yass Valley Council and Tumut Council.

MARITIME SERVICES ACT 1935

NOTIFICATION

Limitation of Speed of Vessels Within Certain Navigable Waters

THE Waterways Authority (trading as NSW Maritime), in pursuance of the provisions of section 13SA of the Maritime Services Act 1935, does, from the date of publication of this notification in the *Government Gazette*;

Limit the speed of vessels of the Class set out hereunder in the area of navigable waters described in the First Column of the "Table of Area and Maximum Speed" set out hereunder, to a speed not exceeding that stated opposite that area in the Second Column of that "Table of Area and Maximum Speed".

Class: All vessels propelled by mechanical power, except vessels engaged in an activity authorised under an Aquatic Licence issued by the Waterways Authority pursuant to Clause 8 of the Water Traffic Regulations - NSW.

Table of Area and Maximum Speed

| First Column | Second Column |
|--|---------------|
| Cowan Creek (Smiths Creek) Area: The navigable waters of that part of the Smiths Creek upstream of a line directly across the waterway commencing at a point on the south western shore of Smiths Creek 100 metres downstream of the bay known locally as Stingray Bay. | Eight Knots. |

Dated this 26th day of November 2004.

CHRIS OXENBOULD, A.O.,
Chief Executive,
Waterways Authority

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

Notice of Compulsory Acquisition

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

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

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

SCHEDULE

All that piece or parcel of land situated in the Parish of Hernani, County Fitzroy and Parish of Guy Fawkes, County Clarke, Local Government Areas of Clarence Valley and Guyra, containing an area of 1715 hectares, being:

- (1) Lot 81, DP 1067952, excluding that part of Lot 81, DP 1067952 held under perpetual lease, and
- (2) the leasehold interest in Lot 81, DP 1067952.

NPWS/03/07539.

NATIONAL PARKS AND WILDLIFE ACT 1974

Warrumbungle National Park

Amendments to Plan of Management

AMENDMENTS to the plan of management for Warrumbungle National Park were adopted by the Minister for the Environment on 25 October 2004.

The amendments, which relate to horse riding in the park, may be viewed on the NPWS web site: www.nationalparks.nsw.gov.au.

**PARENTS AND CITIZENS' ASSOCIATIONS
INCORPORATION ACT 1976**

Incorporation of Parents and Citizens' Associations

THE following associations are hereby incorporated under the Parents and Citizens' Associations Incorporation Act 1976.

1. Blue Haven Public School
2. Booligal Public School
3. Canowindra Public School
4. Canterbury Public School
5. Colyton High School
6. Kendall Public School
7. Kurnell Public School
8. Mingoola Public School
9. Murrumburrah High School
10. Murrumburrah Public School
11. Nimbin Central School
12. Orange East Public School

13. Otford Public School
14. Pennant Hills Public School
15. Sherwood Ridge Public School
16. St Marys South Public School
17. Wangi Wangi Public School
18. West Wallsend Public School
19. Wollongong High School

The Hon. ANDREW REFSHAUGE, M.P.,
Deputy Premier,
Minister for Education and Training
and Minister for Aboriginal Affairs

RAIL SAFETY ACT 2002

Rail Accreditation Fee Notice 2004

PURSUANT to section 45 and section 48 of the Rail Safety Act 2002, I Carolyn WALSH, Chief Executive of ITSRR, with the approval of the Minister for Transport Services, hereby determine the basis for the fixing of annual accreditation fees in respect of persons accredited under that Act to carry on railway operations and the fixing of a minimum fee.

1. This Notice may be cited as the Rail Accreditation Fee Notice 2004.
2. Annual accreditation fees shall be determined on the basis of and in accordance with the rates, amounts and other matters prescribed in Schedule 1 to this Notice.
3. This Notice has effect from the date of its publication in the gazette.

CAROLYN WALSH,
Chief Executive, ITSRR

MICHAEL COSTA, M.L.C.,
Minister for Transport Services

SCHEDULE 1

Basis for Annual Accreditation Fees

- 1. Basis for annual accreditation fees**
Annual accreditation fees shall be determined on one or more of the bases specified in this schedule.
- 2. The haulage rate**
 - (a) This clause applies to the determination of an annual accreditation fee on the basis of a haulage rate, being a rate for the quantity of freight hauled or the number of passengers carried (or both) by the railway concerned.
 - (b) The haulage rate:
 - (i) in respect of the quantity of freight hauled by a railway per annum, is \$0.00952 per tonne, and
 - (ii) in respect of the number of passengers carried by a railway per annum, is \$0.00264 per passenger.
- 3. The track rate**
 - (a) This clause applies to the determination of an annual accreditation fee on the basis of a track rate, being a rate for each kilometre (or part of a kilometre) of railway track in respect of which the owner is accredited.

- (b) The track rate, in respect of railway track which in length is:
- (i) not greater than 5 kilometres, is \$108,
 - (ii) greater than 5 kilometres but not greater than 20 kilometres, is \$267,
 - (iii) greater than 20 kilometres but not greater than 200 kilometres, is the sum of \$267 plus the product of \$108 multiplied by each 10 kilometres of track exceeding 40 kilometres,
 - (iv) greater than 200 kilometres, is the sum of \$2,211 plus the product of \$2046 multiplied by each 100 kilometres of track exceeding 300 kilometres.

4. The rolling stock operations rate

- (a) This clause applies to the determination of an annual accreditation fee on the basis of a rolling stock operations rate, being a rate for each unit of rolling stock in respect of which the operator is accredited.
- (b) The rolling stock operations rate is:
- (i) \$55 for each unit of rolling stock comprising self-propelled vehicles (including locomotives), each vehicle being not greater than 100 horse power,
 - (ii) \$108 for each unit of rolling stock comprising self-propelled vehicles (including locomotives), each vehicle being greater than 100 horse power but not greater than 500 horsepower,
 - (iii) \$214 for each unit of rolling stock comprising self-propelled vehicles (including locomotives), each vehicle being greater than 500 horse power,
 - (iv) \$55 per unit of rolling stock comprising hauled vehicles,
 - (v) \$55 per unit of rolling stock comprising track inspection vehicles.
- (c) In this clause rolling stock operations means to operate or move, or cause the operation or moving, by any means, of any rolling stock on a railway, and includes operate a railway service if the operator of the service operates or moves, or causes the operation or moving of, rolling stock.

5. The rolling stock works rate

- (a) This clause applies to the determination of an annual accreditation fee on the basis a rolling stock works rate, being a rate for each unit of rolling stock in respect of which the operator is accredited.
- (b) The rolling stock works rate is \$7500.
- (c) In this clause rolling stock works means the construction and maintenance, or the construction or maintenance, of rolling stock.

6. Heritage Railways

- (a) Clauses 2 and 8 do not apply to the determination of an annual accreditation fee for the operator of a heritage railway, the operation of which is carried on by means of volunteer labour or on a not-for-profit basis.
- (b) In this clause heritage railway means a railway operation of which the principal function or activity is the restoration, preservation or operation of vintage trains.

7. Accredited Private Siding Owners

- (a) This clause applies in respect of a private siding owner, and has effect despite any rates or fees specified in clauses 2, 3, 4, 5 and 8.
- (b) The annual accreditation fee for a private siding owner is to be determined on the basis of a rate of \$500 for each private siding to which the privatesiding owner's accreditation relates.
- (c) In this clause private siding owner means a person (being an accredited person or an applicant for accreditation) who is the owner of a private siding and who would otherwise be the subject of the exemption conferred by section 23 of the Act in respect of such siding.

8. Minimum Fees

Despite any rates or fees specified in clauses 2, 3, 4 and 5 to this schedule, the minimum amount for an annual accreditation fee is \$7,500.

9. Application fee

In respect of an application for accreditation the annual accreditation fee shall comprise the sum of:

- (a) such amount as may be determined pursuant to this schedule, and
- (b) an amount, not greater than \$50,000, determined by ITSRR in respect of the application, having regard to the complexity and scope of the application.

10. Late Fees

Pursuant to section 48 of the Rail Safety Act 2002 the additional fee for late payment of a fee after the due date for payment is 5 per cent of the fee or as otherwise fixed in the notice of accreditation.

THREATENED SPECIES CONSERVATION ACT 1995

Notice of Preliminary Determination

THE Scientific Committee, established by the Threatened Species Conservation Act 1995, has made a Preliminary Determination to support a proposal to list the Invasion of the Yellow Crazy Ant *Anoplolepis gracilipes* (Fr. Smith) into NSW as a KEY THREATENING PROCESS on Schedule 3 of the Act.

A copy of the Determination, which contains the reasons for the determination, may be obtained free of charge:

On the Internet www.nationalparks.nsw.gov.au,

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

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

Scientific Committee

PO Box 1967, Hurstville NSW 2220.

Attention: Suzanne Chate, Executive Officer.

Submissions must be received by 28th January 2005.

Associate Professor PAUL ADAM,
Chairperson,
Scientific Committee

TENDERS**Department of Commerce****SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE**

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

ALBURY CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Albury City Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of a stormwater retarding basin. Dated at Albury this 16th day of August 2004. MARK CLIFFORD HENDERSON, General Manager, AlburyCity Council, PO Box 323, Albury NSW 2640.

SCHEDULE

Lot 33, DP 1066489. [0857]

BAULKHAM HILLS SHIRE COUNCIL

Roads Act 1993, Section 39

Closure of Temporary Public Road
Linking Samantha Riley Drive to Fraser Avenue,
Kellyville

THE Baulkham Hills Shire Council hereby advises that pursuant to section 39 of the Roads Act 1993, it intends to close to vehicular traffic the temporary public road linking Samantha Riley Drive to Fraser Avenue, Kellyville. The temporary public road is situated on Lot 134, DP 862283. On publication of this notice the temporary public road ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. Dated at Castle Hill this 24th day of November 2004. DAVID MEAD, General Manager, Baulkham Hills Shire Council, PO Box 75, Castle Hill NSW 1765. [0856]

BAULKHAM HILLS SHIRE COUNCIL

Roads Act 1993, Section 39

Closure of Temporary Public Road
Linking Green Road to Seymour Way, Kellyville

THE Baulkham Hills Shire Council hereby advises that pursuant to section 39 of the Roads Act 1993, it intends to close to vehicular traffic the temporary public road linking Green Road to Seymour Way, Kellyville. The temporary public road is situated on Lot 18, DP 1032911. On publication of this notice the temporary public road ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. Dated at Castle Hill this 30th day of November 2004. RAY FABRIS, Acting General Manager, Baulkham Hills Shire Council, PO Box 75, Castle Hill NSW 1765. [0878]

JUNEE SHIRE COUNCIL

Roads Act 1993, Section 16(2)

Dedication of Land as Public Road

NOTICE is hereby given by Junee 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. GREG CAMPBELL, General Manager, Junee Shire Council, PO Box 93, Junee NSW 2663.

SCHEDULE

That part of Hare Street 100 links (20.117 metres) wide lying between Hart Street and Wardle Street shown in DP 2437, Parish of South Junee, County of Clarendon, being part of the residue comprised in Certificate of Title Volume 930, Folio 185. [0855]

LAKE MACQUARIE CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that Lake Macquarie City Council in pursuance of section 10 of the Roads Act 1993, dedicates the land held by it and described in the Schedule below as Public Road. KEN HOLT, General Manager, Lake Macquarie City Council, 122-138 Main Road, Speers Point NSW 2284.

SCHEDULE

Lots 1, 2 and 3 in Deposited Plan 1049996. [0858]

LAKE MACQUARIE CITY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Lake Macquarie City Council declares with the approval of His Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of road widening under the Roads Act 1993. Dated at Speers Point this 10th day of November 2004. KEN HOLT, General Manager, Lake Macquarie City Council, 122-138 Main Road, Speers Point NSW 2284.

SCHEDULE

Lots 1, 2 and 3 in Deposited Plan 1049996. [0859]

MAITLAND CITY COUNCIL

Naming of Public Roads

NOTICE is hereby given that Maitland City Council, in pursuance of section 162 of the Roads Act 1993 and Part 2 of The Roads (General) Regulation 2000, has approved the following new road name/s for gazettal:

| Deposited Plan/Location | Road Name |
|---|--------------|
| DP 507973, Off Collinson Street, Tenambit. | Bells Close. |

The above road names have been advertised and notified. No objections to the proposed name/s have been received during the prescribed 28 day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland NSW 2320. [0872]

PORT STEPHENS COUNCIL

Roads Act 1993, Section 162(1)

Naming of Roads

NOTICE is hereby given that pursuant to section 162(1), Roads Act 1993, Council have named the roads described below:

| Description | Name |
|--|-------------------|
| 1. Service road constructed within Lemon Tree Passage Road boundaries at Tanilba Bay adjacent to DP 1071880. | Boughton Circuit. |
| 2. Previously unnamed road at Anna Bay off Old Main Road adjacent to Lots 1-4, DP 1046737. | Shelby Close. |

Council contact Cliff Johnson, telephone: (02) 4980 0265. P. GESLING, General Manager, Port Stephens Council, PO Box 42, Raymond Terrace NSW 2324. Council File: A2004-0745. [0875]

PORT STEPHENS COUNCIL

Roads Act 1993, Section 162(1)

Naming of Roads

NOTICE is hereby given that pursuant to section 162(1), Roads Act 1993, Port Stephens Council and Great Lakes have named the road described below:

| Description | Name |
|---|--------------|
| Former Pacific Highway at Karuah, Parishes of Carington and Tarean from Swan Bay Road (Port Stephens Council) and The Branch Lane (Great Lakes Council), being the section of road bypassed by the recently constructed highway bypass. | Tarean Road. |

Council contact Cliff Johnson, telephone: (02) 4980 0265. P. Gesling, General Manager, Port Stephens Council, PO Box 42, Raymond Terrace NSW 2324. Council File: A2004-0745. [0877]

RICHMOND VALLEY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Richmond Valley Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the construction of a bridge. BRIAN WILKINSON, General Manager, Richmond Valley Council, Locked Bag 10, Casino NSW 2470.

SCHEDULE

Lot 1, DP 1031187.

[0852]

TENTERFIELD SHIRE COUNCIL

Roads Act 1993, Section 31

Fixing of levels on a Public Road – Mt. Lindesay and Amosfield Roads

NOTICE is hereby given that Tenterfield Shire Council, in accordance with section 31 of the Roads Act 1993, has fixed the levels on Mt. Lindesay Road and Amosfield Road. The road levels are as set out in Plans titled MR622 – LISTON INTERSECTION File No. 957/2004 Sheets 1 to 4. Dated 24th November 2004. MARK ARNOLD, General Manager, Tenterfield Shire Council, PO Box 214, Tenterfield NSW 2372. [0853]

TWEED SHIRE COUNCIL

Local Government Act 1993

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land and Easement

TWEED SHIRE COUNCIL 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, excluding mines and deposits of minerals within the land, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993 and Local Government Act 1993 respectively. Dated at Murwillumbah this 1st day of September, 2004. JOHN GRIFFIN, General Manager, PO Box 816, Murwillumbah NSW 2484.

SCHEDULE 1

Lots 1 and 2, DP 1062338.

SCHEDULE 2

Easement for services 10 wide within Lot 4, DP 1062338 as shown in DP 1062338. [0869]

WOLLONGONG CITY COUNCIL

ERRATUM

THE notice appearing in the *Government Gazette* No. 187, dated 26th November 2004, on page 8824, under the heading "Notice of Compulsory Acquisition of Land" has been rescinded and is replaced in full by the following notice:

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

WOLLONGONG CITY COUNCIL declares with the approval of her Excellency the Governor, that the lands described in the Schedule below, excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of creation of the Mount Kembla Mine Memorial

Pathway. Dated at Wollongong this 17th day of November 2004. ROD OXLEY, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre NSW 2521.

SCHEDULE

Lot 1, DP 1061983; Lot 1, DP 376906.

[0874]

CABONNE COUNCIL

Local Government Act 1993, Section 713

Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that the Council of Cabonne 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 rates in each case, as at 19th November 2004 are due:

| Assess No. | Owners or persons having an interest in the land (a) | Description of 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) |
|--------------|---|--|--|---|
| 951.12000.5 | Karen Ann LUMLEY | Lots 8, 9 and 10, DP 7016, Parish Burrawong | 1,444.13 | 8,328.32 |
| 988.00000.6 | Alice Juliet MATTHEWS | Lot 3, DP 1380, section 4, Parish Burrawong | 67.95 | 5,088.45 |
| 1425.12000.1 | Elizabeth NEWTON and Maria May BYRNE | Lot 78, DP 668316, Parish Cargo | | 962.00 |
| 2397.45000.4 | WOOD & SON (WHOLESALE) PTY LTD | Lot 4, DP 812220, Parish Colville | 277.22 | 2,380.60 |
| 2746.10000.3 | Arthur William COCKRAM and Robert Lindley ELLIOTT | Lot 40, DP 750155, Parish Dulladerry | | 1,574.51 |
| 2957.00000.9 | Linda MONAHAN | Lot 177, DP 750182, Parish Trajere | 2,219.95 | 6,551.19 |
| 3034.00000.4 | Peter KONOPKA and Jacqueline KONOPKA | Lot 4, section 40, DP 758396, Parish Eugowra | 343.07 | 4,918.96 |
| 3260.10000.7 | Carl Heinrich SCHMIDT | Lot 14 and 15, DP 115206, Parish Gregra | 83.31 | 1,669.66 |
| 4764.20000.4 | PINE FORESTS OF AUST PTY LTD | Lot 1, DP 41075; Lot 4, DP 615219; Lots 27, 229, 240, 314 and Pt Lot 313 DP 756895; Lot 58, DP 756881, Parish Mulyan | 3,467.86 | 10,678.89 |
| 4789.50000.8 | Charles Urban O'BRIEN and Lorna Helen O'BRIEN | Lot 7, DP 114075, Parish Mulyan | 257.89 | 1,617.61 |
| 1013.00000.3 | Evelyn Del THORNE | Lots 8 and 9, section 2, DP 3946 | 407.30 | 7,802.53 |

| Assess No. | Owners or persons having an interest in the land | Description of Land | Amount of rates (including extra charges) overdue for more that (5) years | Amount of all other rates (including extra charges) due and in arrears |
|--------------|---|---------------------------------|---|--|
| | (a) | (b) | (c) | (d) |
| 5584.18000.3 | William BRYDON | Lot 15, section 5, DP 2263 | | 1,353.70 |
| 465.23000.1 | Howard Stanley BUCKLAND and Priscilla Elaine BUCKLAND | Lot 1, DP 250368, Parish Molong | | 459.34 |

In default of payment to the Council of the amount stated in Column (c) above and any other rates (including extra charges) becoming due and payable after the publication of this notice, or any arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for sale, the said land will be offered for sale by public auction by a Licensed Auctioneer at Cabonne Council's Office, 99-101 Bank Street, Molong, on Saturday the 26th March 2005, commencing at 10:00 a.m. G. L. P. FLEMING, General Manager, Cabonne Council, PO Box 17, Molong NSW 2866. [0866]

GILGANDRA SHIRE COUNCIL

Local Government Act 1993, Section 713

Sale of Land for Overdue Rates

Notice is hereby given to the persons named hereunder the Council of the Shire of Gilgandra 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 appear to have an interest and on which the amount of rates stated in each case as at 30th June 2004, is due:

| Asst. No. | Owner or person having interest is the land | Description of the Land | Total |
|-----------|---|--|---------|
| 1058 | VARAFU PTY LIMITED and N. CLIFTON (writ – Canon Finance Australia) | Lot 2, DP 664760, 1 Waugan Street, Gilgandra NSW 2827. Area 885.2 square metres. | 6545.18 |
| 41-1 | Daisy McGREGOR | Lot 5, section 1, DP 758031, Curban Street, Armatree NSW 2831. Area 2023 square metres. | 1504.95 |
| 485-2 | Oscar C. B. HANCKEL and Franz C. A. HANCKEL | Lot 1, section 18, DP 6674, Lower Castelreagh Street, Gilgandra NSW 2827. Area 1.922 hectares. | 1501.04 |
| 5-2 | Thomas JONES and Norman D. JONES | Lot A, DP 934516, 3432 Castlereagh Highway, Armatree NSW 2831. Area 1012 square metres. | 2479.06 |
| 1238-22 | Robert STANLEY, Keith McALLISTER, Duncan BUTLER, John MACHIN, James LEWIS and Robert WALKER | Lots 6, 7 and 8, section 5, DP 758159, Parish Breelong – Gowen, Gilgandra NSW 2827. Area 6070 square metres. | 2479.06 |
| 1913-1 | Nina ROTER | Lot 17, section 5, DP 7415, Aimee Street, Tooraweenah NSW 2831. Area 801 square metres. | 3056.43 |
| 1921 | Leslie Craig DALE | Lot 1, section 14, DP 7415, Brennan Street, Tooraweenah NSW 2831. Area 897.9 square metres. | 2394.89 |
| 1941 | Cheryl Anne DANN | Lots 4 and 5, section 3, DP 7129, Bridge Street, Tooraweenah NSW 2831. Area 1827 square metres. | 2921.72 |
| 1984 | Mark Walter HOGBEN | Lot 1, section 2, DP 7129, Newton Street, Tooraweenah NSW 2831. Area 986.4 square metres. | 2703.12 |
| 1984-1 | Mark Walter HOGBEN | Lot 2, section 2, DP 7129, Newton Street, Tooraweenah NSW 2831. Area 600.7 square metres. | 2703.11 |
| 2035-1 | Allen W. RUSSELL and Harrison S. RUSSELL | Lots 1 and 2, DP 114414, Parish of Ulungra, Gilgandra NSW 2827. Area 2.39 hectares. | 1495.67 |

| Asst. No. | Owner or person having interest is the land | Description of the Land | Total |
|-----------|---|---|---------|
| 1605-2 | Maurice BARLOW | Lot 2, section 2, DP 758045, Balladoran NSW 2831. Area 2023 square metres. | 1559.67 |
| 1916-1 | TP PROPERTIES PTY LTD | Lot 2, section 13, DP 7415, Brennan Street, Tooraweenah NSW 2831. Area 1012 square metres. | 900.67 |
| 1239-02 | Alexander P. BYRNE | Lots 6, 7 and 8, section 14, DP 758159, 49 Breelong-Balladoran Road, Breelong NSW 2827. Area 6070.5 square metres. | 548.36 |
| 1239-01 | Lawrence R. MUDFORD | Lots 6 and 7, section 11, DP 758159, 3520 Castlereagh Highway, Gilgandra NSW 2827. Area 4047 square metres. | 548.36 |
| 1986-1 | PUBLIC TRUSTEE | Lots 20 and 21, section 4, DP 7415, Newton Street, Tooraweenah NSW 2831. Area 1662 square metres. | 1797.53 |
| 1392-16 | SQUATTING INVESTMENT CO. | Lot 1, DP 131263; Lot 1, DP 456930; Lot 3, DP 131241, National Park Road, Tonderburine NSW 2831. Area 5.588 hectares. | 1498.34 |
| 1569-012 | Ivy M. CHRISTIAN | Lot 1, DP 1004044, Coonamble Road East, Gilgandra NSW 2827. Area 2023 square metres. | 1175.81 |
| 71-1 | Margaret E. SHANKLIN | Lot 1, section 8, DP 758031, Wilga Street, Armatree NSW 2831. Area 2023 square metres. | 1504.95 |
| 67-1 | Gregory W. McMILLAN and Shirley M. McMILLAN (mortgage – Torrens Credit Union) | Lot 38 and 39, DP 752549, Pine Street, Armatree NSW 2831. Area 4199 square metres. | 2138.76 |
| 24 | Peter E. RILEY and Sylviana J. RILEY (mortgage – Westpac Banking Corporation) | Lots 3, 4, 5 and 8, section 3, DP 758031, Armatree Street, Armatree NSW 2831. Area 749.4 square metres. | 2701.61 |

In default of payment to the Council of the amount stated above and any other rates (including extra charges) becoming due and payable after publication of this notice, before the time fixed for the sale, the said land will be offered for sale by public auction by M H Thomas at the Gilgandra Shire Office, 15 Warren Road, Gilgandra on Friday, 6th May 2005, at 10:00 a.m. P. A. MANN, General Manager, Gilgandra Shire Council, 15 Warren Road, Gilgandra NSW 2827. [0876]

YOUNG SHIRE COUNCIL

Local Government Act 1993, Section 713

Sale of Land for Unpaid Rates and Charges

NOTICE is hereby given to the persons named hereunder that Young Shire Council 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 rates stated in each case as at 17th November 2004, is due:

| Owners or persons having an interest in the land | Description of Land | Amount of Rates overdue for more than five (5) years | Amount of all other rates and charges due and in arrears | Total |
|--|---|--|--|------------|
| (a) | (b) | (c) | (d) | (e) |
| Richard BROWN and Valerie Helen BROWN | Lot 19, section 5, DP 4899, 32 Brundah Street, Koorawatha | \$561.53 | \$2,169.46 | \$2,730.99 |
| Ann-Marie SCHOFIELD and Clay SCHOFIELD | Lot 5, section 13, DP 758580, 23 Bumbaldry Street, Koorawatha | \$1,668.34 | \$2,600.76 | \$4,269.10 |

| Owners or persons having an interest in the land (a) | Description of Land (b) | Amount of Rates overdue for more than five (5) years (c) | Amount of all other rates and charges due and in arrears (d) | Total (e) |
|--|---|---|---|------------------|
| Keith HOWARD | Lot 21, section 5, DP 4899, 31 Crescent Street, Koorawatha | \$67.00 | \$2,105.95 | \$2,172.95 |
| David John PELEPCZUK, Jody Maree JOHNSON and 5454540 Mortgage to St George Bank Limited | Lot 1, DP 384216, 1 Koorawatha Road, Koorawatha | \$15.70 | \$2,411.15 | \$2,426.85 |
| Petra Karin KELLY | Lot 6, DP 10992, 8 Crowther Street, Koorawatha | \$269.50 | \$2,032.71 | \$2,302.21 |
| John Alexander JUSTICE | Lot 4, DP 10992, 14 Crowther Street, Koorawatha | \$1,961.15 | \$2,604.32 | \$4,565.47 |
| Mark SONNEFELD | Lots 5-6, section 5, DP 3722, 11 Deboyne Street, Koorawatha | \$1,525.45 | \$2,553.11 | \$4,078.56 |
| Stephen Wayne COOK | Lots 7-10, section 5, DP 3722, 9 Deboyne Street, Koorawatha | \$1,086.90 | \$2,471.43 | \$3,558.33 |
| George MRISH and Donna Maree MRISH | Lots 19-20, section 5, DP 3722, 1 Deboyne Street, Koorawatha | \$790.41 | \$2,268.16 | \$3,058.57 |
| Donka KNEZEVIC | Lot 12, DP 6619, 35 Lachlan Street, Koorawatha | \$269.21 | \$2,032.71 | \$2,301.92 |
| William Robert MOORE and Sandra May MOORE | Lot 9, DP 10992, 4388 Olympic Highway North, Koorawatha | \$1,676.35 | \$2,604.32 | \$4,280.67 |
| Paul Gregory BARTLE, Rachael BARTLE and U584589 Mortgage to Australia and New Zealand Banking Group Limited | Lot 149, DP 754593, 51 Crowther Street, Koorawatha | \$721.17 | \$1,530.44 | \$2,251.61 |
| Oscar Eric BEATTIE | Lot 370, DP 754605, 75 Horseferry Road, Wirrimah | \$1,713.16 | \$2,521.24 | \$4,234.40 |
| Oscar Eric BEATTIE | Lot 355, DP 754605, 98 Bendick Murrell Road, Bendick Murrell | \$1,713.38 | \$2,521.24 | \$4,234.62 |
| Mohad Dene SARAD | Lot 4, section 5, DP 758162, 66 Weedallion Street, Bribbaree | \$564.69 | \$2,169.46 | \$2,734.15 |
| Michael PARADISIS and Evelyn Renate PARADISIS | Lot 14, section 5, DP 758162, 33 North Street, Bribbaree | \$411.51 | \$2,093.80 | \$2,505.31 |
| Shadi Mohamed MAKKI and Z848751 Mortgage to Commonwealth Bank of Australia | Lot 8, section 28, DP 758698, 18 Nea Street, Monteagle | \$1,677.19 | \$2,604.32 | \$4,281.51 |

| Owners or persons having an interest in the land (a) | Description of Land (b) | Amount of Rates overdue for more than five (5) years (c) | Amount of all other rates and charges due and in arrears (d) | Total (e) |
|---|---|---|---|------------------|
| Stephen John FISHER and Narelle Frances FISHER | Lot 3, DP 244420, Pitstone Road, Young | \$1,689.56 | \$2,604.32 | \$4,293.88 |
| Loris JOHNSTON and 9559698 Mortgage to Hocana Pty Limited | Lot 2, DP 588032, 80 Campbell Street, Young | \$1,690.28 | \$8,789.99 | \$10,480.27 |

In default of payment to the Council of the amount stated in Column (e) above and any other rates (including charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by public auction at the Town Hall, Boorowa Street, Young, on Friday, 18th March 2005, commencing at 10:00 a.m. A. G. HANRAHAN, General Manager, Young Shire Council, Town Hall, Boorowa Street (Locked Bag 5), Young NSW 2594.

[0867]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HAZEL MAUDE MINCHINTON, late of 208 Brighton Avenue, Campsie, in the State of New South Wales, who died on 22nd August 2004, must send particulars of their claim to the executor, Terry John McKeown, 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 18th October 2004. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX11307, Hurstville), tel.: (02) 9570 2022. [0860]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DOUGLAS McMILLAN NICOL, late of Sans Souci, in the State of New South Wales, retired, who died on 6th March 2000, must send particulars of his claim to the executors, Timothy Olliffe and Brendan McNally, c.o. Olliffe & Co., Solicitors, 7/1-5 Jacobs Street, Bankstown NSW 2200, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 28th May 2001. OLLIFFE & CO., Solicitors, 7/1-5 Jacobs Street (PO Box 145), Bankstown NSW 2200 (DX11213, Bankstown), tel.: (02) 9790 3903. [0861]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of VICTOR ALEXANDER GRECH-CUMBO, late of Ashbury Nursing Home, 16 Hardy Street, Ashfield, in the State of New South Wales, retired mail officer, who died on 15th December 2003, must send particulars of his claim to the executors, Christine Alice Guglielmino and Geoffrey Burnett Williamson, c.o. K. O'Malley Jones & Williamson, Solicitors, Post Office Box 15, Campsie NSW 2194, 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 16th November 2004. K. O'MALLEY JONES & WILLIAMSON, Solicitors, 142 Beamish Street (PO Box 15), Campsie NSW 2194, tel.: (02) 9718 2035. [0862]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ELECTRA LUISE CASTRONINI, late of 3/1-3 Griffin Street, Manly, in the State of New South Wales, widow, who died on 23rd December 2003, must send particulars of his claim to the executors, Bret Matthew Castronini and Geoffrey Burnett Williamson, c.o. K. O'Malley Jones & Williamson, Solicitors, Post Office Box 15, Campsie NSW 2194, 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 12th May 2004. K. O'MALLEY JONES & WILLIAMSON, Solicitors, 142 Beamish Street (PO Box 15), Campsie NSW 2194, tel.: (02) 9718 2035. [0863]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ANNA HINCZAK, late of Mt Pritchard, in the State of New South Wales, widow, who died on 15th July 2004, must send particulars of her claim to the executor, c.o. Kencalo & Kencalo, Solicitors and Public Notary, 96 Moore Street, Liverpool NSW 2170, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 8th November 2004. KENCALO & KENCALO, Solicitors and Public Notary, 96 Moore Street, Liverpool NSW 2170 (PO Box 651, Liverpool BC 1871), (DX5003, Liverpool), tel.: (02) 9602 8333. [0865]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FAYE NARELLE MCWILLIAM, late of Beelbanger, in the State of New South Wales, book keeper, who died on 1st August 2004, must send particulars of the claim to the executor, c.o. Messrs Olliffe & McRae, Solicitors, PO Box 874, Griffith NSW 2680, 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 4th November 2004. MESSRS OLLIFFE & MCRAE, Solicitors, 381 Banna Avenue (PO Box 874), Griffith NSW 2680, tel.: (02) 6962 1744. [0871]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ETHEL GRACE WATT, late of Umina, in the State of New South Wales, retired, who died on 9th June 2004, must send particulars of his claim to the executors, John Darryll Turnell and Charles Keith Chapple, c.o. Peninsula Law, Solicitors, 103-105 Blackwall Road, Woy Woy NSW 2256, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 9th November 2004. PENINSULA LAW, Solicitors, 103-105 Blackwall Road (PO Box 162), Woy Woy NSW 2256 (DX8806, Woy Woy), tel.: (02) 4342 1111. [0873]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MICHAEL ERNEST CHARLES O'DEA, late of 1/112 Victoria Road, Gladesville, in the State of New South Wales, who died on 3rd June 2004, must send particulars of his claim to the executor, c.o. Anthony J. E. Gould, Solicitor, 3 Manning Road, Hunters Hill NSW 2110, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 28th October 2004. ANTHONY J. E. GOULD, Solicitor, 3 Manning Road, Hunters Hill NSW 2110, tel.: (02) 9817 5681. [0879]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JAMES HOWARD, late of Wyoming, in the State of New South Wales, retired transport supervisor, who died on 25th September 2004, must send particulars of their claim to the executor, Peter Kennedy Court, c.o. Bennett Stewart & Shirvington, Solicitors, Level 1, 1 York Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 12th November 2004. BENNETT STEWART & SHIRVINGTON, Solicitors, Level 1, 1 York Street, Sydney NSW 2000, tel.: (02) 9247 5563. [0880]

COMPANY NOTICES

NOTICE of final meeting.—HUDSPITH PTY LIMITED, ACN 001 793 639 (in liquidation).—Notice is hereby given that a final meeting of Hudspith Pty Limited, ACN 001 793 639 (in liquidation) will be held on 17th January 2005 at 10:00 a.m., at Level 4, 460 Church Street, North Parramatta NSW 2151. The object of the meeting is to present accounts and report in relation to the fully wound up affairs of the company. FAI TSANG, tel.: (02) 9683 7433. [0854]

NOTICE of winding up.—SHELLEY INVESTMENTS PTY LTD, ACN 001 061 132.—On 26th November 2004, a members' resolution was passed that the company be wound up voluntarily and that Paul de Maria be appointed liquidator. PAUL R DE MARIA, Liquidator, c.o. Hales Redden, Chartered Accountants, 24 Bay Street (PO Box 54), Rockdale NSW 2216, tel.: (02) 9567 0545. [0864]

NOTICE of final meeting.—ROSS BROWN PTY LIMITED, ACN 000 528 754 (in voluntary liquidation).—A general meeting of the company being the final meeting will be held at the offices of Stewart Brown & Co., Level 4, 495 Victoria Avenue, Chatswood NSW 2067, on 12th January 2005, at 10:00 a.m., for presentation of the final accounts of the company. R. M. BARNES, Liquidator, c.o. Stewart Brown & Co., Chartered Accountants, Level 4, 495 Victoria Avenue, Chatswood NSW 2067 (PO Box 5515, Chatswood West 1515), tel.: (02) 9412 3033. [0868]

NOTICE of application under section 363(1) of the Companies (New South Wales) Code.—Notice of application relating to LYON JARRETT & ASSOCIATES, a Solicitor Corporation, Registration No. SC: 00101-21.—In respect of proceedings commenced on 17th November 2004, application will be made by the Deputy Commissioner of Taxation to the Supreme Court of New South Wales at 11:00 a.m. on 16th December 2004, at Law Courts Building, Queens Square, Sydney, in the State of New South Wales, for an Order that the company be wound up. Copies of documents filed may be obtained under the rules. Any person intending to appear at the hearing must serve a notice in the prescribed form so as to reach the address named below not later than 1:00 p.m. on 15th December 2004. ATO General Counsel for the Plaintiff. Address for service: ATO General Counsel, c.o. Legal Services Branch, Australian Taxation Office, Level 6, 100 Market Street, Sydney NSW 2000 (DX1025, Sydney). [0870]

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