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OF THE STATE OF

NEW SOUTH WALES

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Friday, 21 January 2005

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Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 9
Thursday, 13 January 2005

Published under authority by Government Advertising and Information

RURAL FIRES ACT 1997

NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by Section 99 of the Rural Fires Act 1997, I, PHILLIP KOPERBERG, Commissioner of NSW Rural Fire Service, under delegation and dated 2 April 2003 from the Hon. Tony Kelly, M.L.C., Minister for Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 12.00 hours to 23.59 hours on Thursday, 13 January 2005.

Dated this 13 January 2005.

PHIL KOPERBERG, A.O., A.F.S.M., B.E.M.
Commissioner

Schedule 1	Fire Fighting Activities
Schedule 2	Emergency Operations
Schedule 3	Fireworks
Schedule 4	Religious/Sacred Ceremonies
Schedule 5	Services and Utilities – Essential Repairs/ Maintenance
Schedule 6	Disposal of Waste/Putrescent Material
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Schedule 17	Olympic Cauldron
Schedule 18	Any Other Fire Approved by NSW RFS Commissioner

SCHEDULE 1

Fire Fighting Activities

Fire lit, maintained or used for the purpose of suppressing or controlling any existing bush fire or to provide food and refreshments for fire fighting personnel where such fire is lit, maintained or used under the direction of the Commissioner of the NSW Rural Fire Service, any officer of the NSW Fire Brigades, any officer authorised by the State Forests of New South Wales, any officer authorised by the Director General of the NSW National Parks and Wildlife Service, or any NSW Rural Fire Service Deputy Captain, Captain, Deputy Group Captain, Group Captain or Officer of the rank of Inspector or above, appointed pursuant to the provisions of the Rural Fires Act 1997 (NSW).

SCHEDULE 2

Emergency Operations

Fire lit, maintained or used in association with any cutting, welding and/or grinding apparatus used by an emergency services organisation within the meaning of the State Emergency and Rescue Management Act 1989 (NSW) for the purpose of any emergency operations provided that, as far as is practicable:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the emergency; and
- (b) adequate fire fighting equipment is provided at the site of the emergency to prevent the escape or spread of the fire.

SCHEDULE 3

Fireworks

Fireworks lit and maintained as part of an organised public display, provided that:

- (a) the person in charge of the display (“the responsible person”) holds a current “Display Fireworks Permit – General Permit” or a “Pyrotechnicians Licence” issued by WorkCover NSW;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Fireworks Displays (DG 108)";
- (c) approval to use of the land on which the fireworks display is to be held has been obtained in writing:
 - (i) from the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, from the owner or occupier of the land on which site the display will be held;
- (d) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (e) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (f) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;
- (g) the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:
 - (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
 - (ii) the Officer In Charge of the nearest NSW Fire Brigades fire station if the place where the display is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that Officer, which may include a direction that the fireworks not be lit.

SCHEDULE 4

Religious/Sacred Ceremonies

Fire lit, maintained or used as part of a religious or sacred ceremony, including candles lit or maintained as part of a "Carols by Candlelight" celebration, provided that:

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
 - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that

all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and

- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less than six hours prior to the commencement of the ceremony or celebration, notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire or candles not to be lit.

SCHEDULE 5

Services & Utilities – Essential Repairs/Maintenance

Fire lit, maintained or used by, or under the authority of, a provider of energy, telecommunications, water, transport or waste removal/disposal services, in connection with the urgent and essential:

- (a) repairs; or
- (b) maintenance

of facilities or equipment required for the continuation of the supply or provision of power, light, heat, cooling, refrigeration, communication, water, transport or sewerage provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 6

Disposal of Waste/Putrescent Material

Fire lit, maintained or used by a public authority as defined in the dictionary of the Rural Fires Act 1997 (NSW), for the disposal of waste or putrescent material likely to cause a health hazard provided that the fire is lit in a properly constructed incinerator designed to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 7

Sugar Cane Harvesting

Fire lit, maintained or used between the hours of 7 p.m. and 7 a.m. Australian Eastern Standard Summer Time for a purpose associated with the harvesting of sugar cane provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,

- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act, 1997.

—————
SCHEDULE 8

Bitumen Roadworks

Fire lit or maintained or used for the purpose of heating bitumen in tankers, sprayers, storage units, mobile asphalt plants, mobile asphalt pavers and pavement recycling machines for road repair and construction works provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the equipment; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

—————
SCHEDULE 9

Disposal of Diseased Animal Carcasses

Fire lit or maintained or used for the purposes of disposal of diseased sheep, cattle, chicken or other deceased stock carcasses provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the fire;
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire;
- (c) the site of the fire is surrounded by ground that is clear of all combustible material for a distance of at least 30 metres;
- (d) a responsible adult person is present at the site of the fire at all times while it is burning; and
- (e) prior to lighting such a fire, the person in charge of the operation must notify;
 - (i) the NSW Rural Fire Service Zone or District Manager for that district if the place where the fire is to be lit is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the fire is to be lit is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not be lit.

—————
SCHEDULE 10

Bee Hive “Smokers”

Fire lit and maintained in a metal canister, known as a “bee hive smoker” used by apiarists to produce smoke for use in connection with the management of bees and bee hives, provided that:

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;

- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;
- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

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SCHEDULE 11

Food Preparation

Fire lit, maintained or used for the purpose of food preparation on a gas fired or electric appliance provided that:

- (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
- (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
- (c) a system of applying an adequate stream of water to the appliance and its surrounds is available for immediate and continuous use; and
 - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
 - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
 - the council of the area or;
 - if the land is within a national park, the NSW National Parks and Wildlife Service; or
 - if the land is within a state forest, State Forests of NSW.

—————
SCHEDULE 12

Charcoal Production

Fire lit, maintained or used in accordance with Regulation 28 (1) (a) of the Rural Fires Regulation 2002 (NSW), for the production of charcoal (but not for the destruction of waste arising therefrom) provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

—————
SCHEDULE 13

Mining Operations

Fire lit, maintained or used in association with the cutting, welding and/or grinding apparatus used for the purpose of the urgent and essential maintenance and repair of mining equipment provided that:

- (a) the cutting, welding and/or grinding apparatus is used in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 14

Building Construction/Demolition – Urgent and Essential

Fire lit, maintained or used in association with welding, cutting and grinding work undertaken in the course of urgent and essential construction or demolition of buildings provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

SCHEDULE 15

Gas Plants, Oil Refineries and Steel Works (Exhaust Stacks)

Fire lit, maintained or used to dispose of gaseous exhaust emitted through a chimney in connection with the refining, manufacture or purification of gas, oil, or metal provided that: the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the refinery or manufacturing facility.

SCHEDULE 16

Hot Air Balloons

Fire lit, maintained or used in order to conduct commercial hot air balloon flying operations provided that:

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
 - (i) the NSW Rural Fire Service State Operations Centre on 1800 049 933 of the proposed flight; and
 - (ii) the NSW Rural Fire Service Zone or District Manager for each rural fire district on the proposed flight path,

and comply with any direction or additional condition, which may be, imposed which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager may be obtained from the State Operations Centre;

- (b) at the time the balloon is launched:
 - (i) the ambient air temperature is less than 30 degrees Celsius; and
 - (ii) the average wind speed measured at ground level is less than 20 kilometres per hour;
- (c) the take off site is clear of all combustible material within a 3 metre radius of the balloon burner;
- (d) the balloon has landed and all burners and pilot lights are extinguished by no later than 2 hours after sunrise;
- (g) any sighting of smoke or fire observed from the air is immediately reported to the NSW Fire Brigades via the Telstra “000” emergency system;
- (h) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the balloon; and
- (i) adequate fire fighting equipment is carried in the balloon and by the ground/retrieval party to prevent the escape or spread of the fire.

SCHEDULE 17

Olympic Cauldron

Fire lit and maintained by the Sydney Olympic Park Authority in the “Olympic Cauldron” erected at Sydney Olympic Park.

SCHEDULE 18

Any Other Fire Approved by NSW RFS Commissioner

Any fire, the lighting or maintenance of which is approved in writing by the Commissioner of the NSW Rural Fire Service, provided that the person who lights or maintains the fire complies with any conditions imposed by the Commissioner in relation to that fire.

SCHEDULE A

Southern Ranges

Authorised to be printed



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 10
Friday, 14 January 2005

Published under authority by Government Advertising and Information

RURAL FIRES ACT 1997

NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by Section 99 of the Rural Fires Act 1997, I, PHILLIP KOPERBERG, Commissioner of NSW Rural Fire Service, under delegation and dated 2 April 2003 from the Hon. Tony Kelly, M.L.C., Minister for Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00.00 hours to 23.59 hours on Friday 14 January 2005.

Dated this 14th day of January 2005.

PHIL KOPERBERG, A.O., A.F.S.M., B.E.M.
Commissioner

Schedule 1	Fire Fighting Activities
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Schedule 18	Any Other Fire Approved by NSW RFS Commissioner

SCHEDULE 1

Fire Fighting Activities

Fire lit, maintained or used for the purpose of suppressing or controlling any existing bush fire or to provide food and refreshments for fire fighting personnel where such fire is lit, maintained or used under the direction of the Commissioner of the NSW Rural Fire Service, any officer of the NSW Fire Brigades, any officer authorised by the State Forests of New South Wales, any officer authorised by the Director General of the NSW National Parks and Wildlife Service, or any NSW Rural Fire Service Deputy Captain, Captain, Deputy Group Captain, Group Captain or Officer of the rank of Inspector or above, appointed pursuant to the provisions of the Rural Fires Act 1997 (NSW).

SCHEDULE 2

Emergency Operations

Fire lit, maintained or used in association with any cutting, welding and/or grinding apparatus used by an emergency services organisation within the meaning of the State Emergency and Rescue Management Act 1989 (NSW) for the purpose of any emergency operations provided that, as far as is practicable:

- the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the emergency; and
- adequate fire fighting equipment is provided at the site of the emergency to prevent the escape or spread of the fire.

SCHEDULE 3

Fireworks

Fireworks lit and maintained as part of an organised public display, provided that:

- the person in charge of the display (“the responsible person”) holds a current “Display Fireworks Permit – General Permit” or a “Pyrotechnicians Licence” issued by WorkCover NSW;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Fireworks Displays (DG 108)";
- (c) approval to use of the land on which the fireworks display is to be held has been obtained in writing:
 - (i) from the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, from the owner or occupier of the land on which site the display will be held;
- (d) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (e) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (f) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;
- (g) the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:
 - (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
 - (ii) the Officer In Charge of the nearest NSW Fire Brigades fire station if the place where the display is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that Officer, which may include a direction that the fireworks not be lit.

SCHEDULE 4

Religious/Sacred Ceremonies

Fire lit, maintained or used as part of a religious or sacred ceremony, including candles lit or maintained as part of a "Carols by Candlelight" celebration, provided that:

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
 - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that

all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and

- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less than six hours prior to the commencement of the ceremony or celebration, notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire or candles not to be lit.

SCHEDULE 5

Services & Utilities – Essential Repairs/Maintenance

Fire lit, maintained or used by, or under the authority of, a provider of energy, telecommunications, water, transport or waste removal/disposal services, in connection with the urgent and essential:

- (a) repairs; or
- (b) maintenance

of facilities or equipment required for the continuation of the supply or provision of power, light, heat, cooling, refrigeration, communication, water, transport or sewerage provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 6

Disposal of Waste/Putrescent Material

Fire lit, maintained or used by a public authority as defined in the dictionary of the Rural Fires Act 1997 (NSW), for the disposal of waste or putrescent material likely to cause a health hazard provided that the fire is lit in a properly constructed incinerator designed to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 7

Sugar Cane Harvesting

Fire lit, maintained or used between the hours of 7 p.m. and 7 a.m. Australian Eastern Standard Summer Time for a purpose associated with the harvesting of sugar cane provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,

- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act, 1997.

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SCHEDULE 8

Bitumen Roadworks

Fire lit or maintained or used for the purpose of heating bitumen in tankers, sprayers, storage units, mobile asphalt plants, mobile asphalt pavers and pavement recycling machines for road repair and construction works provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the equipment; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

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SCHEDULE 9

Disposal of Diseased Animal Carcasses

Fire lit or maintained or used for the purposes of disposal of diseased sheep, cattle, chicken or other deceased stock carcasses provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the fire;
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire;
- (c) the site of the fire is surrounded by ground that is clear of all combustible material for a distance of at least 30 metres;
- (d) a responsible adult person is present at the site of the fire at all times while it is burning; and
- (e) prior to lighting such a fire, the person in charge of the operation must notify;
 - (i) the NSW Rural Fire Service Zone or District Manager for that district if the place where the fire is to be lit is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the fire is to be lit is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not be lit.

—————
SCHEDULE 10

Bee Hive “Smokers”

Fire lit and maintained in a metal canister, known as a “bee hive smoker” used by apiarists to produce smoke for use in connection with the management of bees and bee hives, provided that:

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;

- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;
- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

—————
SCHEDULE 11

Food Preparation

Fire lit, maintained or used for the purpose of food preparation on a gas fired or electric appliance provided that:

- (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
- (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
- (c) a system of applying an adequate stream of water to the appliance and its surrounds is available for immediate and continuous use; and
 - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
 - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
 - the council of the area or;
 - if the land is within a national park, the NSW National Parks and Wildlife Service; or
 - if the land is within a state forest, State Forests of NSW.

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SCHEDULE 12

Charcoal Production

Fire lit, maintained or used in accordance with Regulation 28 (1) (a) of the Rural Fires Regulation 2002 (NSW), for the production of charcoal (but not for the destruction of waste arising therefrom) provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

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SCHEDULE 13

Mining Operations

Fire lit, maintained or used in association with the cutting, welding and/or grinding apparatus used for the purpose of the urgent and essential maintenance and repair of mining equipment provided that:

- (a) the cutting, welding and/or grinding apparatus is used in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 14

Building Construction/Demolition – Urgent and Essential

Fire lit, maintained or used in association with welding, cutting and grinding work undertaken in the course of urgent and essential construction or demolition of buildings provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

SCHEDULE 15

Gas Plants, Oil Refineries and Steel Works (Exhaust Stacks)

Fire lit, maintained or used to dispose of gaseous exhaust emitted through a chimney in connection with the refining, manufacture or purification of gas, oil, or metal provided that: the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the refinery or manufacturing facility.

SCHEDULE 16

Hot Air Balloons

Fire lit, maintained or used in order to conduct commercial hot air balloon flying operations provided that:

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
 - (i) the NSW Rural Fire Service State Operations Centre on 1800 049 933 of the proposed flight; and
 - (ii) the NSW Rural Fire Service Zone or District Manager for each rural fire district on the proposed flight path,

and comply with any direction or additional condition, which may be, imposed which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager may be obtained from the State Operations Centre;

- (b) at the time the balloon is launched:
 - (i) the ambient air temperature is less than 30 degrees Celsius; and
 - (ii) the average wind speed measured at ground level is less than 20 kilometres per hour;
- (c) the take off site is clear of all combustible material within a 3 metre radius of the balloon burner;
- (d) the balloon has landed and all burners and pilot lights are extinguished by no later than 2 hours after sunrise;
- (g) any sighting of smoke or fire observed from the air is immediately reported to the NSW Fire Brigades via the Telstra “000” emergency system;
- (h) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the balloon; and
- (i) adequate fire fighting equipment is carried in the balloon and by the ground/retrieval party to prevent the escape or spread of the fire.

SCHEDULE 17

Olympic Cauldron

Fire lit and maintained by the Sydney Olympic Park Authority in the “Olympic Cauldron” erected at Sydney Olympic Park.

SCHEDULE 18

Any Other Fire Approved by NSW RFS Commissioner

Any fire, the lighting or maintenance of which is approved in writing by the Commissioner of the NSW Rural Fire Service, provided that the person who lights or maintains the fire complies with any conditions imposed by the Commissioner in relation to that fire.

SCHEDULE A

Southern Ranges
Lower Central West Plains
Southern Slopes
Eastern Riverina
Southern Riverina
Northern Riverina

Authorised to be printed

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Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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RURAL FIRES ACT 1997

NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by Section 99 of the Rural Fires Act 1997, I, PHILLIP KOPERBERG, Commissioner of NSW Rural Fire Service, under delegation and dated 2 April 2003 from the Hon. Tony Kelly, M.L.C., Minister for Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00.00 hours to 23.59 hours on Saturday 15 January 2005.

Dated this 15th day of January 2005.

PHIL KOPERBERG, A.O., A.F.S.M., B.E.M.
Commissioner

Schedule 1	Fire Fighting Activities
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SCHEDULE 1

Fire Fighting Activities

Fire lit, maintained or used for the purpose of suppressing or controlling any existing bush fire or to provide food and refreshments for fire fighting personnel where such fire is lit, maintained or used under the direction of the Commissioner of the NSW Rural Fire Service, any officer of the NSW Fire Brigades, any officer authorised by the State Forests of New South Wales, any officer authorised by the Director General of the NSW National Parks and Wildlife Service, or any NSW Rural Fire Service Deputy Captain, Captain, Deputy Group Captain, Group Captain or Officer of the rank of Inspector or above, appointed pursuant to the provisions of the Rural Fires Act 1997 (NSW).

SCHEDULE 2

Emergency Operations

Fire lit, maintained or used in association with any cutting, welding and/or grinding apparatus used by an emergency services organisation within the meaning of the State Emergency and Rescue Management Act 1989 (NSW) for the purpose of any emergency operations provided that, as far as is practicable:

- the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the emergency; and
- adequate fire fighting equipment is provided at the site of the emergency to prevent the escape or spread of the fire.

SCHEDULE 3

Fireworks

Fireworks lit and maintained as part of an organised public display, provided that:

- the person in charge of the display (“the responsible person”) holds a current “Display Fireworks Permit – General Permit” or a “Pyrotechnicians Licence” issued by WorkCover NSW;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Fireworks Displays (DG 108)";
- (c) approval to use of the land on which the fireworks display is to be held has been obtained in writing:
 - (i) from the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, from the owner or occupier of the land on which site the display will be held;
- (d) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (e) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (f) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;
- (g) the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:
 - (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
 - (ii) the Officer In Charge of the nearest NSW Fire Brigades fire station if the place where the display is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that Officer, which may include a direction that the fireworks not be lit.

SCHEDULE 4

Religious/Sacred Ceremonies

Fire lit, maintained or used as part of a religious or sacred ceremony, including candles lit or maintained as part of a "Carols by Candlelight" celebration, provided that:

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
 - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that

all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and

- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less than six hours prior to the commencement of the ceremony or celebration, notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire or candles not to be lit.

SCHEDULE 5

Services & Utilities – Essential Repairs/Maintenance

Fire lit, maintained or used by, or under the authority of, a provider of energy, telecommunications, water, transport or waste removal/disposal services, in connection with the urgent and essential:

- (a) repairs; or
- (b) maintenance

of facilities or equipment required for the continuation of the supply or provision of power, light, heat, cooling, refrigeration, communication, water, transport or sewerage provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 6

Disposal of Waste/Putrescent Material

Fire lit, maintained or used by a public authority as defined in the dictionary of the Rural Fires Act 1997 (NSW), for the disposal of waste or putrescent material likely to cause a health hazard provided that the fire is lit in a properly constructed incinerator designed to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 7

Sugar Cane Harvesting

Fire lit, maintained or used between the hours of 7 p.m. and 7 a.m. Australian Eastern Standard Summer Time for a purpose associated with the harvesting of sugar cane provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,

- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act, 1997.

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SCHEDULE 8

Bitumen Roadworks

Fire lit or maintained or used for the purpose of heating bitumen in tankers, sprayers, storage units, mobile asphalt plants, mobile asphalt pavers and pavement recycling machines for road repair and construction works provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the equipment; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

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SCHEDULE 9

Disposal of Diseased Animal Carcasses

Fire lit or maintained or used for the purposes of disposal of diseased sheep, cattle, chicken or other deceased stock carcasses provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the fire;
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire;
- (c) the site of the fire is surrounded by ground that is clear of all combustible material for a distance of at least 30 metres;
- (d) a responsible adult person is present at the site of the fire at all times while it is burning; and
- (e) prior to lighting such a fire, the person in charge of the operation must notify;
 - (i) the NSW Rural Fire Service Zone or District Manager for that district if the place where the fire is to be lit is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the fire is to be lit is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not be lit.

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SCHEDULE 10

Bee Hive “Smokers”

Fire lit and maintained in a metal canister, known as a “bee hive smoker” used by apiarists to produce smoke for use in connection with the management of bees and bee hives, provided that:

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;

- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;
- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

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SCHEDULE 11

Food Preparation

Fire lit, maintained or used for the purpose of food preparation on a gas fired or electric appliance provided that:

- (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
- (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
- (c) a system of applying an adequate stream of water to the appliance and its surrounds is available for immediate and continuous use; and
 - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
 - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
 - the council of the area or;
 - if the land is within a national park, the NSW National Parks and Wildlife Service; or
 - if the land is within a state forest, State Forests of NSW.

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SCHEDULE 12

Charcoal Production

Fire lit, maintained or used in accordance with Regulation 28 (1) (a) of the Rural Fires Regulation 2002 (NSW), for the production of charcoal (but not for the destruction of waste arising therefrom) provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

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SCHEDULE 13

Mining Operations

Fire lit, maintained or used in association with the cutting, welding and/or grinding apparatus used for the purpose of the urgent and essential maintenance and repair of mining equipment provided that:

- (a) the cutting, welding and/or grinding apparatus is used in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 14

Building Construction/Demolition – Urgent and Essential

Fire lit, maintained or used in association with welding, cutting and grinding work undertaken in the course of urgent and essential construction or demolition of buildings provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

SCHEDULE 15

Gas Plants, Oil Refineries and Steel Works (Exhaust Stacks)

Fire lit, maintained or used to dispose of gaseous exhaust emitted through a chimney in connection with the refining, manufacture or purification of gas, oil, or metal provided that: the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the refinery or manufacturing facility.

SCHEDULE 16

Hot Air Balloons

Fire lit, maintained or used in order to conduct commercial hot air balloon flying operations provided that:

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
 - (i) the NSW Rural Fire Service State Operations Centre on 1800 049 933 of the proposed flight; and
 - (ii) the NSW Rural Fire Service Zone or District Manager for each rural fire district on the proposed flight path,

and comply with any direction or additional condition, which may be, imposed which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager may be obtained from the State Operations Centre;

- (b) at the time the balloon is launched:
 - (i) the ambient air temperature is less than 30 degrees Celsius; and
 - (ii) the average wind speed measured at ground level is less than 20 kilometres per hour;
- (c) the take off site is clear of all combustible material within a 3 metre radius of the balloon burner;
- (d) the balloon has landed and all burners and pilot lights are extinguished by no later than 2 hours after sunrise;
- (g) any sighting of smoke or fire observed from the air is immediately reported to the NSW Fire Brigades via the Telstra “000” emergency system;
- (h) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the balloon; and
- (i) adequate fire fighting equipment is carried in the balloon and by the ground/retrieval party to prevent the escape or spread of the fire.

SCHEDULE 17

Olympic Cauldron

Fire lit and maintained by the Sydney Olympic Park Authority in the “Olympic Cauldron” erected at Sydney Olympic Park.

SCHEDULE 18

Any Other Fire Approved by NSW RFS Commissioner

Any fire, the lighting or maintenance of which is approved in writing by the Commissioner of the NSW Rural Fire Service, provided that the person who lights or maintains the fire complies with any conditions imposed by the Commissioner in relation to that fire.

SCHEDULE A

Upper Central West Plains
Lower Central West Plains
Southern Slopes
Eastern Riverina
Northern Riverina

Authorised to be printed

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Government Gazette

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RURAL FIRES ACT 1997

NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by Section 99 of the Rural Fires Act 1997, I, PHILLIP KOPERBERG, Commissioner of NSW Rural Fire Service, under delegation and dated 2 April 2003 from the Hon. Tony Kelly, M.L.C., Minister for Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00.00 hours to 23.59 hours on Wednesday, 19 January 2005.

Dated this 19th day of January 2005.

PHIL KOPERBERG, A.O., A.F.S.M., B.E.M.
Commissioner

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SCHEDULE 1

Fire Fighting Activities

Fire lit, maintained or used for the purpose of suppressing or controlling any existing bush fire or to provide food and refreshments for fire fighting personnel where such fire is lit, maintained or used under the direction of the Commissioner of the NSW Rural Fire Service, any officer of the NSW Fire Brigades, any officer authorised by the State Forests of New South Wales, any officer authorised by the Director General of the NSW National Parks and Wildlife Service, or any NSW Rural Fire Service Deputy Captain, Captain, Deputy Group Captain, Group Captain or Officer of the rank of Inspector or above, appointed pursuant to the provisions of the Rural Fires Act 1997 (NSW).

SCHEDULE 2

Emergency Operations

Fire lit, maintained or used in association with any cutting, welding and/or grinding apparatus used by an emergency services organisation within the meaning of the State Emergency and Rescue Management Act 1989 (NSW) for the purpose of any emergency operations provided that, as far as is practicable:

- the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the emergency; and
- adequate fire fighting equipment is provided at the site of the emergency to prevent the escape or spread of the fire.

SCHEDULE 3

Fireworks

Fireworks lit and maintained as part of an organised public display, provided that:

- the person in charge of the display (“the responsible person”) holds a current “Display Fireworks Permit – General Permit” or a “Pyrotechnicians Licence” issued by WorkCover NSW;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Fireworks Displays (DG 108)";
- (c) approval to use of the land on which the fireworks display is to be held has been obtained in writing:
 - (i) from the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, from the owner or occupier of the land on which site the display will be held;
- (d) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (e) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (f) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;
- (g) the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:
 - (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
 - (ii) the Officer In Charge of the nearest NSW Fire Brigades fire station if the place where the display is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that Officer, which may include a direction that the fireworks not be lit.

SCHEDULE 4

Religious/Sacred Ceremonies

Fire lit, maintained or used as part of a religious or sacred ceremony, including candles lit or maintained as part of a "Carols by Candlelight" celebration, provided that:

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
 - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that

all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and

- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less than six hours prior to the commencement of the ceremony or celebration, notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire or candles not to be lit.

SCHEDULE 5

Services & Utilities – Essential Repairs/Maintenance

Fire lit, maintained or used by, or under the authority of, a provider of energy, telecommunications, water, transport or waste removal/disposal services, in connection with the urgent and essential:

- (a) repairs; or
- (b) maintenance

of facilities or equipment required for the continuation of the supply or provision of power, light, heat, cooling, refrigeration, communication, water, transport or sewerage provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 6

Disposal of Waste/Putrescent Material

Fire lit, maintained or used by a public authority as defined in the dictionary of the Rural Fires Act 1997 (NSW), for the disposal of waste or putrescent material likely to cause a health hazard provided that the fire is lit in a properly constructed incinerator designed to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 7

Sugar Cane Harvesting

Fire lit, maintained or used between the hours of 7 p.m. and 7 a.m. Australian Eastern Standard Summer Time for a purpose associated with the harvesting of sugar cane provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,

- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act, 1997.

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SCHEDULE 8

Bitumen Roadworks

Fire lit or maintained or used for the purpose of heating bitumen in tankers, sprayers, storage units, mobile asphalt plants, mobile asphalt pavers and pavement recycling machines for road repair and construction works provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the equipment; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

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SCHEDULE 9

Disposal of Diseased Animal Carcasses

Fire lit or maintained or used for the purposes of disposal of diseased sheep, cattle, chicken or other deceased stock carcasses provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the fire;
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire;
- (c) the site of the fire is surrounded by ground that is clear of all combustible material for a distance of at least 30 metres;
- (d) a responsible adult person is present at the site of the fire at all times while it is burning; and
- (e) prior to lighting such a fire, the person in charge of the operation must notify;
 - (i) the NSW Rural Fire Service Zone or District Manager for that district if the place where the fire is to be lit is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the fire is to be lit is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not be lit.

—————
SCHEDULE 10

Bee Hive “Smokers”

Fire lit and maintained in a metal canister, known as a “bee hive smoker” used by apiarists to produce smoke for use in connection with the management of bees and bee hives, provided that:

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;

- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;
- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

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SCHEDULE 11

Food Preparation

Fire lit, maintained or used for the purpose of food preparation on a gas fired or electric appliance provided that:

- (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
- (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
- (c) a system of applying an adequate stream of water to the appliance and its surrounds is available for immediate and continuous use; and
 - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
 - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
 - the council of the area or;
 - if the land is within a national park, the NSW National Parks and Wildlife Service; or
 - if the land is within a state forest, State Forests of NSW.

—————
SCHEDULE 12

Charcoal Production

Fire lit, maintained or used in accordance with Regulation 28 (1) (a) of the Rural Fires Regulation 2002 (NSW), for the production of charcoal (but not for the destruction of waste arising therefrom) provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

—————
SCHEDULE 13

Mining Operations

Fire lit, maintained or used in association with the cutting, welding and/or grinding apparatus used for the purpose of the urgent and essential maintenance and repair of mining equipment provided that:

- (a) the cutting, welding and/or grinding apparatus is used in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 14

Building Construction/Demolition – Urgent and Essential

Fire lit, maintained or used in association with welding, cutting and grinding work undertaken in the course of urgent and essential construction or demolition of buildings provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

SCHEDULE 15

Gas Plants, Oil Refineries and Steel Works (Exhaust Stacks)

Fire lit, maintained or used to dispose of gaseous exhaust emitted through a chimney in connection with the refining, manufacture or purification of gas, oil, or metal provided that: the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the refinery or manufacturing facility.

SCHEDULE 16

Hot Air Balloons

Fire lit, maintained or used in order to conduct commercial hot air balloon flying operations provided that:

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
 - (i) the NSW Rural Fire Service State Operations Centre on 1800 049 933 of the proposed flight; and
 - (ii) the NSW Rural Fire Service Zone or District Manager for each rural fire district on the proposed flight path,

and comply with any direction or additional condition, which may be, imposed which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager may be obtained from the State Operations Centre;

- (b) at the time the balloon is launched:
 - (i) the ambient air temperature is less than 30 degrees Celsius; and
 - (ii) the average wind speed measured at ground level is less than 20 kilometres per hour;
- (c) the take off site is clear of all combustible material within a 3 metre radius of the balloon burner;
- (d) the balloon has landed and all burners and pilot lights are extinguished by no later than 2 hours after sunrise;
- (g) any sighting of smoke or fire observed from the air is immediately reported to the NSW Fire Brigades via the Telstra “000” emergency system;
- (h) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the balloon; and
- (i) adequate fire fighting equipment is carried in the balloon and by the ground/retrieval party to prevent the escape or spread of the fire.

SCHEDULE 17

Olympic Cauldron

Fire lit and maintained by the Sydney Olympic Park Authority in the “Olympic Cauldron” erected at Sydney Olympic Park.

SCHEDULE 18

Any Other Fire Approved by NSW RFS Commissioner

Any fire, the lighting or maintenance of which is approved in writing by the Commissioner of the NSW Rural Fire Service, provided that the person who lights or maintains the fire complies with any conditions imposed by the Commissioner in relation to that fire.

SCHEDULE A

South Western

Authorised to be printed



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 13
Thursday, 20 January 2005

Published under authority by Government Advertising and Information

RURAL FIRES ACT 1997

NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by Section 99 of the Rural Fires Act 1997, I, PHILLIP KOPERBERG, Commissioner of NSW Rural Fire Service, under delegation and dated 2 April 2003 from the Hon. Tony Kelly, M.L.C., Minister for Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00.00 hours to 23.59 hours on Thursday, 20 January 2005.

Dated this 20th day of January 2005.

PHIL KOPERBERG, A.O., A.F.S.M., B.E.M.
Commissioner

Schedule 1	Fire Fighting Activities
Schedule 2	Emergency Operations
Schedule 3	Fireworks
Schedule 4	Religious/Sacred Ceremonies
Schedule 5	Services and Utilities – Essential Repairs/ Maintenance
Schedule 6	Disposal of Waste/Putrescent Material
Schedule 7	Sugar Cane Harvesting
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Schedule 9	Disposal of Diseased Animal Carcasses
Schedule 10	Bee Hive “Smokers”
Schedule 11	Food Preparation
Schedule 12	Charcoal Production
Schedule 13	Mining Operations
Schedule 14	Building Construction/Demolition – Urgent and Essential
Schedule 15	Gas Plants, Oil Refineries and Steel Works (Exhaust Stacks)
Schedule 16	Hot Air Balloons
Schedule 17	Olympic Cauldron
Schedule 18	Any Other Fire Approved by NSW RFS Commissioner

SCHEDULE 1

Fire Fighting Activities

Fire lit, maintained or used for the purpose of suppressing or controlling any existing bush fire or to provide food and refreshments for fire fighting personnel where such fire is lit, maintained or used under the direction of the Commissioner of the NSW Rural Fire Service, any officer of the NSW Fire Brigades, any officer authorised by the State Forests of New South Wales, any officer authorised by the Director General of the NSW National Parks and Wildlife Service, or any NSW Rural Fire Service Deputy Captain, Captain, Deputy Group Captain, Group Captain or Officer of the rank of Inspector or above, appointed pursuant to the provisions of the Rural Fires Act 1997 (NSW).

SCHEDULE 2

Emergency Operations

Fire lit, maintained or used in association with any cutting, welding and/or grinding apparatus used by an emergency services organisation within the meaning of the State Emergency and Rescue Management Act 1989 (NSW) for the purpose of any emergency operations provided that, as far as is practicable:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the emergency; and
- (b) adequate fire fighting equipment is provided at the site of the emergency to prevent the escape or spread of the fire.

SCHEDULE 3

Fireworks

Fireworks lit and maintained as part of an organised public display, provided that:

- (a) the person in charge of the display (“the responsible person”) holds a current “Display Fireworks Permit – General Permit” or a “Pyrotechnicians Licence” issued by WorkCover NSW;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Fireworks Displays (DG 108)";
- (c) approval to use of the land on which the fireworks display is to be held has been obtained in writing:
 - (i) from the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, from the owner or occupier of the land on which site the display will be held;
- (d) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (e) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (f) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;
- (g) the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:
 - (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
 - (ii) the Officer In Charge of the nearest NSW Fire Brigades fire station if the place where the display is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that Officer, which may include a direction that the fireworks not be lit.

SCHEDULE 4

Religious/Sacred Ceremonies

Fire lit, maintained or used as part of a religious or sacred ceremony, including candles lit or maintained as part of a "Carols by Candlelight" celebration, provided that:

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
 - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
 - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that

all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and

- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less than six hours prior to the commencement of the ceremony or celebration, notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire or candles not to be lit.

SCHEDULE 5

Services & Utilities – Essential Repairs/Maintenance

Fire lit, maintained or used by, or under the authority of, a provider of energy, telecommunications, water, transport or waste removal/disposal services, in connection with the urgent and essential:

- (a) repairs; or
- (b) maintenance

of facilities or equipment required for the continuation of the supply or provision of power, light, heat, cooling, refrigeration, communication, water, transport or sewerage provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 6

Disposal of Waste/Putrescent Material

Fire lit, maintained or used by a public authority as defined in the dictionary of the Rural Fires Act 1997 (NSW), for the disposal of waste or putrescent material likely to cause a health hazard provided that the fire is lit in a properly constructed incinerator designed to prevent the escape of fire, sparks or incandescent or burning material therefrom.

SCHEDULE 7

Sugar Cane Harvesting

Fire lit, maintained or used between the hours of 7 p.m. and 7 a.m. Australian Eastern Standard Summer Time for a purpose associated with the harvesting of sugar cane provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,

- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act, 1997.

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SCHEDULE 8

Bitumen Roadworks

Fire lit or maintained or used for the purpose of heating bitumen in tankers, sprayers, storage units, mobile asphalt plants, mobile asphalt pavers and pavement recycling machines for road repair and construction works provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the equipment; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

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SCHEDULE 9

Disposal of Diseased Animal Carcasses

Fire lit or maintained or used for the purposes of disposal of diseased sheep, cattle, chicken or other deceased stock carcasses provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the fire;
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire;
- (c) the site of the fire is surrounded by ground that is clear of all combustible material for a distance of at least 30 metres;
- (d) a responsible adult person is present at the site of the fire at all times while it is burning; and
- (e) prior to lighting such a fire, the person in charge of the operation must notify;
 - (i) the NSW Rural Fire Service Zone or District Manager for that district if the place where the fire is to be lit is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the fire is to be lit is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not be lit.

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SCHEDULE 10

Bee Hive “Smokers”

Fire lit and maintained in a metal canister, known as a “bee hive smoker” used by apiarists to produce smoke for use in connection with the management of bees and bee hives, provided that:

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;

- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;
- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

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SCHEDULE 11

Food Preparation

Fire lit, maintained or used for the purpose of food preparation on a gas fired or electric appliance provided that:

- (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
- (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
- (c) a system of applying an adequate stream of water to the appliance and its surrounds is available for immediate and continuous use; and
 - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
 - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
 - the council of the area or;
 - if the land is within a national park, the NSW National Parks and Wildlife Service; or
 - if the land is within a state forest, State Forests of NSW.

—————
SCHEDULE 12

Charcoal Production

Fire lit, maintained or used in accordance with Regulation 28 (1) (a) of the Rural Fires Regulation 2002 (NSW), for the production of charcoal (but not for the destruction of waste arising therefrom) provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

—————
SCHEDULE 13

Mining Operations

Fire lit, maintained or used in association with the cutting, welding and/or grinding apparatus used for the purpose of the urgent and essential maintenance and repair of mining equipment provided that:

- (a) the cutting, welding and/or grinding apparatus is used in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works; and
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire.

SCHEDULE 14

Building Construction/Demolition – Urgent and Essential

Fire lit, maintained or used in association with welding, cutting and grinding work undertaken in the course of urgent and essential construction or demolition of buildings provided that:

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
 - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
 - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district

and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

SCHEDULE 15

Gas Plants, Oil Refineries and Steel Works (Exhaust Stacks)

Fire lit, maintained or used to dispose of gaseous exhaust emitted through a chimney in connection with the refining, manufacture or purification of gas, oil, or metal provided that: the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the refinery or manufacturing facility.

SCHEDULE 16

Hot Air Balloons

Fire lit, maintained or used in order to conduct commercial hot air balloon flying operations provided that:

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
 - (i) the NSW Rural Fire Service State Operations Centre on 1800 049 933 of the proposed flight; and
 - (ii) the NSW Rural Fire Service Zone or District Manager for each rural fire district on the proposed flight path,

and comply with any direction or additional condition, which may be, imposed which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager may be obtained from the State Operations Centre;

- (b) at the time the balloon is launched:
 - (i) the ambient air temperature is less than 30 degrees Celsius; and
 - (ii) the average wind speed measured at ground level is less than 20 kilometres per hour;
- (c) the take off site is clear of all combustible material within a 3 metre radius of the balloon burner;
- (d) the balloon has landed and all burners and pilot lights are extinguished by no later than 2 hours after sunrise;
- (g) any sighting of smoke or fire observed from the air is immediately reported to the NSW Fire Brigades via the Telstra “000” emergency system;
- (h) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the balloon; and
- (i) adequate fire fighting equipment is carried in the balloon and by the ground/retrieval party to prevent the escape or spread of the fire.

SCHEDULE 17

Olympic Cauldron

Fire lit and maintained by the Sydney Olympic Park Authority in the “Olympic Cauldron” erected at Sydney Olympic Park.

SCHEDULE 18

Any Other Fire Approved by NSW RFS Commissioner

Any fire, the lighting or maintenance of which is approved in writing by the Commissioner of the NSW Rural Fire Service, provided that the person who lights or maintains the fire complies with any conditions imposed by the Commissioner in relation to that fire.

SCHEDULE A

Lower Central West Plains
Northern Riverina

Authorised to be printed



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 14
Friday, 21 January 2005

Published under authority by Government Advertising and Information

LEGISLATION

Proclamation



New South Wales

Proclamation

under the

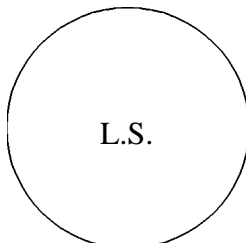
Institute of Teachers Act 2004 No 65

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 *Institute of Teachers Act 2004*, do, by this my Proclamation, appoint 24 January 2005 as the day on which Parts 3 and 4 of that Act commence.

Signed and sealed at Sydney, this 19th day of January 2005.

By Her Excellency's Command,



L.S.

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

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence the provisions of the *Institute of Teachers Act 2004* that relate to the roll of teachers and the accreditation of teachers. The rest of the Act commenced on 9 August 2004.

Regulations



New South Wales

Children and Young Persons (Care and Protection) Amendment Regulation 2005

under the

Children and Young Persons (Care and Protection) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Children and Young Persons (Care and Protection) Act 1998*.

CARMEL TEBBUTT, M.L.C.,
Minister for Community Services

Explanatory note

The objects of this Regulation are:

- (a) to add the Commonwealth Department of Immigration and Multicultural and Indigenous Affairs to the list of bodies with which the Director-General of the Department of Community Services may share information concerning the safety, welfare and well-being of children and young persons, and
- (b) to prescribe manner and form in relation to consents given by a child or young person with respect to the making, variation or rescission by the Children's Court of an order awarding sole parental responsibility for the child or young person, and
- (c) to prescribe manner and form in relation to the report given by a designated agency with respect to the variation or rescission by the Children's Court of an order awarding sole parental responsibility for the child or young person, and
- (d) to limit to 12 months the time within which an applicant for accreditation as a designated agency must furnish information concerning such an application, and
- (e) to limit the activities that can be carried out under interim accreditation as a designated agency to those activities that were being carried out by that agency on 15 July 2003 when interim accreditation first came into effect.

This Regulation is made under the *Children and Young Persons (Care and Protection) Act 1998*, including section 264 (the general power to make regulations), sections 149, 149A and 248 and clause 1 of Schedule 3 (the power to make regulations of a savings or transitional nature).

Clause 1 Children and Young Persons (Care and Protection) Amendment Regulation 2005

Children and Young Persons (Care and Protection) Amendment Regulation 2005

under the

Children and Young Persons (Care and Protection) Act 1998

1 Name of Regulation

This Regulation is the *Children and Young Persons (Care and Protection) Amendment Regulation 2005*.

2 Commencement

This Regulation commences on 1 February 2005.

3 Amendment of Children and Young Persons (Care and Protection) Regulation 2000

The *Children and Young Persons (Care and Protection) Regulation 2000* is amended as set out in Schedule 1.

4 Amendment of Children and Young Persons (Savings and Transitional) Regulation 2000

The *Children and Young Persons (Savings and Transitional) Regulation 2000* is amended as set out in Schedule 2.

Children and Young Persons (Care and Protection) Amendment Regulation
2005

Amendment of Children and Young Persons (Care and Protection)
Regulation 2000

Schedule 1

Schedule 1 Amendment of Children and Young Persons (Care and Protection) Regulation 2000

(Clause 3)

[1] Clause 7 Prescribed bodies: sec 248

Insert after clause 7 (e):

- (e1) the Commonwealth Department of Immigration and Multicultural and Indigenous Affairs,

[2] Clauses 7A, 7B and 7C

Insert after clause 7:

7A Form of child's or young person's consent to order awarding sole parental responsibility to child's or young person's authorised carer: sec 149

- (1) A consent referred to in section 149 (5) of the Act:
 - (a) must be in writing, and
 - (b) must be signed by the child or young person concerned in the presence of a witness, and
 - (c) must bear a statement from the witness to the effect that he or she informed the child or young person, before the consent was signed and in a language and manner that the child or young person could understand:
 - (i) that the authorised carer making the application concerned will gain sole parental responsibility for the child or young person if the Children's Court makes the order sought by the application, and
 - (ii) that any such order that is made by the Children's Court may be varied or rescinded in accordance with section 149A of the Act, and
 - (iii) that the child or young person is entitled to obtain independent legal advice before signing the consent.
- (2) The witness referred to in subclause (1) (b) may be any person over the age of 18 years, other than the principal officer of the relevant designated agency and other than an employee of that agency who has been directly involved in the supervision of the child's or young person's placement.

Children and Young Persons (Care and Protection) Amendment Regulation 2005

Schedule 1 Amendment of Children and Young Persons (Care and Protection) Regulation 2000

7B Form of principal officer's consent to variation or rescission of order for sole parental responsibility: sec 149A

A consent referred to in section 149A (1) (b) of the Act is to be given in a form approved by the Director-General.

7C Principal officer's report as to placement of child or young person subject to order for sole parental responsibility: sec 149A

- (1) A report under section 149A (2) of the Act with respect to the placement of a child or young person for whom an authorised carer has sole parental responsibility must be in writing and must include the following information:
- (a) the name, date of birth and residential address of the child or young person,
 - (b) the name, residential address and telephone number of the authorised carer,
 - (c) the length of time for which the child or young person has been in the care of the authorised carer, whether under the authorised carer's sole parental responsibility or otherwise,
 - (d) the date of the order awarding the authorised carer sole parental responsibility for the child or young person,
 - (e) the address and telephone number of the designated agency whose principal officer is providing the report,
 - (f) the name and contact details of each person or body whose relationship with the child or young person would be affected by the variation or rescission of the sole parental responsibility order to which the report relates, and the nature of each such relationship.
- (2) The following information, as relevant, must also be included in the report:
- (a) details of the relationship between:
 - (i) the child or young person, and
 - (ii) the authorised carer and the authorised carer's family,
 together with an assessment of the degree of attachment that the child or young person has to the authorised carer and the authorised carer's family,
 - (b) details of the support given by the designated agency to the placement of the child or young person with the authorised carer,

Children and Young Persons (Care and Protection) Amendment Regulation
2005

Amendment of Children and Young Persons (Care and Protection)
Regulation 2000

Schedule 1

-
- (c) any views expressed by the child or young person with respect to the proposed variation or rescission of the sole parental responsibility order to which the report relates, together with an indication of when and how any such views have been ascertained,
 - (d) an assessment as to how the proposed variation or rescission of the sole parental responsibility order to which the report relates is likely to affect the safety, welfare and well-being of the child or young person, having particular regard to its impact on the needs of the child or young person for permanency,
 - (e) an assessment of the arrangements that should be made (including any proposed contact orders) to preserve contact between the child or young person and his or her parents, relatives, friends and other persons connected with the child or young person.

[3] Clause 35 Application for accreditation

Insert after clause 35 (3):

- (3A) Any information that is required of an applicant under subclause (3) must be furnished to the Children's Guardian within 12 months after the date on which the application was made or within such further period as the Children's Guardian may allow.

Children and Young Persons (Care and Protection) Amendment Regulation
2005

Schedule 2 Amendment of Children and Young Persons (Savings and Transitional)
Regulation 2000

Schedule 2 Amendment of Children and Young Persons (Savings and Transitional) Regulation 2000

(Clause 4)

Clause 22A Interim accreditation as designated agency

Insert “, but only in respect of the kind of out-of-home care it was providing immediately before 15 July 2003,” after “under the new Act” in clause 22A (2).



Consumer Credit Administration Amendment (Exemption of Certain Finance Brokers) Regulation 2005

under the

Consumer Credit Administration Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer Credit Administration Act 1995*.

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

Explanatory note

The object of this Regulation is to provide that Part 1A (Regulation of finance broking) of the *Consumer Credit Administration Act 1995* does not apply to certain finance brokers who have entered into certain exclusive or other arrangements with credit providers to provide credit that is advertised, promoted or offered under a single brand, trade mark or business name.

The exemption applies where a finance broker has an agreement with a credit provider to negotiate only credit that is advertised, promoted or offered in association with a single brand, trademark or business name (this is called an *exclusive arrangement*).

The finance broker who will have the benefit of the exemption will trade at premises or under circumstances, and in such a manner, that a client would assume that the only credit available from that finance broker is the credit associated with that finance broker's business, as described above. The fact that comparison rate schedules are available does not disqualify the finance broker from the exemption.

Finance brokers who have such an arrangement, and who trade in the circumstances described, may also have an agreement with their credit providers that they will first negotiate the branded product, but if the client does not qualify for that product they can broker loans with other approved lenders (this is called a *first-choice arrangement*). In these circumstances, the exemption applies only while the finance broker is negotiating on the client's behalf for the branded product. Once the negotiations on that product are

Consumer Credit Administration Amendment (Exemption of Certain Finance Brokers)
Regulation 2005

Explanatory note

concluded and the finance broker offers to broker loans from other sources, that finance broker must then comply with Part 1A of the Act.

This Regulation is made under the *Consumer Credit Administration Act 1995* (as amended by the *Consumer Credit Administration Amendment (Finance Brokers) Act 2003*), including sections 4B (Application of Part) and 48 (the general regulation-making power).

Consumer Credit Administration Amendment (Exemption of Certain Finance Brokers) Regulation 2005

Clause 1

Consumer Credit Administration Amendment (Exemption of Certain Finance Brokers) Regulation 2005

under the

Consumer Credit Administration Act 1995

1 Name of Regulation

This Regulation is the *Consumer Credit Administration Amendment (Exemption of Certain Finance Brokers) Regulation 2005*.

2 Amendment of Consumer Credit Administration Regulation 2002

The *Consumer Credit Administration Regulation 2002* is amended as set out in Schedule 1.

Consumer Credit Administration Amendment (Exemption of Certain
Finance Brokers) Regulation 2005

Schedule 1 Amendment

Schedule 1 Amendment

(Clause 2)

Clause 2BA

Insert after clause 2B:

2BA Further class of finance brokers to whom Part 1A (Regulation of finance broking) of the Act does not apply

- (1) For the purposes of section 4B (2) of the Act, finance brokers to whom this clause applies are prescribed as a class of finance brokers to whom Part 1A of the Act does not apply, but only to the extent that their actions fall within subclause (2).
- (2) This clause applies to finance brokers who:
 - (a) are currently party to an exclusive arrangement with, or in relation to, a credit provider, or a first-choice arrangement with, or in relation to, a credit provider to offer consumer credit advertised or promoted under a single brand, trademark or business name, and
 - (b) in the case of finance brokers who are currently party to an exclusive arrangement—negotiate or obtain consumer credit only from the credit provider with which, or in relation to which, they have the exclusive arrangement and that is of a class they are authorised to obtain, and
 - (c) in the case of finance brokers who are currently party to a first-choice arrangement—in relation to a particular client have negotiated consumer credit only from the credit provider with which, or in relation to which, they have the first-choice arrangement and that is of a class they are authorised to obtain and who:
 - (i) have not yet determined whether or not the client is eligible for any consumer credit offered by the credit provider, or
 - (ii) have determined that the client is eligible for consumer credit offered by the credit provider, or
 - (iii) have determined that the client is not eligible for any consumer credit offered by the credit provider but have not yet notified the client or

Consumer Credit Administration Amendment (Exemption of Certain Finance Brokers) Regulation 2005

Amendment

Schedule 1

-
- acted as an intermediary to negotiate and obtain consumer credit for the client from another credit provider, and
- (d) advertise or hold themselves out in such a way, and carry on business at premises or under circumstances in such a way, that clients or prospective clients are reasonably likely to assume that the only consumer credit that may be negotiated or obtained by them is consumer credit advertised or promoted under the brand, trademark or business name referred to in paragraph (a), and
 - (e) do not advertise or hold themselves out in such a way, or carry on business at premises or under circumstances in such a way, that, taken alone or with the conduct of any other person, suggests to a client or prospective client, or creates a possibility of a client or prospective client mistakenly thinking, that the finance broker may negotiate or obtain consumer credit provided by any credit provider other than the credit provider with which, or in relation to which, they have the exclusive arrangement or first-choice arrangement.
- (3) A finance broker who, in compliance with section 146K of the *Consumer Credit (New South Wales) Code*, displays or makes available for collection any relevant comparison rate schedule does not for that reason alone fail to fall within subclause (2) (d) or (e).
- (4) For the purposes of this clause:
- (a) if a finance broker has a first choice arrangement with one or more credit providers to provide consumer credit under a single brand and that consumer credit is advertised, marketed or offered only under that brand, the finance broker is to be treated as if the finance broker has an agreement with one credit provider, and
 - (b) if consumer credit is provided by a credit provider who acts as trustee of more than one trust created under a master trust arrangement, that person as trustee of each of those trusts is to be treated as the same credit provider, and
 - (c) if a group of credit providers have an agreement between them concerning the provision of consumer credit (such as an agreement entered into for the

Consumer Credit Administration Amendment (Exemption of Certain Finance Brokers) Regulation 2005

Schedule 1 Amendment

purpose of, or as part of, a securitisation) those credit providers are to be treated as the same credit provider.

(5) In this clause:

exclusive arrangement means an agreement in respect of a class of consumer credit:

- (a) between a finance broker and:
 - (i) a credit provider, or
 - (ii) another person or persons authorised to act as intermediary to negotiate an exclusive arrangement on behalf of the credit provider, or
 - (iii) another person or persons authorised to negotiate consumer credit on behalf of the credit provider, and
- (b) under which it is agreed that the only consumer credit in relation to which the finance broker will act as an intermediary to negotiate and obtain for its clients is consumer credit provided by that credit provider, and
- (c) under which the finance broker has no discretion to choose between credit providers.

first-choice arrangement means an agreement in respect of a class of consumer credit:

- (a) between a finance broker and:
 - (i) a credit provider, or
 - (ii) another person or persons authorised to act as intermediary to negotiate a first-choice arrangement on behalf of the credit provider, or
 - (iii) another person or persons authorised to negotiate consumer credit on behalf of the credit provider, and
- (b) under which it is agreed that:
 - (i) the finance broker will first act as an intermediary to negotiate and obtain for its clients consumer credit provided by that credit provider, and
 - (ii) the finance broker may then act as an intermediary to negotiate and obtain consumer credit from other credit providers for any client but only if:

Consumer Credit Administration Amendment (Exemption of Certain
Finance Brokers) Regulation 2005

Amendment

Schedule 1

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- (A) after proper consideration, the finance broker first determines that the client is not eligible for any consumer credit provided by the credit provider with which the finance broker has the first-choice arrangement of a type that the finance broker is authorised to negotiate and obtain, or
 - (B) the client is eligible for such consumer credit but declines the credit.



New South Wales

Exotic Diseases of Animals Amendment (Delegation) Regulation 2005

under the

Exotic Diseases of Animals Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Exotic Diseases of Animals Act 1991*.

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

Explanatory note

The object of this Regulation is to prescribe persons to whom the Minister may delegate powers of the Minister under the *Exotic Diseases of Animals Act 1991*.

This Regulation is made under the *Exotic Diseases of Animals Act 1991*, including sections 67 and 78 (the general regulation-making power).

Clause 1 Exotic Diseases of Animals Amendment (Delegation) Regulation 2005

Exotic Diseases of Animals Amendment (Delegation) Regulation 2005

under the

Exotic Diseases of Animals Act 1991

1 Name of Regulation

This Regulation is the *Exotic Diseases of Animals Amendment (Delegation) Regulation 2005*.

2 Amendment of Exotic Diseases of Animals Regulation 2003

The *Exotic Diseases of Animals Regulation 2003* is amended as set out in Schedule 1.

Exotic Diseases of Animals Amendment (Delegation) Regulation 2005

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 7

Omit the clause. Insert instead:

7 Delegation: section 67

For the purposes of section 67 of the Act, the persons holding the following positions in the Department of Primary Industries are prescribed:

- (a) Executive Director, Biosecurity, Compliance and Mine Safety,
- (b) Director, Surveillance and Biosecurity Operations,
- (c) Director, Emergencies and Strategic Response,
- (d) Director, Compliance Operations, Agriculture and Fisheries,
- (e) Deputy Director-General, Agriculture and Fisheries,
- (f) Director, Extensive Industries Development,
- (g) Director, Intensive Industries Development,
- (h) Director, Fisheries Management.



New South Wales

Fisheries Management (General) Amendment (Fish Receivers) Regulation 2005

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 (the Principal Regulation)*:

- (a) to provide for more than 2 premises to be identified in a single certificate of registration for Class B fish receivers and for an application fee of \$1,411 for each premises after the first 2 premises, and
- (b) to provide that, in respect of Class A and Class B fish receivers:
 - (i) the application for registration as a fish receiver must identify each of the premises at which the fish receiver proposes to receive fish, and
 - (ii) each of those premises identified in the application for registration is to be specified in the certificate of registration, and
 - (iii) registration as a fish receiver has effect only in relation to the premises so specified, and
 - (iv) it is a condition of registration as a fish receiver that a fish receiver receives fish only at the premises so specified.

This Regulation also provides that the Minister for Primary Industries is authorised to refuse an application for registration as a fish receiver that is not otherwise made in accordance with the substituted clause 285 (Applications for registration as fish receivers) of the Principal Regulation.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 117, 118 and 289 (the general regulation-making power).

Clause 1 Fisheries Management (General) Amendment (Fish Receivers) Regulation
2005

Fisheries Management (General) Amendment (Fish Receivers) Regulation 2005

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Fish Receivers) Regulation 2005*.

2 Commencement

This Regulation commences on 1 March 2005.

3 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 (Fish Receivers) Regulation
2005

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 285

Omit the clause. Insert instead:

285 Applications for registration as fish receiver

- (1) An application for registration as a fish receiver must identify each of the premises at which the fish receiver proposes to receive fish.
- (2) For the purpose of section 118 (2) of the Act, the prescribed fee in respect of an application for registration as a Class A Registered Fish Receiver is \$847.
- (3) For the purpose of section 118 (2) of the Act, the prescribed fee in respect of an application for registration as a Class B Registered Fish Receiver is:
 - (a) \$2,822 for one or two premises that are identified in the application at which the fish receiver receives fish from commercial fishers or persons acting on behalf of commercial fishers, and
 - (b) \$1,411 for each additional premises that are identified in the application at which the fish receiver receives fish from commercial fishers or persons acting on behalf of commercial fishers.

[2] Clause 286 Grounds for refusing application for registration

Insert “or the application is not otherwise made in accordance with clause 285” after “fish receiver” in clause 286 (c).

[3] Clause 286A

Insert after clause 286:

286A Registration limited to specified premises

- (1) Each of the premises identified in the application for registration as a fish receiver is to be specified in the certificate of registration issued under section 118 (5) of the Act.
- (2) For the purposes of section 117 of the Act, registration as a fish receiver has effect only in relation to the premises so specified.
- (3) It is a condition of registration as a fish receiver that a fish receiver receives fish only at the premises so specified.

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New South Wales

Institute of Teachers Regulation 2005

under the

Institute of Teachers Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Institute of Teachers Act 2004*.

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

Explanatory note

The objects of this Regulation are to prescribe the following matters under the *Institute of Teachers Act 2004 (the Act)*:

- (a) the additional particulars that are required to be included on the accreditation list in the roll of teachers in relation to each person who is accredited under the Act (clause 4),
- (b) that it is a condition of the accreditation of a person that the person supply the Institute of Teachers with certain details (clause 5),
- (c) annual accreditation fees (clause 6),
- (d) the tertiary qualifications that are relevant for the purposes of the definition of *new scheme teacher* in section 28 of the Act (clause 7),
- (e) that persons employed to teach for the first time during the period between 1 October 2004 and 24 January 2005 are new scheme teachers for the purposes of the Act (clause 8),
- (f) the manner of determining the period of work on a casual or part-time basis that is commensurate with the relevant period for persons employed on a full-time basis (clause 9),
- (g) the teaching qualifications that are relevant for the purposes of the definition of *transition scheme teacher* in section 34 of the Act (clause 10),
- (h) the eligibility of qualified persons who are employed by certain bodies to be enrolled on the electoral list (clause 11),

Institute of Teachers Regulation 2005

Explanatory note

- (i) that the Institute of Teachers may enter into an arrangement for the purposes of sharing or exchanging information with any person or body responsible for registering or accrediting teachers under the law of another State or Territory or of a jurisdiction outside Australia (clause 12).

This Regulation is made under the *Institute of Teachers Act 2004*, including the provisions mentioned in the Regulation and section 52 (the general regulation-making power).

Institute of Teachers Regulation 2005

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Clause 1 Institute of Teachers Regulation 2005

Part 1 Preliminary

Institute of Teachers Regulation 2005

under the

Institute of Teachers Act 2004

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Institute of Teachers Regulation 2005*.

2 Commencement

This Regulation commences on 24 January 2005.

3 Definitions

(1) In this Regulation:

new scheme teacher has the same meaning as in Division 3 of Part 4 of the Act.

the Act means the *Institute of Teachers Act 2004*.

transition scheme teacher has the same meaning as in Division 4 of Part 4 of the Act.

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

Institute of Teachers Regulation 2005

Clause 4

Accreditation of teachers

Part 2

Part 2 Accreditation of teachers

4 Additional particulars on accreditation list

For the purposes of section 18 (1) (d) of the Act, the following are prescribed as the additional particulars that are required to be included on the accreditation list in relation to each person who is accredited:

- (a) contact details, including postal address, telephone number and email address (if any),
- (b) tertiary education qualifications,
- (c) details of current employer,
- (d) employment history,
- (e) language background other than English,
- (f) Aboriginal or Torres Strait Islander status,
- (g) history of professional development undertaken to maintain accreditation,
- (h) in the case of a person who is conditionally accredited—proposals to complete:
 - (i) a recognised teaching qualification, or
 - (ii) professional development that is equivalent to a recognised teaching qualification and is approved by the Institute.

5 Conditions of accreditation

- (1) It is a condition of the accreditation of a person under Part 4 of the Act that the person must, within 21 days of any change in any of the following particulars in relation to the person, supply the Institute with details of that change:
 - (a) contact details, including name, postal address, telephone number and email address (if any),
 - (b) tertiary education qualifications,
 - (c) details of current employer,
 - (d) the name of the teacher accreditation authority that accredits the person.
- (2) It is a condition of the accreditation of a person under Part 4 of the Act that the person must supply the Institute, on an annual basis, with details of:
 - (a) the professional development undertaken by the person to maintain accreditation, and

Clause 6 Institute of Teachers Regulation 2005

Part 2 Accreditation of teachers

- (b) in the case of a person who is conditionally accredited—any change in relation to the proposal to complete:
 - (i) a recognised teaching qualification, or
 - (ii) professional development that is equivalent to a recognised teaching qualification and is approved by the Institute.

6 Annual accreditation fees

- (1) For the purposes of section 25 (2) of the Act, the following annual fees are prescribed:
 - (a) the annual fee for new scheme teachers who are accredited (other than at professional accomplishment level or professional leadership level) is \$80,
 - (b) the annual fee for transition scheme teachers who are accredited at professional competence level is \$80.
- (2) Any fee payable under section 25 of the Act is payable on or before an annual date as determined by the Institute.
- (3) The Institute may waive or refund part or all of any fee payable under section 25 of the Act if the person otherwise required to pay the fee was not accredited for the whole of the year for which the fee is payable.

7 Prescribed qualifications for new scheme teachers

For the purposes of paragraph (b) (i) of the definition of *new scheme teacher* in section 28 of the Act, the following tertiary or teaching qualifications are prescribed:

- (a) a degree from a higher education institution within Australia,
- (b) a degree from a higher education institution outside Australia that is recognised within the guidelines of the National Office of Overseas Skills Recognition.

8 Prescribed period applicable to new scheme teachers

For the purposes of paragraph (c) of the definition of *new scheme teacher* in section 28 of the Act, the prescribed period is the period that commences at the beginning of 1 October 2004 and ends at the beginning of 24 January 2005.

9 Determination of equivalent time for casual or part-time teachers

- (1) For the purposes of paragraph (b) (i) of the definition of *relevant period* in section 30 (5) of the Act, the period that is commensurate with the 3-year period for persons employed on a full-time basis is:

Institute of Teachers Regulation 2005

Clause 10

Accreditation of teachers

Part 2

-
- (a) the period determined by the Institute on the application of the person concerned, or
 - (b) if the Institute does not determine such a period—the period of 5 years following the date on which the person was provisionally accredited under section 30 of the Act.
- (2) For the purposes of paragraph (b) (i) of the definition of *relevant period* in section 31 (7) of the Act, the period that is commensurate with the 4-year period for persons employed on a full-time basis is:
- (a) the period determined by the Institute on the application of the person concerned, or
 - (b) if the Institute does not determine such a period—the period of 6 years following the date on which the person was conditionally accredited under section 31 of the Act.

10 Transition scheme teachers

For the purposes of paragraph (b) (i) of the definition of *transition scheme teacher* in section 34 of the Act, the following teaching qualifications are prescribed:

- (a) teaching qualifications from a higher education institution within Australia,
- (b) teaching qualifications from a higher education institution outside Australia that is recognised within the guidelines of the National Office of Overseas Skills Recognition.

Clause 11 Institute of Teachers Regulation 2005

Part 3 Miscellaneous

Part 3 Miscellaneous

11 Eligibility to be enrolled

For the purposes of section 17 (1) (c) (ii) of the Act, the following bodies are prescribed:

- (a) the NSW Teachers Federation,
- (b) the NSW/ACT Independent Education Union,
- (c) the Association of Independent Schools of NSW,
- (d) the Catholic Education Commission NSW or any Catholic Schools Office or Catholic Education Office located in a New South Wales diocese,
- (e) the approved authority for a system of non-government schools approved by the Minister under Part 7 of the *Education Act 1990*,
- (f) the Professional Teachers' Council NSW,
- (g) the faculty or school of education in any higher education institution approved by the Institute,
- (h) the Office of the Board of Studies,
- (i) any other educational body or association approved by the Institute.

12 Exchange of information

For the purposes of paragraph (e) of the definition of *relevant agency* in section 42 (5) of the Act, any person or body responsible for registering or accrediting teachers under the law of another State or Territory, or of a jurisdiction outside Australia, is prescribed.



New South Wales

Rural Lands Protection (General) Amendment (Rates) Regulation 2005

under the

Rural Lands Protection Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rural Lands Protection Act 1998*.

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

Explanatory note

The object of this Regulation is to amend the *Rural Lands Protection (General) Regulation 2001*:

- (a) to make it clear that a special purpose rate is, generally, to be made by setting an amount payable for each stock unit based on the total notional carrying capacity of rateable land in the district, and
- (b) to enable base amounts determined by the State Council of Rural Lands Protection Boards in respect of boards specified by the State Council to be included in special purpose rates relating to the costs of eradicating pest insects, and
- (c) to reduce the minimum area of rateable land in the district of Goulburn from 20 hectares to 10 hectares, and
- (d) to vary the minimum general and animal health rates for certain districts.

This Regulation is made under the *Rural Lands Protection Act 1998*, including sections 60, 62 and 243 (the general regulation-making power).

Clause 1 Rural Lands Protection (General) Amendment (Rates) Regulation 2005

Rural Lands Protection (General) Amendment (Rates) Regulation 2005

under the

Rural Lands Protection Act 1998

1 Name of Regulation

This Regulation is the *Rural Lands Protection (General) Amendment (Rates) Regulation 2005*.

2 Amendment of Rural Lands Protection (General) Regulation 2001

The *Rural Lands Protection (General) Regulation 2001* is amended as set out in Schedule 1.

Rural Lands Protection (General) Amendment (Rates) Regulation 2005

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 7 How are rates to be made?

Insert after clause 7 (4):

- (4A) The board is to make a special purpose rate (if any) for rateable land by setting an amount payable for each stock unit based on the total notional carrying capacity of rateable land in the district.

[2] Clause 9 Special purpose pest insect eradication rates

Insert at the end of clause 9:

- (2) Despite clause 7 (4A), a board is to make a special purpose rate for the purposes specified in subclause (1):
- (a) in the case of a board specified by the State Council for the purposes of this clause, in accordance with subclause (3), or
- (b) in any other case, in accordance with clause 7 (4A).
- (3) A board referred to in subclause (2) (a) must calculate the special purpose rate in accordance with the following formula:

$$R = X + (A \times C)$$

where:

R represents the special purpose rate payable.

X represents the base amount determined by the State Council in respect of the board for the purposes of the rate.

A represents an amount, determined by the board, payable for each stock unit based on the total notional carrying capacity of rateable land in the district.

C represents the notional carrying capacity of rateable land determined in accordance with clause 11.

[3] Schedule 4 Minimum areas of rateable land

Omit the matter relating to the district of Goulburn from columns 1 and 2 of the Schedule.

Insert instead:

Goulburn

10

Rural Lands Protection (General) Amendment (Rates) Regulation 2005

Schedule 1 Amendments

[4] Schedule 5

Omit the Schedule. Insert instead:

Schedule 5 Minimum general and animal health rates

(Clause 8)

Board	Column 1	Column 2
	Minimum general rate (\$)	Minimum animal health rate (\$)
Armidale	31.64	20.35
Balranald	10.80	5.90
Bombala	38.18	22.72
Bourke	0.00	0.00
Braidwood	48.75	43.75
Brewarrina	27.73	11.07
Broken Hill	20.00	2.20
Casino	33.00	26.00
Central Tablelands	43.33	27.48
Cobar	0.00	0.00
Condobolin	23.66	17.72
Cooma	59.91	25.71
Coonabarabran	32.20	21.47
Coonamble	21.65	7.60
Dubbo	31.65	13.16
Forbes	38.00	35.00
Gloucester	31.60	19.37
Goulburn	48.33	31.30
Grafton	36.50	24.50
Gundagai	30.80	20.70
Hay	12.40	12.40
Hillston	32.45	10.80

Rural Lands Protection (General) Amendment (Rates) Regulation 2005

Amendments

Schedule 1

Board	Column 1	Column 2
	Minimum general rate (\$)	Minimum animal health rate (\$)
Hume	39.52	28.23
Hunter	39.67	22.39
Kempsey	43.35	31.59
Maitland	36.90	15.99
Milparinka	0.00	0.00
Molong	33.05	19.19
Moree	37.85	16.20
Moss Vale	48.02	29.74
Mudgee–Merriwa	42.00	21.00
Murray	10.80	4.35
Narrabri	39.54	28.24
Narrandera	30.75	12.30
Northern New England	35.62	21.58
Northern Slopes	45.66	26.34
Nyngan	28.52	21.75
Riverina	26.65	15.99
South Coast	65.54	29.15
Tamworth	35.26	9.83
Tweed–Lismore	35.00	26.40
Wagga Wagga	32.24	36.18
Walgett	18.40	8.65
Wanaaring	0.00	0.00
Wentworth	11.15	4.28
Wilcannia	31.80	21.00
Yass	39.50	39.50
Young	29.57	29.57



New South Wales

Stock (Chemical Residues) Amendment Regulation 2005

under the

Stock (Chemical Residues) Act 1975

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Stock (Chemical Residues) Act 1975*.

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

Explanatory note

The object of this Regulation is to remove from the *Stock (Chemical Residues) Regulation 1995* references to positions that no longer exist in the Department of Primary Industries.

This Regulation is made under the *Stock (Chemical Residues) Act 1975*, including sections 10 and 16 (the general regulation-making power).

Clause 1 Stock (Chemical Residues) Amendment Regulation 2005

Stock (Chemical Residues) Amendment Regulation 2005

under the

Stock (Chemical Residues) Act 1975

1 Name of Regulation

This Regulation is the *Stock (Chemical Residues) Amendment Regulation 2005*.

2 Amendment of Stock (Chemical Residues) Regulation 1995

The *Stock (Chemical Residues) Regulation 1995* is amended as set out in Schedule 1.

Stock (Chemical Residues) Amendment Regulation 2005

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 5 Disposal of seized stock: section 10

Omit “, the Chief, Division of Animal Industries or the Program Manager, Quality Assurance” wherever occurring in clause 5 (3).

[2] Clause 5 (4)

Omit “Chief, Division of Animal Industries,”.
Insert instead “Director-General”.



New South Wales

Young Offenders Amendment (Youth Justice Advisory Committee) Regulation 2005

under the

Young Offenders Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Young Offenders Act 1997*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to amend the *Young Offenders Regulation 2004* to enable the Minister to appoint one or more persons having relevant qualifications relating to young offenders or relevant experience in dealing with young offenders to the Youth Justice Advisory Committee established under the *Young Offenders Act 1997*. The amendment replaces a power of the Minister to appoint a person with qualifications or experience in the field of youth conferencing and continues in office persons appointed under the previous appointment power.

This Regulation is made under the *Young Offenders Act 1997*, including sections 70 (1) (j) and 73 (the general regulation-making power).

Clause 1 Young Offenders Amendment (Youth Justice Advisory Committee)
 Regulation 2005

Young Offenders Amendment (Youth Justice Advisory Committee) Regulation 2005

under the

Young Offenders Act 1997

1 Name of Regulation

This Regulation is the *Young Offenders Amendment (Youth Justice Advisory Committee) Regulation 2005*.

2 Amendment of Young Offenders Regulation 2004

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

Young Offenders Amendment (Youth Justice Advisory Committee)
Regulation 2005

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 4 Additional members

Omit clause 4 (c). Insert instead:

- (c) one or more persons who have relevant qualifications relating to young offenders or relevant experience in dealing with young offenders, appointed by the Minister,

[2] Clause 4 (2)

Insert at the end of clause 4:

- (2) An appointed member holding office under clause 4 (c), as in force before its substitution by the *Young Offenders Amendment (Youth Justice Advisory Committee) Regulation 2005*, is taken to have been appointed under that provision as so substituted for the remainder of the person's original term of appointment.

Department of Infrastructure, Planning and Natural Resources

Natural Resources

WATER ACT 1912

Volumetric Water Allocation Scheme
Section 20Z of the Water Act 1912

THE Department of Infrastructure, Planning and Natural Resources is satisfied that during the 2004/2005 water year, the water sources of the Peel River catchment below Chaffey Dam which are subject to a scheme pursuant to section 20X of the Water Act 1912, are unlikely to have sufficient water available to meet the requirements of persons authorised by law to take water from the water sources or to meet other requirements for water previously determined by the Department.

Consequently, for that year, except as provided hereunder, all allocations under the PEEL WATER ALLOCATION are reduced to 50% of their basic allocations.

This reduction shall take effect on and from 21 January 2005.

This reduction does not apply to the allocations under entitlements for town water supply, stock, domestic, industrial or recreation (other than recreation involving maintenance of golf fairways).

Dated: 21 January 2005.

Signed for the Department of Infrastructure, Planning and Natural Resource.

PETER CHRISTMAS,
Acting Regional Director,
Barwon Region
(by delegation)

WATER ACT 1912

Groundwater Allocation – Peel Valley Groundwater
Management Area Sub-zone 1 Alluvium
Section 117E of the Water Act 1912

The Water Administration Ministerial Corporation notifies groundwater entitlement holders that the Peel Valley Groundwater Sub-zone 1 Alluvium is unlikely to have sufficient water available to meet the requirements of persons authorised by law to take water from this water source or to meet other requirements for water previously determined by the Ministerial Corporation

Accordingly, except as provided for hereunder, all groundwater allocations will be reduced to 75% as from 21 January 2005, until a further notification varying this notification is published.

This reduction does not apply to the allocations under entitlements for town water supply and stock and domestic purposes.

Dated this 21st day of January 2005.

Signed for the Water Administration Ministerial Corporation.

PETER CHRISTMAS,
Acting Regional Director,
Barwon Region
(by delegation)

WATER ACT 1912

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

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

Lachlan River Valley

Patrick Charles KENNEDY and Susan Nina KENNEDY, for 4 Pumps on Goobang Creek, on Lot 1224/854617, Parish of Bomobbin; Lots 35 and 72/752125 and Lot 1/612411, Parish of Wologong, all County of Cunningham, for water supply for stock and domestic purposes and irrigation of 901.84 hectares (cotton, cereal, oilseeds, horticulture and vegetables) (new licence – change in pumpsite and to increase pumping capacity – no increase in allocation – in lieu of advertisement in *NSW Government Gazette* dated 4 June 2004 and the *Condobolin Lachlander* dated 4 June 2004) (Reference: 70SL090984) (GA2:466350).

Charles David BADHAM and Robert Victor ARMSTRONG for a pump on the Cooks Vale Creek on Lot 2, DP 753021, Parish of Burrigee, County of Georgiana, for water supply for irrigation purposes, 14.00 hectares. (new licence – allocation obtained by way of the Permanent Transfer Scheme – transferring from existing entitlement) (in lieu of advertisements in the *NSW Government Gazette* No. 200, dated 17 December 2004 and *The Crookwell Gazette*, dated 21 December 2004) (Reference: 70SL091027) (GA2:466351).

Written objections specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local area whose interests may be effected, must be lodged with the Department within twenty-eight (28) days of the date of this publication as prescribed by the Act.

VIV RUSSELL,
Resource Access Manager,
Central West Region

Department of Infrastructure, Planning and
Natural Resources,
PO Box 136, Forbes NSW 2871.

WATER ACT 1912

APPLICATIONS for licences under section 10 of the Water Act 1912, as amended, have been received from:

LYNDA JADE PTY LIMITED for a pump on Clarence River, Lot 1, DP 753528, Parish Newbold, County Gresham, for irrigation of 30 hectares (105 megalitres) (new licence – entitlement by way of permanent transfer) (Reference: GRA6322657-1).

Keith Allen MERCER for a pump on Mann River, Lot 5, DP 753523 and Lot 1, DP 127224, Parish Jackadgery, County Gresham and Lot 41, DP 1034348 and Lot 19, DP 753509, Parish Braylesford, County Gresham, for water supply for industrial purposes (aquaculture) and irrigation of 20 hectares (replacement licence – additional purpose – no increase in authorised area or allocation) (Reference: GRA6322662-1) (GA2:476186).

Brett HOWAT and Caroline BROWN for a pump on Orara River, Lot 6, DP 258275, County Fitzroy, Parish Tallawudjah, for irrigation of 1 hectare (2 megalitres) (new licence – entitlement by way of permanent transfer) (Reference: GRA6322746-1) (GA2:476187).

Francis Leonard BOYLE and Andrea Ruth BOYLE for a pump on Goolmangar Creek, Lot 1, DP 1024064, Parish Tunstall, County Rous, for irrigation of 15 hectares (58.5 megalitres) (new licence – split of existing licence – no increase in authorised area or entitlement) (Reference: GRA6322700-1).

Anthony John MILLS and Jennifer Joan PITTMAN for a pump on Tuntable Creek, easement within Lot 11, DP 585619, Parish Nimbin, County Rous, for water supply for domestic purposes (new licence) (Reference: GRA6322725-1).

Allan Macpherson CAMPBELL for a pump on Pearces Creek, easement within Lot 1, DP 243868, Parish Teven, County Rous, for irrigation of 10 hectares (55 megalitres) (new licence – entitlement by way of permanent transfer – existing allocation located on Pearces Creek, relocation of existing licence only – no increase in authorised area or allocation).

Any enquiries regarding the above should be directed to the undersigned (telephone: [02] 6640 2000).

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

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

WATER ACT 1912

Notice under Section 20Z

Water Allocation Announcement
Regulated Bega/Brogo River

The Water Administration Ministerial Corporation, pursuant to Section 20Z of the Water Act 1912, is satisfied that the water source known as the Bega/Brogo regulated river system (being subject to a Volumetric Allocation scheme as Gazetted under section 20W), is unlikely to have sufficient water available to meet the requirements during the 2004/2005 water year of those persons authorised by law to take water from the water source.

By this Order, the Ministerial Corporation being satisfied of the above hereby announces the water allocations under the said scheme for the 2004/2005 water year to be the proportions specified in Schedule 1. This Order shall have effect from the date of publication to 30 June 2005 and supersedes earlier announcements. This Order applies to all entitlements subject to the Volumetric Allocation Scheme other than high security users.

Dated this 17th day of January 2005.

Signed for the Water Administration Ministerial Corporation.

AXEL TENNIE,
Regional Director,
South Coast Region

SCHEDULE 1

- Water allocation for the full 2004/2005 water year is 45% of entitlement.

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:

Donald and Fiona FIRTH for a pump on the Brogo River on Lot 211/1063960, Parish of Mumbulla, County of Auckland, for the irrigation of 1.0 hectare (vegetables) (part replacement application – permanent transfer of 4.0 megalitres from 10SL56579 – no increase in authorised area – no increase in annual entitlement) (Reference: 10SL56609) (GA2:509165).

Any inquiries regarding the above should be directed to the undersigned (telephone: 4428 6919)

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 RYAN,
Natural Resource Project Officer,
Sydney/South Coast Region

Department of Infrastructure, Planning and
Natural Resources
PO Box 309, Nowra NSW 2541.

Department of Lands

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

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
 and Minister for Natural Resources

*Administrative District and Shire – Balranald;
 Parish of Woolpagerie North; County of Manara.*

The conditions of Western Lands Lease 2499, being the land contained within Folio Identifier 612/761599 have been altered effective from 17 January 2005, by the inclusion of the following special conditions.

The conservation area indicated by hatching in the special conditions below is an area 3.75 kilometres by 2.0 kilometres on the southern boundary of approximately 750 hectares.

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 2499

1. The lessee shall erect and maintain a domestic stockproof standard fence surrounding the area of 750 hectares shown hatched on the diagram hereunder and ensure the area remains ungrazed by both domestic stock and feral animals.
2. The lessee shall not clear any 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 manage the area shown hatched on the diagram hereunder in accordance with best management practices specified in the document known "Southern Mallee Regional Guidelines for the Development of Land Use Agreements".
4. Special Condition 1 above shall be revoked, upon application by the lessees, in the event of the revocation of Cultivation Consent for any reason other than a breach of Consent conditions(s).



HAY OFFICE
126 Lachlan Street (PO Box 182), Hay NSW 2711
Phone: (02) 6993 1306 Fax: (02) 6993 1135

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. On road closure, title to the land comprising the former public road vests in the body specified in the Schedules hereunder.

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

SCHEDULE 1

Description

Land District of Deniliquin; Council of Murray.

Lot 1, DP 1072548, Parish of Moama, County of Cadell.

File No.: HY02 H 60.

Notes: (1) On closing, title for the land comprised in Lot 1 remains vested in the Murray Shire Council as operational land.

(2) The road is closed subject to the easement for electricity purposes as shown on DP 1072548.

SCHEDULE 2

Description

Land District of Deniliquin; Council of Murray.

Lot 1, DP 1075441, Parish of Moama, County of Cadell.

File No.: HY03 H 1.

Note: (1) On closing, title for the land comprised in Lot 1 remains vested in the Murray Shire Council as Operational Land.

MOREE OFFICE

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

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE**COLUMN 1**

Land District: Moree.
 Local Government Area: Moree Plains.
 Reserve No.: 93201.
 Purpose: Future public requirements.
 Notified: 18 July 1980.
 File No.: ME03 H 304.

COLUMN 2

The whole being Lot 15,
 DP 750471, Parish Hamilton,
 County Benarba of 561.9
 hectares.

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

ERRATUM

IN *Government Gazette* No. 166 of 22 October 2004, Folio 8158 under 'ASSIGNMENT OF NAME TO A RESERVE TRUST' in column 2, Reserve No.: R87663, County: Macquarie – The Parish of Tuncurry, as well as all other Parishes in the Great Lakes Area, belongs to the County of Gloucester.

ASSIGNMENT OF NAME TO A RESERVE TRUST

PURSUANT to Clause 4(3) of Schedule 8 to the Crown Lands Act 1989, the name specified in Column 1 of the Schedule hereunder, is assigned to the reserve trust constituted 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

Port Macquarie Town Beach
Reserve (R82916) Trust.

COLUMN 2

Reserve No.: 82916.
Public Purpose: Public
recreation.
Notified: 2 December 1960.
File No.: TE80 R 258.

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
The person for the time being holding the office of Vice-President, Albury Harness Racing Club Inc. (ex-officio member), Christopher Paul CRAWSHAW (re-appointment), Walton McPherson BLEZARD (re-appointment), Christopher William WELSH (re-appointment), Ian James Underwood BRUCE (re-appointment), Helen Margaret GLACHAN (new member), James Charles JELBART (new member), Andrew Charles SCAMMELL (new member).	Albury Showground Trust.	Dedication No.: 620063. Public Purpose: Showground. Notified: 26 November 1948. File No.: WA80 R 109.

Term of Office

For a term commencing the date of this notice and expiring 18 July 2009.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Raymond Henry CARR (re-appointment), Robert James HOLDSWORTH (re-appointment), Peter Brian LINEGAR (re-appointment), Suzanne Fay CASTLES (re-appointment), Martin Anthony FARRELL (re-appointment), Scott Grayson STEVENSON (re-appointment).	Tumut Racecourse Trust.	Dedication No.: 620043. Public Purpose: Public recreation. Notified: 22 November 1870. Reserve No.: 63432. Public Purpose: Racecourse. Notified: 15 July 1932. File No.: WA79 R 34.

Term of Office

For a term commencing the date of this notice and expiring 18 July 2009.

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Tumbarumba. Local Government Area: Tumbarumba Shire Council. Locality: Jingellic. Reserve No.: 220058. Public Purpose: Community purposes. Notified: 3 March 1995. File No.: WA89 H 398.	The whole being Lot 101, DP No. 823307, Parish Jingellic East, County Selwyn, of an area of 5291 square metres.

Department of Primary Industries

Agriculture

RURAL LANDS PROTECTION ACT 1998

Amendment to Order Under Part 11 in Respect of
Spur-throated Locust

Pest Control Order Number 5

I, IAN MACDONALD, Minister for Primary Industries, hereby amend Pest Control Order Number 5 in respect of Spur-Throated Locust dated 26 October 2001 and published in the *NSW Government Gazette* on 29 October 2001, at pages 8893 and 8894 as follows:

1. delete the phrase “the land” in paragraph numbered 10 and insert instead the phrase “rateable land”; and
2. insert the following paragraph immediately before the paragraph numbered 12:
11A. This order authorises me to give a notice pursuant to section 172(1) of the Rural Lands Protection Act 1998 in relation to the pest Spur-Throated Locust.

Dated this 18th day of December 2004.

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

RURAL LANDS PROTECTION ACT 1998

Amendment to Order Under Part 11 in Respect of
Migratory Locust

Pest Control Order Number 7

I, IAN MACDONALD, Minister for Primary Industries, hereby amend Pest Control Order Number 7 in respect of Migratory Locust, dated 26 October 2001 and published in the *NSW Government Gazette* on 29 October 2001, at page 8896 as follows:

1. delete the phrase “the land” in paragraph numbered 10 and insert instead the phrase “rateable land”; and
2. insert the following paragraph immediately before the paragraph numbered 12:
11A. This order authorises me to give a notice pursuant to section 172(1) of the Rural Lands Protection Act 1998, in relation to the pest Migratory Locust.

Dated this 18th day of December 2004.

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

RURAL LANDS PROTECTION ACT 1998

Amendment to Order Under Part 11 in Respect of
Australian Plague Locust

Pest Control Order Number 6

I, IAN MACDONALD, Minister for Primary Industries, hereby amend Pest Control Order Number 6 in respect of Australian Plague Locust dated 26 October 2001 and published in the *NSW Government Gazette* on 29 October 2001, at page 8895 as follows:

1. delete the phrase “the land” in paragraph numbered 10 and insert instead the phrase “rateable land”; and
2. insert the following paragraph immediately before the paragraph numbered 12:
11A. This order authorises me to give a notice pursuant to section 172(1) of the Rural Lands Protection Act 1998 in relation to the pest Australian Plague Locust.

Dated this 18th day of December 2004.

IAN MACDONALD, M.L.C.,
NSW Minister for 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:

AL04/041 within the estuary of Wallis Lake having an area of 0.6933 hectares to Peter WARNER, of NABIAC NSW, for a term of 15 years expiring on 29 November 2019.

AL04/042 within the estuary of Wallis Lake having an area of 0.6724 hectares to Peter WARNER, of NABIAC NSW, for a term of 15 years expiring on 29 November 2019.

AL04/043 within the estuary of Wallis Lake having an area of 0.7123 hectares to Peter WARNER, of NABIAC NSW, for a term of 15 years expiring on 29 November 2019.

AL04/045 within the estuary of Wallis Lake having an area of 0.4716 hectares to Peter WARNER, of NABIAC NSW, for a term of 15 years expiring on 29 November 2019.

AL04/036 within the estuary of Wallis Lake having an area of 0.6424 hectares to M S VERDICH AND SONS PTY LTD, of Forster NSW, for a term of 15 years expiring on 29 November 2019.

AL04/038 within the estuary of Wallis Lake having an area of 0.2504 hectares to M S VERDICH AND SONS PTY LTD, of Forster NSW, for a term of 15 years expiring on 29 November 2019.

OL99/026 within the estuary of Hawkesbury River having an area of 1.4582 hectares to M S VERDICH AND SONS PTY LTD, of Forster NSW, for a term of 15 years expiring on 6 December 2019.

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

Roads and Traffic Authority

ROADS ACT 1993

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

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

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

SCHEDULE

1. Citation

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

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until further notice.

4. 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.

5. Routes

Road Train routes within the Narrabri Shire Council.

Type	Road No.	Road Name	Starting point	Finishing point	Conditions
RT	SR46	Doreen Lane	Kamilaroi Hwy (SH29)	Spring Plains Road (SR4)	

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

Notice of Compulsory Acquisition of Land at Blacktown
in the Blacktown City Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in schedule 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 that piece or parcel of land situated in the Blacktown City Council area, Parish of Prospect and County of Cumberland, shown as Lot 1 Deposited Plan 1072865.

The land is said to be in the possession of Blacktown City Council.

(RTA Papers FPP 99M3469; RO 40.12619)

ROADS ACT 1993**ORDER – SECTION 161**

BLACKTOWN CITY COUNCIL AREA

DECLARATION OF LAND AT BLACKTOWN AS
RTA DEVELOPMENT LAND

I, the Minister for Roads, pursuant to Section 161 of the Roads Act, 1993, and in accordance with a recommendation by the Roads and Traffic Authority to publish this Order in the Gazette, by this Order declare that the land described in the Schedule under is land to which the said Section 161 applies.

CARL SCULLY MP
Minister for Roads

—————
SCHEDULE

ALL that piece or parcel of land situated in the Blacktown City Council area, Parish of Prospect and County of Cumberland, shown as Lot 1 Deposited Plan 1072865.

The land is vested in the Roads and Traffic Authority of New South Wales.

(RTA Papers 99M3469)

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

Notice of Compulsory Acquisition of Land at Northmead
in the Parramatta City Council area

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

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

SCHEDULE

ALL that piece or parcel of land situated in the Parramatta City Council area, Parish of St John and County of Cumberland, shown as Lot 10 Deposited Plan 1064483, being part of the land in Certificate of Title 3/529660.

The land is said to be in the possession of Parramatta City Council.

(RTA Papers FPP 4M4396; RO 354.12207)

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

Notice of Compulsory Acquisition of Land at West
Pennant Hills in the Baulkham Hills 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 Baulkham Hills Shire Council area, Parish of Field of Mars and County of Cumberland, shown as:

Lot 14 Deposited Plan 841630 unlimited in height and depth, being the whole of the land in Certificate of Title 14/841630 and Crown land; and

Lot 17 Deposited Plan 843588 unlimited in height and depth, being the whole of the land in Certificate of Title 17/843588 and Crown land.

The land is said to be in the possession of the Crown and the Roads and Traffic Authority of New South Wales.

(RTA Papers FPP 4M5456; RO F2/31.12366)

Other Notices

CONTAMINATED LAND MANAGEMENT ACT 1997

Section 16

Environment Protection Authority
Notice to End Declaration and Order

Notice Number 16002; Area Number 3172
Part of Lot 500 DP 1026718, Bodington Hospital,
Bodington Road, Wentworth Falls

Background

The land to which this notice applies was declared as an "investigation area" (Declaration No.15023) and has been the subject of a voluntary investigation agreement (Agreement No.19023) issued by the Environment Protection Authority ("the EPA"). Under the terms of the voluntary investigation agreement the proponent undertook to carry out contamination investigations. The investigation works have been completed and the results have been made available to the EPA in a report by Golders Associates titled Contamination Investigation Bodington Hospital Site Wentworth Falls NSW dated September 2004.

Ending of the Declaration

Having reviewed the results of the investigations, the EPA is satisfied that it no longer has reasonable grounds to believe that the land to which this notice applies is contaminated in such a way as to present a significant risk of harm.

Pursuant to section 16 of the Contaminated Land Management Act 1997, the Declaration of Investigation Area number 15023 dated 14 October 2003 and gazetted on 17 October 2003 as varied by Variation of Declaration of Investigation Area dated 21 October 2003 and gazetted 24 October 2003, ceases to be in force on the date on which this notice is published in the NSW Government Gazette.

Land to which this notice applies

<i>Description</i>	<i>Address</i>
Part of Lot 500 in DP 1026718	Part of Bodington Hospital, Bodington Road, Wentworth Falls

Date: 12 January 2005

CAROLYN STRANGE,
Director Contaminated Sites,
Department of Environment and Conservation

NOTE:

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this notice will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this notice to the relevant local council. The council may then remove the note on its planning certificate issued pursuant to section 149(2) of the Environmental Planning and Assessment Act that the land is within an investigation area.

Relationship to other regulatory instrument

This revocation notice does not affect the provisions of any relevant environmental planning instruments which apply to the land or provisions of any other environmental protection legislation administered by the EPA.

FAIR TRADING ACT 1987

Prohibition Order – Section 31(1)

I, REBA MEAGHER, Minister for Fair Trading, pursuant to section 31(1)(c) of the Fair Trading Act 1987:

1. prohibit the supply of goods that imitate or resemble a baby's dummy (as defined in Schedule 1) in appearance and size unless they comply with the condition specified in Schedule 2;
2. make this Order noting that a like prohibition or restriction is in force under a law elsewhere in Australia because the goods are dangerous, particulars of which are specified in Schedule 3.

Dated this 17th day of January 2005.

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

SCHEDULE 1

"Baby's dummy" means an object used to pacify a baby where the object includes a teat that the baby sucks but from which the baby does not obtain fluid.

SCHEDULE 2

The goods must comply with the requirements of Australian Standard AS 2432 - 1991.

SCHEDULE 3

The Permanent Ban Order Prohibiting the Supply of Dangerous Goods made under the Fair Trading Act 1999 (VIC) by John Lenders, the Victorian Minister for Consumer Affairs, published in the *Victorian Government Gazette* S191 on Wednesday, 1 September 2004.

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day determined the names and boundaries for address localities Murray Local Government Area as shown on map GNB3787.

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

WARWICK WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795

NATIONAL PARKS AND WILDLIFE ACT 1974

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition

THE Minister for the Environment, with the approval of Her Excellency the Governor, declares that the leasehold estate in 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 leasehold estate is, on publication of this notice, vested in the Minister administering the National Parks and Wildlife Act 1974.

BOB DEBUS,
Minister for the Environment

SCHEDULE

All that piece or parcel of land comprising the leasehold estate described as lot 20, DP 755446 situated in the Parish of Pomany, County Phillip, Local Government Area of Rylstone, containing an area of 77.6 hectares. NPWS/04/06276

NATIONAL PARKS AND WILDLIFE ACT 1974

PROCLAMATION

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 the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Conservation, by this my Proclamation declare the lands described hereunder to be a wildlife refuge for the purposes of the abovementioned Act.

To be known as "Talimbah Point Wildlife Refuge".

Signed and sealed at Sydney this 12th day of January 2005.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

Description

Land District – Taree; Council – Great Lakes.

County of Gloucester, Parish of Forester, 2.23 hectares, being Lot B, DP 418473.

NPWS 04/10327.

NATIONAL PARKS AND WILDLIFE ACT 1974

PROCLAMATION

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 the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Conservation, by this my Proclamation declare the lands described hereunder to be a wildlife refuge for the purposes of the abovementioned Act.

To be known as "Watagan Mountain Retreat Wildlife Refuge".

Signed and sealed at Sydney this 12th day of January 2005.

MARIE BASHIR,
Governor

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

Description

Land District – Gosford; Council – Lake Macquarie.

County of Northumberland, Parish of Dora, 19.93 hectares, being Lot 141, DP 755223.

NPWS 04/10397.

PUBLIC WORKS ACT 1912

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

Compulsory Acquisition – St Marys Police Station

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

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

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

SCHEDULE

Land

Lot 101 in Deposited Plan 1077412.

DoC Reference: 267.

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

Notice of Compulsory Acquisition of Easement
 Temora to Cowal Electricity Transmission Line

COUNTRY ENERGY declares, with the approval of Her Excellency the Governor and the Executive Council that the interests in Land described in Schedule 1 of this notice, the terms of which are described in Schedule 2 of this notice are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Electricity Supply Act 1995.

Dated at Sydney this 19th day of January 2005.

Craig Murray,
 Managing Director

Country Energy, Level 25, 44 Market Street, Sydney NSW 2000.

SCHEDULE 1

Deposited Plan	Title	Locality	Parish	County	LGA
1072710	Folio Identifiers 175/750615 and 4/113243	Wyalong	Mugga	Bland	Bland
1073836	Unnamed unformed Crown road and vacant Crown Land either side of unformed road between Lot 3 and Lot 52, DP 750573	Barmedman	Barmedman and Belimebung	Bland	Bland
1073837	Crown Land within Travelling Stock Reserve 56898, notified 19 March 1924	Lake Cowal	Corringle	Gipps	Bland
1073839	Crown Land within Travelling Stock Reserve 1482, notified 30 September 1878 and Folio Identifier 92/750620	Temora	Temora	Bland	Temora
1073842	Crown Land within Reserve 42025, notified 18 September 1907	Barmedman	Narragudgil	Bland	Bland
1073852	Crown Land within Travelling Stock Reserve 16833 notified, 3 December 1892	Wyalong	Mugga	Bland	Bland

SCHEDULE 2

Easement: Easement for overhead powerlines 40 metres wide/40 metres wide and variable width as depicted in the Deposited Plan and in Part A of Memorandum No. AA26009 registered at Land & Property Information.

In so far as any Native Title rights and interests may exist over any of the Land in Schedule 1, the "non-extinguishment principle" as defined in section 238 Native Title Act 1993 (Cth) applies to this acquisition.

PUBLIC LOTTERIES ACT 1996

Amendment of Rules for Powerball and Promotional Powerball

I, The Honourable GRANT McBRIDE, M.P., Minister for Gaming and Racing, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as "the Act"), DO HEREBY APPROVE pursuant to section 23 of the Act the amendments to the Rules for the conduct by New South Wales Lotteries Corporation, a Corporation constituted under Section 5 of the New South Wales Lotteries Corporatisation Act 1996, of Games of Powerball and Promotional Powerball as attached to this notice AND IN SO DOING APPROVE the amount to be charged for entry into a game of Powerball AND IN SO DOING APPROVE the amount of commission that may be charged for effecting an entry into a game of Powerball. These amended Rules take effect on and from 28 January 2005.

DATED this 15th day of December 2004.

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

PUBLIC LOTTERIES ACT 1996**POWERBALL RULES**

It is hereby notified that the Minister administering the Public Lotteries Act 1996 has approved of the following amendments to the Rules for the conduct of the Game of Powerball and Promotional Powerball. In accordance with Section 23(3)(b) of the Act, these Rules take effect on and from 28 January 2005. These Rules supersede the Rules notified previously in the Government Gazette.

RULE 8. Standard Entry

- **Rule 8(c)(ii)**

Delete the words "50 cents" and insert the words "55 cents"

- **Rule 8(d)(ii)**

Delete the words "\$22.50 per Game Panel" and insert the words "\$24.75 per Game Panel"

RULE 9. Systems Entry

- **Rule 9(l)**

Replace existing table with following table:

System Number	Equivalent Number of Standard Panels entered	Subscription Per Panel \$	Number of Bounded Areas to be marked in each upper Panel
6	6	3.30	6
7	21	11.55	7
8	56	30.80	8
9	126	69.30	9
10	252	138.60	10
11	462	254.10	11
12	792	435.60	12
13	1287	707.85	13
14	2002	1101.10	14
15	3003	1651.65	15
16	4368	2402.40	16
17	6188	3403.40	17
18	8568	4712.40	18
19	11628	6395.40	19
20	15504	8527.20	20

- **Rule 9(m)**

Delete existing table and replace with following table:

System Number	Equivalent Number of Standard Panels entered	Subscription Per Panel \$	Number of Bounded Areas to be marked in each upper Panel
6	270	148.50	6
7	945	519.75	7
8	2520	1386.00	8
9	5670	3118.50	9
10	11340	6237.00	10
11	20790	11434.50	11
12	35640	19602.00	12
13	57915	31853.25	13
14	90090	49549.50	14
15	135135	74324.25	15
16	196560	108108.00	16
17	278460	153153.00	17
18	385560	212058.00	18
19	523260	287793.00	19
20	697680	383724.00	20

RULE 13. Announcement of Provisional Prize Winners and Prize-winners

- **Rule 13(a)(i)**

Delete the words "Supplementary Numbers" and insert the words "Powerball Number".

SCHEDULE 1

Delete existing Schedule and replace with following Schedule:

SCHEDULE 1

**COMMISSION PAYABLE FOR POWERBALL
PURSUANT TO RULE 7 WITH ONE (1) POWERBALL NUMBER**

Entry Type	No. of Games	Single Entry
Standard	2 Games	\$0.10
	4 Games	\$0.15
	6 Games	\$0.30
	8 Games	\$0.40
	10 Games	\$0.40
	12 Games	\$0.50
	14 Games	\$0.50
	16 Games	\$0.60
	18 Games	\$0.70
	24 Games	\$0.90
30 Games	\$1.10	
Entry Type	System	Single Entry
System – Per Panel	6	\$0.25
	7	\$0.70
	8	\$1.50
	9	\$2.60
	10	\$4.40
	11	\$5.40
	12	\$8.40
	13	\$13.65
	14	\$20.90
	15	\$31.35
	16	\$50.60
	17	\$72.60
	18	\$94.60
	19	\$127.60
20	\$162.80	
Entry Type	2 Week Period	Single Entry
Multi-Week Standard	2 Games	\$0.20
	4 Games	\$0.20
	6 Games	\$0.40
	8 Games	\$0.40
	10 Games	\$0.50
	12 Games	\$0.60
	14 Games	\$0.60
	16 Games	\$0.80
	18 Games	\$0.80
	24 Games	\$1.20
30 Games	\$1.80	

Entry Type	5 Week Period	Single Entry
Multi-Week Standard	2 Games	\$0.40
	4 Games	\$0.50
	6 Games	\$0.70
	8 Games	\$0.70
	10 Games	\$0.80
	12 Games	\$1.00
	14 Games	\$1.00
	16 Games	\$1.20
	18 Games	\$1.40
	24 Games	\$1.80
30 Games	\$2.30	
Entry Type	10 Week Period	Single Entry
Multi-Week Standard	2 Games	\$0.70
	4 Games	\$0.70
	6 Games	\$1.10
	8 Games	\$1.10
	10 Games	\$1.30
	12 Games	\$1.60
	14 Games	\$1.80
	16 Games	\$2.20
	18 Games	\$2.60
	24 Games	\$3.50
30 Games	\$4.40	
Entry Type	25 Week Period	Single Entry
Multi-Week Standard	2 Games	\$1.60
	4 Games	\$1.60
	6 Games	\$2.20
	8 Games	\$2.20
	10 Games	\$3.00
	12 Games	\$3.40
	14 Games	\$4.40
	16 Games	\$5.50
	18 Games	\$6.60
	24 Games	\$11.00
30 Games	\$16.50	

Entry Type	Period	Single Entry
System 6 – Per Panel	2 Weeks	\$0.40
	5 Weeks	\$0.60
	10 Weeks	\$1.00
	25 Weeks	\$2.20
System 7 – Per Panel	2 Weeks	\$1.10
	5 Weeks	\$1.60
	10 Weeks	\$2.20
	25 Weeks	\$5.80
System 8 – Per Panel	2 Weeks	\$2.20
	5 Weeks	\$2.80
	10 Weeks	\$5.00
	25 Weeks	\$14.00
System 9 – Per Panel	2 Weeks	\$3.60
	5 Weeks	\$5.00
	10 Weeks	\$10.00
	25 Weeks	\$19.00
System 10 – Per Panel	2 Weeks	\$7.15
	5 Weeks	\$9.90
	10 Weeks	\$19.80
	25 Weeks	\$29.70
System 11 – Per Panel	2 Weeks	\$8.90
	5 Weeks	\$12.35
	10 Weeks	\$24.75
	25 Weeks	\$37.10
System 12 – Per Panel	2 Weeks	\$15.30
	5 Weeks	\$21.20
	10 Weeks	\$42.45
	25 Weeks	\$63.70
System 13 – Per Panel	2 Weeks	\$24.50
	5 Weeks	\$34.00
	10 Weeks	\$68.10
	25 Weeks	\$102.10
System 14 – Per Panel	2 Weeks	\$37.60
	5 Weeks	\$52.25
	10 Weeks	\$104.50
	25 Weeks	\$156.75

Entry Type	Period	Single Entry
System 15 – Per Panel	2 Weeks	\$56.40
	5 Weeks	\$78.40
	10 Weeks	\$156.75
	25 Weeks	\$235.10
System 16 – Per Panel	2 Weeks	\$81.55
	5 Weeks	\$112.80
	10 Weeks	\$225.60
	25 Weeks	\$338.40
System 17 – Per Panel	2 Weeks	\$115.30
	5 Weeks	\$158.10
	10 Weeks	\$316.25
	25 Weeks	\$474.35
System 18 – Per Panel	2 Weeks	\$159.50
	5 Weeks	\$216.80
	10 Weeks	\$433.55
	25 Weeks	\$650.35
System 19 – Per Panel	2 Weeks	\$215.25
	5 Weeks	\$291.10
	10 Weeks	\$582.20
	25 Weeks	\$873.35
System 20 – Per Panel	2 Weeks	\$287.05
	5 Weeks	\$383.65
	10 Weeks	\$767.35
	25 Weeks	\$1151.00

SCHEDULE 2

Delete existing Schedule and replace with following Schedule:

SCHEDULE 2**COMMISSION****PURSUANT TO RULE 7 WITH FORTY FIVE (45) POWERBALL NUMBERS**

Entry Type	No. of Panels	Single Entry
Standard – Per Panel	1 to 14 Panels	\$1.55
System – Per Panel	6	\$6.00
	7	\$11.25
	8	\$22.00
	9	\$71.50
	10	\$132.00
	11	\$170.50
	12	\$297.00
	13	\$308.00
	14	\$440.00
	15	\$660.00
	16	\$770.00
	17	\$880.00
	18	\$1100.00
	19	\$1870.00
	20	\$2200.00
Multi-Week Standard	2 Weeks	\$1.65
	5 Weeks	\$2.45
	10 Weeks	\$4.95
	25 Weeks	\$12.35
System 6 – Per Panel	2 Weeks	\$8.25
	5 Weeks	\$12.35
	10 Weeks	\$24.75
	25 Weeks	\$61.85
System 7 – Per Panel	2 Weeks	\$16.50
	5 Weeks	\$24.75
	10 Weeks	\$49.50
	25 Weeks	\$123.75
System 8 – Per Panel	2 Weeks	\$33.00
	5 Weeks	\$49.50
	10 Weeks	\$99.00
	25 Weeks	\$247.50
System 9 – Per Panel	2 Weeks	\$107.25
	5 Weeks	\$160.85
	10 Weeks	\$321.75
	25 Weeks	\$804.35

System 10 – Per Panel	2 Weeks	\$198.00
	5 Weeks	\$297.00
	10 Weeks	\$594.00
	25 Weeks	\$891.00
System 11 – Per Panel	2 Weeks	\$255.75
	5 Weeks	\$383.60
	10 Weeks	\$767.25
	25 Weeks	\$1150.85
System 12 – Per Panel	2 Weeks	\$440.50
	5 Weeks	\$668.25
	10 Weeks	\$1336.50
	25 Weeks	\$2004.75
System 13 – Per Panel	2 Weeks	\$462.00
	5 Weeks	\$693.00
	10 Weeks	\$1386.00
	25 Weeks	\$2079.00
System 14 – Per Panel	2 Weeks	\$660.00
	5 Weeks	\$990.00
	10 Weeks	\$1980.00
	25 Weeks	\$2970.00
System 15 – Per Panel	2 Weeks	\$990.00
	5 Weeks	\$1485.00
	10 Weeks	\$2970.00
	25 Weeks	\$4455.00
System 16 – Per Panel	2 Weeks	\$1155.00
	5 Weeks	\$1732.50
	10 Weeks	\$3465.00
	25 Weeks	\$5197.50
System 17 – Per Panel	2 Weeks	\$1320.00
	5 Weeks	\$1980.00
	10 Weeks	\$3960.00
	25 Weeks	\$5940.00
System 18 – Per Panel	2 Weeks	\$1650.00
	5 Weeks	\$2475.00
	10 Weeks	\$4950.00
	25 Weeks	\$7425.00
System 19 – Per Panel	2 Weeks	\$2805.00
	5 Weeks	\$4207.00
	10 Weeks	\$8415.00
	25 Weeks	\$12622.00
System 20 – Per Panel	2 Weeks	\$3300.00
	5 Weeks	\$4950.00
	10 Weeks	\$9900.00
	25 Weeks	\$14850.00

SCHEDULE 3

Delete existing Schedule and replace with following Schedule:

SCHEDULE 3**SYNDICATE ENTRIES FOR POWERBALL (ONE POWERBALL)**

ENTRY	FEE	SYNDICATE ENTRY	NO. OF SHARES	SYNDICATE FEE PER PANEL (Cost per Share)
System 10	\$143.00	System 10	5	\$28.60
System 10	\$143.00	System 10	10	\$14.30
System 10	\$143.00	System 10	20	\$7.15
System 11	\$259.50	System 11	5	\$51.90
System 11	\$259.50	System 11	10	\$25.95
System 11	\$259.50	System 11	15	\$17.30
System 11	\$259.50	System 11	30	\$8.65
System 12	\$444.00	System 12	5	\$88.80
System 12	\$444.00	System 12	6	\$74.00
System 12	\$444.00	System 12	8	\$55.50
System 12	\$444.00	System 12	10	\$44.40
System 12	\$444.00	System 12	15	\$29.60
System 12	\$444.00	System 12	20	\$22.20
System 12	\$444.00	System 12	30	\$14.80
System 12	\$444.00	System 12	40	\$11.10
System 12	\$444.00	System 12	60	\$7.40
System 13	\$721.50	System 13	5	\$144.30
System 13	\$721.50	System 13	13	\$55.50
System 13	\$721.50	System 13	15	\$48.10
System 13	\$721.50	System 13	65	\$11.10
System 14	\$1122.00	System 14	5	\$224.40
System 14	\$1122.00	System 14	10	\$112.20
System 14	\$1122.00	System 14	22	\$51.00
System 14	\$1122.00	System 14	55	\$20.40
System 14	\$1122.00	System 14	110	\$10.20
System 15	\$1683.00	System 15	5	\$336.60
System 15	\$1683.00	System 15	11	\$153.00
System 15	\$1683.00	System 15	15	\$112.20
System 15	\$1683.00	System 15	33	51.00
System 15	\$1683.00	System 15	55	\$30.60
System 16	\$2453.00	System 16	5	\$490.60
System 16	\$2453.00	System 16	10	\$245.30
System 16	\$2453.00	System 16	20	\$122.65
System 16	\$2453.00	System 16	44	\$55.75
System 16	\$2453.00	System 16	55	\$44.60
System 16	\$2453.00	System 16	110	\$22.30
System 16	\$2453.00	System 16	220	\$11.15
System 17	\$3476.00	System 17	5	\$695.20
System 17	\$3476.00	System 17	10	\$347.60
System 17	\$3476.00	System 17	20	\$173.80

ENTRY	FEE	SYNDICATE ENTRY	NO. OF SHARES	SYNDICATE FEE PER PANEL (Cost per Share)
System 17	\$3476.00	System 17	55	\$63.20
System 17	\$3476.00	System 17	110	\$31.60
System 17	\$3476.00	System 17	220	\$15.80
System 18	\$4807.00	System 18	5	\$961.40
System 18	\$4807.00	System 18	10	\$480.70
System 18	\$4807.00	System 18	20	\$240.35
System 18	\$4807.00	System 18	44	\$109.25
System 18	\$4807.00	System 18	55	\$87.40
System 18	\$4807.00	System 18	110	\$43.70
System 18	\$4807.00	System 18	220	\$21.85
System 19	\$6523.00	System 19	5	\$1304.60
System 19	\$6523.00	System 19	10	\$652.30
System 19	\$6523.00	System 19	20	\$326.15
System 19	\$6523.00	System 19	55	\$118.60
System 19	\$6523.00	System 19	110	\$59.30
System 19	\$6523.00	System 19	220	\$29.65
System 20	\$8690.00	System 20	5	\$1738.00
System 20	\$8690.00	System 20	8	\$1086.25
System 20	\$8690.00	System 20	10	\$869.00
System 20	\$8690.00	System 20	20	\$434.50
System 20	\$8690.00	System 20	40	\$217.25
System 20	\$8690.00	System 20	55	\$158.00
System 20	\$8690.00	System 20	88	98.75
System 20	\$8690.00	System 20	110	\$79.00
System 20	\$8690.00	System 20	220	\$39.50
System 20	\$8690.00	System 20	440	\$19.75

POWERBALL (45 POWERBALL)

ENTRY	FEE	SYNDICATE ENTRY	NO. OF SHARES	SYNDICATE FEE PER PANEL (ie. Cost per Share)
System 6	\$154.50	System 6	5	\$30.90
System 6	\$154.50	System 6	6	\$25.75
System 6	\$154.50	System 6	10	\$15.45
System 6	\$154.50	System 6	15	\$10.30
System 7	\$531.00	System 7	5	\$106.20
System 7	\$531.00	System 7	9	\$59.00
System 7	\$531.00	System 7	15	35.40
System 7	\$531.00	System 7	45	\$11.80
System 8	\$1408.00	System 8	5	\$281.60
System 8	\$1408.00	System 8	8	\$176.00
System 8	\$1408.00	System 8	10	\$140.80
System 8	\$1408.00	System 8	20	\$70.40
System 8	\$1408.00	System 8	40	\$35.20
System 8	\$1408.00	System 8	55	\$25.60
System 8	\$1408.00	System 8	88	\$16.00

ENTRY	FEE	SYNDICATE ENTRY	NO. OF SHARES	SYNDICATE FEE PER PANEL (ie. Cost per Share)
System 9	\$3190.00	System 9	5	\$638.00
System 9	\$3190.00	System 9	10	\$319.00
System 9	\$3190.00	System 9	25	\$127.60
System 9	\$3190.00	System 9	50	\$63.80
System 9	\$3190.00	System 9	110	\$29.00
System 10	\$6369.00	System 10	5	\$1273.80
System 10	\$6369.00	System 10	10	\$636.90
System 10	\$6369.00	System 10	15	\$424.60
System 10	\$6369.00	System 10	20	\$318.45
System 10	\$6369.00	System 10	30	\$212.30
System 10	\$6369.00	System 10	44	\$144.75
System 10	\$6369.00	System 10	55	\$115.80
System 10	\$6369.00	System 10	60	\$106.15
System 10	\$6369.00	System 10	66	\$96.50
System 10	\$6369.00	System 10	110	\$57.90
System 10	\$6369.00	System 10	220	\$28.95
System 11	\$11605.00	System 11	5	\$2321.00
System 11	\$11605.00	System 11	10	\$1160.50
System 11	\$11605.00	System 11	22	\$527.50
System 11	\$11605.00	System 11	25	\$464.20
System 11	\$11605.00	System 11	50	\$232.10
System 11	\$11605.00	System 11	55	\$211.00
System 11	\$11605.00	System 11	110	\$105.50

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

DUNOG SHIRE COUNCIL

Roads Act 1993, Section 162(1)

Naming of Roads

NOTICE is hereby given that, pursuant to section 162(1) Roads Act 1993, Dungog Shire Council has approved the following new road name/s for gazettal:

Deposited Plan/ Location	Road Name
Lot 8, DP 1009184, off Nirvana Close, Vacy.	Bower Bird Close.
Lot 2A, DP 15187, off Bower Bird Close.	Sanctuary Way.
Lot 65, DP 630298, off Common Road, Dungog.	Hillview Avenue.
Lot 65, DP 630298, off Hillview Avenue, Dungog.	Williams Place.
Lot 18, DP 285645, off Meadows Drive, Clarence Town.	Ironbark Drive.

The above names have been advertised, no objections to the proposed name/s have been received during the prescribed 28 day period. ANDREW EVANS, General Manager, PO Box 95, Dungog NSW 2420. [0949]

HAWKESBURY CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that pursuant to section 10 of the Roads Act 1993, Hawkesbury City Council dedicates land owned by Council as described in the Schedule below, as public road. The subject land is situated at Blaxlands Ridge Road, Blaxlands Ridge. G. FAULKNER, General Manager, Hawkesbury City Council, PO Box 146, Windsor NSW 2756. File Reference: P209/515.

SCHEDULE

Lot 1, Deposited Plan 1073381. [0959]

PARKES SHIRE COUNCIL

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given by Parkes Shire Council pursuant to section 10 of the Roads Act 1993, that the land as described in the Schedule below is hereby dedicated as public road. Dated at Parkes, 2nd July 2002. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes NSW 2870.

SCHEDULE

Lot 7 in Deposited Plan 1028863 at Peak Hill. [0947]

PARKES SHIRE COUNCIL

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given by Parkes Shire Council pursuant to section 10 of the Roads Act 1993, that the land as described in the Schedule 1 below and excepting the interests in Schedule 2 is hereby dedicated as public road. Dated at Parkes, 4th November 2003. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes NSW 2870.

SCHEDULE 1

Lot 1 in Deposited Plan 1046377.

SCHEDULE 2

Easement for Transmission 30 wide shown in DP 609381. Proposed Easement for pipeline 5 wide shown in DP 267921. Easement for Transmission Line 30.48 wide described as easement 2075 - 3035 as Gazetted 30th May 1975. [0948]

WELLINGTON COUNCIL

ERRATUM

IN *NSW Government Gazette* No. 7, dated 14th January 2005, Folio 139, the Notice of Compulsory Acquisition of Land was incorrect. The following notice replaces that in full and the date of gazettal stays the same.

WELLINGTON COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

WELLINGTON COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of accommodation for a police lock-up keeper, a tourist information and travel centre, Council/State Government offices and a local heritage facility. Dated at Wellington this 12th day of January 2005. D. RAMSLAND, General Manager, Wellington Council, PO Box 62, Wellington NSW 2820.

SCHEDULE

Lot 1, DP 1067604. [0960]

WYONG SHIRE COUNCIL

Section 31, Roads Act 1993

Fixing of Road Levels and Boundaries – Shirley Street, Ourimbah

WYONG SHIRE COUNCIL hereby advises that, pursuant to section 31 of the Roads Act 1993, and after considering submissions from adjoining landowners, notice is given to enable Council to carry out road construction works between Brush Road and Shirley Street at Ourimbah. These works will include construction of a new road, to fixed levels,

and within fixed boundaries, which will have an effect on adjoining landowners. A plan of the works (Plan No. 12472A) will be available for inspection, on request, by members of the public, on the 2nd floor of Councils Civic Centre, Hely Street, Wyong, Monday to Friday, 3:30 a.m. to 4:30 p.m. Your attention is also drawn to the provisions of the Freedom of Information Act, which allows for public access to Council documents. K YATES, General Manager, PO Box 20, WYONG NSW 2259. [0961]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of REGINALD JAMES GEDDES, late of 37 Hall Street, Hornsby, in the State of New South Wales, project manager, who died on 15th October 2004, must send particulars of his/her claim to the executor, Christopher James Geddes, c.o. Collins & Thompson, Solicitors, 8 Coronation Street, Hornsby NSW 2077, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executor has notice. Probate was granted in New South Wales on 15th December 2004. COLLINS & THOMPSON, Solicitors, 8 Coronation Street, Hornsby NSW 2077. Reference: DJT:JAC:86824. [0950]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of EDWARD TAYLOR, late of Bingara, in the State of New South Wales, who died between 18th and 19th November 2003, must send particulars of his claim to the administrator, c.o. Newnhams, Solicitors, 122 Castlereagh Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the administrator may distribute the assets of the estate having regard only to the claims of which at the time of distribution he had notice. Letters of Administration were granted in New South Wales on 16th December 2004. NEWNHAMS, Solicitors, 122 Castlereagh Street, Sydney NSW 2000, (DX665, Sydney), tel.: (02) 9264 7788. Reference: CDH:BRS:970092. [0953]

IN the Supreme Court of New South Wales, Equity Division.—Notice of intended distribution of estate.—Any person having any claim upon the estate of RAYMOND ERIC DENNIS, late of Harbison Care, Penrose Lodge, 35 Yarrawa Road, Moss Vale, in the State of New South Wales, retired accountant, who died on 2nd September 2004, must send particulars of his claim to the executors, Terence Joseph McNally and Mark Terence McNally, c.o. Lobban McNally, Solicitors, 65 York Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 19th November 2004. LOBBAN MCNALLY, Solicitors, 65 York Street, Sydney NSW 2000, tel.: (02) 9299 8438. [0957]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JULIA ISABEL HAGENBACH, late of The Old Bakery, Barcombe, East Sussex, United Kingdom, domiciled in Spain, femme sole, who died on 31st March 2002, must send particulars of

the claim to the executor, c.o. Deacons, Lawyers, 1 Alfred Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor had notice. Probate was granted in New South Wales on 12th March 2004. DEACONS, Lawyers, 1 Alfred Street, Circular Quay, Sydney NSW 2000 (GPO Box 3872), (DX368, Sydney), tel.: (02) 9330 8184. Reference: 2250868. [0958]

COMPANY NOTICES

NOTICE of voluntary winding up.—ACS (AUST.) PTY LTD, ACN 067 126 587 (in voluntary liquidation).—At a general meeting of the abovementioned company duly convened and held at Level 5, 14 Martin Place, Sydney NSW 2000, on 7th January 2005, the following resolutions were passed: 1. Special resolution – “that the company be wound up voluntarily”. 2. “that Mr Stephen Humphrys, who has consented to act, be appointed Liquidator of the Company”. Bradley Patterson. Director. STEPHEN HUMPHRYS, Liquidator. [0951]

NOTICE of final meeting of members.—HYSDAY PTY LIMITED, ACN 003 015 754.—Notice is hereby given pursuant to section 509 of the Corporations Law that the final meeting of members and creditors of the abovenamed company will be held at 12 Spencer Street, Mittagong NSW 2575, on 31st January 2005, to receive the liquidator's account showing how the winding up has been conducted and the property of the company has been disposed of and to hear any explanations that may be given by the liquidator. GILLESPIES, Chartered Accountants, 20 Bundaroo Street (PO Box 1555), Bowral NSW 2576, tel.: (02) 9861 2205. [0956]

OTHER NOTICES

NOTICE of dissolution of partnership.—‘DO HAIR’.—Notice is hereby given that the partnership between Paul Andrew Kylstra and Kevin Francis Moloney, formerly trading as ‘Do hair’ at 469 King Street, Newtown, has been dissolved and ceases trading as at 21st January 2005. Peter Kristofferson, Solicitor, c.o. Kristofferson Legal Services, Solicitor for Paul Andrew Kylstra, 47 Dickson Street, Newtown NSW 2042, tel.: (02) 9557 2809. [0952]

Form 2.

CHURCHES OF CHRIST IN NEW SOUTH WALES INCORPORATION ACT 1947

Registration Certificate No. 142

IN accordance with the provisions of Part V of the above Act the Church of Christ at Rivergum Community Church (Rouse Hill) having complied with the requirements of the said Act and made application for registration under the said Act and such application having been duly approved by the Churches of Christ Property Trust it is hereby certified that the said Church of Christ has been registered under the above Act as a church entitled to the benefits of the said Act. Dated at Sydney, this 19th day of January 2005. PETER DIXON, Registrar. [0954]

Form 4.

**CHURCHES OF CHRIST IN NEW SOUTH WALES
INCORPORATION ACT 1947**

Registration of Trustees – Certificate No. 159

IN accordance with the provisions of Part V of the above Act the Church of Christ at RIVERGUM COMMUNITY CHURCH (Rouse Hill) having made application for the registration of the Churches of Christ Property Trust as Church Trustee under section 27 of the said Act and having done all things necessary for such registration it is hereby certified that the Church Trustee of the said Church of Christ as from the date of this certificate is the Churches of Christ Property Trust. Dated at Sydney, this 19th day of January 2005. PETER DIXON, Registrar. [0955]