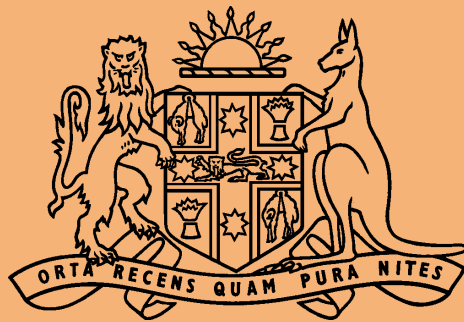




Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Week No. 34/2002

Friday, 23 August 2002

*Published under authority by the Government Printing Service
Units 5 , Block V, Regents Park Industrial Estate
391 Park Road, REGENTS PARK 2143
Phone: 9743 8777 Fax: 9743 8203
Email: nswgazette@dpws.nsw.gov.au*

*Containing numbers 186, 187, 188 and 189
Pages 9573 - 9826*

CONTENTS

Number 132

SPECIAL SUPPLEMENT

Fisheries Management	6165
----------------------------	------

Number 133

LEGISLATION

Allocation of Acts	6169
Proclamations	6194
Regulations —	
Consumer Credit Administration Regulation 2002	6197
Consumer Credit (New South Wales) Special Provisions Regulation 2002	6199
Hay Irrigation Regulation 2002	6207
Home Building Amendment (Indemnity) Regulation 2002	6211
Lake Illawarra Authority Regulation 2002	6214
Local Government (General) Amendment (Bathing Control Notices) Regulation 2002 ..	6216
Property (Relationships) Amendment (Financial Services Reform) Regulation 2002	6219
Protection of the Environment Administration Regulation 2002	6222
State Authorities Superannuation (Safe Food) Transitional Regulation 2002	6238
Strata Schemes (Freehold Development) Regulation 2002	6243
Strata Schemes (Leasehold Development) Regulation 2002	6284
Trade Measurement Administration Regulation 2002	6325
Trade Measurement Regulation 2002	6341
Warehousemen's Liens Regulation 2002	6411
Wentworth Irrigation Regulation 2002	6416
Orders	6420
Other Legislation	6422

OFFICIAL NOTICES

Appointments	6450
NSW Fisheries	6451
Department of Land & Water Conservation —	
Land Conservation	6456
Water Conservation	6468
Department of Mineral Resources	6471
Department of Planning	6472
Roads and Traffic Authority	6504
Other Notices	6514

TENDERS

State Contracts Control Board	6522
Government Printing Service	6524
University of Sydney Library	6525

PRIVATE ADVERTISEMENTS

(Council, Probate, Company Notices, etc)	6526
--	------

Number 134

PUBLIC SECTOR NOTICES

(Appointments, Resignations, etc.)	6531
--	------

GOVERNMENT PRINTING SERVICE

Attention Advertisers . . .

*Government Gazette inquiry times are:
Monday to Friday: 8.00 am to 4.30 pm*

Phone: (02) 9743 8777; Fax: (02) 9743 8203

Email:

nswgazette@dpws.nsw.gov.au

GOVERNMENT GAZETTE DEADLINES

Close of business every Wednesday

Except when a holiday falls on a Friday, deadlines will be altered as per advice given on this page.

Please Note:

- *Only electronic lodgement of Gazette contributions will be accepted.*
- *This publication is available on request via email, in large print and/or on computer disk for people with a disability. To obtain copies of this publication in either of these formats, please contact Peter Kindleysides.*

Other formats, such as Braille and audio (cassette tape), will be considered on a case-by-case basis.

SEE the GPS Web Site at www.gps.dpws.nsw.gov.au



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 132

Wednesday, 21 August 2002

Published under authority by the Government Printing Service

SPECIAL SUPPLEMENT

Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002 No 2

under the

Fisheries Management Act 1994

I, the Minister for Fisheries, in pursuance of section 221IG of the *Fisheries Management Act 1994*, make the following Order.

Dated this 20th day of August 2002.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The aquatic ecological community in the natural drainage system of the lower Murray River catchment is listed as an endangered ecological community under the *Fisheries Management Act 1994*.

However, the Act enables the Minister for Fisheries to make an order authorising a class of persons to carry out an activity that may result in harm to an endangered species, population or ecological community or damage to its habitat. As an interim measure (that is, while such a proposed order is being assessed under the Act) the Minister may make an order lasting up to 6 months to allow an existing activity to be continued. The Act also provides for the remaking of an order.

The object of this Order is to remake, with minor amendments, the *Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002* so as to allow certain recreational and commercial fishing activities in the natural drainage system of the lower Murray River catchment to continue until 30 November 2002.

Order 2002 No 2

Explanatory note

The activities the subject of this Order may only continue subject to compliance with any applicable fishing regulatory controls. (For example, the taking of silver perch is to be subject to compliance with the fishing closure under section 8 of the *Fisheries Management Act 1994* that prohibits the taking of silver perch by all methods of fishing from all New South Wales waters except, and only to the extent it is otherwise lawful to do so, from the backed up waters of any dam or impoundment.)

The recommendation of the Fisheries Scientific Committee referred to in this Order is available for inspection at all NSW Fisheries offices or the Fisheries Scientific Committee website at www.fsc.nsw.gov.au.

This Order is made under section 221IG of the *Fisheries Management Act 1994*.

Page 2

Catchment) Interim Order 2002 No 2

Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002 No 2

1 Name of Order

This Order is the *Fisheries Management (Continuation of Activities in Lower Murray River Catchment) Interim Order 2002 No 2*.

2 Commencement and duration

This Order:

- (a) takes effect on the day that it is published in the Gazette, and
- (b) ceases to have effect on 30 November 2002.

3 Continuation of existing activities

- (1) For the purposes of section 221IG of the *Fisheries Management Act 1994*, the continuation of activities referred to in subclauses (2) and (3) is permitted subject to compliance with any applicable fishing regulatory controls.
- (2) A recreational fisher may take in the lower Murray River catchment, and possess, any of the following species and carry out any routine activity in connection with the taking or possessing of such species:
 - (a) *Paratya australiensis* (freshwater shrimp),
 - (b) *Macrobrachium australiense* (freshwater prawn),
 - (c) *Caridina mccullochi* (freshwater shrimp),
 - (d) *Cherax destructor* (yabby),
 - (e) *Euastacus armatus* (Murray crayfish),
 - (f) *Tandanus tandanus* (freshwater catfish),
 - (g) *Gadopsis marmoratus* (river blackfish),
 - (h) *Maccullochella peelii peelii* (Murray cod),
 - (i) *Macquaria ambigua* (golden perch),
 - (j) *Bidyanus bidyanus* (silver perch),
 - (k) *Nematalosa erebi* (bony bream).

Page 3

Catchment) Interim Order 2002 No 2

-
- (3) A person holding a commercial fishing licence with a class A: Yabby and carp endorsement (transferable) in the inland restricted fishery may take in the lower Murray River catchment, possess and sell *Cherax destructor* (yabby), and carry out any routine activity in connection with the taking, possessing or selling of yabby.

- (4) In this clause:

fishing regulatory controls has the same meaning as in section 115G of the *Environmental Planning and Assessment Act 1979*.

lower Murray River catchment means the natural drainage system of the lower Murray River catchment as described in the recommendation of the Fisheries Scientific Committee to list the aquatic ecological community in that system as an endangered community, published in Gazette No 196 of 21 December 2001 at page 10650.



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 133
Friday, 23 August 2002

Published under authority by the Government Printing Service

LEGISLATION

Allocation of Administration of Acts

The Cabinet Office, Sydney
21 August 2002

ALLOCATION OF THE ADMINISTRATION OF ACTS

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

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

ANDREW REFSHAUGE,
Acting Premier

PREMIER

Anti-Discrimination Act 1977 No 48, Part 9A (remainder, Attorney General)
Anzac Memorial (Building) Act 1923 No 27
Australia Acts (Request) Act 1985 No 109
Centennial Park and Moore Park Trust Act 1983 No 145
Child Protection (Prohibited Employment) Act 1998 No 147
Commission for Children and Young People Act 1998 No 146
Competition Policy Reform (New South Wales) Act 1995 No 8
Constitution Act 1902 No 32
Constitution Further Amendment (Referendum) Act 1930 No 2
Constitution (Legislative Council Reconstitution) Savings Act 1993 No 19
Constitution (Public Service) Amendment Act 1916 No 45
Election Funding Act 1981 No 78
Essential Services Act 1988 No 41, Parts 1 and 2 (remainder, Minister for Industrial Relations)
Freedom of Information Act 1989 No 5
Independent Commission Against Corruption Act 1988 No 35
Independent Commission Against Corruption (Commissioner) Act 1994 No 61
Independent Pricing and Regulatory Tribunal Act 1992 No 39
Interpretation Act 1987 No 15
Licensing and Registration (Uniform Procedures) Act 2002 No 28
Mutual Recognition (New South Wales) Act 1992 No 61
Ombudsman Act 1974 No 68
Parliamentary Electorates and Elections Act 1912 No 41
Parliamentary Evidence Act 1901 No 43
Parliamentary Precincts Act 1997 No 66
Parliamentary Remuneration Act 1989 No 160
Protected Disclosures Act 1994 No 92
Public Finance and Audit Act 1983 No 152, sections 28, 28A, 29, 30, 34 and Schedule 1 (remainder, Treasurer)
Public Sector Employment and Management Act 2002 No 43 (except Chapter 7, Minister for Public Works and Services)
Public Sector Management Act 1988 No 33 (except sections, Minister for Public Works and Services)
Public Service (Commonwealth Elections) Act 1943 No 12
Regulation Review Act 1987 No 165
Reprints Act 1972 No 48
Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935 No 39
Royal Commission (Police Service) Act 1994 No 60
Royal Commissions Act 1923 No 29
Seat of Government Surrender Act 1909 No 14
Seat of Government Surrender Act 1915 No 9
Seat of Government Surrender (Amendment) Act 1923 No 31
Senators' Elections Act 1903 No 9
Special Commissions of Inquiry Act 1983 No 90
State Owned Corporations Act 1989 No 134
Statutory and Other Offices Remuneration Act 1975 (1976 No 4)

Subordinate Legislation Act 1989 No 146
Subordinate Legislation (Repeal) Act 1985 No 232
Transferred Officers Extended Leave Act 1961 No 13
Trans-Tasman Mutual Recognition (New South Wales) Act 1996 No 102
Visy Mill Facilitation Act 1997 No 139
Youth Advisory Council Act 1989 No 39

MINISTER FOR THE ARTS

Art Gallery of New South Wales Act 1980 No 65
Australian Museum Trust Act 1975 No 95
Copyright Act 1879 42 Vic No 20
Film and Television Office Act 1988 No 18
Historic Houses Act 1980 No 94
Library Act 1939 No 40
Museum of Applied Arts and Sciences Act 1945 No 31
State Records Act 1998 No 17
Sydney Opera House Trust Act 1961 No 9

MINISTER FOR CITIZENSHIP

Community Relations Commission and Principles of Multiculturalism Act 2000 No 77

DEPUTY PREMIER

Nil

MINISTER FOR PLANNING

Blue Mountains Land Development (Special Provisions) Act 1985 No 55
Botany and Randwick Sites Development Act 1982 No 99
Coastal Protection Act 1979 No 13, Part 2 (remainder, Minister for Land and Water Conservation)
Environmental Planning and Assessment Act 1979 No 203
Environmental Planning and Assessment Amendment (Affordable Housing) Act 2000 No 29
Forestry and National Park Estate Act 1998 No 163
Growth Centres (Development Corporations) Act 1974 No 49
Heritage Act 1977 No 136
Kooragang Coal Terminal (Special Provisions) Act 1997 No 138
Land Development Contribution Act 1970 No 24
Land Development Contribution Management Act 1970 No 22
Landcom Corporation Act 2001 No 129
National Park Estate (Southern Region Reservations) Act 2000 No 103
National Trust of Australia (New South Wales) Act 1990 No 92
Port Kembla Development (Special Provisions) Act 1997 No 40
Sir Henry Parkes National (War) Memorial Museum and Library Act 1957 No 47
State Environmental Planning (Permissible Mining) Act 1996 No 27
Sydney Entertainment Centre Act 1980 No 135
Sydney Harbour Foreshore Authority Act 1998 No 170
Walsh Bay Development (Special Provisions) Act 1999 No 3

Warnervale Airport (Restrictions) Act 1996 No 57

Western Sydney Regional Park (Revocation for Western Sydney Orbital) Act 2001 No 60

MINISTER FOR ABORIGINAL AFFAIRS

Aboriginal Land Rights Act 1983 No 42

MINISTER FOR HOUSING

Aboriginal Housing Act 1998 No 47

Commonwealth and State Housing Agreement Act 1946 No 19

Commonwealth and State Housing Agreement Act 1955 No 41

HomeFund Restructuring Act 1993 No 112 (except parts, Minister for Fair Trading)

Housing Act 2001 No 52

Housing Agreement Act 1956 No 35

Housing Agreement Act 1961 No 39

Housing Agreement Act 1966 No 40

Housing Agreement Act 1973 No 57

Housing Agreement Act 1974 No 90

Housing Agreement Act 1978 No 149

Housing Agreement Act 1981 No 129

Housing Agreement Act 1985 No 32

Loan Fund Companies Act 1976 No 94

TREASURER

Accommodation Levy Act 1997 No 32

Annual Reports (Departments) Act 1985 No 156

Annual Reports (Statutory Bodies) Act 1984 No 87

Australia and New Zealand Banking Group Limited (NMRB) Act 1991 No 35

Bank Integration Act 1992 No 80

Bank Mergers Act 1996 No 130

Bank Mergers (Application of Laws) Act 1996 No 64

Banks and Bank Holidays Act 1912 No 43, section 22 (remainder, Minister for Industrial Relations)

Betting Tax Act 2001 No 43

Canberra Advance Bank Limited (Merger) Act 1992 No 17

Capital Debt Charges Act 1957 No 1

Commonwealth Places (Mirror Taxes Administration) Act 1998 No 100

Commonwealth Powers (State Banking) Act 1992 No 104

Conversions of Securities Adjustment Act 1931 No 63

Dartmouth Reservoir (Financial Agreement) Act 1970 No 30

Debits Tax Act 1990 No 112

Decimal Currency Act 1965 No 33

Duties Act 1997 No 123

Energy Services Corporations Act 1995 No 95

Fines Act 1996 No 99 (except parts, Attorney General)

First Home Owner Grant Act 2000 No 21

Finances Adjustment Act 1932 No 27

Financial Agreement Act 1944 No 29
Financial Agreement Act 1994 No 71
Financial Agreement (Amendment) Act 1976 No 35
Financial Agreement (Decimal Currency) Act 1966 No 39
Financial Agreement Ratification Act 1928 No 14
Financial Agreement (Returned Soldiers Settlement) Ratification Act 1935 No 1
Financial Sector Reform (New South Wales) Act 1999 No 1
Freight Rail Corporation (Sale) Act 2001 No 35
General Government Debt Elimination Act 1995 No 83
General Government Liability Management Fund Act 2002 No 60
Government Guarantees Act 1934 No 57
Government Insurance Office (Privatisation) Act 1991 No 38
Health Insurance Levies Act 1982 No 159
Inscribed Stock Act 1902 No 79
Inscribed Stock (Issue and Renewals) Act 1912 No 51
Insurance Protection Tax Act 2001 No 40
Interest Reduction Act 1931 No 44
Intergovernmental Agreement Implementation (GST) Act 2000 No 44
Internal Audit Bureau Act 1992 No 20
Land Tax Act 1956 No 27
Land Tax Management Act 1956 No 26
NSW Grain Corporation Holdings Limited Act 1992 No 31
Pay-roll Tax Act 1971 No 22
Petroleum Products Subsidy Act 1997 No 112
Premium Property Tax Act 1998 No 79
Public Authorities (Financial Arrangements) Act 1987 No 33
Public Finance and Audit Act 1983 No 152 (except parts, Premier)
Public Loans Act 1902 No 81
Revenue Laws (Reciprocal Powers) Act 1987 No 86
Road Improvement (Special Funding) Act 1989 No 95
Secondary Mortgage Market (State Equity Participation) Act 1985 No 131
Snowy Hydro Corporatisation Act 1997 No 99
Stamp Duties Act 1920 No 47
State Bank (Corporatisation) Act 1989 No 195
State Bank of South Australia (Transfer of Undertaking) Act 1994 No 47
State Bank (Privatisation) Act 1994 No 73
Superannuation Administration Act 1996 No 39
Superannuation (Axiom Funds Management Corporation) Act 1996 No 40
Sydney Olympic Park Authority Act 2001 No 57
Sydney 2000 Games Administration Act 2000 No 81
Taxation Administration Act 1996 No 97
Totalizator Act 1997 No 45, section 70 and sections 72-79 (remainder, Minister for Gaming and Racing)
Totalizator Agency Board Privatisation Act 1997 No 43
Treasury Corporation Act 1983 No 75
Trustees Protection Act 1931 No 28

Unclaimed Money Act 1995 No 75

Wills, Probate and Administration Act 1898 No 13, section 61B (7) and (8) (remainder, Attorney General)

MINISTER FOR STATE DEVELOPMENT

Innovation Council Act 1996 No 77

New South Wales Investment Corporation (Sale) Act 1988 No 50

State Development and Industries Assistance Act 1966 No 10

Very Fast Train (Route Investigation) Act 1989 No 44

VICE-PRESIDENT OF THE EXECUTIVE COUNCIL

Nil

MINISTER FOR HEALTH

Ambulance Services Act 1990 No 16

Anatomy Act 1977 No 126

Centenary Institute of Cancer Medicine and Cell Biology Act 1985 No 192

Chiropractors Act 2001 No 15

Chiropractors and Osteopaths Act 1991 No 7

Dental Practice Act 2001 No 64

Dental Technicians Registration Act 1975 No 40

Dentists Act 1989 No 139

Drug Misuse and Trafficking Act 1985 No 226, Part 2A (jointly with the Minister for Police, remainder, Attorney General)

Fluoridation of Public Water Supplies Act 1957 No 58

Food Act 1989 No 231

Garvan Institute of Medical Research Act 1984 No 106

Gladesville Mental Hospital Cemetery Act 1960 No 45

Health Administration Act 1982 No 135

Health Care Complaints Act 1993 No 105

Health Care Liability Act 2001 No 42

Health Professionals (Special Events Exemption) Act 1997 No 90

Health Services Act 1997 No 154

Human Tissue Act 1983 No 164

Lunacy and Inebriates (Commonwealth Agreement Ratification) Act 1937 No 37

Lunacy (Norfolk Island) Agreement Ratification Act 1943 No 32

Medical Practice Act 1992 No 94

Mental Health Act 1990 No 9

New South Wales Cancer Council Act 1995 No 43

New South Wales Institute of Psychiatry Act 1964 No 44

Nurses Act 1991 No 9

Nursing Homes Act 1988 No 124

Optical Dispensers Act 1963 No 35

Optometrists Act 1930 No 20

Optometrists Act 2002 No 30

Osteopaths Act 2001 No 16

Pharmacy Act 1964 No 48
Physiotherapists Act 2001 No 67
Physiotherapists Registration Act 1945 No 9
Podiatrists Act 1989 No 23
Poisons and Therapeutic Goods Act 1966 No 31
Private Hospitals and Day Procedure Centres Act 1988 No 123
Psychologists Act 1989 No 51
Psychologists Act 2001 No 69
Public Health Act 1991 No 10
Smoke Free Environment Act 2000 No 69
Sydney Hospital (Trust Property) Act 1984 No 133
Tuberculosis Act 1970 No 18

ATTORNEY GENERAL

Administration of Justice Act 1924 No 42
Administration (Validating) Act 1900 No 38
Administrative Decisions Tribunal Act 1997 No 76
Anglican Church of Australia (Bodies Corporate) Act 1938 No 15
Animals Act 1977 No 25
Anti-Discrimination Act 1977 No 48 (except part, Premier)
Antiochian Orthodox Church Property Trust Act 1993 No 20
Application of Laws (Coastal Sea) Act 1980 No 146
Arbitration (Civil Actions) Act 1983 No 43
Attachment of Wages Limitation Act 1957 No 28
Australian Mutual Provident Society Act 1988 No 47
Australian Mutual Provident Society (Demutualisation and Reconstruction) Act 1997 No 56
Bail Act 1978 No 161
Benevolent Society (Reconstitution) Act 1998 No 153
Births, Deaths and Marriages Registration Act 1995 No 62
Burns Philp Trustee Company Limited Act 1990 No 82
Charitable Trusts Act 1993 No 10
Children (Criminal Proceedings) Act 1987 No 55
Children (Protection and Parental Responsibility) Act 1997 No 78
Children's Court Act 1987 No 53
Choice of Law (Limitation Periods) Act 1993 No 94
Churches of Christ in New South Wales Incorporation Act 1947 No 2
Churches of Christ, Scientist, Incorporation Act 1962 No 21
Civil Liability Act 2002 No 22
Classification (Publications, Films and Computer Games) Enforcement Act 1995 No 63
Commercial Arbitration Act 1984 No 160
Common Carriers Act 1902 No 48
Commonwealth Bank (Interpretation) Act 1953 No 29
Commonwealth Places (Administration of Laws) Act 1970 No 80
Commonwealth Powers (Family Law - Children) Act 1986 No 182
Community Justice Centres Act 1983 No 127

Community Protection Act 1994 No 77
Companies (Acquisition of Shares) (Application of Laws) Act 1981 No 62
Companies (Acquisition of Shares) (New South Wales) Code
Companies (Administration) Act 1981 No 64
Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981 No 63
Companies and Securities (Interpretation and Miscellaneous Provisions) (New South Wales) Code
Companies (Application of Laws) Act 1981 No 122
Companies (New South Wales) Code
Compensation Court Act 1984 No 89
Compensation Court Repeal Act 2002 No 23
Compensation to Relatives Act 1897 No 31
Confiscation of Proceeds of Crime Act 1989 No 90
Constitutional Powers (Coastal Waters) Act 1979 No 138
Contractors Debts Act 1997 No 110
Co-operative Schemes (Administrative Actions) Act 2001 No 45
Coptic Orthodox Church (NSW) Property Trust Act 1990 No 67
Coroners Act 1980 No 27
Corporations (Administrative Actions) Act 2001 No 33
Corporations (Ancillary Provisions) Act 2001 No 32
Corporations (Commonwealth Powers) Act 2001 No 1
Corporations (New South Wales) Act 1990 No 83
Costs in Criminal Cases Act 1967 No 13
Council of Law Reporting Act 1969 No 59
Crimes Act 1900 No 40
Crimes at Sea Act 1998 No 173
Crimes (Forensic Procedures) Act 2000 No 59
Crimes (Local Courts Appeal and Review) Act 2001 No 120
Crimes Prevention Act 1916 No 80
Crimes (Sentencing Procedure) Act 1999 No 92
Criminal Appeal Act 1912 No 16
Criminal Procedure Act 1986 No 209
Criminal Records Act 1991 No 8
Crown Advocate Act 1979 No 59
Crown Proceedings Act 1988 No 70
Crown Prosecutors Act 1986 No 208
Damage by Aircraft Act 1952 No 46
Damages (Infants and Persons of Unsound Mind) Act 1929 No 25
Defamation Act 1974 No 18
Director of Public Prosecutions Act 1986 No 207
Discharged Servicemen's Badges Act 1964 No 49
Disorderly Houses Act 1943 No 6
District Court Act 1973 No 9
Domicile Act 1979 No 118
Dormant Funds Act 1942 No 25

Drug Court Act 1998 No 150
Drug Misuse and Trafficking Act 1985 No 226 (except part, Minister for Police, and Minister for Health)
Dust Diseases Tribunal Act 1989 No 63
Electronic Transactions Act 2000 No 8
Employees Liability Act 1991 No 4
Evidence Act 1995 No 25
Evidence (Audio and Audio Visual Links) Act 1998 No 105
Evidence (Children) Act 1997 No 143
Evidence (Consequential and Other Provisions) Act 1995 No 27, Schedule 2
Evidence on Commission Act 1995 No 26
Factors (Mercantile Agents) Act 1923 No 2
Family Provision Act 1982 No 160
Felons (Civil Proceedings) Act 1981 No 84
Financial Transaction Reports Act 1992 No 99
Fines Act 1996 No 99, Part 2, Division 1 and 2, section 120 (in so far as it relates to registrars of the courts and the Sheriff) and Section 123 (remainder, Treasurer)
Federal Courts (State Jurisdiction) Act 1999 No 22
Foreign Judgments Act 1973 No 39
Forfeiture Act 1995 No 65
Frustrated Contracts Act 1978 No 105
Futures Industry (Application of Laws) Act 1986 No 66
Futures Industry (New South Wales) Code
Greek Orthodox Archdiocese of Australia Consolidated Trust Act 1994 No 65
Habitual Criminals Act 1957 No 19
Holy Apostolic Catholic Assyrian Church of the East Property Trust Act 1992 No 10
Imperial Acts Application Act 1969 No 30
Inclosed Lands Protection Act 1901 No 33
Industrial Relations Act 1996 No 17, sections 147, 148 (except in relation to the appointment of Commissioners), 149, 150, 151, 152, 153, 154, 156(3), 157(3), 159(2), 164(2), 168, 180, 185(2)(d) and (e), 196, 197, 207, 208, 381, 382, 383, 407 (in relation to provisions administered by the Attorney General), Schedule 2 (in relation to provisions administered by the Attorney General), and Schedule 4 (in relation to provisions administered by the Attorney General), (remainder, Minister for Industrial Relations)
Inebriates Act 1912 No 24
Infants' Custody and Settlements Act 1899 No 39
Inheritance Act of 1901 No 19
Insurance Act 1902 No 49
Insurance (Application of Laws) Act 1986 No 13
Intoxicated Persons Act 1979 No 67
Judges' Pensions Act 1953 No 41
Judgment Creditors' Remedies Act 1901 No 8
Judicial Office (Papua New Guinea) Act 1979 No 177
Judicial Officers Act 1986 No 100
Jurisdiction of Courts (Cross-vesting) Act 1987 No 125
Jurisdiction of Courts (Foreign Land) Act 1989 No 190
Jury Act 1977 No 18

Justices Act 1902 No 27

Justices of the Peace Act 2002 No 27

Land and Environment Court Act 1979 No 204

Law and Justice Foundation Act 2000 No 97

Law Courts Limited Act 1977 No 10

Law Reform Commission Act 1967 No 39

Law Reform (Law and Equity) Act 1972 No 28

Law Reform (Marital Consortium) Act 1984 No 38

Law Reform (Miscellaneous Provisions) Act 1944 No 28

Law Reform (Miscellaneous Provisions) Act 1946 No 33

Law Reform (Miscellaneous Provisions) Act 1965 No 32

Law Reform (Vicarious Liability) Act 1983 No 38

Legal Aid Commission Act 1979 No 78

Legal Profession Act 1987 No 109

Lie Detectors Act 1983 No 62

Limitation Act 1969 No 31

Liquor Act 1982 No 147, Part 2 (remainder, Minister for Gaming and Racing)

Listening Devices Act 1984 No 69

Local Courts Act 1982 No 164

Local Courts (Civil Claims) Act 1970 No 11

Lutheran Church of Australia (New South Wales District) Property Trust Act 1982 No 101

Maintenance, Champerty and Barratry Abolition Act 1993 No 88

Maintenance Orders (Facilities for Enforcement) Act 1923 No 4

Marketable Securities Act 1970 No 72

Married Persons (Equality of Status) Act 1996 No 96

Matrimonial Causes Act 1899 No 14

Mental Health (Criminal Procedure) Act 1990 No 10

Methodist Church of Samoa in Australia Property Trust Act 1998 No 96

Mining Act 1992 No 29, section 293 (remainder, Minister for Mineral Resources)

Minors (Property and Contracts) Act 1970 No 60

Moratorium Act 1932 No 57

Notice of Action and Other Privileges Abolition Act 1977 No 19

Oaths Act 1900 No 20

Parliamentary Papers (Supplementary Provisions) Act 1975 No 49

Partnership Act 1892 55 Vic. No 12

Piracy Punishment Act 1902 No 69

Police Powers (Drug Detection Dogs) Act 2001 No 115

Police Powers (Drug Premises) Act 2001 No 30

Police Powers (Internally Concealed Drugs) Act 2001 No 31

Police (Special Provisions) Act 1901 No 5 (except part, Minister for Police)

Presbyterian Church of Australia Act 1971 No 42

Pre-Trial Diversion of Offenders Act 1985 No 153

Printing and Newspapers Act 1973 No 46

Privacy and Personal Information Protection Act 1998 No 133

Professional Standards Act 1994 No 81

Property (Relationships) Act 1984 No 147
Protected Estates Act 1983 No 179
Public Defenders Act 1995 No 28
Public Notaries Act 1997 No 98
Public Trustee Act 1913 No 19
Recovery of Imposts Act 1963 No 21
Reorganised Church of Jesus Christ of Latter Day Saints Trust Property Act 1959 No 13
Restraints of Trade Act 1976 No 67
Roman Catholic Church Communities' Lands Act 1942 No 23
Roman Catholic Church Trust Property Act 1936 No 24
Royal Institute for Deaf and Blind Children Act 1998 No 6
Russian Orthodox Church Property Trust Act 1991 No 91
Sale of Goods Act 1923 No 1
Sale of Goods (Vienna Convention) Act 1986 No 119
Scout Association of Australia (New South Wales Branch) Incorporation Act 1928 No 26
Sea-Carriage Documents Act 1997 No 92
Search Warrants Act 1985 No 37
Securities Industry (Application of Laws) Act 1981 No 61
Sheriff Act 1900 No 16
Solicitor General Act 1969 No 80
Standard Time Act 1987 No 149
Status of Children Act 1996 No 76
Statutory Duties (Contributory Negligence) Act 1945 No 1
Stewards' Foundation of Christian Brethren Act 1989 No 172
Suitors' Fund Act 1951 No 3
Summary Offences Act 1988 No 25
Sunday (Service of Process) Act 1984 No 45
Supreme Court Act 1970 No 52
Telecommunications (Interception) (New South Wales) Act 1987 No 290
Testator's Family Maintenance and Guardianship of Infants Act 1916 No 41
Trustee Act 1925 No 14
Trustee Companies Act 1964 No 6
Trustees Delegation of Powers Act 1915 No 31
Unauthorised Documents Act 1922 No 6
Uncollected Goods Act 1995 No 68
Uniting Church in Australia Act 1977 No 47
Victims Rights Act 1996 No 114
Victims Support and Rehabilitation Act 1996 No 115
Voluntary Workers (Soldiers' Holdings) Amendment Act 1974 No 27, sections 4 to 9 (remainder, Minister for Land and Water Conservation)
Westpac Banking Corporation (Transfer of Incorporation) Act 2000 No 71
Wills, Probate and Administration Act 1898 No 13 (except parts, Treasurer)
Witnesses Examination Act 1900 No 34
Workplace Video Surveillance Act 1998 No 52
Young Offenders Act 1997 No 54 (except parts, Minister for Juvenile Justice)

MINISTER FOR THE ENVIRONMENT

Contaminated Land Management Act 1997 No 140

Crown Lands Act 1989 No 6, so far as it relates to the Crown Reserve known as Parramatta Park, reserve number D500239, and the Crown Reserve known as Jenolan Caves Reserves, reserve number 190075 for preservation of caves, preservation of fauna, preservation of native flora and public recreation and the land dedicated for the public purpose of accommodation house D590137, in the Parishes of Jenolan, Bombah and Bouverie, Counties of Westmoreland and Georgiana, (remainder, Minister for Land and Water Conservation)

Environmental Trust Act 1998 No 82

Environmentally Hazardous Chemicals Act 1985 No 14

Forestry Restructuring and Nature Conservation Act 1995 No 50

Forestry Revocation and National Park Reservation Act 1996 No 131

Forestry Revocation and National Parks Reservation Act 1983 No 37, section 5 and Schedules 1, 2 and clauses 2 to 5 of Schedule 4 (remainder, Minister for Forestry)

Forestry Revocation and National Parks Reservation Act 1984 No 85, sections 4, 5 and Schedules 1, 2, 3 and 4 and clauses 2 to 6 of Schedule 5 (remainder, Minister for Forestry)

Lane Cove National Park (Sugarloaf Point Additions) Act 1996 No 71

Lord Howe Island Act 1953 No 39

Lord Howe Island Aerodrome Act 1974 No 25

Marine Parks Act 1997 No 64 (jointly with the Minister for Fisheries)

National Environment Protection Council (New South Wales) Act 1995 No 4

National Parks and Wildlife Act 1974 No 80 (except in so far as it relates to part of Burrinjuck State Recreation Area, Minister for Land and Water Conservation)

National Parks and Wildlife (Adjustment of Areas) Act 2001 No 49

Nature Conservation Trust Act 2001 No 10

Ozone Protection Act 1989 No 208

Parramatta Park Trust Act 2001 No 17

Pesticides Act 1978 No 57

Pesticides Act 1999 No 80

Protection of the Environment Administration Act 1991 No 60

Protection of the Environment Operations Act 1997 No 156

Radiation Control Act 1990 No 13

Recreation Vehicles Act 1983 No 136 (except parts, Minister for Roads)

Road and Rail Transport (Dangerous Goods) Act 1997 No 113, so far as it relates to the on-road and on-rail transport of dangerous goods by road or rail (remainder, Minister for Industrial Relations)

Roads Act 1993 No 33, so far as it relates to Lord Howe Island (remainder, Minister for Roads, Minister for Land and Water Conservation, and Minister for Local Government)

Royal Botanic Gardens and Domain Trust Act 1980 No 19

Sydney Water Catchment Management Act 1998 No 171

Threatened Species Conservation Act 1995 No 101

Unhealthy Building Land Act 1990 No 122

Waste Avoidance and Resource Recovery Act 2001 No 58

Waste Recycling and Processing Corporation Act 2001 No 59

Wilderness Act 1987 No 196

Zoological Parks Board Act 1973 No 34

MINISTER FOR EMERGENCY SERVICES

Fire Brigades Act 1989 No 192
Fire Services Joint Standing Committee Act 1998 No 18
Rural Fires Act 1997 No 65
State Emergency and Rescue Management Act 1989 No 165
State Emergency Service Act 1989 No 164

MINISTER ASSISTING THE PREMIER ON THE ARTS

Nil

SPECIAL MINISTER OF STATE

Coal and Oil Shale Mine Workers (Superannuation) Act 1941 No 45
First State Superannuation Act 1992 No 100
Hunter District Water Board Employees' Provident Fund (Special Provisions) Act 1987 No 213
Local Government and Other Authorities (Superannuation) Act 1927 No 35
Motor Accidents Act 1988 No 102
Motor Accidents Compensation Act 1999 No 41
Motor Vehicles (Third Party Insurance) Act 1942 No 15
New South Wales Retirement Benefits Act 1972 No 70
Occupational Health and Safety Act 2000 No 40 (except parts, Minister for Mineral Resources)
Parliamentary Contributory Superannuation Act 1971 No 53
Police Association Employees (Superannuation) Act 1969 No 33
Police Regulation (Superannuation) Act 1906 No 28
Public Authorities Superannuation Act 1985 No 41
State Authorities Non-contributory Superannuation Act 1987 No 212
State Authorities Superannuation Act 1987 No 211
State Public Service Superannuation Act 1985 No 45
Superannuation Act 1916 No 28
Superannuation Administration Authority Corporatisation Act 1999 No 5
Transport Employees Retirement Benefits Act 1967 No 96
Workers Compensation Act 1987 No 70
Workers' Compensation (Brucellosis) Act 1979 No 116
Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987 No 83
Workers' Compensation (Dust Diseases) Act 1942 No 14
Workmen's Compensation (Lead Poisoning-Broken Hill) Act 1922 No 31
Workplace Injury Management and Workers Compensation Act 1998 No 86

MINISTER FOR INDUSTRIAL RELATIONS

Annual Holidays Act 1944 No 31
Associated General Contractors Insurance Company Limited Act 1980 No 38
Banks and Bank Holidays Act 1912 No 43 (except part, Treasurer)
Bishopsgate Insurance Australia Limited Act 1983 No 81
Broken Hill Trades Hall Site Act of 1898 No 31
Broken Hill Trades Hall Site Extension Act 1915 No 42
Builders Labourers Federation (Special Provisions) Act 1986 No 17

Building and Construction Industry Long Service Payments Act 1986 No 19
Coal Industry Act 2001 No 107
Coal Industry (Industrial Matters) Act 1946 No 44
Dangerous Goods Act 1975 No 68
Employment Protection Act 1982 No 122
Entertainment Industry Act 1989 No 230
Essential Services Act 1988 No 41 (except parts, Premier)
Funeral Services Industry (Days of Operation) Repeal Act 2000 No 14
Government and Related Employees Appeal Tribunal Act 1980 No 39
Industrial Arbitration (Special Provisions) Act 1984 No 121
Industrial Relations Act 1996 No 17 (except parts, Attorney General)
Industrial Relations (Ethical Clothing Trades) Act 2001 No 128
Long Service Leave Act 1955 No 38
Long Service Leave (Metalliferous Mining Industry) Act 1963 No 48
Road and Rail Transport (Dangerous Goods) Act 1997 No 113 (except parts, Minister for the Environment)
Rural Workers Accommodation Act 1969 No 34
Shops and Industries Act 1962 No 43
Sporting Injuries Insurance Act 1978 No 141
The Standard Insurance Company Limited and Certain Other Insurance Companies Act 1963 No 18
Transport Appeal Boards Act 1980 No 104

ASSISTANT TREASURER

Nil

MINISTER ASSISTING THE PREMIER ON PUBLIC SECTOR MANAGEMENT

Nil

MINISTER ASSISTING THE PREMIER FOR THE CENTRAL COAST

Nil

MINISTER FOR TRANSPORT

Air Navigation Act 1938 No 9
Air Transport Act 1964 No 36
Border Railways (Grain Elevators) Amendment Act 1957 No 9
Broken Hill to South Australian Border Railway Agreement Act 1968 No 59
Civil Aviation (Carriers' Liability) Act 1967 No 64
Commercial Vessels Act 1979 No 41
Glenreagh to Dorrigo Railway (Closure) Act 1993 No 65
Marine (Boating Safety-Alcohol and Drugs) Act 1991 No 80
Marine Pilotage Licensing Act 1971 No 56
Marine Pollution Act 1987 No 299
Marine Safety Act 1998 No 121
Marine Safety Legislation (Lakes Hume and Mulwala) Act 2001 No 78
Maritime Services Act 1935 No 47
National Rail Corporation (Agreement) Act 1991 No 82

Navigation Act 1901 No 60

Parking Space Levy Act 1992 No 32

Passenger Transport Act 1990 No 39

Ports Corporatisation and Waterways Management Act 1995 No 13

Rail Safety Act 1993 No 50

Railway Construction (East Hills to Campbelltown) Act 1983 No 111

Railway Construction (Maldon to Port Kembla) Act 1983 No 112

Tow Truck Industry Act 1998 No 111

Transport Administration Act 1988 No 109 (jointly with Minister for Roads)

MINISTER FOR ROADS

Campbelltown Presbyterian Cemetery Act 1984 No 19

Driving Instructors Act 1992 No 3

Motor Vehicles Taxation Act 1988 No 111

Recreation Vehicles Act 1983 No 136, Parts 4 and 6 (remainder, Minister for the Environment)

Road Transport (Driver Licensing) Act 1998 No 99

Road Transport (General) Act 1999 No 18

Road Transport (Heavy Vehicles Registration Charges) Act 1995 No 72

Road Transport (Safety and Traffic Management) Act 1999 No 20

Road Transport (Vehicle Registration) Act 1997 No 119

Roads Act 1993 No 33 (except parts, Minister for the Environment, Minister for Land and Water Conservation, and Minister for Local Government)

Sydney Harbour Tunnel (Private Joint Venture) Act 1987 No 49

Transport Administration Act 1988 No 109 (jointly with Minister for Transport)

MINISTER FOR LAND AND WATER CONSERVATION

Australian Lubricating Oil Refinery Limited Agreement Ratification Act 1962 No 16

Australian Oil Refining Limited Agreement Ratification Act 1954 No 34

Australian Oil Refining Pty. Limited Agreement Ratification (Amendment) Act 1961 No 35

Botany Cemetery and Crematorium Act 1972 No 6

Broken Hill Proprietary Company Limited (Reclamation and Exchange) Agreement Ratification Act 1950 No 11

Broken Hill Proprietary Company Limited (Steelworks) Agreement Ratification Act 1950 No 12

Camperdown Cemetery Act 1948 No 14

Catchment Management Act 1989 No 235

Chipping Norton Lake Authority Act 1977 No 38

Christ Church Cathedral, Newcastle, Cemetery Act 1966 No 20

Coastal Protection Act 1979 No 13 (except part, Minister for Planning)

Commons Management Act 1989 No 13

Conversion of Cemeteries Act 1974 No 17

Crown Lands Act 1989 No 6 (except parts, Minister for the Environment)

Crown Lands (Amendment) Act 1932 No 69

Crown Lands (Continued Tenures) Act 1989 No 7

Crown Lands (Validation of Revocations) Act 1983 No 55

Dams Safety Act 1978 No 96

Farm Water Supplies Act 1946 No 22

Googong Dam Catchment Area Act 1975 No 4
Gore Hill Memorial Cemetery Act 1986 No 116
Gosford Cemeteries Act 1970 No 84
Hay Irrigation Act 1902 No 57
Hunter Water Act 1991 No 53, Part 5, Division 8, (remainder, Minister for Energy)
Irrigation Areas (Reduction of Rents) Act 1974 No 83
Irrigation, Water and Rivers and Foreshores Improvement (Amendment) Act 1955 No 12
Lake Illawarra Authority Act 1987 No 285
Land Agents Act 1927 No 3
Luna Park Site Act 1990 No 59
Menindee Lakes Storage Agreement Act 1964 No 4
Mudgee Cemeteries Act 1963 No 2
Murray-Darling Basin Act 1992 No 65
Murrumbidgee Irrigation Areas Occupiers Relief Act 1934 No 52
National Parks and Wildlife Act 1974 No 80, in so far as it relates to part of Burrinjuck State Recreation Area
(remainder, Minister for the Environment)
Native Title (New South Wales) Act 1994 No 45
Native Vegetation Conservation Act 1997 No 133
Necropolis Act 1901 (1902 No 20)
New South Wales - Queensland Border Rivers Act 1947 No 10
Newcastle International Sports Centre Act 1967 No 63
Old Balmain (Leichhardt) Cemetery Act 1941 No 12
Old Liverpool Cemetery Act 1970 No 49
Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969 No 56
Old Wallsend Cemetery Act 1953 No 5
Parramatta Methodist Cemetery Act 1961 No 44
Parramatta Park (Old Government House) Act 1967 No 33
Plantations and Reafforestation Act 1999 No 97
Public Reserves Management Fund Act 1987 No 179
Public Works Act 1912 No 45, section 34 (3) and (4) (remainder, Minister for Public Works and Services)
Queanbeyan Showground (Variation of Purposes) Act 1995 No 14
Rivers and Foreshores Improvement Act 1948 No 20
Roads Act 1993 No 33, Parts 2, 4 and 12 (section 178 (2) excepted) and section 148; and the remaining
provisions of the Act so far as they relate to Crown roads (remainder, Minister for the Environment,
Minister for Roads, and Minister for Local Government)
St. Andrew's Church of England, Mayfield, Cemetery Act 1957 No 39
St. Andrew's Presbyterian Church, Woonona, Cemetery Act 1966 No 6
St. Anne's Church of England, Ryde, Act 1968 No 47
St. George's Church of England, Hurstville, Cemetery Act 1961 No 63
St. Peter's Church of England, Cook's River, Cemetery Act 1968 No 48
St. Thomas' Church of England, North Sydney, Cemetery Act 1967 No 22
Soil Conservation Act 1938 No 10
Trustees of Schools of Arts Enabling Act 1902 No 68
Tweed River Entrance Sand Bypassing Act 1995 No 55
Voluntary Workers (Soldiers' Holdings) Act 1917 No 25
Voluntary Workers (Soldiers' Holdings) Amendment Act 1974 No 27 (except parts, Attorney General)

Wagga Wagga Racecourse Act 1993 No 109, sections 4 and 5 (remainder, Minister for Gaming and Racing)
Water Act 1912 No 44
Water Management Act 2000 No 92
Wentworth Irrigation Act 1890 54 Vic. No 7
Western Lands Act 1901 No 70
Wild Dog Destruction Act 1921 No 17
Wollongong Sportsground Act 1986 No 174

MINISTER FOR FAIR TRADING

Associations Incorporation Act 1984 No 143
Business Names Act 1962 No 11
Community Land Management Act 1989 No 202
Consumer Claims Act 1998 No 162
Consumer Credit Administration Act 1995 No 69
Consumer Credit (New South Wales) Act 1995 No 7
Consumer, Trader and Tenancy Tribunal Act 2001 No 82
Contracts Review Act 1980 No 16
Conveyancers Licensing Act 1995 No 57
Co-operation (Leeton Fruitgrowers' Agreements) Act 1951 No 36
Co-operative Housing and Starr-Bowkett Societies Act 1998 No 11
Co-operatives Act 1992 No 18
Credit Act 1984 No 94
Credit (Finance Brokers) Act 1984 No 96
Credit (Home Finance Contracts) Act 1984 No 97
Door-to-Door Sales Act 1967 No 36
Electricity Safety Act 1945 (1946 No 13) so far as it relates to electrical articles and electrical installations
(jointly with Minister for Energy)
Employment Agents Act 1996 No 18
Fair Trading Act 1987 No 68
Fitness Services (Pre-paid Fees) Act 2000 No 95
Funeral Funds Act 1979 No 106
Gas Supply Act 1996 No 38, section 83A (remainder, Minister for Energy)
Hire-Purchase (Repeal) Act 1981 No 127
Home Building Act 1989 No 147
HomeFund Commissioner Act 1993 No 9
HomeFund Restructuring Act 1993 No 112, sections 14, 15, 16 and Schedule 2 (remainder, Minister for
Housing)
Landlord and Tenant Act 1899 No 18
Landlord and Tenant (Amendment) Act 1948 No 25
Landlord and Tenant Amendment (Distress Abolition) Act 1930 No 49
Landlord and Tenant (Rental Bonds) Act 1977 No 44
Mock Auctions Act 1973 No 17
Motor Dealers Act 1974 No 52
Motor Vehicle Repairs Act 1980 No 71
Pawnbrokers and Second-hand Dealers Act 1996 No 13
Price Exploitation Code (New South Wales) Act 1999 No 55

Prices Regulation Act 1948 No 26
Property, Stock and Business Agents Act 1941 No 28
Property, Stock and Business Agents Act 2002 No 66
Registration of Interests in Goods Act 1986 No 37
Residential Parks Act 1998 No 142
Residential Tenancies Act 1987 No 26
Retirement Villages Act 1999 No 81
Strata Schemes Management Act 1996 No 138
Trade Measurement Act 1989 No 233
Trade Measurement Administration Act 1989 No 234
Travel Agents Act 1986 No 5
Valuers Registration Act 1975 No 92
Warehousemen's Liens Act 1935 No 19

MINISTER FOR INFORMATION TECHNOLOGY

Access to Neighbouring Land Act 2000 No 2
Bills of Sale Act 1898 No 10
Community Land Development Act 1989 No 201
Conveyancing Act 1919 No 6
Conveyancing and Law of Property Act 1898 No 17
Encroachment of Buildings Act 1922 No 23
Geographical Names Act 1966 No 13
Government Telecommunications Act 1991 No 77
Land Sales Act 1964 No 12
Liens on Crops and Wool and Stock Mortgages Act 1898 No 7
Perpetuities Act 1984 No 43
Real Property Act 1900 No 25
Real Property (Legal Proceedings) Act 1970 No 92
Registrar-General Act 1973 No 67
Strata Schemes (Freehold Development) Act 1973 No 68
Strata Schemes (Leasehold Development) Act 1986 No 219
Survey Co-ordination Act 1949 No 27
Survey (Geocentric Datum of Australia) Act 1999 No 30
Survey Marks Act 1902 No 56
Surveyors Act 1929 No 3
Transfer of Records Act 1923 No 14
Valuation of Land Act 1916 No 2
Year 2000 Information Disclosure Act 1999 No 23

MINISTER FOR ENERGY

Aberdare County Council (Dissolution) Act 1982 No 74
AGL Corporate Conversion Act 2002 No 16
Eastern Gas Pipeline (Special Provisions) Act 1996 No 126
Electricity (Pacific Power) Act 1950 No 22
Electricity Safety Act 1945 (1946 No 13) (except part jointly with Minister for Fair Trading)

Electricity Supply Act 1995 No 94
Energy Administration Act 1987 No 103
Eraring Power Station Act 1981 No 107
Gas Industry Restructuring Act 1986 No 213
Gas Pipelines Access (New South Wales) Act 1998 No 41
Gas Supply Act 1996 No 38 (except parts, Minister for Fair Trading)
Gosford-Wyong Electricity Supply (Special Provisions) Act 1985 No 182
Hunter Water Act 1991 No 53 (except parts, Minister for Land and Water Conservation)
National Electricity (New South Wales) Act 1997 No 20
Northern Rivers County Council (Undertaking Acquisition) Act 1981 No 95
Pipelines Act 1967 No 90
Sustainable Energy Development Act 1995 No 96
Sydney Water Act 1994 No 88

MINISTER FOR FORESTRY

Forestry Act 1916 No 55
Forestry Revocation and National Parks Reservation Act 1983 No 37 (except parts, Minister for the Environment)
Forestry Revocation and National Parks Reservation Act 1984 No 85 (except parts, Minister for the Environment)
Forestry (State Forest Revocation) Act 1978 No 98
Softwood Forestry Agreement Act 1968 No 20
Softwood Forestry Agreement Ratification Act 1980 No 90
Softwood Forestry (Further Agreement) Act 1973 No 7
Timber Marketing Act 1977 No 72

MINISTER FOR WESTERN SYDNEY

Nil

MINISTER FOR EDUCATION AND TRAINING

Apprenticeship and Traineeship Act 2001 No 80
Australian Catholic University Act 1990 No 110
Australian William E. Simon University Act 1988 No 89
Board of Adult and Community Education Act 1990 No 119
Board of Vocational Education and Training Act 1994 No 33
Charles Sturt University Act 1989 No 76
Education Act 1990 No 8
Education (Ancillary Staff) Act 1987 No 240
Higher Education Act 2001 No 102
Higher Education (Amalgamation) Act 1989 No 65
Macquarie University Act 1989 No 126
Moree and District War Memorial Educational Centre Act 1962 No 15
Parents and Citizens Associations Incorporation Act 1976 No 50
Saint Andrew's College Act 1998 No 15
Sancta Sophia College Incorporation Act 1929 No 45

School Forest Areas Act 1936 No 20

Southern Cross University Act 1993 No 69

Teacher Housing Authority Act 1975 No 27

Teachers' College Act 1912 No 47

Teaching Services Act 1980 No 23

Technical and Further Education Commission Act 1990 No 118

Technical Education Trust Funds Act 1967 No 95

University of New England Act 1993 No 68

University of New South Wales Act 1989 No 125

University of New South Wales (St George Campus) Act 1999 No 45

University of Newcastle Act 1989 No 68

University of Sydney Act 1989 No 124

University of Technology, Sydney, Act 1989 No 69

University of Western Sydney Act 1997 No 116

University of Wollongong Act 1989 No 127

Vocational Education and Training Accreditation Act 1990 No 120

West Scholarships Act 1930 No 19

Women's College Act 1902 No 71

MINISTER FOR AGRICULTURE

Agricultural and Veterinary Chemicals (New South Wales) Act 1994 No 53

Agricultural Industry Services Act 1998 No 45

Agricultural Livestock (Disease Control Funding) Act 1998 No 139

Agricultural Scientific Collections Trust Act 1983 No 148

Agricultural Tenancies Act 1990 No 64

Animal Research Act 1985 No 123

Apiaries Act 1985 No 16

Banana Industry Act 1987 No 66

Biological Control Act 1985 No 199

C.B. Alexander Foundation Incorporation Act 1969 No 61

Dairy Adjustment Programme Agreement Ratification Act 1975 No 31

Dairy Adjustment Programme Agreement Ratification Act 1977 No 98

Dairy Industry Act 2000 No 54

Dried Fruits (Repeal) Act 1997 No 124

Exhibited Animals Protection Act 1986 No 123

Exotic Diseases of Animals Act 1991 No 73

Farm Debt Mediation Act 1994 No 91

Farm Produce Act 1983 No 30

Farrer Memorial Research Scholarship Fund Act 1930 No 38

Fertilisers Act 1985 No 5

Food Production (Safety) Act 1998 No 128

Game and Feral Animal Control Act 2002 No 64

Grain Marketing Act 1991 No 15

Marginal Dairy Farms Reconstruction Scheme Agreement Ratification Act 1971 No 72

Marketing of Primary Products Act 1983 No 176

Meat Industry Act 1978 No 54
Murray Valley Citrus Marketing Act 1989 No 155
Non-Indigenous Animals Act 1987 No 166
Noxious Weeds Act 1993 No 11
Plant Diseases Act 1924 No 38
Poultry Meat Industry Act 1986 No 101
Prevention of Cruelty to Animals Act 1979 No 200
Rural Adjustment Scheme Agreement Act 1993 No 107
Rural Assistance Act 1989 No 97
Rural Lands Protection Act 1998 No 143
Seeds Act 1982 No 14
States and Northern Territory Grants (Rural Adjustment) Agreement Ratification Act 1985 No 113
States and Northern Territory Grants (Rural Adjustment) Agreement Ratification Act 1989 No 168
States Grants (Rural Adjustment) Agreement Ratification Act 1977 No 104
States Grants (Rural Reconstruction) Agreement Ratification Act 1971 No 37
Stock (Artificial Breeding) Act 1985 No 196
Stock (Chemical Residues) Act 1975 No 26
Stock Diseases Act 1923 No 34
Stock Foods Act 1940 No 19
Stock Medicines Act 1989 No 182
Swine Compensation Act 1928 No 36
Sydney Market Authority (Dissolution) Act 1997 No 62
Veterinary Surgeons Act 1986 No 55

MINISTER FOR CORRECTIVE SERVICES

Crimes (Administration of Sentences) Act 1999 No 93
International Transfer of Prisoners (New South Wales) Act 1997 No 144
Parole Orders (Transfer) Act 1983 No 190
Prisoners (Interstate Transfer) Act 1982 No 104

MINISTER FOR LOCAL GOVERNMENT

Carlingford Drainage Improvement (Land Exchange) Act 1992 No 68
City of Sydney Act 1988 No 48
Collarenebri Water Supply Act 1968 No 18
Companion Animals Act 1998 No 87
Country Towns Water Supply and Sewerage (Debts) Act 1937 No 32
Dividing Fences Act 1991 No 72
Glen Davis Act 1939 No 38 (except part, Minister for Public Works and Services) Grafton Water Supply Act 1956 No 33
Impounding Act 1993 No 31
Local Government Act 1993 No 30
Local Government Areas Amalgamation Act 1980 No 110
Local Government Associations Incorporation Act 1974 No 20
Local Government (City of Sydney Boundaries) Act 1967 No 48
Newcastle (Miscellaneous Lands) Act 1979 No 140

Newcastle National Park Enabling Act 1924 No 49

Queen Victoria Building Site Act 1952 No 30

Roads Act 1993 No 33, section 178 (2); Division 2 of Part 3 (so far as it relates to the widening of a public road for which a council is the roads authority); section 175 (so far as it relates to the power to enter land along or near a public road for which a council is the roads authority); and section 252 (so far as it relates to the functions of the Minister for Local Government under the Act) (remainder, Minister for the Environment, Minister for Roads, and Minister for Land and Water Conservation)

Swimming Pools Act 1992 No 49

Walgett Water Supply Act 1959 No 17

MINISTER FOR REGIONAL DEVELOPMENT

Albury-Wodonga Development Repeal Act 2000 No 18

Albury-Wodonga Development Act 1974 No 47

Country Industries (Pay-roll Tax Rebates) Act 1977 No 79

MINISTER FOR RURAL AFFAIRS

Nil

MINISTER FOR GAMING AND RACING

Australian Jockey Club Act 1873

Casino Control Act 1992 No 15

Charitable Fundraising Act 1991 No 69

Gambling (Two-up) Act 1998 No 115

Gaming Machine Tax Act 2001 No 72

Gaming Machines Act 2001 No 127

Greyhound Racing Act 2002 No 38

Greyhound Racing Authority Act 1985 No 119

Harness Racing Act 2002 No 39

Harness Racing New South Wales Act 1977 No 57

Hawkesbury Racecourse Act 1996 No 74

Innkeepers Act 1968 No 24

Liquor Act 1982 No 147 (except part, Attorney General)

Liquor (Repeals and Savings) Act 1982 No 148

Lotteries and Art Unions Act 1901 No 34

New South Wales Lotteries Corporatisation Act 1996 No 85

Public Lotteries Act 1996 No 86

Racing Administration Act 1998 No 114

Racing Appeals Tribunal Act 1983 No 199

Registered Clubs Act 1976 No 31

Sydney Turf Club Act 1943 No 22

Thoroughbred Racing Board Act 1996 No 37

Totalizator Act 1997 No 45 (except sections, Treasurer)

Unlawful Gambling Act 1998 No 113

Wagga Wagga Racecourse Act 1993 No 109 (except sections, Minister for Land and Water Conservation)

MINISTER ASSISTING THE PREMIER ON HUNTER DEVELOPMENT

Nil

MINISTER FOR PUBLIC WORKS AND SERVICES

Architects Act 1921 No 8

Bennelong Point (Parking Station) Act 1985 No 189

Border Railways Act 1922 No 16

Building and Construction Industry Security of Payment Act 1999 No 46

Glen Davis Act 1939 No 38, Part 4 (remainder, Minister for Local Government)

Land Acquisition (Charitable Institutions) Act 1946 No 55

Land Acquisition (Just Terms Compensation) Act 1991 No 22

Public Sector Employment and Management Act 2002 No 43, Chapter 7 (remainder, Premier)

Public Sector Management Act 1988 No 33, sections 102 (2) (l), 102 (5) and 102 (6) (remainder, Premier)

Public Works Act 1912 No 45 (except parts, Minister for Land and Water Conservation)

State Brickworks Act 1946 No 16

MINISTER FOR SPORT AND RECREATION

Boxing and Wrestling Control Act 1986 No 11

Institute of Sport Act 1995 No 52

Motor Vehicle Sports (Public Safety) Act 1985 No 24

Mount Panorama Motor Racing Act 1989 No 108

Parramatta Stadium Trust Act 1988 No 86

Sporting Bodies' Loans Guarantee Act 1977 No 3

Sporting Venues Management Act 2002 No 56

Sports Drug Testing Act 1995 No 45

State Sports Centre Trust Act 1984 No 68

Sydney Cricket and Sports Ground Act 1978 No 72

MINISTER ASSISTING THE PREMIER ON CITIZENSHIP

Nil

MINISTER FOR SMALL BUSINESS

Retail Leases Act 1994 No 46

Small Business Development Corporation Act 1984 No 119

Small Businesses' Loans Guarantee Act 1977 No 34

MINISTER FOR TOURISM

Tourism New South Wales Act 1984 No 46

MINISTER FOR WOMEN

Nil

MINISTER FOR MINERAL RESOURCES

Coal Acquisition Act 1981 No 109

Coal Mines Regulation Act 1982 No 67

Coal Ownership (Restitution) Act 1990 No 19

Mine Subsidence Compensation Act 1961 No 22

Mines Inspection Act 1901 No 75

Mining Act 1992 No 29 (except part, Attorney General)
Occupational Health and Safety Act 2000 No 40, so far as it relates to mines within the meaning of the Mines
Inspection Act 1901 and the Coal Mines Regulation Act 1982 (remainder, Special Minister of State)
Offshore Minerals Act 1999 No 42
Petroleum (Onshore) Act 1991 No 84
Petroleum (Submerged Lands) Act 1982 No 23
Uranium Mining and Nuclear Facilities (Prohibitions) Act 1986 No 194

MINISTER FOR FISHERIES

Fish Marketing Act 1994 No 37
Fisheries Act 1935 No 58
Fisheries Management Act 1994 No 38
Marine Parks Act 1997 No 64 (jointly with the Minister for the Environment)

MINISTER FOR COMMUNITY SERVICES

Adoption Act 2000 No 75
Adoption Information Act 1990 No 63
Adoption of Children Act 1965 No 23
Child Welfare (Commonwealth Agreement Ratification) Act 1941 No 11
Child Welfare (Commonwealth Agreement Ratification) Act 1962 No 28
Children and Young Persons (Care and Protection) Act 1998 No 157
Children (Care and Protection) Act 1987 No 54
Community Services (Complaints, Reviews and Monitoring) Act 1993 No 2 (jointly with the Minister for
Ageing, and the Minister for Disability Services)
Community Welfare Act 1987 No 52 (jointly with the Minister for Disability Services)

MINISTER FOR AGEING

Community Services (Complaints, Reviews and Monitoring) Act 1993 No 2 (jointly with the Minister for
Community Services, and the Minister for Disability Services)
Home Care Service Act 1988 No 6 (jointly with the Minister for Disability Services)

MINISTER FOR DISABILITY SERVICES

Community Services (Complaints, Reviews and Monitoring) Act 1993 No 2 (jointly with the Minister for
Community Services, and the Minister for Ageing)
Community Welfare Act 1987 No 52 (jointly with the Minister for Community Services)
Disability Services Act 1993 No 3
Guardianship Act 1987 No 257
Home Care Service Act 1988 No 6 (jointly with the Minister for Ageing)
Youth and Community Services Act 1973 No 90

MINISTER FOR JUVENILE JUSTICE

Children (Community Service Orders) Act 1987 No 56
Children (Detention Centres) Act 1987 No 57
Children (Interstate Transfer of Offenders) Act 1988 No 85
Young Offenders Act 1997 No 54, sections 49, 60 and 61, and Schedule 1 (remainder, Attorney General)

MINISTER ASSISTING THE PREMIER ON YOUTH

Nil

MINISTER FOR POLICE

Child Protection (Offenders Registration) Act 2000 No 42

Commercial Agents and Private Inquiry Agents Act 1963 No 4

Criminal Assets Recovery Act 1990 No 23

Drug Misuse and Trafficking Act 1985 No 226, Part 2A (jointly with the Minister for Health, remainder Attorney General)

Federation of New South Wales Police-Citizens Youth Clubs (Reconstitution) Act 1989 No 163

Firearms Act 1996 No 46

Law Enforcement and National Security (Assumed Identities) Act 1998 No 154

Law Enforcement (Controlled Operations) Act 1997 No 136

National Crime Authority (State Provisions) Act 1984 No 157

New South Wales Crime Commission Act 1985 No 117

Police Department (Transit Police) Act 1989 No 58

Police Integrity Commission Act 1996 No 28

Police Powers (Vehicles) Act 1998 No 166

Police Service Act 1990 No 47

Police (Special Provisions) Act 1901 No 5, Part 4 (remainder, Attorney General)

Road Obstructions (Special Provisions) Act 1979 No 9

Security Industry Act 1997 No 157

Weapons Prohibition Act 1998 No 127

Witness Protection Act 1995 No 87

Wool, Hide and Skin Dealers Act 1935 No 40

Proclamations



New South Wales

Proclamation

under the

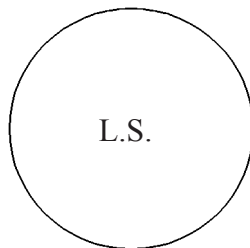
Consumer Credit (New South Wales) Act 1995

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 10A of the *Consumer Credit (New South Wales) Act 1995*, do, by this my Proclamation, appoint 1 September 2002 as the day on which section 10A of that Act is repealed.

Signed and sealed at Sydney, this 21st day of August 2002.

By Her Excellency's Command,



JOHN AQUILINA, M.P.,
Minister for Fair Trading

GOD SAVE THE QUEEN!



Proclamation

under the

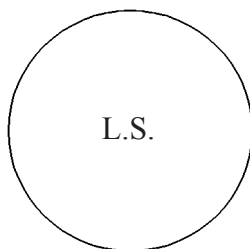
Financial Services Reform (Consequential Amendments) Act
2002 No 26

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (2) of the *Financial Services Reform (Consequential Amendments) Act 2002*, do, by this my Proclamation, appoint 1 September 2002 as the day on which Schedule 2.8 and 2.9 to that Act commence.

Signed and sealed at Sydney, this 14th day of August 2002.

By Her Excellency's Command,



BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence provisions of the *Financial Services Reform (Consequential Amendments) Act 2002* that amend the *Minors (Property and Contracts) Act 1970* and the *Property (Relationships) Act 1984*. The amendments make it clear that legal practitioners are not required to give financial advice under those Acts for which they would need to be licensed under Chapter 7 of the *Corporations Act 2001* of the Commonwealth.



New South Wales

Proclamation

under the

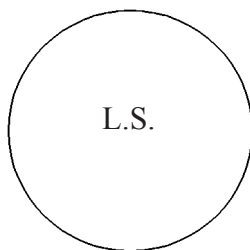
Public Finance and Audit Amendment (Budgeting and Financial Reporting) Act 2002 No 62

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 *Public Finance and Audit Amendment (Budgeting and Financial Reporting) Act 2002*, do, by this my Proclamation, appoint 23 August 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 21st day of August 2002.

By Her Excellency's Command,



MICHAEL EGAN, M.L.C.,
Treasurer

GOD SAVE THE QUEEN!

Regulations

Consumer Credit Administration Regulation 2002

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*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to make provision for the amount payable to a witness summoned to an inquiry held by the Consumer, Trader and Tenancy Tribunal under the *Consumer Credit Administration Act 1995*.

This Regulation replaces the *Consumer Credit Administration Regulation 1996*.

This Regulation is made under section 32 (Powers of Tribunal at inquiry) and section 48 (the general regulation-making power) of the *Consumer Credit Administration Act 1995*.

This Regulation comprises matter of a machinery nature.

Clause 1 Consumer Credit Administration Regulation 2002

Consumer Credit Administration Regulation 2002

1 **Name of Regulation**

This Regulation is the *Consumer Credit Administration Regulation 2002*.

2 **Commencement**

This Regulation commences on 1 September 2002.

3 **Witnesses expenses before Tribunal**

For the purposes of section 32 (4) of the *Consumer Credit Administration Act 1995*, a witness summoned under that section is entitled to be paid fees and allowances according to the scales of expenses allowable to witnesses in civil proceedings in the District Court.

Consumer Credit (New South Wales) Special Provisions Regulation 2002

under the

Consumer Credit (New South Wales) Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer Credit (New South Wales) Act 1995*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to replace the *Consumer Credit (New South Wales) Special Provisions Regulation 1996*. The new Regulation:

- (a) confers jurisdiction on the Consumer, Trader and Tenancy Tribunal in relation to certain matters under the *Consumer Credit (New South Wales) Code*, and
- (b) provides for the transfer of proceedings under that Code, and
- (c) prescribes the maximum annual percentage rates for a credit contract to which the Code applies and for certain short term credit contracts, and
- (d) provides for short term credit contracts to be subject to requirements relating to disclosure of maximum annual percentage rates and the cost of credit, and
- (e) makes a transitional provision.

This Regulation is made under the *Consumer Credit (New South Wales) Act 1995* and in particular under section 8 (Conferral of judicial functions), section 10B (Disclosure of cost of credit as annual percentage rate), section 11 (Maximum annual percentage rate), section 14 (Special savings and transitional regulations for New South Wales) and section 15 (the general regulation-making power).

This Regulation comprises matters arising under legislation that is substantially uniform or complementary with legislation of other States.

Consumer Credit (New South Wales) Special Provisions Regulation 2002

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	3
2 Commencement	3
3 Definition	3
4 Notes	3
Part 2 Judicial functions	
5 Conferral of judicial functions	4
6 Transfer of proceedings	4
Part 3 Maximum interest rate	
7 Maximum annual percentage rate	5
8 Maximum annual percentage rate for certain short term credit contracts	5
9 Short term credit	7
10 Disclosure of cost of credit as annual percentage rate	7
Part 4 Transitional provision	
11 Credit (Home Finance Contracts) Act 1984	8

Consumer Credit (New South Wales) Special Provisions Regulation 2002 Clause 1

Preliminary Part 1

Consumer Credit (New South Wales) Special Provisions Regulation 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Consumer Credit (New South Wales) Special Provisions Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

3 Definition

In this Regulation:

the Act means the *Consumer Credit (New South Wales) Act 1995*.

4 Notes

Notes in the text of this Regulation do not form part of this Regulation.

Clause 5 Consumer Credit (New South Wales) Special Provisions Regulation 2002

Part 2 Judicial functions

Part 2 Judicial functions

5 Conferral of judicial functions

The jurisdiction prescribed for the purposes of section 8 (1) (a) of the Act is:

- (a) any jurisdiction under section 69, 83 (1), 89, 100–114 or 162 of the Code, and
- (b) any jurisdiction under section 36 (6) of the Code in relation to an application made by a credit provider.

Note. The Consumer, Trader and Tenancy Tribunal has concurrent jurisdiction with ordinary courts of competent jurisdiction for matters not within the exclusive jurisdiction of the Tribunal referred to in this clause—see section 8 (1) (b) of the Act.

6 Transfer of proceedings

- (1) If all the parties so agree, or the Tribunal of its own motion or on the application of a party so directs, proceedings instituted in or before the Tribunal must be transferred to a court that has jurisdiction in the matter in accordance with the rules of that court and are to continue before that court as if they had been instituted there.
- (2) If all the parties so agree or a court of its own motion or on the application of a party so directs, proceedings instituted in or before the court for a matter for which the Tribunal has jurisdiction must be transferred to the Tribunal in accordance with the rules of the Tribunal and are to continue before the Tribunal as if they had been instituted there.
- (3) Proceedings in relation to a matter instituted in or before the Tribunal under section 119, 120, 121 or 122 of the Code must be transferred to an appropriate court having jurisdiction in the matter unless the proceedings relate to other proceedings instituted in or before the Consumer, Trader and Tenancy Tribunal.
- (4) In this clause:
Tribunal means the Consumer, Trader and Tenancy Tribunal.

Consumer Credit (New South Wales) Special Provisions Regulation 2002

Clause 7

Maximum interest rate

Part 3

Part 3 Maximum interest rate

7 Maximum annual percentage rate

The maximum annual percentage rate for a credit contract to which the Code applies is 48 per cent.

Note. This clause is made pursuant to section 11 of the Act. The effect of a contravention of this clause is set out in that section. The maximum interest rate is not part of the uniform provisions of the Code in Australia.

8 Maximum annual percentage rate for certain short term credit contracts

- (1) For the purposes of section 11 (1A) of the Act, interest charges and all credit fees and charges under a short term credit contract are to be included for the purpose of calculating the maximum annual percentage rate under a short term credit contract. For that purpose, the maximum annual percentage rate under a short term credit contract is to be calculated in accordance with subclauses (2)–(7).
- (2) The maximum annual percentage rate must be calculated as a nominal rate per annum, together with the compounding frequency, in accordance with this clause.
- (3) The maximum annual percentage rate is given by the following formula:

$$i = n r 100\%$$

where:

n is the number of repayments per annum to be made under the credit contract annualised, except that:

- (a) if repayments are to be made weekly or fortnightly—**n** is to be 52.18 or 26.09, respectively, and
- (b) if the contract does not provide for a constant interval between repayments—**n** is to be derived from the interval selected for the purposes of the definition of **j** mentioned below.

r is the solution of the following:

$$\sum_{j=0}^t \frac{A_j}{(1+r)^j} = \sum_{j=0}^t \frac{R_j + C_j}{(1+r)^j}$$

Clause 8 Consumer Credit (New South Wales) Special Provisions Regulation 2002

Part 3 Maximum interest rate

where:

j is the time, measured as a multiple (not necessarily integral) of the interval between contractual repayments that will have elapsed since the first amount of credit is provided under the credit contract, except that if the contract does not provide for a constant interval between repayments an interval of any kind is to be selected by the credit provider as the unit of time.

t is the time, measured as a multiple of the interval between contractual repayments (or other interval so selected), that will elapse between the time when the first amount of credit is provided and the time when the last repayment is to be made under the contract.

A_j is the amount of credit to be provided under the contract at time *j* (the value of *j* for the provision of the first amount of credit is taken to be zero).

R_j is the repayment to be made at time *j*.

C_j is the fee or charge (if any) payable by the debtor at time *j* (*j* is taken to be zero for any such fee or charge payable before the time of the first amount of credit provided) in addition to the repayments *R_j*, being a credit fee or charge that is ascertainable when the annual percentage rate is calculated.

- (4) The maximum annual percentage rate must be correct to at least the nearest one hundredth of 1% per annum.
- (5) In the application of the above formulae, reasonable approximations may be made if it would be impractical or unreasonably onerous to make a calculation.
- (6) The tolerances and assumptions under sections 158–160 of the Code apply to the calculation of the maximum annual percentage rate.
- (7) For the purposes of the maximum annual percentage rate:
 - (a) the amount of credit is to be the amount (or the maximum amount) required by the debtor, and
 - (b) the term for which credit is provided is to be the term (or the maximum term) required by the debtor.
- (8) In this clause:

short term credit contract has the same meaning as it has in section 11 of the Act.

Consumer Credit (New South Wales) Special Provisions Regulation 2002 Clause 9

Maximum interest rate Part 3

9 Short term credit

For the purposes of section 11 of the Act, a contract for the provision of credit limited to a total period that does not exceed 62 days and that is not exempted from the Code under clause 7 (1) of the Code is a short term credit contract.

10 Disclosure of cost of credit as annual percentage rate

For the purposes of section 10B (1) of the Act, a contract for the provision of credit limited to a total period that does not exceed 62 days and that is not exempted from the Code under clause 7 (1) of the Code is a contract of a prescribed kind.

Clause 11 Consumer Credit (New South Wales) Special Provisions Regulation 2002

Part 4 Transitional provision

Part 4 Transitional provision

11 Credit (Home Finance Contracts) Act 1984

- (1) The *Credit (Home Finance Contracts) Act 1984* ceases to apply to a home finance contract (within the meaning of that Act), or to a mortgage or guarantee that relates to any such contract, on and from the date on which the home finance contract becomes a credit contract to which the Code applies.
- (2) This clause does not affect anything duly done in connection with such a contract before that date under the *Credit (Home Finance Contracts) Act 1984*.
- (3) Pursuant to section 14 (2) of the Act, this clause has effect despite section 2A of the *Credit (Home Finance Contracts) Act 1984*.

Hay Irrigation Regulation 2002

under the

Hay Irrigation Act 1902

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Hay Irrigation Act 1902*.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to provide for the following matters:

- (a) the recovery of amounts payable under the *Hay Irrigation Act 1902*,
- (b) the charging of interest on arrears of rent,
- (c) the making of applications for the consent of the Lands Administration Ministerial Corporation to transfers or other dealings,
- (d) the surrender of leases,
- (e) the granting of licences to occupy,
- (f) other matters of a minor, consequential or ancillary nature.

This Regulation replaces the *Hay Irrigation Regulation 1997*, which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*. This Regulation is substantially the same as the repealed Regulation.

The Regulation is made under the *Hay Irrigation Act 1902*, including section 29 (the general regulation making power).

The Regulation comprises or relates to matters of a machinery nature.

Hay Irrigation Regulation 2002

Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Definitions	3
4 Recovery of amounts payable under the Act	3
5 Interest on arrears of rent	3
6 Applications for consent to transfers or other dealings	3
7 Surrender of leases	4
8 Granting of licences to occupy	4
9 Savings	4

Hay Irrigation Regulation 2002

Clause 1

Hay Irrigation Regulation 2002

1 Name of Regulation

This Regulation is the *Hay Irrigation Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

3 Definitions

(1) In this Regulation:

approved means approved for the time being by the Ministerial Corporation.

Hay District Office means the district office at Hay of the part of the Department of Land and Water Conservation operating under the name of "Land NSW".

Ministerial Corporation means the Lands Administration Ministerial Corporation constituted by the *Crown Lands Act 1989*.

the Act means the *Hay Irrigation Act 1902*.

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

4 Recovery of amounts payable under the Act

Any amount payable under the Act may be recovered as a debt due to the Ministerial Corporation.

5 Interest on arrears of rent

(1) Any rent payable under the Act accrues interest at the rate prescribed for the time being under section 148 (2) of the *Crown Lands Act 1989*.

(2) The Ministerial Corporation may, if it is satisfied that the circumstances so warrant, postpone or waive payment of the whole or any part of any interest payable under this clause or remit the whole or any part of any interest that has been paid.

Clause 6

Hay Irrigation Regulation 2002

6 Applications for consent to transfers or other dealings

- (1) An application for the consent of the Ministerial Corporation to a transfer or other dealing, as referred to in section 23 of the Act, must be lodged at the Hay District Office.
- (2) The application must be accompanied by a fee of the amount prescribed for the time being under clause 9 of the *Crown Lands (Continued Tenures) Regulation 2000*.

7 Surrender of leases

- (1) A lessee may at any time, with the consent of the Ministerial Corporation, surrender the lease or part of the lease.
- (2) The Ministerial Corporation may accept a surrender.

8 Granting of licences to occupy

- (1) The Ministerial Corporation may grant licences to occupy land within the Area subject to such conditions as it determines.
- (2) A licence to occupy may be terminated at any time by either party by notice in writing to the other party.

9 Savings

Any act, matter or thing that, immediately before the repeal of the *Hay Irrigation Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Note. The *Hay Irrigation Regulation 1997* is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.



Home Building Amendment (Indemnity) Regulation 2002

under the

Home Building Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Home Building Act 1989*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

Under section 103I of the *Home Building Act 1989* (**the Act**), the State must indemnify, in certain circumstances, a person:

- (a) who is entitled to recover an amount under a contract of insurance entered into under Part 6 of the Act, and
- (b) who is covered by a policy that was issued by the insolvent insurer HIH Casualty and General Insurance Limited or FAI General Insurance Company,

if a certificate of insurance evidencing the policy was issued on or before 20 June 2001, or on or before 15 March 2001 in the case of an owner-builder insurance (**the relevant date**). The object of this Regulation is to enable persons who are not entitled to be indemnified because no certificates of insurance were ever issued in relation to their contracts of insurance to nevertheless be indemnified if they demonstrate that the insolvent insurer accepted the risk of loss before the relevant date. For example, a person may be entitled to indemnity despite the fact that no certificate of insurance was issued if the person can show that the insurer debited, before the relevant date, the bank account of the insured builder for the premium payable on the contract of insurance.

This Regulation is made under sections 103I and 140 (the general regulation making power) of the Act.

Clause 1 Home Building Amendment (Indemnity) Regulation 2002

Home Building Amendment (Indemnity) Regulation 2002

under the

Home Building Act 1989

1 Name of Regulation

This Regulation is the *Home Building Amendment (Indemnity) Regulation 2002*.

2 Amendment of Home Building Regulation 1997

The *Home Building Regulation 1997* is amended as set out in Schedule 1.

Home Building Amendment (Indemnity) Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 56A

Insert after clause 56:

56A Evidence of acceptance of risk

Pursuant to section 103I (2) (f) of the Act, the indemnity provided under section 103I of the Act applies in connection with any matter covered by an insolvent insurer's policy issued by HIH Casualty and General Insurance Limited or FAI General Insurance Company Limited despite the fact that no certificate of insurance evidencing the insolvent insurer's policy was issued if the person claiming to be a beneficiary demonstrates to the satisfaction of the Guarantee Corporation that the insolvent insurer accepted the risk on or before:

- (a) 15 March 2001 in the case where an owner-builder entered into a contract of insurance in order to comply with the requirements of section 95 of the Act, or
- (b) 20 June 2001 in the following cases:
 - (i) where section 92 (1) (a) or 96 (1) of the Act required a person to ensure a contract of insurance was in force to enable the person to do residential building work,
 - (ii) where section 93 (1) (a) of the Act required a person to ensure a contract of insurance was in force to enable the person to supply a kit home.

Lake Illawarra Authority Regulation 2002

under the

Lake Illawarra Authority Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Lake Illawarra Authority Act 1987*.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to remake the *Lake Illawarra Authority Regulation 1997* without substantial changes. That Regulation will be repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

The objects of the new Regulation are:

- (a) to provide for the construction and use of buildings and facilities for or by any non-commercial community or charitable organisation or group to be prescribed as a purpose for which the Lake Illawarra Authority may grant leases of, or licences with respect to, any part of the development area to which the *Lake Illawarra Authority Act 1987* applies, and
- (b) to declare the construction of amenities blocks and educational study centres to be development works within the meaning of that Act.

This Regulation is made under the *Lake Illawarra Authority Act 1987*, and, in particular, under section 5 (definition of **development works**), section 13 (leases and licenses) and section 32 (the general regulation-making power).

This Regulation comprises matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

Clause 1 Lake Illawarra Authority Regulation 2002

Lake Illawarra Authority Regulation 2002

1 Name of Regulation

This Regulation is the *Lake Illawarra Authority Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Lake Illawarra Authority Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Notes

Notes in the text of this Regulation do not form part of this Regulation.

4 Additional works declared to be development works

For the purposes of the *Lake Illawarra Authority Act 1987*, the construction of amenities blocks and educational study centres are declared to be development works.

5 Prescribed purposes for the granting of leases and licences by Authority

For the purposes of section 13 (c) of the *Lake Illawarra Authority Act 1987*, the construction and use of buildings and facilities for or by any non-commercial community or charitable organisation or group is prescribed as a purpose for which the Authority may grant leases of, or licences with respect to, any part of the development area.

6 Saving

Any act, matter or thing that, immediately before the repeal of the *Lake Illawarra Authority Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Local Government (General) Amendment (Bathing Control Notices) Regulation 2002

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

HARRY WOODS, M.P.,
Minister for Local Government

Explanatory note

The object of this Regulation is to require councils, in relation to bathing control notices, to comply with the 2002 edition of the Australian Standard entitled “Design and Application of Water Safety Signs” rather than the 1985 edition.

This Regulation is made under the *Local Government Act 1993*, including section 748 (the general regulation-making power).

Clause 1 Local Government (General) Amendment (Bathing Control Notices)
Regulation 2002

Local Government (General) Amendment (Bathing Control Notices) Regulation 2002

1 Name of Regulation

This Regulation is the *Local Government (General) Amendment (Bathing Control Notices) Regulation 2002*.

2 Amendment of Local Government (General) Regulation 1999

The *Local Government (General) Regulation 1999* is amended as set out in Schedule 1.

Local Government (General) Amendment (Bathing Control Notices)
Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 41 Bathing control notices

Omit “AS 2416—1985, as published by Standards Australia on 7 June 1985” from the definition of **AS 2416** in clause 41 (3).

Insert instead “AS 2416—2002, as published by Standards Australia on 7 February 2002”.



New South Wales

Property (Relationships) Amendment (Financial Services Reform) Regulation 2002

under the

Property (Relationships) Act 1984

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Property (Relationships) Act 1984*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to amend the *Property (Relationships) Regulation 2000* to update a form prescribed by the Regulation to reflect an amendment made to section 47 of the *Property (Relationships) Act 1984* by the Schedule 2.9 to the *Financial Services Reform (Consequential Amendments) Act 2002*.

This Regulation is made under the *Property Relationships Act 1984*, including sections 47 (1) (d) and 61 (the general regulation-making power).

Clause 1 Property (Relationships) Amendment (Financial Services Reform)
Regulation 2002

Property (Relationships) Amendment (Financial Services Reform) Regulation 2002

under the

Property (Relationships) Act 1984

1 Name of Regulation

This Regulation is the *Property (Relationships) Amendment (Financial Services Reform) Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

3 Amendment of Property (Relationships) Regulation 2000

The *Property (Relationships) Regulation 2000* is amended as set out in Schedule 1.

Property (Relationships) Amendment (Financial Services Reform)
Regulation 2002

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Schedule 1 Forms

Omit paragraphs 2, 3 and 4 from Form 8. Insert instead:

- 2 the advantages and disadvantages, at the time that the advice was provided, to my client of making the agreement.

Protection of the Environment Administration Regulation 2002

under the

Protection of the Environment Administration Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Administration Act 1991*.

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

Explanatory note

The object of this Regulation is to repeal and remake, with minor changes, the provisions of the *Protection of the Environment Administration (Disclosure by Board Members) Regulation 1997*. The new Regulation makes provision for members of the Board of the Environment Protection Authority to make disclosures of interests as required by clause 7 (3) of Schedule 1 to the Act.

The Regulation sets out requirements relating to the time disclosures should be made and the form of such disclosures. It also prescribes the types of interests to be disclosed, including interests in real property, sources of outside income, gifts, contributions to travel, interests and positions in corporations, positions in associations, debts, and dispositions of property. Finally, the Regulation includes requirements for keeping a Register of Disclosures by members of the Board of Environment Protection Authority and for inspection of the Register.

This Regulation is made under the *Protection of the Environment Administration Act 1991* including clause 7 (3) of Schedule 1 and section 39 (the general regulation-making power).

Protection of the Environment Administration Regulation 2002

Explanatory note

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely, matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

Protection of the Environment Administration Regulation 2002

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	5
2 Commencement	5
3 Definition	5
4 Notes	5
Part 2 Disclosures by Board members	
Division 1 Preliminary	
5 Definitions	6
6 Contravention of Part	8
Division 2 Returns and special disclosures	
7 Primary returns	9
8 Primary return date	9
9 Ordinary returns	9
10 Ordinary return period	9
11 Nil returns	9
12 Special disclosures	10
Division 3 Matters to be disclosed	
13 Real property	10
14 Sources of outside income	10
15 Gifts	11
16 Contributions to travel	12
17 Interests and positions in corporations	12
18 Positions in associations	13
19 Debts	13
20 Dispositions of property	14
21 Discretionary disclosures	14

Protection of the Environment Administration Regulation 2002

Contents

	Division 4	Register of disclosures	
	22	Register	15
	23	Form of register	15
	24	Inspection of register	15
Part 3	Miscellaneous		
	25	Savings	16

Protection of the Environment Administration Regulation 2002

Clause 1

Preliminary

Part 1

Protection of the Environment Administration Regulation 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Protection of the Environment Administration Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Protection of the Environment Administration (Disclosure by Board Members) Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

In this Regulation:

the Act means the *Protection of the Environment Administration Act 1991*.

4 Notes

The notes in the text of this Regulation do not form part of this Regulation.

Clause 5	Protection of the Environment Administration Regulation 2002
Part 2	Disclosures by Board members
Division 1	Preliminary

Part 2 Disclosures by Board members

Division 1 Preliminary

5 Definitions

(1) In this Part:

address means:

- (a) in relation to an individual, the last residential or business address of the individual known to the member disclosing the address, and
- (b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place in which it is incorporated, and
- (c) in relation to any real property, the postal address of the property or the particulars of title of the property.

approved means approved by the Minister.

debt means a debt arising from a loan of money or from the supply of goods or services.

disposition of property means any conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property and includes the following:

- (a) the allotment of shares in a company,
- (b) the creation of a trust in respect of property,
- (c) the grant or creation of any lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property,
- (d) the release, discharge, surrender, forfeiture or abandonment (at law or in equity) of any debt, contract, chose in action or any interest in respect of property,
- (e) the exercise by a person of a general power of appointment over property in favour of any other person,

Protection of the Environment Administration Regulation 2002

Clause 5

Disclosures by Board members

Part 2

Preliminary

Division 1

- (f) any transaction entered into by any person with the intention of diminishing, directly or indirectly, the value of his or her own property and increasing the value of the property of any other person.

environmental association means a body or association, whether or not incorporated, having as one of its objects or activities environment protection within the meaning of the Act.

gift means any transfer of property made otherwise than by will without consideration in money or money's worth passing from the receiver to the giver, or with some such (not fully adequate) consideration so passing, but does not include any financial or other contribution to travel.

interest means:

- (a) in relation to any property, any estate, interest, right or power, whether at law or in equity, in or over the property, and
- (b) in relation to any corporation, a relevant interest in securities that are shares of the corporation within the meaning of the *Corporations Act 2001* of the Commonwealth.

member means a member of the Board.

occupation includes trade, profession and vocation.

ordinary return means the return referred to in clause 9.

ordinary return period means the period referred to in clause 10.

outside income of a member means the member's assessable income within the meaning of the *Income Tax Assessment Act 1997* of the Commonwealth excluding remuneration payable to the member under the *Statutory and Other Offices Remuneration Act 1975* in his or her capacity as a member.

primary return means the return referred to in clause 7.

primary return date means the date referred to in clause 8.

professional or business association means a body or organisation, whether or not incorporated, having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

public company means a listed company within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

Clause 5	Protection of the Environment Administration Regulation 2002
Part 2	Disclosures by Board members
Division 1	Preliminary

re-appointed member means a member who, immediately on completion of a term of office, is re-appointed for another term.

register means the register referred to in clause 22.

relative, in relation to a member, means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the member or of the member's spouse,
- (b) the spouse (including a de facto heterosexual or homosexual domestic partner) of the member or of any other person referred to in paragraph (a).

return means a primary return or an ordinary return.

special disclosure means a disclosure made under clause 7 (1) or (4) of Schedule 1 to the Act.

travel includes accommodation incidental to a journey.

- (2) A reference in this Part to a disclosure concerning any real property, outside income, corporation or other thing includes a reference to a disclosure concerning any real property situated, outside income derived, corporation incorporated, or other thing arising or received, outside New South Wales.
- (3) For the purposes of this Part, gifts or contributions to travel given, loans made, or goods or services supplied, to a member by 2 or more corporations that are related to each other within the meaning of section 50 of the *Corporations Act 2001* of the Commonwealth are taken to have been given, made or supplied by a single corporation.
- (4) A reference in this Part to the lodgment of a return with the Board is a reference to the tabling at a meeting of the Board of a return completed in accordance with directions set out in the form containing disclosures in accordance with this Part.

6 Contravention of Part

A contravention of this Part by a member is not an offence. However, a contravention by an appointed member, within the meaning of Schedule 1 to the Act, constitutes grounds for removal of the member under clause 6 (3) of that Schedule.

Protection of the Environment Administration Regulation 2002

Clause 7

Disclosures by Board members

Part 2

Returns and special disclosures

Division 2

Division 2 Returns and special disclosures

7 Primary returns

- (1) A person who becomes a member must lodge a primary return with the Board within 3 months after the person becomes a member.
- (2) A primary return is to be in an approved form.

8 Primary return date

For the purposes of this Part, the ***primary return date*** is, in relation to a member other than a re-appointed member, the date of the member's appointment.

9 Ordinary returns

- (1) A member must, before 1 October each year, lodge with the Board an ordinary return.
- (2) Despite subclause (1), a member in relation to whom the primary return date is after 30 April in any year must lodge his or her first ordinary return with the Board before 1 October in the following year.
- (3) An ordinary return is to be in an approved form.

10 Ordinary return period

For the purposes of this Part, the ***ordinary return period*** in relation to which an ordinary return is to be lodged by a member in a particular year is:

- (a) if the last return lodged by a member was an ordinary return—one year ending on 30 June in that year, or
- (b) if the last return was a primary return—the period beginning on the first day after the primary return date in relation to the member and ending on 30 June in that year.

11 Nil returns

A member must comply with this Division in relation to returns even if no disclosures are included in a return.

Clause 12 Protection of the Environment Administration Regulation 2002

Part 2 Disclosures by Board members

Division 2 Returns and special disclosures

12 Special disclosures

A member who makes a special disclosure (that is, a disclosure under clause 7 (1) or (4) of Schedule 1 to the Act) must do so in writing in an approved form that is to be tabled at a meeting of the Board and is to be recorded in the register as soon as possible.

Division 3 Matters to be disclosed

13 Real property

- (1) A member must disclose:
 - (a) in a primary return—the address of each parcel of real property in which the member had an interest on the primary return date, and
 - (b) in an ordinary return—the address of each parcel of real property in which the member had an interest at any time during the ordinary return period, and
 - (c) in both returns—the nature of the interest in each parcel.
- (2) An interest referred to in this clause need not be disclosed by a member if the member had the interest only in his or her capacity:
 - (a) as the executor or administrator of an estate, and the member was not a beneficiary of the estate, or
 - (b) as a trustee, and the member acquired the interest otherwise than in the course of his or her duties as a member.

14 Sources of outside income

- (1) A member must disclose:
 - (a) in a primary return—each source of outside income that the member reasonably expects to receive in the period commencing on the first day after the primary return date and ending on 30 June in the year in which the first ordinary return must be lodged by the member with the Board, and
 - (b) in an ordinary return—each source of outside income received by the member during the ordinary return period.

Protection of the Environment Administration Regulation 2002

Clause 14

Disclosures by Board members

Part 2

Matters to be disclosed

Division 3

- (2) A reference in this clause to each source of outside income received, or reasonably expected to be received, by a member is a reference to:
 - (a) in relation to income from an occupation of the member:
 - (i) a description of the occupation, and
 - (ii) if the member is employed—the name and address of the member's employer, and
 - (iii) if the member is the holder of an office—a description of the office, and
 - (iv) if the member is in partnership—the name (if any) under which the partnership is conducted, and
 - (b) in relation to income from a trust—the name and address of the settlor and the trustee, and
 - (c) in relation to any other outside income—a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
- (3) The source of any outside income referred to in this clause need not be disclosed if the amount received, or reasonably expected to be received, by the member from that source did not, or will not, exceed \$500.

15 Gifts

- (1) A member must disclose in an ordinary return the description of each gift received by the member during the ordinary return period and the name and address of the donor of each gift.
- (2) A gift referred to in this clause need not be disclosed:
 - (a) if the amount of the gift did not exceed \$500, unless the gift was one of 2 or more such gifts made by one person during the period and the amount of the gifts exceeded, in the aggregate, \$500, or
 - (b) if the donor was a relative of the member.
- (3) In this clause, the amount of a gift comprising property other than money is taken to be an amount equal to the value of the property.

Clause 16 Protection of the Environment Administration Regulation 2002

Part 2 Disclosures by Board members

Division 3 Matters to be disclosed

16 Contributions to travel

- (1) A member must disclose in an ordinary return:
 - (a) the name and address of each person who made any financial or other contribution to any travel undertaken by the member during the ordinary return period, and
 - (b) the dates on which the travel was undertaken, and
 - (c) the names of the States, Territories and overseas countries in which the travel was undertaken.
- (2) A financial or other contribution referred to in this clause need not be disclosed:
 - (a) if the contribution was made from public funds (including travel on free passes issued under any Act and travel in government vehicles), or
 - (b) if the contribution was made by a relative of the member, or
 - (c) if the contribution was made otherwise than in the course of his or her duties as a member, or
 - (d) if the amount of the contribution did not exceed \$250, unless the contribution was one of 2 or more such contributions made by one person during the period and the amount of the contributions exceeded, in the aggregate, \$250.
- (3) In this clause, the amount of a contribution (other than a financial contribution) is taken to be an amount equal to the value of the contribution.

17 Interests and positions in corporations

- (1) A member must disclose:
 - (a) in a primary return—the name and address of each corporation in which he or she had an interest or held any position (whether or not remunerated) on the primary return date, and
 - (b) in an ordinary return—the name and address of each corporation in which he or she had an interest or held any position (whether or not remunerated) at any time during the ordinary return period, and
 - (c) in both returns:
 - (i) the nature of the interest, or a description of the position held, in each corporation, and

Protection of the Environment Administration Regulation 2002

Clause 17

Disclosures by Board members

Part 2

Matters to be disclosed

Division 3

- (ii) except in the case of a public company, a description of the principal objects of each corporation.
- (2) An interest or position referred to in this clause need not be disclosed if the corporation is formed for the purpose of providing recreation or amusement or promoting art, science, religion or charity or any other community purpose (except as otherwise required by this Part).

18 Positions in associations

A member must disclose:

- (a) in a primary return—the name of each professional, business or environmental association in which he or she held any position (including any honorary position) on the primary return date, and
- (b) in an ordinary return—the name of each professional, business or environmental association in which he or she held any position (including any honorary position) at any time during the ordinary return period, and
- (c) in both returns, a description of each position held.

19 Debts

- (1) A member must disclose:
 - (a) in a primary return—the name and address of each person to whom the member was liable to pay any debt on the primary return date, and
 - (b) in an ordinary return—the name and address of each person to whom the member was liable to pay any debt at any time during the ordinary return period.
- (2) The liability referred to in this clause must be disclosed whether or not the amount, or any part of the amount, was due and payable on that date or at any time during that period.
- (3) The liability referred to in this clause need not be disclosed:
 - (a) if the amount to be paid did not exceed \$500, unless the debt was one of 2 or more such debts that the member was liable to pay to one person and the amounts to be paid exceeded, in the aggregate, \$500, or
 - (b) if the member was liable to pay the debt to a relative, or

Clause 19 Protection of the Environment Administration Regulation 2002

Part 2 Disclosures by Board members

Division 3 Matters to be disclosed

- (c) if the debt arose from a loan of money, and the member was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
- (d) if the debt arose from the supply of goods or services, and the goods or services were supplied:
 - (i) in the period of 12 months immediately preceding the primary date, or
 - (ii) during the ordinary return period, or
 - (iii) in the ordinary course of any occupation of the member that is not related to his or her duties as a member.

20 Dispositions of property

- (1) A member must disclose in an ordinary return particulars of each disposition of real property effected by the member, at any time during the ordinary return period, as a result of which the member retained, either wholly or in part, the use and benefit of the property or the right to re-acquire it at a later time.
- (2) A member must disclose in an ordinary return particulars of each disposition of property (whether real or personal) effected by any other person, at any time during the ordinary return period, under arrangements made by the member as a result of which the member obtained, either wholly or in part, the use and benefit of the property.

21 Discretionary disclosures

A member may, at his or her discretion, disclose in any return any direct or indirect benefits, advantages or liabilities, whether or not pecuniary:

- (a) that are not required to be disclosed by any other provision of this Division, and
- (b) that the member considers might appear to raise a conflict between the member's other interests and his or her public duty as a member, or that the member otherwise desires to disclose.

Protection of the Environment Administration Regulation 2002

Clause 22

Disclosures by Board members

Part 2

Register of disclosures

Division 4

Division 4 Register of disclosures

22 Register

- (1) The Board is to compile and maintain a register called the *Register of Disclosures by Members of the Board of the Environment Protection Authority* containing disclosures by members in accordance with the Act and this Part.
- (2) The register constitutes the book required to be kept under clause 7 (5) of Schedule 1 to the Act.

23 Form of register

- (1) The register is to consist of the returns lodged, and any special disclosures made, by members within the previous 8 years, or within such longer period as may be required to include the primary returns of all current members.
- (2) The register is to be divided into the following parts:
 - (a) a part for primary returns,
 - (b) a part for the ordinary returns lodged in respect of each ordinary return period,
 - (c) a part for special disclosures.
- (3) The returns filed in any part of the register are to be filed in alphabetical order according to the surnames of the members concerned.

24 Inspection of register

- (1) The register is to be open for public inspection at the head office of the Authority at all reasonable hours on payment of the fee (if any) determined by the Board in accordance with clause 7 (5) of Schedule 1 to the Act.
- (2) The register is to be open to inspection by members at the head office of the Authority at any time the register is open for public inspection and at any other reasonable time by arrangement with the Director-General.

Clause 25 Protection of the Environment Administration Regulation 2002

Part 3 Miscellaneous

Part 3 Miscellaneous

25 Savings

Any act, matter or thing that, immediately before the repeal of the *Protection of the Environment Administration (Disclosure by Board Members) Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.



New South Wales

State Authorities Superannuation (Safe Food) Transitional Regulation 2002

under the

State Authorities Superannuation Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *State Authorities Superannuation Act 1987*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

As part of the Government's goal of having a single agency responsible for food safety in NSW, Safe Food took on many of the functions of the former Meat Industry Authority of New South Wales (MIA). It also took on all of its employees. However, in addition to functions relating to food safety, the MIA also had functions relating to the National Livestock Reporting Service. These functions and the employees that perform them are to be transferred to Meat & Livestock Australia. The employees to be transferred are contributors to the State Authorities Superannuation Fund established under the *State Authorities Superannuation Act 1987*.

The object of this Regulation is to allow those contributors to choose:

- (a) to cease to contribute to that Fund and transfer their benefits in the Fund to another scheme of their choice, or
- (b) to cease to contribute to the Fund and defer their existing benefits in the Fund.

This Regulation is made under clauses 1 and 4 of Schedule 5 to the *State Authorities Superannuation Act 1987*.

The Minister has certified that the transfer of employment is a consequence of a Government initiative.

This Regulation deals with matters of a transitional nature.

State Authorities Superannuation (Safe Food) Transitional Regulation 2002

Contents

	Page
1 Name of Regulation	3
2 Definitions	3
3 Application of Schedule 5 of the Act (Special provisions for preserving the benefits of certain contributors) to certain contributors transferring to MLA	4
4 Preservation of accrued benefit without transferring it	4
5 Transfer of preserved benefit	4
6 Obligation of STC with respect to the disposition of a preserved benefit	4
7 Schedule 5 not to apply unless entitlement to preserve benefit is exercised	5

Clause 1 State Authorities Superannuation (Safe Food) Transitional Regulation 2002

State Authorities Superannuation (Safe Food) Transitional Regulation 2002

under the

State Authorities Superannuation Act 1987

1 Name of Regulation

This Regulation is the *State Authorities Superannuation (Safe Food) Transitional Regulation 2002*.

2 Definitions

In this Regulation:

contributor means a contributor to the SAS Fund who:

- (a) immediately before 1 July 2002, was employed by Safe Food, and
- (b) was transferred to employment with Meat & Livestock Australia on that date.

deferred benefit means a deferred benefit provided by section 43 of the Act.

election period means the period of 4 months beginning on 1 July 2002.

Meat & Livestock Australia means Meat & Livestock Australia Limited (ABN 39 081 678 364).

regulated superannuation fund has the meaning given to it by section 19 of the *Superannuation Industry (Supervision) Act 1993* of the Commonwealth.

Safe Food means Safe Food Production NSW as constituted by the *Food Production (Safety) Act 1998*.

SAS Fund means the State Authorities Superannuation Fund established under the Act.

the Act means the *State Authorities Superannuation Act 1987*.

Clause 3 State Authorities Superannuation (Safe Food) Transitional Regulation 2002

3 Application of Schedule 5 to the Act (Special provisions for preserving the benefits of certain contributors) to certain contributors transferring to MLA

The transfer of employment of contributors from Safe Food to Meat & Livestock Australia on 1 July 2002 is declared to be a transfer of employment to which Part 1 of Schedule 5 to the Act applies.

4 Preservation of accrued benefit without transferring it

If a contributor, within the election period:

- (a) exercises his or her entitlement to make provision for a preserved benefit, and
- (b) does not exercise the entitlement conferred by clause 3 of Schedule 5 to the Act,

the benefit is to be preserved in accordance with section 43 of the Act from and including the date on which the contributor becomes an employee of Meat & Livestock Australia.

5 Transfer of preserved benefit

- (1) If, within the election period, a contributor:

- (a) exercises his or her entitlement to make provision for a preserved benefit, and
- (b) exercises the entitlement conferred by clause 3 of Schedule 5 to the Act,

STC is required to pay that benefit to a regulated superannuation fund nominated by the contributor.

- (2) The payment must be made as soon as practicable after the date on which the contributor exercises his or her entitlement to make a provision for a preserved benefit.

6 Obligation of STC with respect to the disposition of a preserved benefit

If a contributor has, in accordance with clause 5 (1), directed his or her deferred benefit to be paid to a nominated regulated superannuation fund, STC must, before paying the benefit to that fund, satisfy itself that the fund, or the trust deed by which that fund is established, includes provisions that will fully vest the deferred benefit to the credit of the contributor.

Clause 7 State Authorities Superannuation (Safe Food) Transitional Regulation 2002

7 Schedule 5 not to apply unless entitlement to preserve benefit is exercised

If a contributor does not exercise his or her entitlement to make provision for a deferred benefit within the election period, Schedule 5 to the Act does not apply to the contributor.

Strata Schemes (Freehold Development) Regulation 2002

under the

Strata Schemes (Freehold Development) Act 1973

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Freehold Development) Act 1973*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to remake, without substantial alteration, the *Strata Schemes (Freehold Development) Regulation 1997*, which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

The new Regulation deals with the following matters:

- (a) the form in which location plans, schedules of unit entitlement and floor plans are to be prepared (Part 2 and Schedules 1 and 2),
- (b) the form in which strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans are to be prepared (Part 3 and Schedules 1 and 2),
- (c) matters relating to staged development (Part 4),
- (d) signatures forms (Part 5 and Schedules 3 and 4),
- (e) miscellaneous matters, including lodgment of documents by hand and electronically, and fees payable to the Registrar-General in connection with the lodgment, examination, copying and issue of documents (Part 6 and Schedules 5 and 6),
- (f) others matters of a formal or ancillary nature (Part 1).

Strata Schemes (Freehold Development) Regulation 2002

Explanatory note

This Regulation is made under the *Strata Schemes (Freehold Development) Act 1973* and, in particular, under sections 37C and 158 (the general regulation-making power).

This Regulation (other than clause 35, which deals with fees) relates to matters of a machinery nature.

Strata Schemes (Freehold Development) Regulation 2002

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	5
2 Commencement	5
3 Definitions	5
4 Notes	6
5 Application of other instruments	6
Part 2 Location plans, schedules of unit entitlement and floor plans	
6 Location plans: sections 8, 8A and 9	7
7 Schedules of unit entitlement: sections 8, 10 and 11	8
8 Floor plans: sections 8, 8A and 9	9
Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans	
9 Strata plans: section 8	10
10 Strata plans of subdivision: sections 8A and 9	10
11 Strata plans of consolidation: section 12	11
12 Building alteration plans: section 14	11
13 Alteration of plans lodged by hand	12
14 Alteration of plans lodged electronically	12
Part 4 Staged development	
15 Strata development contracts	14
16 Execution by developer on behalf of body corporate	15
17 Notices relating to development concerns	15
18 Insurance for vertical staged development	16

Strata Schemes (Freehold Development) Regulation 2002

Contents

Part 5 Signatures form

19	Content of the signatures form	17
20	Signatures form to comply with Schedule 3 or Schedules 3 and 4 requirements	17
21	Refusal to accept a signatures form	17
22	Registration of a signatures form	17

Part 6 Miscellaneous

23	Notations relating to easements, profits à prendre, restrictions on the use of land and positive covenants	18
24	Indication of creation of easement	18
25	Indication of release of easement	19
26	Lodgment of plans by hand	20
27	Lodgment of plans electronically	21
28	Lodgment of other documents electronically	22
29	Surveyors' certificates	22
30	Councils' strata certificates and notices	22
31	Accredited certifier certificates	23
32	Body corporate certificates	23
33	Category 1 fire safety provisions: section 37	24
34	Periods for retention of documents: section 49	24
35	Fees	24
36	Savings	24

Schedules

1	Requirements for plans lodged by hand	25
2	Requirements for plans lodged electronically	30
3	Requirements for signatures form	35
4	Requirements for lodging signatures form electronically	37
5	Requirements for lodging other documents electronically	38
6	Fees	39

Strata Schemes (Freehold Development) Regulation 2002

Clause 1

Preliminary

Part 1

Strata Schemes (Freehold Development) Regulation 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Strata Schemes (Freehold Development) Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Strata Schemes (Freehold Development) Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

In this Regulation:

plan means a plan lodged in the office of the Registrar-General for registration as a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan.

section 88B instrument means an instrument of a kind that:

- (a) under clause 24, is required to accompany a plan that creates an easement, profit à prendre, restriction or positive covenant, or
- (b) under clause 25, is required to accompany a plan that releases an easement or profit à prendre,

under section 88B of the *Conveyancing Act 1919*.

signatures form means an approved form for signatures used in connection with the lodging of a plan.

the Act means the *Strata Schemes (Freehold Development) Act 1973*.

Note. Section 3 (1) of the *Real Property Act 1900* defines **approved form** as a form approved by the Registrar-General for the purposes of the provision of the *Real Property Act 1900* or any other Act in relation to which the expression is used. Section 6 (1) of the *Strata Schemes (Freehold Development) Act 1973* requires that Act to be read and construed as if it formed part of the *Real Property Act 1900*.

Clause 4 Strata Schemes (Freehold Development) Regulation 2002

Part 1 Preliminary

4 Notes

Notes included in this Regulation do not form part of this Regulation.

5 Application of other instruments

- (1) The provisions of this Regulation apply in addition to the provisions of:
 - (a) Division 3 of Part 3 of, and Schedules 4 and 4A to, the *Conveyancing (General) Regulation 1998* (which deal with instruments under section 88B of the *Conveyancing Act 1919*), and
 - (b) the *Real Property Regulation 1998*, and
 - (c) any regulation replacing either of those Regulations.
- (2) The provisions of this Regulation prevail in the event of any inconsistency between those provisions and the provisions referred to in subclause (1).

Note. This Regulation includes provisions concerning plans for land the subject of a strata scheme. All such land is under the provisions of the *Real Property Act 1900*. That Act, and the regulations under that Act, include provisions concerning the preparation and lodgment of dealings for such land (including provisions requiring the payment of fees).

Strata Schemes (Freehold Development) Regulation 2002

Clause 6

Location plans, schedules of unit entitlement and floor plans

Part 2

Part 2 Location plans, schedules of unit entitlement and floor plans

6 Location plans: sections 8, 8A and 9

(1) A location plan must be in the format of approved form 2 and show the following:

- (a) the external boundaries, and the lengths of the external boundaries, of the parcel,
- (b) except as provided in subclause (2), the projection onto a horizontal plane of the external limits of:
 - (i) the building,
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots,
 - (iii) any lots or parts of lots not within the building,
- (c) if:
 - (i) any part of the building, or
 - (ii) in the case of a lot that is not within the building but is defined by linear measurement from a part of the building or from a part of some other structural feature, any part of that lot,

is within 2 metres of a boundary of the parcel, the perpendicular distances from that part of the building or from that part of the structural feature, to that boundary of the parcel (being perpendicular distances that correspond to the connections referred to in clause 8 (1) (b) or (c)),

- (d) the identity of:
 - (i) the building, by reference to the street number, the material of its external construction and the number of floors or levels, and
 - (ii) any other structural feature used in the plan to define lots or parts of lots, by reference to its nature and the material of its construction,
- (e) the identities of all adjoining lands,
- (f) if any encroachment exists, such survey information as the Registrar-General may require to indicate the relationship of the encroachment to the parcel boundary.

Clause 6 Strata Schemes (Freehold Development) Regulation 2002

Part 2 Location plans, schedules of unit entitlement and floor plans

- (2) In the case of a proposed stratum parcel, the matter to be shown on a location plan by means of the projection referred to in subclause (1) (b) is to include the following information instead of that required by subclause (1) (b):
- (a) the perimeter of the site of the building of which the proposed stratum parcel forms part,
 - (b) in relation to that perimeter, the external limits of:
 - (i) the building, and
 - (ii) the proposed stratum parcel,
 - (c) in relation to the boundaries of the proposed stratum parcel, such elevations, sections, levels and planes as in the Registrar-General's opinion are necessary to illustrate:
 - (i) the part of the building that will be the subject of the proposed stratum parcel, and
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots, and
 - (iii) any proposed lots or parts of lots not within the building.
- (3) All linear connections shown on a location plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- (4) A location plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

7 Schedules of unit entitlement: sections 8, 10 and 11

- (1) A schedule of unit entitlement (other than a schedule of unit entitlement referred to in section 8A of the Act) must set out:
- (a) in vertical columns in numerical sequence, a reference to the number of each lot in the strata scheme, and
 - (b) opposite each lot number, in whole numbers (excluding zero), the proposed unit entitlement of that lot, and
 - (c) the proposed aggregate unit entitlement as the numerical total of the proposed unit entitlement of all lots in the strata scheme.
- (2) Despite subclause (1) (a), the references to successively numbered lots having the same unit entitlement may be grouped in abbreviated form instead of being set out in vertical columns.

Strata Schemes (Freehold Development) Regulation 2002

Clause 8

Location plans, schedules of unit entitlement and floor plans

Part 2

8 Floor plans: sections 8, 8A and 9

- (1) A floor plan must be in the format of approved form 2, on a separate sheet from the location plan, and show the following:
 - (a) by continuous lines, the boundaries of lots or whole separate parts of lots, so that boundaries defined by walls or other structural features are shown by a consistent thick line and boundaries defined by lines only are shown by a consistent thin line,
 - (b) if the boundary of a lot is defined by reference to the surface of a structural feature, other than the surface of a floor or ceiling, linear connections to that surface and such linear dimensions of that boundary as the Registrar-General may require,
 - (c) if the boundary of a lot is defined by reference to the surface of a floor or ceiling, such vertical connections and notations as are necessary to define that boundary,
 - (d) notations sufficient to ensure that each cubic space forming the whole of a lot or a whole separate part of a lot is fully defined (provided that if it is intended that a lot boundary is to be defined in accordance with the formula set out in section 5 (2) (a) of the Act, no notation need be made for the purpose of defining that boundary).
- (2) All linear connections shown on a floor plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- (3) No reference is to be made in a floor plan to the relationship of boundaries of lots to boundaries of the parcel, except to the extent required by subclause (4).
- (4) For the purposes of sections 6 (3) (a) and 14 (4) (a) of the Act, so much of an encroachment as is intended for use with a proposed lot is to be indicated in a floor plan in such manner as the Registrar-General may require.
- (5) Subclauses (3) and (4) do not apply to a floor plan for a stratum parcel.
- (6) A floor plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

Clause 9 Strata Schemes (Freehold Development) Regulation 2002

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

9 Strata plans: section 8

- (1) The first sheet of a strata plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (2) The second and subsequent sheets of the plan must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (3) However, certificates and signatures are not required to appear on a strata plan if they are provided on a signatures form that complies with the requirements set out in Schedule 3.
- (4) Each lot must be numbered consecutively, beginning with lot 1 and ending with a lot number corresponding with the total number of lots in the plan. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

Note. Section 8 of the Act provides that a strata plan must include a location plan, a floor plan, a schedule of unit entitlement, the by-laws being adopted for the scheme, the name of the body corporate and the address at which documents may be served on the body corporate.

10 Strata plans of subdivision: sections 8A and 9

- (1) A strata plan of subdivision must be in the approved form.
- (2) The first sheet of the plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (3) The second and subsequent sheets of the plan must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (4) However, certificates and signatures are not required to appear on a strata plan of subdivision if they are provided on a signatures form that complies with the requirements set out in Schedule 3.

Strata Schemes (Freehold Development) Regulation 2002

Clause 10

Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3

-
- (5) Each lot resulting from the subdivision must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

11 Strata plans of consolidation: section 12

- (1) A strata plan of consolidation must be in the approved form and must include a floor plan.
- (2) The first sheet of the plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (3) The second and subsequent sheets of the plan must be signed by the surveyor by whom the plan has been prepared.
- (4) However, certificates and signatures are not required to appear on a strata plan of consolidation if they are provided on a signatures form that complies with the requirements set out in Schedule 3.
- (5) Each lot resulting from the consolidation must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

12 Building alteration plans: section 14

- (1) A building alteration plan must be in the approved form and must include a floor plan and, if the Registrar-General so requires, a plan in the nature of a location plan.
- (2) The first sheet of the plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (3) The second and subsequent sheets of the plan must be signed by the surveyor by whom the plan has been prepared.
- (4) However, certificates and signatures are not required to appear on a building alteration plan if they are provided on a signatures form that complies with the requirements set out in Schedule 3.
- (5) The Registrar-General may permit specified survey information of an encroachment, sufficient to define the perimeter of a parcel, to be shown on a location plan.

Clause 12 Strata Schemes (Freehold Development) Regulation 2002

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

- (6) Each lot must be numbered and identified in accordance with its existing numbering and identity in the strata scheme.

13 Alteration of plans lodged by hand

- (1) The Registrar-General may at his or her discretion and after giving notice to such persons as he or she may think fit:
- (a) number or re-number any lots in a plan lodged by hand, whether before or after registration, and
 - (b) before registration of a plan lodged by hand, supply omissions and correct obvious errors in the plan.
- (2) If an alteration to a plan lodged by hand is to be made before registration of the plan and the alteration is not made by the Registrar-General under subclause (1), the alteration must be authenticated by the plan or original signatures form being signed and dated:
- (a) by the surveyor by whom the plan has been prepared, and
 - (b) if the alteration concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme, by a duly authorised officer of the local council or by the accredited certifier (as appropriate).

14 Alteration of plans lodged electronically

- (1) The Registrar-General may, at his or her discretion and after giving notice to such persons as he or she may think fit:
- (a) before or after registration of a plan lodged electronically, direct that any lots in the plan be numbered or renumbered, and
 - (b) before registration of a plan lodged electronically, direct that anything omitted from the plan be added to the plan or that any obvious error in the plan be corrected, and
 - (c) require a replacement plan in a Tagged Image File Format (TIFF) approved by the Registrar-General to be submitted showing alterations in accordance with any directions given under paragraph (a) or (b).
- (2) If the alteration is to be made before registration of the plan and either concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme:
- (a) the original signatures form is to be endorsed with a statement identifying the alteration, and

Strata Schemes (Freehold Development) Regulation 2002

Clause 14

Strata plans, strata plans of subdivision, strata plans of consolidation and
building alteration plans

Part 3

-
- (b) the endorsed signatures form is to be re-signed by a duly authorised officer of the local council or by an accredited certifier (as appropriate), and
 - (c) a new image of the endorsed and re-signed signatures form is to be created and lodged with the Registrar-General.

Clause 15 Strata Schemes (Freehold Development) Regulation 2002

Part 4 Staged development

Part 4 Staged development

15 Strata development contracts

- (1) The description in a strata development contract referred to in section 28C (2) (c) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, the proposed uses of the lots in the buildings, the proposed building style, and the proposed height and density of the buildings,
 - (b) any common property amenities that will be provided,
 - (c) the number of lots to be created,
 - (d) details of access and construction zones and accompanying rights over common property and development lots,
 - (e) the manner in which it is proposed to landscape the parcel,
 - (f) building materials and finishes to be used,
 - (g) details of any vertical staging, and of the insurance cover that applies to any such staging,
 - (h) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
 - (i) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.
- (2) The description in a strata development contract referred to in section 28C (2) (d) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, the proposed uses of the lots in the buildings, the proposed building style, and the proposed height and density of the buildings,
 - (b) the maximum number of lots to be created,
 - (c) details of any vertical staging, and of the insurance cover that applies to any such staging,

Strata Schemes (Freehold Development) Regulation 2002

Clause 15

Staged development

Part 4

- (d) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
- (e) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.

16 Execution by developer on behalf of body corporate

If a dealing, plan or other instrument is executed by a developer on behalf of a body corporate under section 28N (3) of the Act for the purpose of giving effect to a decision about a development concern:

- (a) the execution must be in the approved form, and
- (b) a statutory declaration in the approved form specifying the circumstances in which the instrument was executed must be lodged by hand in conjunction with each dealing, plan or other instrument, whether or not any of those instruments is lodged electronically.

17 Notices relating to development concerns

A motion that relates to a development concern must be identified by the matter "(THIS MOTION RELATES TO A DEVELOPMENT CONCERN—SEE SECTIONS 28N, 28O AND 28P OF THE STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT 1973)" appearing after the proposed wording of the motion in the following notices and requisitions:

- (a) a notice served on the secretary of the council of the body corporate requiring inclusion in the agenda of the next general meeting of the body corporate of such a motion,
- (b) a notice served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring the convening of an extraordinary general meeting to consider such a motion,
- (c) a requisition served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring a meeting of the council to be convened to consider such a motion,
- (d) notice of a meeting of the body corporate or of the council of the body corporate at which such a motion is to be considered.

Clause 18 Strata Schemes (Freehold Development) Regulation 2002

Part 4 Staged development

18 Insurance for vertical staged development

- (1) For the purposes of clause 8 of Schedule 1BA to the Act, a policy of indemnity must indemnify the developer against at least the following:
 - (a) contract works claims up to a value at least equivalent to the cover provided by the body corporate's damage policy maintained under section 83 or 84 of the *Strata Schemes Management Act 1996*, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for contract works insurance,
 - (b) public liability claims up to a value of at least \$15,000,000, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for public liability insurance.
- (2) This clause does not affect any obligation of a developer to effect and maintain insurance required by or under any other law, such as the *Workers Compensation Act 1987*.
- (3) In this clause:

contract works claim means a claim for accidental damage to buildings and works for the time being forming part of the parcel (including buildings erected and works carried out under the strata development contract), arising out of or resulting from the carrying out of the permitted development.

public liability claim means a claim for damages because of death or personal injury for which the developer is liable as an occupier of the parcel.

Strata Schemes (Freehold Development) Regulation 2002

Clause 19

Signatures form

Part 5

Part 5 Signatures form

Note. If a plan is lodged by hand but the signatures and consents required are not endorsed on the plan, or a plan is lodged electronically, the signatures and consents required must be endorsed on the form approved by the Registrar-General for signatures (the **signatures form**) and that form must be lodged in the same way as the plan. (See sections 16 (2A) and 27 (3A) of the Act.)

19 Content of the signatures form

- (1) The signatures form must repeat the plan heading and the surveyor's reference in the appropriate panels on each sheet of the approved form.
- (2) The signatures form must contain all certificates required by the Registrar-General, endorsed in the appropriate panels on that form.

20 Signatures form to comply with Schedule 3 or Schedules 3 and 4 requirements

- (1) A signatures form that is lodged by hand at the office of the Registrar-General must comply with the requirements set out in Schedule 3.
- (2) A signatures form can be lodged electronically only if:
 - (a) the plan to which it relates is also lodged electronically, and
 - (b) the signatures form complies with the requirements set out in Schedule 3 and the requirements set out in Schedule 4 are complied with.

21 Refusal to accept a signatures form

The Registrar-General may refuse to accept a signatures form that, in the opinion of the Registrar-General, does not comply with, or is not lodged in accordance with, this Part.

22 Registration of a signatures form

On registration of a plan that is accompanied by a signatures form, the signatures form is to be registered in the register of plans referred to in the *Conveyancing (General) Regulation 1998*.

Clause 23 Strata Schemes (Freehold Development) Regulation 2002

Part 6 Miscellaneous

Part 6 Miscellaneous

23 Notations relating to easements, profits à prendre, restrictions on the use of land and positive covenants

- (1) A notation referring to an intention to create or release an easement or profit à prendre, or to create a restriction or positive covenant, must not be entered on a plan unless it is intended that it is to be created or released pursuant to section 88B of the *Conveyancing Act 1919*.
- (2) However, a plan may designate the site of a proposed easement, profit à prendre, restriction or positive covenant that is intended to be created (otherwise than by registration of the plan) by an instrument of grant or reservation, or the proposed varied site of an existing easement or profit à prendre that is intended to be varied by an instrument of variation, if:
 - (a) the designation of the site of the proposed easement, profit à prendre, restriction or positive covenant, or of the proposed variation of existing easement or profit à prendre, includes the word “proposed” or an abbreviation of that word, and
 - (b) no other statement of intention to create or vary the easement or profit à prendre, or to create the restriction or positive covenant, is entered elsewhere on the plan.
- (3) The designation of the site of a proposed easement, profit à prendre, restriction or positive covenant in accordance with subclause (2) does not, for the purposes of section 88B of the *Conveyancing Act 1919*, indicate in the prescribed manner an intention to create an easement.
- (4) A notation referring to the proposed varied site of an existing easement or profit à prendre must not be entered on a plan unless it is intended that the easement or profit à prendre is to be varied pursuant to section 47 (5A) of the *Real Property Act 1900*.

24 Indication of creation of easement

- (1) If a plan is intended, on registration, to create an easement, profit à prendre, restriction or positive covenant pursuant to section 88B of the *Conveyancing Act 1919*:

Strata Schemes (Freehold Development) Regulation 2002

Clause 24

Miscellaneous

Part 6

-
- (a) a statement of intention to create the easement, profit à prendre, restriction or positive covenant must be legibly printed in the panel provided on the approved form, and
 - (b) the site of any proposed easement must be shown in the plan drawing area of the approved form with sufficient indication of the nature of the easement to distinguish it from any other easement intended to be created on registration of the plan, and
 - (c) if any proposed easement is to be limited in height or depth, the levels of the limits must be defined as required by the Registrar-General.
- (2) A statement of intention referred to in subclause (1) (a) must neither incorporate the text of the easement, profit à prendre, restriction or positive covenant nor specify the lots intended to be benefited and burdened.
 - (3) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that regulation must also be complied with.

25 Indication of release of easement

- (1) If a plan is intended, on registration, to release an easement or profit à prendre (in respect of some or all of the land to which it applies) pursuant to section 88B of the *Conveyancing Act 1919*:
 - (a) a statement of intention to release the easement or profit à prendre must be legibly printed in the panel provided on the approved form, and
 - (b) sufficient information must be shown on the plan, or included in the relevant section 88B instrument, to indicate the extent of the release.
- (2) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that regulation must also be complied with.

Clause 26 Strata Schemes (Freehold Development) Regulation 2002

Part 6 Miscellaneous

26 Lodgment of plans by hand

- (1) A person lodging a plan by hand for registration at the office of the Registrar-General must produce the plan at that office in such manner as may be approved by the Registrar-General.
- (2) The original plan must be accompanied by:
 - (a) a completed plan lodgment form in the approved form, and
 - (b) one print of each sheet of the plan (each sheet being a positive reproduction on a light background), and
 - (c) completed plan checklists in the approved form, if required by the Registrar-General, and
 - (d) a signatures form, if adopted, as set out in Schedule 3.
- (3) If the Registrar-General so requires, a plan must also be accompanied by:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel, and
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme, and
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme.
- (4) The Registrar-General will not require a plan to be accompanied by a certificate of title or Crown grant if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 15 (1) (d) of the Act.
- (5) If an original of a plan bears evidence of a strata certificate, the print of each sheet of the plan referred to in subclause (2) (b) must contain particulars of the certificate under the original signature of the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave the certificate.

Strata Schemes (Freehold Development) Regulation 2002

Clause 27

Miscellaneous

Part 6

27 Lodgment of plans electronically

- (1) An authorised person lodging a plan electronically for registration in the office of the Registrar-General must lodge the plan in accordance with the e-plan system established by section 195AA of the *Conveyancing Act 1919* or otherwise with the consent of the Registrar-General.
- (2) Plan lodgment details must be provided in the manner required by the Registrar-General. The plan must comply with the requirements set out in Schedule 2 and be lodged in accordance with the relevant requirements of that Schedule.
- (3) The plan file must be accompanied by files comprising:
 - (a) a completed approved form for signatures and such instruments and data files as the Registrar-General may require,
 - (b) completed plan checklists in the approved form, if required by the Registrar-General.
- (4) The following original documents must be lodged by hand at the office of the Registrar-General, and may not be lodged electronically:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel,
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme,
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme,
 - (d) such consents in writing to the registration of the plan signed by a lessee, caveator, judgment creditor or other person, as may be required by the Registrar-General,
 - (e) such other certificates of title, office copies of court orders, powers of attorney, statutory declarations and other original documents as may be required by the Registrar-General.
- (5) The Registrar-General will not require a certificate of title or Crown grant to be lodged if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 15 (1) (d) of the Act.

Clause 28 Strata Schemes (Freehold Development) Regulation 2002

Part 6 Miscellaneous

28 Lodgment of other documents electronically

Where a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan that the Registrar-General permits to be lodged electronically is accompanied by other documents, those documents must also be lodged electronically and comply with the requirements set out in Schedule 5, except those documents referred to in clause 27 (4).

29 Surveyors' certificates

A certificate given by a surveyor under section 14 (1) (d) of the Act must be in the approved form.

30 Councils' strata certificates and notices

- (1) A strata certificate issued or notice given by a local council under section 37 (1), (1A), (2), (3), (4) or (5) of the Act must be in the approved form.
- (2) A notice under section 37 (2) of the Act must be accompanied by a copy of a plan illustrating the proposed subdivision, identified by the signature of the duly authorised officer of the council who signed the notice.
- (3) A local council must keep (as part of the register kept by the council under clause 264 or 265 of the *Environmental Planning and Assessment Regulation 2000*) a record of the following:
 - (a) the date of issue of each strata certificate issued by the council under section 37 of the Act,
 - (b) the date of issue of each strata certificate issued by an accredited certifier under section 37A of the Act in relation to a building or proposed building within the area of the council.
- (4) A local council must keep the following documents for each strata certificate issued by it under section 37 of the Act, or by an accredited certifier under section 37A of the Act, in relation to a building or proposed building within the area of the council:
 - (a) a copy of the strata certificate,
 - (b) a copy of the proposed strata plan, strata plan of subdivision or notice of conversion to which the strata certificate relates,
 - (c) copies of any related documents submitted to the council by the applicant for the strata certificate in connection with the application.

Strata Schemes (Freehold Development) Regulation 2002

Clause 30

Miscellaneous

Part 6

-
- (5) A local council must make the documents kept by it under subclause (4) available for inspection at its principal office, free of charge, during the council's ordinary office hours. A copy of any such document may be made on payment of a reasonable copying charge set by the council.

31 Accredited certifier certificates

- (1) A strata certificate issued by an accredited certifier under section 37A of the Act must be in the approved form.
- (2) An accredited certifier must within 7 days after issuing a strata certificate send a copy of the following documents to the consent authority that granted the relevant development consent and to the local council (if the local council is not the consent authority):
- (a) the strata certificate,
 - (b) the proposed strata plan, strata plan of subdivision or notice of conversion concerned,
 - (c) any other related documents submitted to the accredited certifier by the applicant for the strata certificate in connection with the application.
- (3) Clause 205 (Record keeping by accredited certifiers) of the *Environmental Planning and Assessment Regulation 2000* applies (as a requirement of this Regulation) in respect of strata certificates and applications for strata certificates in the same way as it applies in respect of certificates and applications for certificates referred to in that clause.

32 Body corporate certificates

- (1) A certificate given by a body corporate under section 9 (3) (d) (i), 11 (b), 13 (2) (b) (i), 19 (3) (b), 28 (4) or 37 (2), (4) (a) or (5) (a) of the Act must be in the approved form.
- (2) For the purpose of identification, a plan in respect of which a certificate is given under section 37 (2) of the Act must be signed by each person who attested the affixing of the seal of the body corporate on the certificate.

Clause 33 Strata Schemes (Freehold Development) Regulation 2002

Part 6 Miscellaneous

33 Category 1 fire safety provisions: section 37

For the purposes of section 37 of the Act, the following provisions of the *Building Code of Australia* are prescribed as **Category 1 fire safety provisions**, namely, EP1.3, EP1.4, EP1.6, EP2.1, EP2. 2 and EP3.2 in Volume One of that Code and P2.3.2 in Volume Two of that Code.

34 Periods for retention of documents: section 49

For the purposes of section 49 (2) (c) of the Act, the period prescribed is the period of 12 months commencing with the day on which the plan or other document was registered or recorded.

35 Fees

- (1) The fees specified opposite the matters listed in Schedule 6 are payable to the Registrar-General in respect of those matters.
- (2) A fee is payable before the service to which the fee relates is provided or at such time, and in accordance with such conditions, as the Registrar-General may agree with the person paying the fee.

36 Savings

Any act, matter or thing that, immediately before the repeal of the *Strata Schemes (Freehold Development) Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Strata Schemes (Freehold Development) Regulation 2002

Requirements for plans lodged by hand

Schedule 1

Schedule 1 Requirements for plans lodged by hand

(Clauses 6, 8 and 26)

1 Material on which plan to be drawn

- (1) Each plan sheet must consist of a polyester film, or some other medium approved by the Registrar-General.
- (2) A plan must be drawn on one side of a plan sheet only, and must be drawn on a matt surface.
- (3) Each plan sheet must be free from blemishes and creases.

2 Plan sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres by 297 millimetres (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

Page 25

Strata Schemes (Freehold Development) Regulation 2002

Schedule 1 Requirements for plans lodged by hand

6 Clarity of detail

The plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.

7 Alterations

- (1) A plan may be altered only by striking through the matter to be altered.
- (2) In particular, a plan may not be altered by the use of correction fluid or by rubbing, scraping or cutting the surface of the plan sheet.
- (3) The Registrar-General may require a plan sheet to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for copying.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.
- (4) Any signature or seal that cannot satisfactorily be shown on the plan sheet may be shown on an additional plan sheet, except where the signature or seal is provided on a signatures form that complies with the requirements set out in Schedule 3.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

Strata Schemes (Freehold Development) Regulation 2002

Requirements for plans lodged by hand

Schedule 1

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol “m²”,
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol “ha”,
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol “km²”.
- (2) The total area of a lot:
 - (a) must be shown within or relevant to the most significant part of the lot, and
 - (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of a location plan or floor plan of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and

Strata Schemes (Freehold Development) Regulation 2002

Schedule 1 Requirements for plans lodged by hand

-
- (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,
- and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.
- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
 - (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.

Strata Schemes (Freehold Development) Regulation 2002

Requirements for plans lodged by hand

Schedule 1

-
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- (4) In this clause:
- origin**, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

Strata Schemes (Freehold Development) Regulation 2002

Schedule 2 Requirements for plans lodged electronically

Schedule 2 Requirements for plans lodged electronically

(Clauses 6, 8 and 27)

1 File type in which plan to be created

- (1) Each plan sheet must be created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A3),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.
- (3) A plan comprising more than one sheet must be created as a multipage file.

2 Plan sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres in width by 297 millimetres in length (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and

Strata Schemes (Freehold Development) Regulation 2002

Requirements for plans lodged electronically

Schedule 2

(d) in an upright style.

- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

7 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the Computer Aided Drafting (CAD) software plan file and a new image created.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres, without rounding or any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

Strata Schemes (Freehold Development) Regulation 2002

Schedule 2 Requirements for plans lodged electronically

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol “m²”,
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol “ha”,
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol “km²”.
- (2) The total area of a lot:
 - (a) must be shown within or related to the most significant part of the lot, and
 - (b) must be the exact mathematical total of all areas shown on the plan as within that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and

Strata Schemes (Freehold Development) Regulation 2002

Requirements for plans lodged electronically

Schedule 2

- (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,

and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.

- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
- (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.

Strata Schemes (Freehold Development) Regulation 2002

Schedule 2 Requirements for plans lodged electronically

(4) In this clause:

origin, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

The plan drawing sheets are not to show any signatures or seals.

Note. All signatures and seals must be shown on the signatures form.

Strata Schemes (Freehold Development) Regulation 2002

Requirements for signatures form

Schedule 3

Schedule 3 Requirements for signatures form

(Clause 20 (1))

Note. When a signatures form is adopted, all signatures and seals must be shown on the form. No signatures or seals are to appear on the plan drawing sheets, except as provided in clause 26 (5). The completed signatures form must be lodged with and in the same manner as the plan.

1 Use of approved form

- (1) A signature form must be in the approved form.
- (2) Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form.

2 Paper

The paper used must be:

- (a) white and free from discolouration and blemishes, and
- (b) not less than 80 grams per square metre, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10 millimetres on each side and top and bottom.
- (2) Typewriting, printing, writing or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Lettering

- (1) The text of a signatures form must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) All text must be clear and legible and in dense black ink or dense dark blue ink. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread or are liable to mark or damage an adjacent sheet, will not be accepted.

Strata Schemes (Freehold Development) Regulation 2002

Schedule 3 Requirements for signatures form

- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

5 Alterations

- (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (2) Signatures or initials acknowledging alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.

6 Information to be included on multiple sheets

If the signatures form comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat the heading on the first sheet, the strata certificate number and date of endorsement and the surveyor's reference, and
- (b) each sheet must be numbered sequentially in the top right hand corner of each sheet as "Sheet of sheets".

Strata Schemes (Freehold Development) Regulation 2002

Requirements for lodging signatures form electronically

Schedule 4

Schedule 4 Requirements for lodging signatures form electronically

(Clause 20 (2))

1 File type in which image of document to be created

- (1) Each sheet of the completed paper signatures form complying with Schedule 3 that bears original signatures and seals is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a signatures form comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed signatures form is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper signatures form, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 78 of the Act, to produce that form to the Registrar-General within that period.

Strata Schemes (Freehold Development) Regulation 2002

Schedule 5 Requirements for lodging other documents electronically

Schedule 5 Requirements for lodging other documents electronically

(Clause 28)

1 File type in which image of document to be created

- (1) Where a document other than a signatures form is required to be lodged electronically with a plan, such as:
 - (a) a strata development contract, or
 - (b) a strata management statement, or
 - (c) by-laws, or
 - (d) any other documents required by the Registrar-General,each sheet of the completed paper document is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a document comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed document is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 78 of the Act, to produce that form to the Registrar-General within that period.

Strata Schemes (Freehold Development) Regulation 2002

Fees

Schedule 6

Schedule 6 Fees

(Clause 35)

		\$
1	On lodgment of a plan for registration	590.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	60.00
	And, in addition, for the preparation and supply of a certificate of title for common property in a strata scheme	60.00
	And, in addition, for each lot shown on the plan	60.00
	And, if the plan is accompanied by a copy of the proposed by-laws for the strata scheme, an additional	120.00
	And, if the plan is accompanied by a section 88B instrument in which only one easement, restriction on the use of land, positive covenant or profitàprendre is to be created, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the combined number of easements, restrictions on the use of land, positive covenants or profitsàprendre to be created is 2 or more, an additional	120.00
	And, if the plan is accompanied by a section 88B instrument in which only one easement is to be released, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the number of easements to be released is 2 or more, an additional	120.00
	And, if the plan is a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	15.00
2	On lodgment of a substituted plan or any sheet of such a plan	60.00

Strata Schemes (Freehold Development) Regulation 2002

Schedule 6

Fees

3	On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment fee
4	On lodgment of an application to amend a plan	60.00
	And, in addition, if the application involves the amendment of a certificate of title or folio of the Register:	
	(a) for the first certificate or folio	60.00
	(b) for each certificate or folio after the first	10.00
5	For examining a plan before lodgment	649.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	63.80
6	On lodgment of a notification of change of by-laws	60.00
7	On lodgment of a notice of conversion	60.00
8	On lodgment of a notification of change of address for service of notices on an owners corporation	60.00
9	On lodgment of an order varying a strata scheme	60.00
10	On lodgment of an application for an order terminating a strata scheme	60.00
	And, in addition, for each hour or part of an hour occupied in examining the application	100.00
11	On lodgment of an order terminating a strata scheme	60.00
12	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 9 (3) (d) (i), 13 (2) (b) (i) or 28 (4) (b) of the Act	60.00
13	On lodgment of a strata management statement	60.00
14	On lodgment for registration of a strata development contract	120.00
15	On lodgment for registration of an amendment to a strata development contract	60.00

Strata Schemes (Freehold Development) Regulation 2002

Fees

Schedule 6

16	For supplying a copy, available from the Document Copy Service, of a strata development contract or part of a strata development contract	4.00
17	For supplying a copy of a strata development contract or part of a strata development contract in response to a requisition requiring dispatch of information by post, facsimile or other means approved by the Registrar-General	20.00
	And, in addition, for supplying documents by facsimile transmission, for each sheet in excess of 2 sheets	1.00
	And, for each requisition if more than 20 pages but not more than 100 pages of a strata development contract or contracts are to be copied	20.00
18	For supplying a copy, available from the Document Copy Service, of any by-laws lodged with a strata plan	4.00
19	On lodgment of any document not otherwise referred to in this Schedule	60.00

Strata Schemes (Leasehold Development) Regulation 2002

under the

Strata Schemes (Leasehold Development) Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Leasehold Development) Act 1986*.

KIM YEADON, M.P.,
Minister for Information Technology

Explanatory note

The object of this Regulation is to remake, without substantial alteration, the *Strata Schemes (Leasehold Development) Regulation 1997*, which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

The new Regulation deals with the following matters:

- (a) the form in which location plans, schedules of unit entitlement and floor plans are to be prepared (Part 2 and Schedules 1 and 2),
- (b) the form in which strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans are to be prepared (Part 3 and Schedules 1 and 2),
- (c) matters relating to staged development (Part 4),
- (d) signatures forms (Part 5 and Schedules 3 and 4),
- (e) miscellaneous matters, including lodgment of documents by hand and electronically, and fees payable to the Registrar-General in connection with the lodgment, examination, copying and issue of documents (Part 6 and Schedules 5 and 6),
- (f) others matters of a formal or ancillary nature (Part 1).

Strata Schemes (Leasehold Development) Regulation 2002

Explanatory note

This Regulation is made under the *Strata Schemes (Leasehold Development) Act 1986* and, in particular, under sections 66C and 196 (the general regulation-making power).

This Regulation (other than clause 37, which deals with fees) relates to matters of a machinery nature.

Strata Schemes (Leasehold Development) Regulation 2002

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	5
2 Commencement	5
3 Definitions	5
4 Notes	6
5 Application of other instruments	6
Part 2 Location plans, schedules of unit entitlement and floor plans	
6 Location plans: sections 7, 10 and 11	7
7 Schedules of unit entitlement: sections 7, 13 and 14	8
8 Floor plans: sections 7, 10 and 11	9
Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans	
9 Strata plans: section 7	10
10 Strata plans of subdivision: sections 10 and 11	10
11 Strata plans of consolidation: section 15	11
12 Building alteration plans: section 17	11
13 Alteration of plans lodged by hand	12
14 Alteration of plans lodged electronically	12
Part 4 Staged development	
15 Strata development contracts	14
16 Execution by developer on behalf of body corporate	15
17 Notices relating to development concerns	15
18 Insurance for vertical staged development	16

Strata Schemes (Leasehold Development) Regulation 2002

Contents

	Page
Part 5 Signatures form	
19 Content of the signatures form	17
20 Signatures form to comply with Schedule 3 or Schedules 3 and 4 requirements	17
21 Refusal to accept a signatures form	17
22 Registration of a signatures form	17
Part 6 Miscellaneous	
23 Notations relating to easements, profits à prendre, restrictions on the use of land and positive covenants	18
24 Indication of creation of easement	18
25 Indication of release of easement	19
26 Lodgment of plans by hand	19
27 Lodgment of plans electronically	20
28 Lodgment of other documents electronically	21
29 Lessees' certificates	22
30 Surveyors' certificates	22
31 Councils' strata certificates and notices	22
32 Accredited certifier certificates	23
33 Body corporate certificates	23
34 Notice to water supply authorities	24
35 Category 1 fire safety provisions: section 66	24
36 Periods for retention of documents: section 78	24
37 Fees	24
38 Savings	24
Schedules	
1 Requirements for plans lodged by hand	25
2 Requirements for plans lodged electronically	30
3 Requirements for signatures form	35
4 Requirements for lodging signatures form electronically	37
5 Requirements for lodging other documents electronically	38
6 Fees	39

Strata Schemes (Leasehold Development) Regulation 2002

Clause 1

Preliminary

Part 1

Strata Schemes (Leasehold Development) Regulation 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Strata Schemes (Leasehold Development) Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Strata Schemes (Leasehold Development) Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

In this Regulation:

plan means a plan lodged in the office of the Registrar-General for registration as a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan.

section 88B instrument means an instrument of a kind that:

- (a) under clause 24, is required to accompany a plan that creates an easement, profit à prendre, restriction or positive covenant, or
- (b) under clause 25, is required to accompany a plan that releases an easement or profit à prendre,

under section 88B of the *Conveyancing Act 1919*.

signatures form means an approved form for signatures used in connection with the lodging of a plan.

the Act means the *Strata Schemes (Leasehold Development) Act 1986*.

Note. Section 3 (1) of the *Real Property Act 1900* defines **approved form** as a form approved by the Registrar-General for the purposes of the provision of the *Real Property Act 1900* or any other Act in relation to which the expression is used. Section 5 (1) of the *Strata Schemes (Leasehold Development) Act 1986* requires that Act to be read and construed as if it formed part of the *Real Property Act 1900*.

Clause 4 Strata Schemes (Leasehold Development) Regulation 2002

Part 1 Preliminary

4 Notes

Notes included in this Regulation do not form part of this Regulation.

5 Application of other instruments

- (1) The provisions of this Regulation apply in addition to the provisions of:
 - (a) Division 3 of Part 3 of, and Schedules 4 and 4A to, the *Conveyancing (General) Regulation 1998* (which deal with instruments under section 88B of the *Conveyancing Act 1919*), and
 - (b) the *Real Property Regulation 1998*, and
 - (c) any regulation replacing either of those Regulations.
- (2) The provisions of this Regulation prevail in the event of any inconsistency between those provisions and the provisions referred to in subclause (1).

Note. This Regulation includes provisions concerning plans for land the subject of a strata scheme. All such land is under the provisions of the *Real Property Act 1900*. That Act, and the regulations under that Act, include provisions concerning the preparation and lodgment of dealings for such land (including provisions requiring the payment of fees).

Strata Schemes (Leasehold Development) Regulation 2002

Clause 6

Location plans, schedules of unit entitlement and floor plans

Part 2

Part 2 Location plans, schedules of unit entitlement and floor plans

6 Location plans: sections 7, 10 and 11

(1) A location plan must be in the format of approved form 2 and show the following:

- (a) the external boundaries, and the lengths of the external boundaries, of the parcel,
- (b) except as provided by subclause (2), the projection onto a horizontal plane of the external limits of:
 - (i) the building,
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots,
 - (iii) any lots or parts of lots not within the building,
- (c) if:
 - (i) any part of the building, or
 - (ii) in the case of a lot that is not within the building but is defined by linear measurement from a part of the building or from a part of some other structural feature, any part of that lot,

is within 2 metres of a boundary of the parcel, the perpendicular distances from that part of the building, or from that part of the structural feature, to that boundary of the parcel (being perpendicular distances that correspond to the connections referred to in clause 8 (1) (b) or (c)),

- (d) the identity of:
 - (i) the building, by reference to the street number, the material of its external construction and the number of floors or levels, and
 - (ii) any other structural feature used in the plan to define lots or parts of lots, by reference to its nature and the material of its construction,
- (e) the identities of all adjoining lands,
- (f) if any encroachment exists, such survey information as the Registrar-General may require to indicate the relationship of the encroachment to the parcel boundary.

Clause 6 Strata Schemes (Leasehold Development) Regulation 2002

Part 2 Location plans, schedules of unit entitlement and floor plans

- (2) In the case of a proposed stratum parcel, the matter to be shown on a location plan by means of the projection referred to in subclause (1) (b) is to include the following information instead of that required by subclause (1) (b):
- (a) the perimeter of the site of the building of which the proposed stratum parcel forms part,
 - (b) in relation to that perimeter, the external limits of:
 - (i) the building, and
 - (ii) the proposed stratum parcel,
 - (c) in relation to the boundaries of the proposed stratum parcel, such elevations, sections, levels and planes as in the Registrar-General's opinion are necessary to illustrate:
 - (i) the part of the building that will be the subject of the proposed stratum parcel, and
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots, and
 - (iii) any proposed lots or parts of lots not within the building.
- (3) All linear connections shown on a location plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- (4) A location plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

7 Schedules of unit entitlement: sections 7, 13 and 14

- (1) A schedule of unit entitlement (other than a schedule of unit entitlement referred to in section 10 of the Act) must set out:
- (a) in vertical columns in numerical sequence, a reference to the number of each lot in the strata scheme, and
 - (b) opposite each lot number, in whole numbers (excluding zero), the proposed unit entitlement of that lot, and
 - (c) the proposed aggregate unit entitlement as the numerical total of the proposed unit entitlement of all lots in the strata scheme.
- (2) Despite subclause (1) (a), the references to successively numbered lots having the same unit entitlement may be grouped in abbreviated form instead of being set out in vertical columns.

Strata Schemes (Leasehold Development) Regulation 2002

Clause 8

Location plans, schedules of unit entitlement and floor plans

Part 2

8 Floor plans: sections 7, 10 and 11

- (1) A floor plan must be in the format of approved form 2, on a separate sheet from the location plan, and show the following:
 - (a) by continuous lines, the boundaries of lots or whole separate parts of lots, so that boundaries defined by walls or other structural features are shown by a consistent thick line and boundaries defined by lines only are shown by a consistent thin line,
 - (b) if the boundary of a lot is defined by reference to the surface of a structural feature, other than the surface of a floor or ceiling, linear connections to that surface and such linear dimensions of that boundary as the Registrar-General may require,
 - (c) if the boundary of a lot is defined by reference to the surface of a floor or ceiling, such vertical connections and notations as are necessary to define that boundary,
 - (d) notations sufficient to ensure that each cubic space forming the whole of a lot or a whole separate part of a lot is fully defined (provided that if it is intended that a lot boundary is to be defined in accordance with the formula set out in section 4 (2) (a) of the Act, no notation need be made for the purpose of defining that boundary).
- (2) All linear connections shown on a floor plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- (3) No reference is to be made in a floor plan to the relationship of boundaries of lots to boundaries of the parcel, except to the extent required by subclause (4).
- (4) For the purposes of sections 5 (4) (a) and 17 (4) (a) of the Act, so much of an encroachment as is intended for use with a proposed lot is to be indicated in a floor plan in such manner as the Registrar-General may require.
- (5) Subclauses (3) and (4) do not apply to a floor plan for a stratum parcel.
- (6) A floor plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

Clause 9	Strata Schemes (Leasehold Development) Regulation 2002
Part 3	Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

9 Strata plans: section 7

- (1) The first sheet of a strata plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (2) The second and subsequent sheets of the plan must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (3) However, certificates and signatures are not required to appear on a strata plan if they are provided on a signatures form that complies with the requirements set out in Schedule 3.
- (4) Each lot must be numbered consecutively, beginning with lot 1 and ending with a lot number corresponding with the total number of lots in the plan. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

Note. Section 7 of the Act provides that a strata plan must include a location plan, a floor plan, a schedule of unit entitlement, the by-laws being adopted for the scheme, the name of the body corporate and the address at which documents may be served on the body corporate.

10 Strata plans of subdivision: sections 10 and 11

- (1) A strata plan of subdivision must be in the approved form.
- (2) The first sheet of the plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (3) The second and subsequent sheets of the plan must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (4) However, certificates and signatures are not required to appear on a strata plan of subdivision if they are provided on a signatures form that complies with the requirements set out in Schedule 3.

Strata Schemes (Leasehold Development) Regulation 2002

Clause 10

Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3

-
- (5) Each lot resulting from the subdivision must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

11 Strata plans of consolidation: section 15

- (1) A strata plan of consolidation must be in the approved form and must include a floor plan.
- (2) The first sheet of the plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (3) The second and subsequent sheets of the plan must be signed by the surveyor by whom the plan has been prepared.
- (4) However, certificates and signatures are not required to appear on a strata plan of consolidation if they are provided on a signatures form that complies with the requirements set out in Schedule 3.
- (5) Each lot resulting from the consolidation must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

12 Building alteration plans: section 17

- (1) A building alteration plan must be in the approved form and must include a floor plan and, if the Registrar-General so requires, a plan in the nature of a location plan.
- (2) The first sheet of the plan must bear so much of the information and certification referred to in the approved form as is relevant to the plan.
- (3) The second and subsequent sheets of the plan must be signed by the surveyor by whom the plan has been prepared.
- (4) However, certificates and signatures are not required to appear on a building alteration plan if they are provided on a signatures form that complies with the requirements set out in Schedule 3.

Clause 12 Strata Schemes (Leasehold Development) Regulation 2002

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

- (5) The Registrar-General may permit specified survey information of an encroachment, sufficient to define the perimeter of a parcel, to be shown on a location plan.
- (6) Each lot must be numbered and identified in accordance with its existing numbering and identity in the strata scheme.

13 Alteration of plans lodged by hand

- (1) The Registrar-General may at his or her discretion and after giving notice to such persons as he or she may think fit:
 - (a) number or re-number any lots in a plan lodged by hand, whether before or after registration, and
 - (b) before registration of a plan lodged by hand, supply omissions and correct obvious errors in the plan.
- (2) If an alteration to a plan lodged by hand is to be made before registration of the plan and the alteration is not made by the Registrar-General under subclause (1), the alteration must be authenticated by the plan or original signatures form being signed and dated:
 - (a) by the surveyor by whom the plan has been prepared, and
 - (b) if the alteration concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme, by a duly authorised officer of the local council or by the accredited certifier (as appropriate).

14 Alteration of plans lodged electronically

- (1) The Registrar-General may, at his or her discretion and after giving notice to such persons as he or she may think fit:
 - (a) before or after registration of a plan lodged electronically, direct that any lots in the plan be numbered or renumbered, and
 - (b) before registration of a plan lodged electronically, direct that anything omitted from the plan be added to the plan or that any obvious error in the plan be corrected, and
 - (c) require a replacement plan in a Tagged Image File Format (TIFF) approved by the Registrar-General to be submitted showing alterations in accordance with any directions given under paragraph (a) or (b).

Strata Schemes (Leasehold Development) Regulation 2002

Clause 14

Strata plans, strata plans of subdivision, strata plans of consolidation and
building alteration plans

Part 3

- (2) If the alteration is to be made before registration of the plan and either concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme:
- (a) the original signatures form is to be endorsed with a statement identifying the alteration, and
 - (b) the endorsed signatures form is to be re-signed by a duly authorised officer of the local council or by an accredited certifier (as appropriate), and
 - (c) a new image of the endorsed and re-signed signatures form is to be created and lodged with the Registrar-General.

Clause 15 Strata Schemes (Leasehold Development) Regulation 2002

Part 4 Staged development

Part 4 Staged development

15 Strata development contracts

- (1) The description in a strata development contract referred to in section 43 (2) (c) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, the proposed uses of the lots in the buildings, the proposed building style, and the proposed height and density of the buildings,
 - (b) any common property amenities that will be provided,
 - (c) the number of lots to be created,
 - (d) details of access and construction zones and accompanying rights over common property and development lots,
 - (e) the manner in which it is proposed to landscape the parcel,
 - (f) building materials and finishes to be used,
 - (g) details of any vertical staging, and of the insurance cover that applies to any such staging,
 - (h) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
 - (i) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.
- (2) The description in a strata development contract referred to in section 43 (2) (d) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, proposed uses of the lots in the buildings, the proposed building style, and the proposed height and density of the buildings,
 - (b) the maximum number of lots to be created,
 - (c) details of any vertical staging, and of the insurance cover that applies to any such staging,

Strata Schemes (Leasehold Development) Regulation 2002

Clause 15

Staged development

Part 4

- (d) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
- (e) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.

16 Execution by developer on behalf of body corporate

If a dealing, plan or other instrument is executed by a developer on behalf of a body corporate under section 54 (3) of the Act for the purpose of giving effect to a decision about a development concern:

- (a) the execution must be in the approved form, and
- (b) a statutory declaration in the approved form specifying the circumstances in which the instrument was executed must be lodged by hand in conjunction with each dealing, plan or other instrument, whether or not any of those instruments is lodged electronically.

17 Notices relating to development concerns

A motion that relates to a development concern must be identified by the matter "(THIS MOTION RELATES TO A DEVELOPMENT CONCERN—SEE SECTIONS 54, 55 AND 56 OF THE STRATA SCHEMES (LEASEHOLD DEVELOPMENT) ACT 1986)" appearing after the proposed wording of the motion in the following notices and requisitions:

- (a) a notice served on the secretary of the council of the body corporate requiring inclusion in the agenda of the next general meeting of the body corporate of such a motion,
- (b) a notice served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring the convening of an extraordinary general meeting to consider such a motion,
- (c) a requisition served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring a meeting of the council to be convened to consider such a motion,
- (d) notice of a meeting of the body corporate or of the council of the body corporate at which such a motion is to be considered.

Clause 18 Strata Schemes (Leasehold Development) Regulation 2002

Part 4 Staged development

18 Insurance for vertical staged development

- (1) For the purposes of clause 8 of Schedule 2AA to the Act, a policy of indemnity must indemnify the developer against at least the following:
 - (a) contract works claims up to a value at least equivalent to the cover provided by the body corporate's damage policy maintained under section 83 or 84 of the *Strata Schemes Management Act 1996*, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for contract works insurance,
 - (b) public liability claims up to a value of at least \$15,000,000, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for public liability insurance.
- (2) This clause does not affect any obligation of a developer to effect and maintain insurance required by or under any other law, such as the *Workers Compensation Act 1987*.
- (3) In this clause:

contract works claim means a claim for accidental damage to buildings and works for the time being forming part of the parcel (including buildings erected and works carried out under the strata development contract), arising out of or resulting from the carrying out of the permitted development.

public liability claim means a claim for damages because of death or personal injury for which the developer is liable as an occupier of the parcel.

Strata Schemes (Leasehold Development) Regulation 2002

Clause 19

Signatures form

Part 5

Part 5 Signatures form

Note. If a plan is lodged by hand but the signatures and consents required are not endorsed on the plan, or a plan is lodged electronically, the signatures and consents required must be endorsed on the form approved by the Registrar-General for signatures (the **signatures form**) and that form must be lodged in the same way as the plan. (See sections 19 (4A) and 31 (3A) of the Act.)

19 Content of the signatures form

- (1) The signatures form must repeat the plan heading and the surveyor's reference in the appropriate panels on each sheet of the approved form.
- (2) The signatures form must contain all certificates required by the Registrar-General, endorsed in the appropriate panels on that form.

20 Signatures form to comply with Schedule 3 or Schedules 3 and 4 requirements

- (1) A signatures form that is lodged by hand at the office of the Registrar-General must comply with the requirements set out in Schedule 3.
- (2) A signatures form can be lodged electronically only if:
 - (a) the plan to which it relates is also lodged electronically, and
 - (b) the signatures form complies with the requirements set out in Schedule 3 and the requirements set out in Schedule 4 are complied with.

21 Refusal to accept a signatures form

The Registrar-General may refuse to accept a signatures form that, in the opinion of the Registrar-General, does not comply with, or is not lodged in accordance with, this Part.

22 Registration of a signatures form

On registration of a plan that is accompanied by a signatures form, the signatures form is to be registered in the register of plans referred to in the *Conveyancing (General) Regulation 1998*.

Clause 23 Strata Schemes (Leasehold Development) Regulation 2002

Part 6 Miscellaneous

Part 6 Miscellaneous

23 Notations relating to easements, profits à prendre, restrictions on the use of land and positive covenants

- (1) A notation referring to an intention to create or release an easement or profit à prendre, or to create a restriction or positive covenant, must not be entered on a plan unless it is intended that it is to be created or released pursuant to section 88B of the *Conveyancing Act 1919*.
- (2) However, a plan may designate the site of a proposed easement, profit à prendre, restriction or positive covenant that is intended to be created (otherwise than by registration of the plan) by an instrument of grant or reservation, or the proposed varied site of an existing easement or profit à prendre that is intended to be varied by an instrument of variation, if:
 - (a) the designation of the site of the proposed easement, profit à prendre, restriction or positive covenant, or of the proposed variation of existing easement or profit à prendre, includes the word “proposed” or an abbreviation of that word, and
 - (b) no other statement of intention to create or vary the easement or profit à prendre, or to create the restriction or positive covenant, is entered elsewhere on the plan.
- (3) The designation of the site of a proposed easement, profit à prendre, restriction or positive covenant in accordance with subclause (2) does not, for the purposes of section 88B of the *Conveyancing Act 1919*, indicate in the prescribed manner an intention to create an easement.
- (4) A notation referring to the proposed varied site of an existing easement or profit à prendre must not be entered on a plan unless it is intended that the easement or profit à prendre is to be varied pursuant to section 47 (5A) of the *Real Property Act 1900*.

24 Indication of creation of easement

- (1) If a plan is intended, on registration, to create an easement, profit à prendre, restriction or positive covenant pursuant to section 88B of the *Conveyancing Act 1919*:
 - (a) a statement of intention to create the easement, profit à prendre, restriction or positive covenant must be legibly printed in the panel provided on the approved form, and

Strata Schemes (Leasehold Development) Regulation 2002

Clause 24

Miscellaneous

Part 6

-
- (b) the site of any proposed easement must be shown in the plan drawing area of the approved form with sufficient indication of the nature of the easement to distinguish it from any other easement intended to be created on registration of the plan, and
 - (c) if any proposed easement is to be limited in height or depth, the levels of the limits must be defined as required by the Registrar-General.
- (2) A statement of intention referred to in subclause (1) (a) must neither incorporate the text of the easement, profit à prendre, restriction or positive covenant nor specify the lots intended to be benefited and burdened.
 - (3) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that regulation must also be complied with.

25 Indication of release of easement

- (1) If a plan is intended, on registration, to release an easement or profit à prendre (in respect of some or all of the land to which it applies) pursuant to section 88B of the *Conveyancing Act 1919*:
 - (a) a statement of intention to release the easement or profit à prendre must be legibly printed in the panel provided on the approved form, and
 - (b) sufficient information must be shown on the plan, or included in the relevant section 88B instrument, to indicate the extent of the release.
- (2) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 3 of Part 3 of, and the requirements set out in Schedule 4 to, the *Conveyancing (General) Regulation 1998* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 4A to that regulation must also be complied with.

26 Lodgment of plans by hand

- (1) A person lodging a plan by hand for registration at the office of the Registrar-General must produce the plan at that office in such manner as may be approved by the Registrar-General.

Clause 26 Strata Schemes (Leasehold Development) Regulation 2002

Part 6 Miscellaneous

- (2) The original plan must be accompanied by:
 - (a) a completed plan lodgment form in the approved form, and
 - (b) one print of each sheet of the plan (each sheet being a positive reproduction on a light background), and
 - (c) completed plan checklists in the approved form, if required by the Registrar-General, and
 - (d) a signatures form, if adopted, as set out in Schedule 3.
- (3) If the Registrar-General so requires, a plan must also be accompanied by:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel, and
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the lease of the land comprised in the plan and for the common property comprised in the strata scheme, and
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme.
- (4) The Registrar-General will not require a plan to be accompanied by a certificate of title or Crown grant if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 18 (1) (d) of the Act.
- (5) If an original of a plan bears evidence of a strata certificate, the print of each sheet of the plan referred to in subclause (2) (b) must contain particulars of the certificate under the original signature of the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave the certificate.

27 Lodgment of plans electronically

- (1) An authorised person lodging a plan electronically for registration in the office of the Registrar-General must lodge the plan in accordance with the e-plan system established by section 195AA of the *Conveyancing Act 1919* or otherwise with the consent of the Registrar-General.
- (2) Plan lodgment details must be provided in the manner required by the Registrar-General. The plan must comply with the requirements set out

Strata Schemes (Leasehold Development) Regulation 2002

Clause 27

Miscellaneous

Part 6

in Schedule 2 and be lodged in accordance with the relevant requirements of that Schedule.

- (3) The plan file must be accompanied by files comprising:
- (a) a completed approved form for signatures and such instruments and data files as the Registrar-General may require,
 - (b) completed plan checklists in the approved form, if required by the Registrar-General.
- (4) The following original documents must be lodged by hand at the office of the Registrar-General, and may not be lodged electronically:
- (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel,
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the lease of the land comprised in the plan and for the common property comprised in the strata scheme,
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme, and
 - (d) such consents in writing to the registration of the plan signed by a lessee, caveator, judgment creditor or other person, as may be required by the Registrar-General,
 - (e) such other certificates of title, office copies of court orders, powers of attorney, statutory declarations and other original documents as may be required by the Registrar-General.
- (5) The Registrar-General will not require a certificate of title or Crown grant to be lodged if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 18 (1) (d) of the Act.

28 Lodgment of other documents electronically

Where a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan that the Registrar-General permits to be lodged electronically is accompanied by other documents, those documents must also be lodged electronically and comply with the requirements set out in Schedule 5, except those documents referred to in clause 27 (4).

Clause 29 Strata Schemes (Leasehold Development) Regulation 2002

Part 6 Miscellaneous

29 Lessees' certificates

For the purposes of section 7 (1) (c) (iii) of the Act, the prescribed persons by whom a certificate referred to in that subparagraph must be signed are:

- (a) if the total number of leases is 3 or fewer, all of the lessees, or
- (b) if the total number of leases is more than 3:
 - (i) the person presiding at the meeting referred to in section 7 (1) (c) (iii) of the Act, and
 - (ii) two other lessees (not being joint lessees).

30 Surveyors' certificates

A certificate given by a surveyor under section 17 (1) (d) of the Act must be in the approved form.

31 Councils' strata certificates and notices

- (1) A strata certificate issued or notice given by a local council under section 66 (1), (2), (3), (4), (5) or (6) of the Act must be in the approved form.
- (2) A notice under section 66 (3) of the Act must be accompanied by a copy of a plan illustrating the proposed subdivision, identified by the signature of the duly authorised officer of the council who signed the notice.
- (3) A local council must keep (as part of the register kept by the council under clause 264 or 265 of the *Environmental Planning and Assessment Regulation 2000*) a record of the following:
 - (a) the date of issue of each strata certificate issued by the council under section 66 of the Act,
 - (b) the date of issue of each strata certificate issued by an accredited certifier under section 66A of the Act in relation to a building or proposed building within the area of the council.
- (4) A local council must keep the following documents for each strata certificate issued by it under section 66 of the Act, or by an accredited certifier under section 66A of the Act, in relation to a building or proposed building within the area of the council:
 - (a) a copy of the strata certificate,
 - (b) a copy of the proposed strata plan, strata plan of subdivision or notice of conversion to which the strata certificate relates,

Strata Schemes (Leasehold Development) Regulation 2002

Clause 31

Miscellaneous

Part 6

- (c) copies of any related documents submitted to the council by the applicant for the strata certificate in connection with the application.
- (5) A local council must make the documents kept by it under subclause (4) available for inspection at its principal office, free of charge, during the council's ordinary office hours. A copy of any such document may be made on payment of a reasonable copying charge set by the council.

32 Accredited certifier certificates

- (1) A strata certificate issued by an accredited certifier under section 66A of the Act must be in the approved form.
- (2) An accredited certifier must within 7 days after issuing a strata certificate send a copy of the following documents to the consent authority that granted the relevant development consent and to the local council (if the local council is not the consent authority):
 - (a) the strata certificate,
 - (b) the proposed strata plan, strata plan of subdivision or notice of conversion concerned,
 - (c) any other related documents submitted to the accredited certifier by the applicant for the strata certificate in connection with the application.
- (3) Clause 205 (Record keeping by accredited certifiers) of the *Environmental Planning and Assessment Regulation 2000* applies (as a requirement of this Regulation) in respect of strata certificates and applications for strata certificates in the same way as it applies in respect of certificates and applications for certificates referred to in that clause.

33 Body corporate certificates

- (1) A certificate given by a body corporate under section 11 (2) (d) (i), 14 (b), 16 (2) (b) (i), 22 (5) (b), 32 (4) or 66 (3), (5) (a) or (6) (a) of the Act must be in the approved form.
- (2) For the purpose of identification, a plan in respect of which a certificate is given under section 66 (3) of the Act must be signed by each person who attested the affixing of the seal of the body corporate to the certificate.

Clause 34 Strata Schemes (Leasehold Development) Regulation 2002

Part 6 Miscellaneous

34 Notice to water supply authorities

- (1) A lessor must give written notice to the relevant water supply authority within 60 days after the lessor grants or terminates a lease, or allows or terminates occupation, of a lot in a leasehold strata scheme.

Maximum penalty: 2 penalty units.

- (2) In this clause:

water supply authority means:

- (a) the Sydney Water Corporation, the Hunter Water Corporation or a water supply authority constituted under the *Water Management Act 2000*, or
- (b) a council or county council exercising water supply, sewerage or stormwater drainage functions under Division 2 of Part 3 of Chapter 6 of the *Local Government Act 1993*.

35 Category 1 fire safety provisions: section 66

For the purposes of section 66 of the Act, the following provisions of the *Building Code of Australia* are prescribed as **Category 1 fire safety provisions**, namely, EP1.3, EP1.4, EP1.6, EP2.1, EP2. 2 and EP3.2 in Volume One of that Code and P2.3.2 in Volume Two of that Code.

36 Periods for retention of documents: section 78

For the purposes of section 78 (2) (c) of the Act, the period prescribed is the period of 12 months commencing with the day on which the plan or other document was registered or recorded.

37 Fees

- (1) The fees specified opposite the matters listed in Schedule 6 are payable to the Registrar-General in respect of those matters.
- (2) A fee is payable before the service to which the fee relates is provided or at such time, and in accordance with such conditions, as the Registrar-General may agree with the person paying the fee.

38 Savings

Any act, matter or thing that, immediately before the repeal of the *Strata Schemes (Leasehold Development) Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Strata Schemes (Leasehold Development) Regulation 2002

Requirements for plans lodged by hand

Schedule 1

Schedule 1 Requirements for plans lodged by hand

(Clauses 6, 8 and 26)

1 Material on which plan to be drawn

- (1) Each plan sheet must consist of a polyester film, or some other medium approved by the Registrar-General.
- (2) A plan must be drawn on one side of a plan sheet only, and must be drawn on a matt surface.
- (3) Each plan sheet must be free from blemishes and creases.

2 Plan sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres by 297 millimetres (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging is to be used on a plan sheet.

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 1 Requirements for plans lodged by hand

6 Clarity of detail

The plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.

7 Alterations

- (1) A plan may be altered only by striking through the matter to be altered.
- (2) In particular, a plan may not be altered by the use of correction fluid or by rubbing, scraping or cutting the surface of the plan sheet.
- (3) The Registrar-General may require a plan sheet to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for copying.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.
- (4) Any signature or seal that cannot satisfactorily be shown on a plan sheet may be shown on an additional plan sheet, except where the signature or seal is provided on a signatures form that complies with the requirements set out in Schedule 3.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

Strata Schemes (Leasehold Development) Regulation 2002

Requirements for plans lodged by hand

Schedule 1

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol “m²”,
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol “ha”,
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol “km²”.
- (2) The total area of a lot:
 - (a) must be shown within or relevant to the most significant part of the lot, and
 - (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of a location plan or floor plan of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 1 Requirements for plans lodged by hand

- (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,

and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.

- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
- (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting the parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.

Strata Schemes (Leasehold Development) Regulation 2002

Requirements for plans lodged by hand

Schedule 1

(4) In this clause:

origin, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 2 Requirements for plans lodged electronically

Schedule 2 Requirements for plans lodged electronically

(Clauses 6, 8 and 27)

1 File type in which plan to be created

- (1) Each plan sheet must be created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A3),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.
- (3) A plan comprising more than one sheet must be created as a multipage file.

2 Plan sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres in width by 297 millimetres in length (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and

Strata Schemes (Leasehold Development) Regulation 2002

Requirements for plans lodged electronically

Schedule 2

- (c) open in formation and construction, and
- (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

7 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the Computer Aided Drafting (CAD) software plan file and a new image created.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres, without rounding or any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 2 Requirements for plans lodged electronically

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol “m²”,
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol “ha”,
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol “km²”.
- (2) The total area of a lot:
 - (a) must be shown within or related to the most significant part of the lot, and
 - (b) must be the exact mathematical total of all areas shown on the plan as within that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and

Strata Schemes (Leasehold Development) Regulation 2002

Requirements for plans lodged electronically

Schedule 2

- (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,

and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.

- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
- (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 2 Requirements for plans lodged electronically

(4) In this clause:

origin, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

The plan drawing sheets are not to show any signatures or seals.

Note. All signatures and seals must be shown on the signatures form.

Strata Schemes (Leasehold Development) Regulation 2002

Requirements for signatures form

Schedule 3

Schedule 3 Requirements for signatures form

(Clause 20 (1))

Note. When a signatures form is adopted, all signatures and seals must be shown on the form. No signatures or seals are to appear on the plan drawing sheets, except as provided in clause 26 (5). The completed signatures form must be lodged with and in the same manner as the plan.

1 Use of approved form

- (1) A signature form must be in the approved form.
- (2) Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form.

2 Paper

The paper used must be:

- (a) white and free from discolouration and blemishes, and
- (b) not less than 80 grams per square metre, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10 millimetres on each side and top and bottom.
- (2) Typewriting, printing, writing or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Lettering

- (1) The text of a signatures form must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) All text must be clear and legible and in dense black ink or dense dark blue ink. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread or are liable to mark or damage an adjacent sheet, will not be accepted.

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 3 Requirements for signatures form

- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

5 Alterations

- (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (2) Signatures or initials acknowledging alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.

6 Information to be included on multiple sheets

If the signatures form comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat the heading on the first sheet, the strata certificate number and date of endorsement and the surveyor's reference, and
- (b) each sheet must be numbered sequentially in the top right hand corner of each sheet as "Sheet of sheets".

Strata Schemes (Leasehold Development) Regulation 2002

Requirements for lodging signatures form electronically

Schedule 4

Schedule 4 Requirements for lodging signatures form electronically

(Clause 20 (2))

1 File type in which image of document to be created

- (1) Each sheet of the completed paper signatures form complying with Schedule 3 that bears original signatures and seals is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a signatures form comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed signatures form is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper signatures form, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 49 of the Act, to produce that form to the Registrar-General within that period.

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 5 Requirements for lodging other documents electronically

Schedule 5 Requirements for lodging other documents electronically

(Clause 28)

1 File type in which image of document to be created

- (1) Where a document other than a signatures form is required to be lodged electronically with a plan, such as:
 - (a) a strata development contract, or
 - (b) a strata management statement, or
 - (c) by-laws, or
 - (d) any other documents required by the Registrar-General,each sheet of the completed paper document is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a document comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed document is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 49 of the Act, to produce that form to the Registrar-General within that period.

Strata Schemes (Leasehold Development) Regulation 2002

Fees

Schedule 6

Schedule 6 Fees

(Clause 37)

		\$
1	On lodgment of a plan for registration	590.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	60.00
	And, in addition, for the preparation and supply of a certificate of title for lease of common property in a leasehold strata scheme	60.00
	And, in addition, for each lot shown on the plan	60.00
	And, if the plan is accompanied by a copy of the proposed by-laws for the leasehold strata scheme, an additional	120.00
	And, if the plan is accompanied by a section 88B instrument in which only one easement, restriction on the use of land, positive covenant or profit à prendre is to be created, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the combined number of easements, restrictions on the use of land, positive covenants or profits à prendre to be created is 2 or more, an additional	120.00
	And, if the plan is accompanied by a section 88B instrument in which only one easement is to be released, irrespective of the number of lots burdened or benefited, an additional	60.00
	And, if the plan is accompanied by a section 88B instrument in which the number of easements to be released is 2 or more, an additional	120.00
	And, if the plan is lodged for registration as a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	15.00
2	On lodgment of a substituted plan or any sheet of such a plan	60.00

Strata Schemes (Leasehold Development) Regulation 2002

Schedule 6 Fees

		\$
3	On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment fee
4	On lodgment of an application to amend a plan	60.00
	And, in addition, if the application involves the amendment of a certificate of title or folio of the Register:	
	(a) for the first certificate or folio	60.00
	(b) for each certificate or folio after the first	10.00
5	For examining a plan before lodgment	649.00
	And, in addition, for each hour or part of an hour in excess of the first 4 hours occupied in the examination	63.80
6	On lodgment of a notification of change of by-laws	60.00
7	On lodgment of a notice of conversion	60.00
8	On lodgment of a notification of change of address for service of notices on an owners corporation	60.00
9	On lodgment of an order varying a leasehold strata scheme	60.00
10	On lodgment of an application for an order terminating a leasehold strata scheme	60.00
	And, in addition, for each hour or part of an hour occupied in examining the application	100.00
11	On lodgment of an order terminating a leasehold strata scheme	60.00
12	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 11 (2) (d) (i), 16 (2) (b) (i) or 32 (4) (b) of the Act	60.00
13	On lodgment of a strata management statement	60.00
14	On lodgment for registration of a strata development contract	120.00

Strata Schemes (Leasehold Development) Regulation 2002

Fees

Schedule 6

		\$
15	On lodgment for registration of an amendment to a strata development contract	60.00
16	For supplying a copy, available from the Document Copy Service, of a strata development contract or part of a strata development contract	4.00
17	For supplying a copy of a strata development contract or part of a strata development contract in response to a requisition requiring dispatch of information by post, facsimile or other means approved by the Registrar-General	20.00
	And, in addition, for supplying documents by facsimile transmission, for each sheet in excess of 2 sheets	1.00
	And, for each requisition if more than 20 pages but not more than 100 pages of a strata development contract or contracts are to be copied	20.00
18	For supplying a copy, available from the Document Copy Service, of any by-laws lodged with a strata plan	4.00
19	On lodgment of any document not otherwise referred to in this Schedule	60.00

Trade Measurement Administration Regulation 2002

under the

Trade Measurement Administration Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Trade Measurement Administration Act 1989*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

This Regulation replaces, without any major changes in substance, the *Trade Measurement Administration Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*. The new Regulation deals with the following matters:

- (a) the returns to be sent by persons licensed to certify measuring instruments (clause 5),
- (b) the fees and charges payable under the *Trade Measurement Act 1989* and the *Trade Measurement Administration Act 1989* (clauses 6–9),
- (c) the prescription of certain offences under the *Trade Measurement Act 1989* as offences for which penalty notices may be issued under the *Trade Measurement Administration Act 1989* and the prescription of the amounts of penalties payable under penalty notices (clause 10),
- (d) other matters of a minor, consequential or ancillary nature (clauses 1–4 and 11).

The Regulation is made under the *Trade Measurement Administration Act 1989*, including Part 3 (Fees and charges), section 23 (Penalty notices for certain offences) and section 28 (the general regulation-making power).

Trade Measurement Administration Regulation 2002

Explanatory note

This Regulation deals with matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

Trade Measurement Administration Regulation 2002

Contents

Contents

	Page
1 Name of Regulation	4
2 Commencement	4
3 Definitions	4
4 Notes	4
5 Returns for certification of measuring instruments	4
6 Charges payable in respect of verification or re-verification by an inspector (section 10 of the Act)	5
7 Charges payable by servicing licensee in respect of certification (section 11 of the Act)	5
8 Other fees and charges (section 13 of the Act)	5
9 Reduction, waiver and deferral of charges	6
10 Prescribed offences and penalties	6
11 Savings provision	6
Schedules	
1 Verification and certification charges	7
2 Other fees and charges	10
3 Penalty notice offences	14

Clause 1 Trade Measurement Administration Regulation 2002

Trade Measurement Administration Regulation 2002

1 Name of Regulation

This Regulation is the *Trade Measurement Administration Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Trade Measurement Administration Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

In this Regulation:

servicing licensee means a person holding a servicing licence.

the Act means the *Trade Measurement Administration Act 1989*.

4 Notes

Notes included in this Regulation do not form part of this Regulation.

5 Returns for certification of measuring instruments

- (1) A servicing licensee must prepare a return for each 3 month period as to the number and nature of measuring instruments certified by the licensee in that period for which a charge is payable by the servicing licensee under clause 7.
- (2) Every such return is to be in a form approved by the administering authority and is to be sent to the administering authority within 21 days of the end of the period to which the return relates.
- (3) A servicing licensee must prepare and send a return for a period even if the servicing licensee did not certify any measuring instruments in that period.

Maximum penalty: 20 penalty units.

6 Charges payable in respect of verification or re-verification by an inspector (section 10 of the Act)

For the purposes of section 10 of the Act, the appropriate charge payable to the administering authority by the owner of a measuring instrument when an inspector verifies or re-verifies the instrument is:

- (a) in respect of a matter specified in Column 1 of Schedule 1, an amount of money equal to the amount obtained by multiplying \$31 by the number specified in Column 2 of that Schedule opposite that matter, or
- (b) if 2 or more of those matters relate to the verification or re-verification, an amount of money equal to the sum of the amounts so obtained.

7 Charges payable by servicing licensee in respect of certification (section 11 of the Act)

- (1) A servicing licensee is to pay to the administering authority a charge in respect of the certification of a measuring instrument by the servicing licensee under the Principal Act.
- (2) The charge is:
 - (a) in respect of a matter specified in Column 1 of Schedule 1, an amount of money equal to the amount obtained by multiplying \$13 by the number specified in Column 2 of that Schedule opposite that matter, or
 - (b) if 2 or more of those matters relate to the certification, an amount of money equal to the sum of the amounts so obtained.
- (3) A charge is not payable in respect of a second or subsequent certification of a measuring instrument in the same calendar year.
- (4) A charge payable in respect of a measuring instrument is to be sent to the administering authority with the return under clause 5 in which the certification of the instrument by the servicing licensee is declared.

8 Other fees and charges (section 13 of the Act)

- (1) The fees specified in Column 2 of Part 1 of Schedule 2 are payable to the Director-General in relation to the matters specified in Column 1 of that Part.

Clause 8 Trade Measurement Administration Regulation 2002

-
- (2) The charges referred to in subclause (3) are payable to the Superintendent in relation to the matters specified in Column 1 of Part 2 of Schedule 2 and are payable by the owner (within the meaning of section 10 of the Act) of the measuring instrument concerned.
 - (3) The appropriate charge payable to the Superintendent is, in respect of a matter specified in Column 1 of Part 2 of Schedule 2, an amount of money equal to the amount obtained by multiplying \$34 by the number specified in Column 2 of that Part opposite that matter.

9 Reduction, waiver and deferral of charges

The Superintendent may reduce, waive or defer payment of a charge payable under section 10 or 11 of the Act if of the opinion that the reduction, waiver or deferral is necessary or desirable for the purpose of alleviating hardship.

10 Prescribed offences and penalties

For the purposes of section 23 of the Act:

- (a) an offence created by a provision specified in Column 1 of Schedule 3 is a prescribed offence, and
- (b) the number of penalty units specified in Column 2 of Schedule 3 in respect of such an offence is the prescribed amount of penalty for the offence.

11 Savings provision

Any act, matter or thing that, immediately before the repeal of the *Trade Measurement Administration Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Trade Measurement Administration Regulation 2002

Verification and certification charges

Schedule 1

Schedule 1 Verification and certification charges

(Clauses 6, 7)

Column 1	Column 2
Matter	Number used to calculate charge
Verification, re-verification or certification of:	
Weighing instruments (not elsewhere covered) with a capacity:	
not exceeding 30 kg (including a set of masses necessary to use the instrument, with no more than 20 masses per set)—for each	2
exceeding 30 kg not exceeding 300 kg—for each	3
exceeding 300 kg not exceeding 3 tonne—for each	5
exceeding 3 tonne not exceeding 15 tonne—for each	10
exceeding 15 tonne not exceeding 45 tonne—for each	15
exceeding 45 tonne not exceeding 90 tonne—for each	20
exceeding 90 tonne—for each	30
Wheel load weighing instrument—for each	2
Totalising belt conveyer weigher—for each	30
in the case of a verification or re-verification, plus time in excess of 3 hours necessarily spent in testing, for each inspector per quarter hour or part thereof	1
Train weighing-in-motion weighing instrument—for each	30
in the case of a verification or re-verification, plus time in excess of 3 hours necessarily spent in testing, for each inspector per quarter hour or part thereof	1
Pre-packing weighing-in-motion weigher—for each	10

Page 7

Trade Measurement Administration Regulation 2002

Schedule 1 Verification and certification charges

Column 1	Column 2
Matter	Number used to calculate charge
Masses (when not associated with a particular weighing instrument)—for each	0.2
Measures of capacity (excluding lubricating oil measures that are submitted for verification or re-verification or certified in batches)—for each	0.2
Lubricating oil measures (submitted for verification or re-verification or certified in batches):	
per 100 or part thereof	2
Maximum fee per batch for certification	50
Lubricating oil measures (certified other than in batches)—for each	0.001
Liquor beverage measures and spirit measures (submitted for verification or re-verification or certified in batches):	
per 1 000 or part thereof	2
Maximum fee per batch for certification	50
Liquor beverage measures and spirit measures (certified other than in batches)—for each	0.001
Measures of length:	
Rigid—for each	0.2
Flexible—for each	1
Flowmeters—for each meter with a flowrate:	
not exceeding 100 litres/min	3
exceeding 100 litres/min not exceeding 1 000 litres/min	10
exceeding 1 000 litres/min	20
Bulk tanks with a capacity:	
not exceeding 1 000 litres—for each	5

Trade Measurement Administration Regulation 2002

Verification and certification charges

Schedule 1

Column 1	Column 2
Matter	Number used to calculate charge
exceeding 1 000 litres not exceeding 10 000 litres—for each	10
exceeding 10 000 litres—for each	20
Volumetric drum filler—for each	5
Liquor dispensers—for each	0.2
Dimensional measuring instruments—for each	4
Measuring instruments not elsewhere covered—for each	2
Additional charge	
An additional charge payable in respect of the verification, re-verification or certification of a measuring instrument approved by the National Standards Commission, for each interactive device (that is, console, card reader or note acceptor) so approved that is attached to the instrument and is not a measuring instrument	3

Note. The numbers in Column 2 are used to calculate the amounts of charges referred to in clauses 7 and 8.

Trade Measurement Administration Regulation 2002

Schedule 2 Other fees and charges

Schedule 2 Other fees and charges

(Clause 8)

Part 1 Fees payable to Director-General

Column 1	Column 2
Fee to accompany application for servicing licence	\$60
Fee to accompany application for public weighbridge licence	\$60
Periodic licence fee for servicing licence	\$252 per annum for each place at which the servicing licensee carries on business
Periodic licence fee for public weighbridge licence	\$187 per annum for each place at which the public weighbridge licensee carries on business
Fee for issue of certificate of suitability	\$60
Fee for amended licence or certificate of suitability	\$56
Fee for duplicate licence or certificate of suitability	\$26

Trade Measurement Administration Regulation 2002

Other fees and charges

Schedule 2

Part 2 Charges payable to Superintendent

Column 1	Column 2
Matter	Number used to calculate charge
Verification or re-verification of measuring instruments	
Charge on request for service for each visit to premises, of an inspector with a view to verification or re-verification of measuring instruments at the owner's premises, where the visit is requested by the owner of the instrument (within the meaning of section 10 of the Act) and:	
(a) the instruments could, in the opinion of an inspector, reasonably be taken to the office of an inspector for testing, or	
(b) the instruments could not, in the opinion of an inspector, reasonably be taken to the office of an inspector and less than 7 calendar days' notice of the day of testing has been given to the inspector	4
Waiting time	
Charge for the keeping of an appointment to examine or test a measuring instrument, where examination or testing is unable to be carried out because the measuring instrument is unavailable or inaccessible or access to it is unreasonably refused:	
(a) in the case of an inspector	4
(b) in the case of the Weighbridge Test Unit made available by the Superintendent	10
Charge, per kilometre travelled by the Weighbridge Test Unit made available by the Superintendent, for the keeping of an appointment to examine or test a measuring instrument, where examination or testing is unable to be carried out because the measuring instrument is unavailable or inaccessible or access to it is unreasonably refused	0.083
Charge, per quarter hour or part of a quarter hour, payable on keeping of appointment to examine or test a measuring instrument for time spent waiting before the measuring instrument is made available or access to it is allowed:	
(a) in the case of an inspector	1
(b) in the case of the Weighbridge Test Unit made available by the Superintendent	1

Trade Measurement Administration Regulation 2002

Schedule 2 Other fees and charges

Column 1	Column 2
Matter	Number used to calculate charge
Examination of instruments that do not comply	
Charge payable to reimburse costs in connection with examination or testing of a measuring instrument with a view to verification or re-verification but where measuring instrument does not comply with requirements for verification or re-verification	The charge that would be payable under Schedule 1 for the verification or re-verification of the measuring instrument
Other instruments	
Charge payable, per quarter hour or part of a quarter hour that each inspector necessarily spends examining and testing the instrument or instruments, to reimburse costs in connection with examination or testing of a measuring instrument:	
(a) in the case of a standard of measuring for which a certificate is issued under Regulation 13 of the <i>National Measurement Regulations 1999</i> of the Commonwealth	1
(b) in the case of examination and testing of an instrument under section 15 (4) of the Principal Act, at the request of the person in possession of the measuring instrument:	
(i) a measure being a pipette, milk or cream flask used in connection with dairy products	1
(ii) thermometers	1
(iii) dip sticks	1
(iv) other	1
Charge payable to reimburse costs in connection with examination or testing of a measuring instrument: in the case of examination and testing of an instrument under section 15 (4) of the Principal Act, at the request of the person in possession of the measuring instrument:	
(i) each wheel load weighing instrument	2
(ii) each chondrometer	2
Charge payable, per quarter hour or part of a quarter hour, for the use of labour necessary for the exercise of an inspector's functions and not provided for by any of the preceding items	1
Equipment	
Charge payable for first two hours of testing for use of the Weighbridge Test Unit provided by the Superintendent.	10
Charge payable, per quarter hour, for hours of testing in excess of 2 hours, for use of the Weighbridge Test Unit provided by the Superintendent.	1

Trade Measurement Administration Regulation 2002

Other fees and charges

Schedule 2

Column 1	Column 2
Matter	Number used to calculate charge
Charge payable, per kilometre travelled in excess of 100 kilometres, for use of the Weighbridge Test Unit provided by the Superintendent where such visit has been requested by the owner, user or other person	0.083
Charges payable, for the use of masses provided by the Superintendent	2
Charges payable, for the use of any other equipment provided by the Superintendent	2
Advisings	
Charges payable, for the first hour or part of the first hour, for the provision of technical advice by an inspector relating to the use or installation of measuring instruments, the testing of any package, or the examination of any document in relation to the administration of the Act, the Principal Act or the regulations	4
Charges payable, per quarter hour or part of a quarter hour in excess of 1 hour, for the provision of technical advice by an inspector relating to the use or installation of measuring instruments, the testing of any package, or the examination of any document in relation to the administration of the Act, the Principal Act or the regulations	1

Note. The numbers in Column 2 of Part 2 are used to calculate the amounts of fees referred to in clause 8 (3).

Trade Measurement Administration Regulation 2002

Schedule 3 Penalty notice offences

Schedule 3 Penalty notice offences

(Clause 10)

Column 1	Column 2
Offence	Penalty Units
Offences under the Trade Measurement Act 1989	
Section 7 (1)	2
Section 7 (2)	3
Section 7A	2
Section 7B	2
Section 8 (1)	5
Section 8 (2)	5
Section 8 (3)	5
Section 16 (4)	2
Section 18 (2)	5
Section 20 (1)	5
Section 21	5
Section 22 (3)	2
Section 23	5
Section 25 (1)	2
Section 26 (2)	2
Section 28 (1)	3
Section 28 (2)	3
Section 42 (1)	5
Section 42 (2)	5
Section 43 (1)	5

Trade Measurement Administration Regulation 2002

Penalty notice offences

Schedule 3

Column 1	Column 2
Offence	Penalty Units
Offences under the Trade Measurement Regulation 2002	
Clause 18	0.5
Clause 24 (1)	1
Clause 24 (3)	1
Clause 24 (4)	1
Clause 24 (5)	1
Clause 28	1
Clause 29 (1)	1
Clause 50 (1)	1
Clause 50 (2)	1
Clause 50 (3)	1
Clause 50 (4)	1
Clause 50 (5)	1
Clause 50 (6)	1
Clause 50 (7)	1
Clause 50 (8)	1
Clause 50 (9)	1
Clause 50 (10)	1
Clause 51	1
Clause 52	1
Clause 53	1
Clause 54	1

Trade Measurement Administration Regulation 2002

Schedule 3 Penalty notice offences

Column 1	Column 2
Offence	Penalty Units
Clause 55	1
Clause 91 (2)	1
Offences under this Regulation	
Clause 5	1

Trade Measurement Regulation 2002

under the

Trade Measurement Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Trade Measurement Act 1989*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to repeal and remake in a consolidated Regulation, without substantial change, the provisions of the following Regulations:

- (a) the *Trade Measurement (Weighbridges) Regulations 1997*,
- (b) the *Trade Measurement (Measuring Instruments) Regulations 1997*,
- (c) the *Trade Measurement (Pre-packed Articles) Regulations 1997*,
- (d) the *Trade Measurement (Miscellaneous) Regulations 1997*.

Part 1 Preliminary

Part 1 contains preliminary provisions.

Part 2 Weighbridges

Part 2 deals with weighbridges.

In particular, the provisions of Part 2 do the following:

- (a) impose special requirements concerning the situation, construction and lay-out of weighbridges used for trade,

Trade Measurement Regulation 2002

Explanatory note

- (b) provide the administrative detail for the issue of certificates of suitability (which certify whether a weighbridge is suitable for use as a public weighbridge), including provision concerning the making and granting of applications for certificates, their duration, issue of duplicate certificates and suspension and cancellation of certificates,
- (c) provide for certain conditions to attach to a public weighbridge licence and impose certain duties on a public weighbridge licensee, including a duty to exhibit certain information, provide tare mass books and measurement tickets and certain other general duties,
- (d) impose certain duties on the operators of public weighbridges, including duties concerning the issue of tickets, for ensuring the accuracy of weighbridges and regulating the day to day operation of weighbridges,
- (e) prohibit the use of a public weighbridge for end-and-end weighing and impose restrictions on the use of other weighbridges for that purpose,
- (f) create offences concerning the fraudulent operation of a weighbridge.

Part 3 Measuring instruments

Part 3 deals with measuring instruments.

In particular, the provisions of Part 3 provide for the following:

- (a) the verification, re-verification (by inspectors) and certification (by the holders of servicing licences) of measuring instruments, including their testing and marking,
- (b) batch testing and marking of certain glass measures and the approvals and quality control standards required for such batch testing,
- (c) conditions of servicing licences and duties to keep records and notify changes of particulars,
- (d) prohibiting various improper practices in the usage of measuring instruments,
- (e) imposing special requirements for the illumination and automatic resetting of instruments that measure liquids,
- (f) imposing special requirements on the use of measuring instruments to measure precious stones.

Trade Measurement Regulation 2002

Explanatory note

Part 4 Pre-packed articles

Part 4 deals with pre-packed articles.

In particular, the provisions of Part 4 do the following:

- (a) require pre-packed articles to be marked with the name and address of the packer (and confer various exemptions from this general requirement),
- (b) require pre-packed articles to be marked with the measurement of the contents of the package,
- (c) impose restrictions on the way in which the measurement is to be marked (including restrictions on the position, the set-out and form of the measurement marking, the size of the characters and the units of measurement to be used),
- (d) impose special requirements on the making of a measurement marking on certain articles (such as eggs, bedsheets, curtains and tarpaulins),
- (e) impose special requirements on the making of a measurement marking on “inner” and “outer” packaging,
- (f) require certain goods (eg fruit, cheese, vegetables and meat) to bear an additional marking of total price and price per kilogram (with certain exceptions for goods packed in “standard” sizes),
- (g) permit certain articles to be marked with expressions such as “mass when packed” and “mass at standard condition” (as an exception to the general prohibition in the Act against the use of such expressions),
- (h) prescribe the extent of the discrepancy between actual and marked measurement that is necessary to constitute the offence of “short measure”.

Part 5 Miscellaneous

Part 5 contains miscellaneous provisions regarding trade measurement.

In particular, the provisions of Part 5 do the following:

- (a) specify the measurements to be used when certain articles are advertised for sale at a price determined by reference to mass, volume, linear measurement or superficial measurement,
- (b) require certain beers and spirits to be sold at prices calculated by reference to volume.

This Regulation is made under the *Trade Measurement Act 1989*, including sections 26 and 80 (the general regulation-making power).

Trade Measurement Regulation 2002

Explanatory note

This Regulation deals with matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

Trade Measurement Regulation 2002

Contents

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	10
2 Commencement	10
3 Interpretation	10
Part 2 Weighbridges	
Division 1 Requirements for weighbridges used for trade	
4 Application of Division	13
5 Situation of weighbridge	13
6 Visibility on weighbridge	13
7 Approaches to weighbridge	13
8 Platforms of weighbridge	14
9 Pit of weighbridge	14
10 Weighbridge without pit	14
11 Weighbridge with electronic devices	15
12 Multi-platform weighbridge	15
13 Portable weighbridge	15
Division 2 Certificates of suitability (public weighbridges)	
14 Issue of certificate of suitability	16
15 Duration of certificate of suitability	16
16 Duplicate certificate of suitability	17
17 Suspension or cancellation of certificate of suitability	17
18 Return of cancelled certificate	18
19 Register of certified weighbridges	18
Division 3 Public weighbridges—Licensees and operators	

Trade Measurement Regulation 2002

Contents

20	Condition of weighbridge licence	18
21	Sign and certificate to be exhibited	18
22	Tare books and measurement tickets	19
23	General duties of public weighbridge licensee	19
24	Duties of operator	20
25	Notification by public weighbridge licensee of change of particulars	21
26	Vehicle registration weighing—exemption from licensing etc	21
27	Register of public weighbridge licences	21
Division 4 End-and-end weighing		
28	Prohibited for public weighbridges	22
29	Restrictions in other cases	22
Division 5 Miscellaneous weighbridge provisions		
30	Fraudulent activities of public weighbridge licensee or operator	23
Part 3 Measuring instruments		
Division 1 Verification, re-verification and certification		
31	Marking of measuring instrument	24
32	Certain measuring instruments not to be verified/certified	24
33	Measuring instrument to be clean	24
34	Testing of measuring instrument	24
35	Testing and marking of measure of length	25
36	Exemption from re-verification and from marking	25
37	Restrictions on use for trade of certain small masses	25
38	Dismantling of measuring instrument for testing	26
39	Owner to provide and pay for labour etc	26
Division 2 Batch testing and marking		
40	Definitions	27
41	Approval for batch testing of glass measures	27
42	Approval authorises making of marks	28
43	Restrictions on removal of marked glass measure	28
44	Batch testing requirements	28
45	Records to be kept and made available	29

Trade Measurement Regulation 2002

Contents

Division 3	Servicing licences and licensees	
46	Condition of servicing licence	29
47	Servicing licensee to keep certain records or give certain notices	29
48	Notification by servicing licensee of changed particulars	30
49	Register of servicing licences	30
Division 4	Miscellaneous provisions regarding measuring instruments	
50	Restrictions on use of measuring instrument for trade	30
51	Subdivision of scale spacing	32
52	Measurement of liquid	32
53	Measurement of precious stones	33
54	Measurement of precious metals	33
55	Offence of using instrument for trade when prohibited	33
Part 4	Pre-packed articles	
Division 1	Exemptions	
56	Exemptions from marking requirements (name, address, measurement)	34
57	Exemptions for packages containing paper	34
58	Requirements applicable to both inner and outer packages	35
59	Exemptions for certain inner and outer packages	35
Division 2	Marking of name and address	
60	Marking of name and address on packages	35
61	Exemption for packaged seed	36
Division 3	General requirements for measurement marking	
62	Requirement to mark measurement	36
63	General position of measurement marking	36
64	Set-out and form of measurement marking	37
65	Size etc of characters in measurement marking	37
66	Unit etc of measurement to be used	39
67	Fractions, significant figures	39
68	Special provision—marking by approved printing device	40

Trade Measurement Regulation 2002

Contents

69	Marking by reference to minimum measurement	40
Division 4 Special provision for measurement marking of certain articles		
70	Eggs	40
71	Articles packed in sheets	41
72	Number of pre-packed articles comprising 1 tonne	41
73	Bedsheets, tarpaulins etc	41
74	Pairs of window curtains	41
75	Marking of width or thickness if it directly affects price	42
Division 5 Special provision concerning measurement marking of outer packages		
76	Package containing packages of articles of the same kind and measurement	42
77	Inner and outer packages of single article	42
78	Package containing articles of different kinds or different measurements	43
Division 6 Other markings concerning measurement		
79	Unit price marking—retail sales of certain foods by mass	43
Division 7 Prohibited and restricted expressions		
80	Marking of “mass when packed”	45
81	Marking of “mass at standard condition”	45
82	Restrictions on use of “gross mass”	45
83	Prohibited expressions	46
Division 8 Short measure		
84	Extent of deficiency necessary to constitute short measure	46
85	Articles marked “mass when packed” etc	47
86	Articles marked “mass at standard condition”	48
87	Other pre-packed articles	49
88	Method of determining average measurement (sec 33)	50
Division 9 Miscellaneous provisions regarding pre-packed articles		
89	Mass of frozen pre-packed scallops	50
90	Application for permit to sell certain articles	51

Trade Measurement Regulation 2002

Contents

Part 5 Miscellaneous

91	Offer etc for sale by reference to measurement	52
92	Beer and spirits to be sold by volume	53
93	Savings provision	54

Schedules

1	Duties of operator of public weighbridge	55
2	Forms of tare mass book	59
3	Forms of measurement tickets	60
4	Exemptions from marking	64
5	Expression of measurement marking	67
6	Permissible units of measurement	69

Clause 1 Trade Measurement Regulation 2002

Part 1 Preliminary

Trade Measurement Regulation 2002

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Trade Measurement Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the following Regulations, which are repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*:

- (a) the *Trade Measurement (Weighbridges) Regulations 1997*,
- (b) the *Trade Measurement (Measuring Instruments) Regulations 1997*,
- (c) the *Trade Measurement (Pre-packed Articles) Regulations 1997*,
- (d) the *Trade Measurement (Miscellaneous) Regulations 1997*.

3 Interpretation

- (1) In this Regulation, unless the contrary intention appears:

approved means approved by the administering authority.

approved printing device means a printing device that conforms to a pattern in relation to which there is in force under Part 6 of the *National Measurement Regulations 1999* of the Commonwealth a certificate that approves the use of the device for trade.

certificate of suitability, in relation to a weighbridge, means a certificate issued by the administering authority for the purposes of section 50 (1) (a) of the Act to the effect that the weighbridge is suitable for use as a public weighbridge.

characters includes letters, figures and symbols.

cheese and **cheese products** do not include articles for sale as processed cheese or cheese spreads.

compressed or liquefied gas does not include liquefied petroleum gas.

cream does not include clotted cream or sour (cultured) cream.

dried or dehydrated fruit includes glace and crystallised fruit and fruit peel.

Trade Measurement Regulation 2002

Clause 3

Preliminary

Part 1

dried or dehydrated mixed fruit includes any such fruit mixed with nuts.

end-and-end measurement means the determination of a measurement relating to a vehicle (whether loaded or not) by adding together separate measurements of the mass supported singly or in combination by the different axles of the vehicle, those separate measurements having been determined by separate operations of a weighbridge.

garden landscape material means soil, pebbles, crushed tile, crushed white quartz, Grawin gravel, crushed western red, crushed snowflake, New Zealand lava scoria, Pacific coral, river stones, crushed material mix and any like substance for use in gardens.

ice cream includes any form of frozen confection containing ice cream, flavoured ice, fruit-ice, water-ice or a substitute for ice cream.

liquid chemicals includes solvents packed for sale for pharmaceutical, laboratory or industrial use.

main display part, in relation to a package, means:

- (a) if the name or brand of the article in the package appears on the package once only—the part of the package on which it appears, or
- (b) if the name or brand of the article in the package appears on more than one part of the package with equal prominence in each case—any one of those parts, or
- (c) if the name or brand of the article in the package appears on more than one part of the package but not always with equal prominence—the part of the package on which it is more prominent or any part of the package on which it is most prominent, or
- (d) if the name or brand of the article in the package does not appear on the package—that part of the package which will be most prominent when the package is exposed for sale in the manner in which it is likely to be exposed for sale.

measurement marking means the marking of measurement required by this Regulation to be made on the package containing a pre-packed article.

operator means the person who personally determines a measurement by use of a weighbridge.

Clause 3 Trade Measurement Regulation 2002

Part 1 Preliminary

owner, in relation to a measuring instrument, means the person who uses, or proposes to use, the measuring instrument for trade or who proposes to make it available for use for trade.

paint includes (other than in Part 2 and Schedules 1–3) enamel but does not include a two-pack paint, artists' paint or powder coatings.

poultry means any kind of bird used for human consumption, whether it is cooked or uncooked or consists of poultry pieces.

poultry piece means leg, wing, breast or other part detached from a poultry carcase and any division of a poultry carcase.

public weighbridge licensee means a person holding a public weighbridge licence.

public weighing means the use of a weighbridge by or on behalf of the public or for which a charge is made.

resins includes natural resins, synthetic resins and polymeric materials other than paint.

servicing licensee means a person holding a servicing licence.

the Act means the *Trade Measurement Act 1989*.

therapeutic goods means goods for therapeutic use within the meaning of the *Therapeutic Goods Act 1989* of the Commonwealth as amended and in force for the time being.

tobacco includes plug tobacco.

- (2) Part 2 and Schedules 1–3 have effect in addition to, and do not derogate from, any other provisions of this Regulation or any other regulation under the Act relating to measuring instruments generally.

Trade Measurement Regulation 2002

Clause 4

Weighbridges

Part 2

Requirements for weighbridges used for trade

Division 1

Part 2 Weighbridges

Division 1 Requirements for weighbridges used for trade

4 Application of Division

This Division applies to weighbridges used for trade (including public weighbridges).

5 Situation of weighbridge

A weighbridge must be so situated that:

- (a) there is sufficient room for a vehicle using the weighbridge to move on and off without turning on the platforms, and
- (b) its headwork is protected from wind and rain by an office or other adequate means, and
- (c) water or debris from the surrounding area does not accumulate on the platforms or in the pit.

6 Visibility on weighbridge

A weighbridge must:

- (a) provide the operator with a clear view of the platforms, and
- (b) have the indicator that is used by the operator located not more than 6 metres from the edge of the platforms or in some other approved position, and
- (c) in the case of a road weighbridge, have an indicator in such a position that the mass displayed on it may easily be read by the driver of a vehicle using the weighbridge.

7 Approaches to weighbridge

A weighbridge must have approaches that:

- (a) are in the same plane as the platforms for a minimum distance of:
 - (i) 3 metres if the length of the platforms is less than 18 metres, or
 - (ii) 1 metre if the length of the platforms is 18 metres or more, and

Clause 7	Trade Measurement Regulation 2002
Part 2	Weighbridges
Division 1	Requirements for weighbridges used for trade

- (b) have a hard, true and durable surface of concrete or other approved material, and
- (c) are arranged so that drainage from the surface does not flow into the pit.

8 Platforms of weighbridge

- (1) The platforms of a weighbridge must be of concrete or steel, or both, or be of other approved materials.
- (2) Unless exempted under subclause (3), a weighbridge must be provided with guard rails or other suitable means to prevent vehicles from moving onto or off the platform otherwise than from end to end.
- (3) The administering authority may exempt a weighbridge from compliance with subclause (2).

9 Pit of weighbridge

If a weighbridge has a pit:

- (a) the entrance to the pit must be covered and be at least 1 metre deep and 900 mm wide, and
- (b) the neck of the pit must be at least 900 mm wide, and
- (c) there must be a clearance of at least 150 mm on each side of a lever in the neck of the pit, and
- (d) there must be free access to every part of the underwork and:
 - (i) if free access is available from above to every part of the underwork, there must be a clearance of at least 150 mm below all parts of the underwork, or
 - (ii) in any other case there must be a clearance of at least 400 mm below the lowest lever, and
- (e) the pit must be free-draining or be provided with automatic mechanical drainage and be kept free from any accumulation of water, mud and debris.

10 Weighbridge without pit

If a weighbridge does not have a pit:

- (a) there must be a clearance of at least 150 mm under the lowest live part of the platforms, and

Trade Measurement Regulation 2002

Clause 10

Weighbridges

Part 2

Requirements for weighbridges used for trade

Division 1

- (b) the floor between load cell supports must be of concrete at least 75 mm thick and must be effectively drained and kept free from any accumulation of water, mud and debris, and
- (c) there must be in the same plane as, or lower than, the floor a clear space of at least 1 metre from the external edges of the frame, and
- (d) the load cell footings must be individually and mutually stable.

11 Weighbridge with electronic devices

If a weighbridge is equipped with electronic devices:

- (a) they must be protected from electrical interference and the rays of the sun, and
- (b) the data plate of the load cells must have such access as is necessary to enable it to be read with ease.

12 Multi-platform weighbridge

In a multi-platform weighbridge:

- (a) any dead space between platforms must not exceed 2 metres, and
- (b) the platforms must not interfere with each other so as to affect their operation, and
- (c) a visual summing indicator must be provided.

13 Portable weighbridge

If a weighbridge is portable:

- (a) there must be a clearance of at least 150 mm under the lowest live part of the platforms, and
- (b) it must have a base that is stable when the weighbridge is in use, and
- (c) the headwork and exposed levers must have adequate protection, and
- (d) the ground under the platform must be treated to prevent the growth of foliage and must be kept free from any accumulation of water, mud and debris.

Clause 14	Trade Measurement Regulation 2002
Part 2	Weighbridges
Division 2	Certificates of suitability (public weighbridges)

Division 2 Certificates of suitability (public weighbridges)

14 Issue of certificate of suitability

- (1) A public weighbridge licensee may apply for a certificate of suitability for a weighbridge by lodging at the office of the administering authority the fee prescribed under the Administration Act and an approved form of application.
- (2) On receipt of an application for a certificate of suitability, the administering authority shall arrange for an inspector to examine the weighbridge.
- (3) The administering authority shall issue a certificate of suitability for the weighbridge if an inspector examines it and finds that:
 - (a) it is suitable for use as a public weighbridge because of its type, capacity and strength and the size of its platforms, and
 - (b) it is so positioned that a vehicle using it may enter and leave the platforms without reversing, and
 - (c) it otherwise complies with the requirements of this Regulation.

15 Duration of certificate of suitability

- (1) Except during any period of suspension, or unless it is sooner surrendered or cancelled, a certificate of suitability remains in force:
 - (a) until the end of the period of 12 months that next succeeds its date of issue, or
 - (b) as provided by subclause (2).
- (2) If application is made for a new certificate of suitability before, but not more than 1 month before, the date that is 12 months after the date of issue of its predecessor but is not finally dealt with before that later date, the previous certificate continues in force until the new certificate is issued or the application is refused.
- (3) The date of issue of a new certificate of suitability shall be considered to be the date that is 12 months after the date of issue of its predecessor (even if it is issued before or after that later date) and the new certificate shall be dated accordingly.
- (4) If a weighbridge is re-located, its certificate of suitability ceases to have effect.

Trade Measurement Regulation 2002

Clause 16

Weighbridges

Part 2

Certificates of suitability (public weighbridges)

Division 2

16 Duplicate certificate of suitability

- (1) If the administering authority is satisfied that a certificate of suitability has been lost, destroyed or made useless by damage, the administering authority may, on payment of the fee prescribed under the Administration Act for a duplicate certificate, issue a duplicate of the certificate.
- (2) A duplicate certificate issued under subclause (1) has the same effect as the original certificate.

17 Suspension or cancellation of certificate of suitability

- (1) The administering authority may, by notice in writing served on the public weighbridge licensee personally or by post, suspend the certificate of suitability for a weighbridge if the administering authority, after examination of the weighbridge by an inspector, is of the opinion that any application for a new certificate for the weighbridge made at the time of the examination would have been refused.
- (2) The administering authority may terminate a suspension after a further examination of the weighbridge by an inspector and payment of the fee prescribed under the Administration Act for the further examination.
- (3) Termination of a suspension may be effected unconditionally or after compliance with specified conditions, whether or not including conditions as to time for compliance.
- (4) If conditions imposed under subclause (3), or added or amended under paragraph (a), are not complied with, the administering authority may, by notice in writing served on the public weighbridge licensee personally or by post:
 - (a) amend or add to the conditions, or
 - (b) cancel the certificate.
- (5) The administering authority may, instead of suspending a certificate, impose conditions subject to which the certificate will continue in force including a condition requiring a further examination of the weighbridge and payment of the fee prescribed under the Administration Act for the further examination.

Clause 18	Trade Measurement Regulation 2002
Part 2	Weighbridges
Division 2	Certificates of suitability (public weighbridges)

18 Return of cancelled certificate

If a certificate of suitability issued to a public weighbridge licensee is cancelled, the public weighbridge licensee (whether or not still holding a public weighbridge licence) is guilty of an offence unless the certificate is delivered to the licensing authority not later than 7 days after its cancellation.

Maximum penalty: \$200.

19 Register of certified weighbridges

The administering authority shall maintain a register of weighbridges for which a certificate of suitability is current and shall enter in the register:

- (a) the location of the weighbridge and particulars of its certification, and
- (b) a number allotted by the administering authority as the registered number for the weighbridge, and
- (c) such other particulars as the administering authority considers appropriate.

Division 3 Public weighbridges—Licensees and operators

20 Condition of weighbridge licence

It is a condition of a public weighbridge licence that the public weighbridge licensee:

- (a) must do everything that the Act and this Regulation require to be done by the public weighbridge licensee, and
- (b) must not do anything that the Act and this Regulation require the public weighbridge licensee to refrain from doing.

21 Sign and certificate to be exhibited

A public weighbridge licensee must exhibit in view of the public at each weighbridge made available under the authority of the public weighbridge licence:

- (a) words and figures not less than 100 mm high and of proportionate breadth, and in clear contrast with their background, that read “Registered Public Weighbridge No.” showing the registered number, and

Trade Measurement Regulation 2002

Clause 21

Weighbridges

Part 2

Public weighbridges—Licensees and operators

Division 3

- (b) properly protected, the certificate of suitability for the weighbridge.

22 Tare books and measurement tickets

- (1) A public weighbridge licensee must provide at each weighbridge made available under the authority of the public weighbridge licence:
 - (a) tare mass books in accordance with Forms 1 and 2 in Schedule 2, and
 - (b) measurement tickets in accordance with Forms 1–4 in Schedule 3.
- (2) The measurement tickets provided by a public weighbridge licensee:
 - (a) must be printed and bound in books, or provided in approved pads, containing original tickets and provision for at least one copy of each original, and
 - (b) must be numbered consecutively with each copy ticket bearing the same number as its original, and
 - (c) must have the word “original” printed on each original ticket and the word “duplicate” on each copy ticket.
- (3) The public weighbridge licensee must ensure that a copy of the relevant measurement ticket is issued to a customer of the public weighbridge licensee and the public weighbridge licensee must retain for at least 12 months all original tickets (whether or not a copy has been issued) and all unissued copy tickets.
- (4) A public weighbridge licensee must, immediately after a pad of measurement tickets has been completely used, permanently make up in book form (by stapling or other suitable means) all originals and copies retained under subclause (3) from the used pad.
- (5) A public weighbridge licensee must, on being required by an inspector to do so, produce original and copy tickets retained under subclause (3).

23 General duties of public weighbridge licensee

A public weighbridge licensee who makes a weighbridge available as a public weighbridge must ensure that:

- (a) the weighbridge is kept truly balanced, that the platforms are kept clean and that the space between the frame and the platforms is kept free from obstructions, and

Clause 23	Trade Measurement Regulation 2002
Part 2	Weighbridges
Division 3	Public weighbridges—Licensees and operators

- (b) measurement of a vehicle or livestock brought to the weighbridge is not refused during normal trading hours in the area unless the capacity of the weighbridge is insufficient or advance payment of the charge is required but not made, and
- (c) due care is exercised in determining a measurement by use of the weighbridge, and
- (d) entries are made in the tare mass book, and measurement tickets are completed and copies issued, with due care and in accordance with this Regulation, and
- (e) on demand made at the weighbridge at any reasonable time by an inspector or other interested person, there is produced the original of any measurement ticket relating to a measurement made by use of the weighbridge during the preceding 12 months, and
- (f) the administering authority is informed, and the weighbridge is withdrawn from use, if the public weighbridge licensee knows, or has reason to believe, that a measurement made by use of the weighbridge would be incorrect.

24 Duties of operator

- (1) An operator of a public weighbridge is guilty of an offence if he or she fails to comply with a requirement of Schedule 1 when the weighbridge is in use for public weighing.
Maximum penalty: \$2,000.
- (2) An operator of a public weighbridge is guilty of an offence if he or she alters the original of a measurement ticket after a copy of it has been issued.
Maximum penalty: \$2,000.
- (3) An operator of a public weighbridge is guilty of an offence if he or she issues a measurement ticket that is not a correct copy of the original.
Maximum penalty: \$2,000.
- (4) An operator of a public weighbridge is guilty of an offence if he or she removes from a book, or issues, an original measurement ticket.
Maximum penalty: \$2,000.

Trade Measurement Regulation 2002

Clause 24

Weighbridges

Part 2

Public weighbridges—Licensees and operators

Division 3

- (5) An operator of a public weighbridge is guilty of an offence if he or she removes, or permits to be removed, from a book an unused measurement ticket.

Maximum penalty: \$2,000.

- (6) An operator of a public weighbridge is guilty of an offence if he or she uses the weighbridge for public weighing when he or she knows, or has reason to believe, that the weighbridge is incorrect.

Maximum penalty: \$2,000.

25 Notification by public weighbridge licensee of change of particulars

A public weighbridge licensee must notify the licensing authority in writing of:

- (a) any change in the address for the service of notices on the public weighbridge licensee, and
- (b) the full name and residential address of each person who commences or ceases to be employed by the public weighbridge licensee to operate any weighbridge made available under the authority of the weighbridge licence,

and must do so not later than 14 days after the event.

26 Vehicle registration weighing—exemption from licensing etc

- (1) If a public weighbridge is used only to measure the tare mass of a vehicle for registration purposes, that use shall not be considered to be use as a public weighbridge for the purposes of section 43 (Requirement for public weighbridge licence) of the Act so long as:
- (a) the operator of the weighbridge issues a written statement of the mass measured, and
 - (b) that statement is marked with the words “FOR REGISTRATION PURPOSES ONLY” in prominent capital letters at least 5 mm high.
- (2) Clause 24 does not apply to the operator of a weighbridge to which subclause (1) applies.

27 Register of public weighbridge licences

For the purposes of section 47 of the Act, the prescribed particulars to be kept in a register by the licensing authority in respect of each public weighbridge licence are as follows:

Clause 27	Trade Measurement Regulation 2002
Part 2	Weighbridges
Division 3	Public weighbridges—Licensees and operators

- (a) the number of the public weighbridge licence and the date of its issue,
- (b) the name of the public weighbridge licensee and the address at which notices may be served personally on the public weighbridge licensee,
- (c) particulars of any conditions to which the public weighbridge licence is subject imposed under section 48 of the Act,
- (d) such other particulars as the licensing authority thinks desirable.

Division 4 End-and-end weighing

28 Prohibited for public weighbridges

If a public weighbridge is used for public weighing to determine an end-and-end measurement, the public weighbridge licensee and operator of the public weighbridge are each guilty of an offence.

Maximum penalty: \$2,000.

29 Restrictions in other cases

- (1) A person who uses for trade a weighbridge in order to determine an end-and-end measurement is guilty of an offence unless subclause (2) is complied with.

Maximum penalty: \$2,000.

- (2) This subclause is complied with if:

- (a) use of the weighbridge is not use for public weighing, and
- (b) the wheelbase of the vehicle concerned is:
 - (i) longer than the length of the platform of the weighbridge or, if the weighbridge has 2 or more platforms, the total of the lengths of the platforms, and
 - (ii) shorter than the sum of the length, or total length, found under subparagraph (i) and the length of the shorter, or, if their lengths are the same, of either, of the approaches to the platform or platforms, and
- (c) the approaches have a smooth and level surface which is paved with concrete or other approved material and is in the same horizontal plane as the top of the platform or platforms, and

Trade Measurement Regulation 2002

Clause 29

Weighbridges

Part 2

End-and-end weighing

Division 4

- (d) the perimeter of the approaches is clearly indicated by painted marks or by other approved means, and
- (e) at all times during the measuring:
 - (i) the wheels on one or more of the axles are located on the platform or platforms and the wheels on the other axles are located within the indicated perimeter of the approaches, and
 - (ii) the brakes, gears and any other means capable of restricting the free movement of the vehicle are disengaged.

Division 5 Miscellaneous weighbridge provisions

30 Fraudulent activities of public weighbridge licensee or operator

A public weighbridge licensee or operator of a weighbridge is guilty of an offence if he or she:

- (a) knowingly permits, assists in, or connives at, a fraud in connection with the measurement of anything by using the weighbridge or the issue of a measurement ticket, or
- (b) makes, or connives at the making of, a representation known by the public weighbridge licensee or operator to be false with respect to the measurement of anything by means of the weighbridge, or
- (c) knowing of any fraudulent proceeding in connection with the measurement of anything by means of the weighbridge, fails to impart that knowledge to an inspector as soon as practicable.

Maximum penalty: \$2,000.

Clause 31	Trade Measurement Regulation 2002
Part 3	Measuring instruments
Division 1	Verification, re-verification and certification

Part 3 Measuring instruments

Division 1 Verification, re-verification and certification

31 Marking of measuring instrument

- (1) When an inspector's mark or licensee's mark is made on a measuring instrument, the person who makes the mark shall also mark, in the approved manner, the date on which the mark is made, unless the instrument is a glass measure.
- (2) When an employee of a servicing licensee certifies a measuring instrument, the employee shall in addition to making the licensee's mark on the measuring instrument also make such other mark in conjunction with the licensee's mark as will enable the servicing licensee to identify the employee who made the mark.

32 Certain measuring instruments not to be verified/certified

A measuring instrument must not be verified or certified if:

- (a) it bears a manufacturer's mark or trade mark that could be mistaken for an inspector's mark or a licensee's mark, or
- (b) it is of rough, crude or unworkmanlike construction or is constructed of inferior material, or
- (c) it is not reasonably clean or has wet paint on it, or
- (d) it is so damaged as to be unsuitable for use for trade.

33 Measuring instrument to be clean

For the purpose of facilitating re-verification of a measuring instrument, an inspector may direct the person in possession of the instrument to clean the instrument.

34 Testing of measuring instrument

The testing of a measuring instrument for the purpose of verification, re-verification or certification shall:

- (a) if the measuring instrument is fixed—be carried out with the measuring instrument in its fixed position, or

Trade Measurement Regulation 2002

Clause 34

Measuring instruments

Part 3

Verification, re-verification and certification

Division 1

- (b) if the measuring instrument is movable and has a base—be carried out with the measuring instrument on a level plane or, if this is not practicable, on a plane that is as nearly level as possible, or
- (c) if the measuring instrument is transportable and the results obtained by its use are affected by gravity—be carried out so as to compensate for the conditions applicable in the region in which it is used or to be used.

35 Testing and marking of measure of length

If a measure of length is to be verified or certified, it shall be examined, tested and marked:

- (a) on both sides, if it is calibrated on both sides and is not permanently fixed so that only one side is visible, or
- (b) on the visible side, if it is permanently fixed so that only one side is visible.

36 Exemption from re-verification and from marking

- (1) If a glass measure referred to in Division 2 has been marked in accordance with clause 42, re-verification of it is not required.
- (2) If a measure of length has been verified, re-verification of it is not required.

37 Restrictions on use for trade of certain small masses

- (1) A mass of 0.2 metric carat or less, or of 50 mg or less, is exempt from section 7 of the Act (Measuring instruments used for trade must be marked).
- (2) A person who uses such a mass for trade is guilty of an offence unless the person is the holder of a certificate issued by the administering authority or the holder of a servicing licence to the effect that the mass concerned complies with the requirements for verification specified in section 13 of the Act.

Maximum penalty: \$2,000.

Clause 38	Trade Measurement Regulation 2002
Part 3	Measuring instruments
Division 1	Verification, re-verification and certification

38 Dismantling of measuring instrument for testing

- (1) If an inspector considers it to be necessary to examine or test a component part of a measuring instrument for the purpose of verifying or re-verifying the instrument and that cannot be done without dismantling the instrument, the inspector may require the owner of the measuring instrument to comply with subclause (2).
- (2) The owner of a measuring instrument complies with this subclause if the owner:
 - (a) dismantles the measuring instrument or causes it to be dismantled, or
 - (b) consents to the measuring instrument being dismantled by the inspector and absolves the inspector from liability for any damage caused in the course of its dismantling or re-assembly.
- (3) If the owner fails to comply with subclause (2) when required to do so by an inspector, the measuring instrument must not be used for trade while the failure continues.

39 Owner to provide and pay for labour etc

- (1) An inspector may direct the owner of a measuring instrument to provide and pay for:
 - (a) any labour, materials or equipment, or
 - (b) the expeditious transportation to and from the site of the measuring instrument of any test masses, measures or equipment,required by the inspector for the purpose of verifying or re-verifying the measuring instrument.
- (2) If the owner fails to comply with such a direction, the measuring instrument concerned must not be used for trade while the failure continues.
- (3) The owner of a measuring instrument while in possession of any test masses, measures or equipment referred to in subclause (1) is liable for any loss of, or damage to, them and any costs and expenses incurred by the administering authority because of any such loss or damage is recoverable by the administering authority as a debt due by the owner of the measuring instrument.

Trade Measurement Regulation 2002

Clause 40

Measuring instruments

Part 3

Batch testing and marking

Division 2

Division 2 Batch testing and marking

40 Definitions

In this Division:

approval means an approval given under clause 41.

glass, in relation to a container or drinking vessel, includes any other material permitted by the approval for its pattern issued under the *National Measurement Regulations 1999* of the Commonwealth.

glass measure means:

- (a) a container made wholly or principally of glass in which it is intended that lubricating oil will be sold by volume of the quantity (otherwise than as a pre-packed article), or
- (b) a measure made of glass or another rigid or semi-rigid substance intended for use for the sale of beer, ale, stout or spirits by quantity (otherwise than as a pre-packed article).

testing facilities means labour and equipment necessary for testing glass measures in accordance with clause 44.

41 Approval for batch testing of glass measures

- (1) The administering authority may give a manufacturer or importer of glass measures written approval for the glass measures to be tested and marked under this Division.
- (2) An approval ceases to have effect if it is revoked by the administering authority or if the manufacturer or importer fails:
 - (a) to comply with any requirements of the administering authority notified in the approval, or
 - (b) to take reasonable precautions to prevent the commission of an offence referred to in clause 43, or
 - (c) to provide and pay for testing facilities as required by the administering authority, or
 - (d) to make the testing facilities available, without charge, for use by an inspector or servicing licensee in order to carry out tests in accordance with clause 44, or
 - (e) to comply with clause 45 relating to the keeping and examination of records.

Clause 42 Trade Measurement Regulation 2002

Part 3 Measuring instruments

Division 2 Batch testing and marking

42 Approval authorises making of marks

While an approval is in force, the manufacturer or importer is authorised to mark a glass measure with a mark consisting of:

- (a) the inspector's mark specified in the approval or the licensee's mark of the manufacturer or importer, and
- (b) the characters specified in the approval as those that are to form part of the approved mark, marked in the size and manner, and in the position on the measure, required by the approval.

43 Restrictions on removal of marked glass measure

If a glass measure is removed from the custody of the manufacturer or importer after being marked in accordance with an approval, the manufacturer or importer is guilty of an offence unless:

- (a) the measure is one of a batch that complies with clause 44, and
- (b) an inspector or a servicing licensee has given written approval for the removal of the batch from the custody of the manufacturer or importer.

Maximum penalty: \$2,000.

44 Batch testing requirements

- (1) A batch of glass measures complies with this Regulation only if:
 - (a) at least the appropriate test proportion of the batch is tested by an inspector or servicing licensee, and
 - (b) in each such test less than 2 per cent of the measures tested fail to comply with the requirements of section 13 of the Act for verification or certification.
- (2) The appropriate test proportion of a batch of glass measures is the proportion determined by the administering authority from time to time.
- (3) A batch of glass measures fails to comply with this Regulation if the batch is not accompanied by a histogram detailing the results of tests made on the batch by or on behalf of the manufacturer or importer concerned.

Trade Measurement Regulation 2002

Clause 45

Measuring instruments

Part 3

Batch testing and marking

Division 2

45 Records to be kept and made available

A manufacturer or importer given an approval must:

- (a) keep such records relating to glass measures as are specified in the approval, and
- (b) make the records available for examination if required to do so by an inspector.

Division 3 Servicing licences and licensees**46 Condition of servicing licence**

It is a condition of a servicing licence that the servicing licensee:

- (a) must do everything that this Regulation requires be done by the servicing licensee, and
- (b) must not do anything that this Regulation requires the servicing licensee to refrain from doing.

47 Servicing licensee to keep certain records or give certain notices

- (1) The administering authority may direct a servicing licensee to do any of the following:
 - (a) make specified records relating to the certification of measuring instruments,
 - (b) retain those records for at least 2 years after making them,
 - (c) produce the retained records on demand made by an inspector,
 - (d) give the administering authority not later than 14 days after certifying a measuring instrument a written notice in an approved form,
 - (e) retain a copy of such a notice for at least 2 years after service of the notice,
 - (f) produce the retained copies on demand made by an inspector.
- (2) The servicing licensee must comply with a direction given under subclause (1).

Clause 48 Trade Measurement Regulation 2002

Part 3 Measuring instruments

Division 3 Servicing licences and licensees

48 Notification by servicing licensee of changed particulars

A servicing licensee must notify the licensing authority in writing of:

- (a) any change in the address for the service of notices on the servicing licensee, and
- (b) the full name and residential address of each person who commences or ceases to be employed by the servicing licensee to certify measuring instruments,

and must do so not later than 14 days after the event.

49 Register of servicing licences

For the purposes of section 47 of the Act, the prescribed particulars to be kept in a register by the licensing authority in respect of each servicing licence are as follows:

- (a) the number of the servicing licence and the date of its issue,
- (b) the name of the servicing licensee and the address at which notices may be served personally on the servicing licensee,
- (c) particulars of any conditions to which the servicing licence is subject imposed under section 48 of the Act,
- (d) such other particulars as the licensing authority thinks desirable.

Division 4 Miscellaneous provisions regarding measuring instruments

50 Restrictions on use of measuring instrument for trade

- (1) A person is guilty of an offence if in using for trade a measuring instrument of an approved pattern designed for measuring a liquid, the person purports to measure anything other than a liquid to which the approved pattern relates.

Maximum penalty: \$2,000.

- (2) A person is guilty of an offence if in using for trade a measuring instrument held in, or suspended from, the hand, the person purports to measure mass.

Maximum penalty: \$2,000.

Trade Measurement Regulation 2002

Clause 50

Measuring instruments

Part 3

Miscellaneous provisions regarding measuring instruments

Division 4

-
- (3) A person is guilty of an offence if in using for trade a measuring instrument marked for a specific use, the person does so otherwise than in accordance with the marking.
- Maximum penalty: \$2,000.
- (4) A person is guilty of an offence if in using for trade a measuring instrument marked for use with specified proportional masses, the person uses other proportional masses.
- Maximum penalty: \$2,000.
- (5) A person is guilty of an offence if, except for factory use or non-retail counter use, the person uses for trade a measuring instrument with a tare bar.
- Maximum penalty: \$2,000.
- (6) A person is guilty of an offence if the person uses a measuring instrument for trade in order to determine mass greater than the mass permitted by the approved pattern for the instrument.
- Maximum penalty: \$2,000.
- (7) A person is guilty of an offence if in using a measuring instrument for trade in order to determine the mass of any goods for therapeutic use within the meaning of the *Therapeutic Goods Act 1989* of the Commonwealth, or the mass of precious metals, the person uses masses other than masses marked "A" (in accordance with a certificate of approval of pattern under the National Measurement Act).
- Maximum penalty: \$2,000.
- (8) A person is guilty of an offence if in using a measuring instrument for trade in order to determine the mass of anything other than precious stones, the person uses metric carat masses.
- Maximum penalty: \$2,000.
- (9) A person who, on the same premises, is in possession of more than one measuring instrument that is used for trade and is marked for use with proportional masses is guilty of an offence unless the proportional masses are readily identifiable with the measuring instrument on which they were tested.
- Maximum penalty: \$2,000.
- (10) A person who uses for trade a measuring instrument fitted with a load receptor is guilty of an offence if:

Clause 50 Trade Measurement Regulation 2002

Part 3 Measuring instruments

Division 4 Miscellaneous provisions regarding measuring instruments

- (a) it is one of 2 or more such measuring instruments on the premises and its load receptor is not clearly marked to identify it with the measuring instrument on which it is used, or
- (b) the load receptor is removable and measures incorrectly in any position on its supports, or
- (c) any latitude of movement of the load receptor on its supports causes it to foul any part of the measuring instrument, or
- (d) the load receptor is in the form of a scoop mounted so that a purchaser cannot readily see whether there is any foreign matter in the load receptor.

Maximum penalty: \$2,000.

51 Subdivision of scale spacing

If the scale spacing on a measuring instrument that bears an inspector's mark or a licensee's mark is altered by being subdivided after the inspector's mark or licensee's mark was marked on the instrument:

- (a) the person who subdivided the scale spacing is guilty of an offence, and
- (b) a person who uses the measuring instrument for trade is guilty of an offence.

Maximum penalty: \$2,000.

52 Measurement of liquid

If a measuring instrument is used for trade in order to measure a liquid, the person in possession of the measuring instrument or who makes it available for use for trade is guilty of an offence unless:

- (a) the measuring instrument is, at least to the extent necessary for the purpose of permitting proper observation of its operation, artificially illuminated between sunset and sunrise and at any other time when illumination is necessary for that purpose, and
- (b) in the case of a flowmeter fitted with a zero resetting device—the flowmeter is re-set to zero before the commencement of a measurement to be made by its use, and
- (c) in the case of a sale of liquid measured by a driveway flowmeter—the existing readings of volume, price per litre and price are not erased until the sale has been completed.

Maximum penalty: \$2,000.

Trade Measurement Regulation 2002

Clause 53

Measuring instruments

Part 3

Miscellaneous provisions regarding measuring instruments

Division 4

53 Measurement of precious stones

A person who, for the purpose of measuring diamonds or other precious stones, uses for trade a measuring instrument that:

- (a) has a verification scale interval greater than 10 mg, or
- (b) has a capacity of less than 5000 CM and a verification scale interval greater than 0.01 CM, or
- (c) has a capacity of 5000 CM or more and a verification scale interval greater than 0.05 CM,

is guilty of an offence.

Maximum penalty: \$2,000.

54 Measurement of precious metals

A person who, for the purpose of measuring gold, silver or other precious metals, uses for trade a measuring instrument that has a capacity specified in Column 1 of the Table to this clause and a verification scale interval greater than that specified in Column 2 opposite the capacity is guilty of an offence.

Maximum penalty: \$2,000.

Table

Column 1	Column 2
Less than 1 kg	10 mg
1 kg or more but less than 10 kg	100 mg
10 kg or more	1 g

55 Offence of using instrument for trade when prohibited

A person who uses a measuring instrument for trade in contravention of a provision of this Regulation is guilty of an offence where no other penalty is provided.

Maximum penalty: \$2,000.

Clause 56 Trade Measurement Regulation 2002

Part 4 Pre-packed articles

Division 1 Exemptions

Part 4 Pre-packed articles

Division 1 Exemptions

56 Exemptions from marking requirements (name, address, measurement)

- (1) A package containing an article specified in Schedule 4 is exempt from the operation of Divisions 2–6 in the circumstances specified in that Schedule in relation to the article or, if no circumstances are specified, in all circumstances.
- (2) A package is not exempt from the operation of Divisions 2–6 merely because it contains 2 or more packages each of which would be exempt under subclause (1) as separate packages.
- (3) However, if an exempt package has a name and address or measurement marked on it, the way the name and address or measurement is marked on the package must comply with this Regulation.
- (4) It is not to be assumed that an article described in item 1 under the heading “Textile goods” or in item 4 under the heading “Hardware goods” in Schedule 4 has been packed for sale by measurement merely because it has been packed for sale:
 - (a) as a single item, or
 - (b) as a set (except in the case of identical automotive parts), or
 - (c) as a pair, or as one of a pair, if it is an article ordinarily described by pairs, or as one of a pair.
- (5) An article is not excluded from the description of “General goods” in item 5 of Schedule 4 merely because it could be included in some other description of goods in that Schedule.

57 Exemptions for packages containing paper

- (1) A package containing paper that is a package to which this Regulation applies:
 - (a) is exempt from clauses 60 and 62, and
 - (b) is permitted to be marked with the expression “gross mass” or any other expression that has a similar meaning to that expression.

Trade Measurement Regulation 2002

Clause 57

Pre-packed articles

Part 4

Exemptions

Division 1

- (2) This Regulation applies to a package containing paper if:
- (a) it was packed at the factory at which the paper was produced,
 - (b) it is packed in a quantity of more than 5 kg, or
 - (c) it contains at least 500 sheets and is marked with the number of sheets and the dimensions of each sheet.

58 Requirements applicable to both inner and outer packages

A requirement of this Regulation as to the marking of a package containing a pre-packed article applies to both the immediate package containing the article and any other package containing that package (whether or not with other packages) unless the provision that imposes the requirement otherwise provides.

59 Exemptions for certain inner and outer packages

A requirement of this Regulation as to the marking of a package does not apply to:

- (a) any immediate package ordinarily sold only in an outer package that is marked in accordance with the requirement, or
- (b) any outer package in which the immediate package is packed only for the purposes of transportation.

Division 2 Marking of name and address**60 Marking of name and address on packages**

- (1) When a pre-packed article is packed or sold, the package containing the article must be marked with the name and address of the person who packed the article or on whose behalf it was packed.
- (2) That marking must be:
 - (a) readily visible and legible, and
 - (b) such as to enable the person named to be identified and located.
- (3) The address marked must be an address in a State or internal Territory at which, under a law in force in that State or Territory, notices or legal process may be served on the person named.

Clause 61 Trade Measurement Regulation 2002

Part 4 Pre-packed articles

Division 2 Marking of name and address

61 Exemption for packaged seed

- (1) Clause 60 does not apply to:
 - (a) public-bred agricultural seed that is of a prescribed variety and is packed in a quantity of 10 kg or more, or
 - (b) public-bred agricultural seed that is not of a prescribed variety and is packed in a quantity of 25 kg or more, or
 - (c) non-proprietary varieties of horticultural seed packed in a quantity of 25 kg or more.
- (2) In this clause:
prescribed variety means agricultural seed for Rhodes grass, Molasses grass, Buffel grass, Veldt grass, Brachiaria species, Guinea grass, Hamil grass, Gamba grass, Mitchell grass, Creeping Blue grass and Indian Blue grass.

Division 3 General requirements for measurement marking

62 Requirement to mark measurement

- (1) When a pre-packed article is packed or sold, the package containing the article must be marked with a statement of the measurement of the article.
- (2) The statement must be such as will be clear, conspicuous, readily seen and easily read when the article is exposed for sale in the manner in which it is likely to be exposed for sale.

63 General position of measurement marking

- (1) The measurement marking on a package must be made:
 - (a) on the main display part of the package, and
 - (b) if another part of the package is, or other parts of the package are, likely to be displayed instead of the main display part when the article is exposed for sale—on that other part or one of those other parts.
- (2) Subclause (1) does not apply in the case of:
 - (a) automotive parts, or

Trade Measurement Regulation 2002

Clause 63

Pre-packed articles

Part 4

General requirements for measurement marking

Division 3

- (b) any other package if the administering authority, by notice published in the Gazette, exempts the package from the operation of this clause and any conditions or restrictions specified in the notice are complied with.

64 Set-out and form of measurement marking

- (1) The required measurement marking must:
 - (a) be close to, and marked to be read in the same direction as, any name or brand of the article to which it relates, and
 - (b) be at least 2 mm from the limits of the package and separated by at least 2 mm in all directions from other graphic matter or copy, and
 - (c) be in a form in which units of measurement under the metric system are ordinarily written in the English language, and
 - (d) in the case of a decimal sub-multiple, be preceded by a zero or other numeral.
- (2) If a package is entirely or substantially cylindrical, spheroidal, conical or of oval cross-section, the measurement marking must, in addition to complying with subclause (1), be positioned so that no part of the marking is further than one-sixth of the circumference of the package from the line that vertically bisects that part of the package on which the marking is required to be made.
- (3) For the purposes of subclause (2), the circumference of a package is the circumference where the measurement marking is made.

65 Size etc of characters in measurement marking

- (1) The characters used in a measurement marking must be clear and:
 - (a) stamped or printed in a colour that provides a distinct contrast with the colour of the background and be of at least the minimum height required by subclause (2), or
 - (b) stamped or embossed and be of at least 3 times the minimum height required by subclause (2), or
 - (c) marked by an approved printing device in characters at least 3 mm high, or
 - (d) legibly handwritten, if permitted by subclause (3).

Clause 65	Trade Measurement Regulation 2002
Part 4	Pre-packed articles
Division 3	General requirements for measurement marking

- (2) The minimum height for the characters in a measurement marking is the height specified in Column 2 of the Table to this clause opposite the maximum dimension of the package specified in Column 1 of that Table.
- (3) A measurement marking may be legibly handwritten in the following cases:
- when the article is packed to be sold on the premises on which it is packed, or
 - when the package contains cake or is one to which clause 79 applies, or
 - when the package contains a roll of ribbon, lace or elastic or other article of haberdashery, or
 - when the article is, by notice published in the Gazette by the administering authority, declared to be an article to which this subclause applies and any conditions applicable to the packaging of the article and specified in the notice are complied with.

Table

Column 1	Column 2
(Maximum dimension of package)	(Minimum character height)
120 mm or under	2.0 mm
Over 120 mm but not over 230 mm	2.5 mm
Over 230 mm but not over 360 mm	3.3 mm
Over 360 mm	4.8 mm

For the purposes of this Table, the maximum dimension of a package is:

- if the package is rectangular—the measurement of the breadth, height or length of the package, whichever is the greatest, or

Trade Measurement Regulation 2002

Clause 65

Pre-packed articles

Part 4

General requirements for measurement marking

Division 3

- (b) if the package is cylindrical, spheroidal, conical or of oval cross-section—the height, length or maximum diameter of the package, whichever is the greatest.

66 Unit etc of measurement to be used

- (1) Except for an article specifically provided for by subclause (2), the measurement marking of an article must be expressed as follows:
 - (a) if the article is ordinarily sold by number—by reference to number,
 - (b) if the article is ordinarily sold by linear or superficial measurement—by reference to that kind of measurement,
 - (c) if the article is a liquid—by reference to volume,
 - (d) if the article is solid (including in the form of powder or flakes), semi-solid or partly solid and partly liquid, and is not included in paragraph (a)—by reference to mass.
- (2) The measurement marking of an article of a kind described in Column 1 of Schedule 5 must be expressed by reference to the kind of measurement specified in Column 2 of that Schedule opposite the description of the article.
- (3) A measurement marking (other than in terms of number) must be expressed in terms of a unit of measurement permissible as specified in Schedule 6.
- (4) In this section, ***ordinarily sold***, in relation to an article sold by number or linear or superficial measurement, means the majority of the merchants selling the article in Australia ordinarily sell it by number or linear or superficial measurement.

67 Fractions, significant figures

- (1) If a measurement marking includes a fraction of a unit of measurement, it must be expressed as a decimal sub-multiple of the unit.
- (2) Whether a measurement marking is a whole multiple or a sub-multiple, or a combination of both, it must express a degree of accuracy to not more than 3 significant figures.

Clause 68	Trade Measurement Regulation 2002
Part 4	Pre-packed articles
Division 3	General requirements for measurement marking

68 Special provision—marking by approved printing device

If a measurement marking is made by an approved printing device:

- (a) the measurement marking may express a degree of accuracy to more than 3 significant figures if the certificate of approval approves use of the device to measure the degree of accuracy expressed, and
- (b) a measurement marking in terms of mass made by use of the device in accordance with the certificate of approval may be expressed in terms of grams.

69 Marking by reference to minimum measurement

- (1) A marking on the package containing a pre-packed article of the measurement of the article (whether or not for the purposes of this Regulation) must not be made by reference to minimum measurement unless:
 - (a) permitted by this clause (or required by clause 70 in the case of eggs), and
 - (b) the reference to minimum measurement is marked in the same way as the required measurement marking.
- (2) Pre-packed dressed poultry (other than poultry pieces) may be marked with a measurement in terms of minimum mass if:
 - (a) the mass stated is a whole number multiple of 100 g, and
 - (b) (except in the case of cooked poultry) the package is also marked, in characters not less than 10 mm in height, with a size number calculated by dividing the stated minimum mass by 100.
- (3) Pre-packed preserved sausage may be marked with a measurement in terms of minimum mass.

Division 4 Special provision for measurement marking of certain articles

70 Eggs

The measurement marking of a pre-packed article containing eggs must be made:

- (a) by reference to the number of eggs in the package, and

Trade Measurement Regulation 2002

Clause 70

Pre-packed articles

Part 4

Special provision for measurement marking of certain articles

Division 4

- (b) by reference to the minimum mass of each egg.

71 Articles packed in sheets

Pre-packed aluminium foil, facial tissues, toilet paper and waxed paper are articles that do not require a measurement marking on the package if the number of usable sheets of specified dimensions is marked on the package as if the number and dimensions marked were a measurement marking.

72 Number of pre-packed articles comprising 1 tonne

If 45 or fewer packages of an article that is ordinarily sold by mass have a total mass of 1 tonne, the measurement marking of the mass of the article may be made on each package by referring to the number of packages to the tonne in such a manner as to imply that the mass of each package is 1 tonne divided by that number.

73 Bedsheets, tarpaulins etc

- (1) The measurement marking relating to:

- (a) bedsheets (not designed as fitted or semi-fitted bedsheets) or other sheets of hemmed fabric material, or
- (b) tarpaulins,

must be expressed in terms of the finished size of the article.

- (2) The measurement marking relating to:

- (a) a mattress protector, or
- (b) a bedsheet designed as a fitted or semi-fitted bedsheet,

must be expressed in terms of the suitability of its finished size to fit a mattress of specified dimensions expressed as length x width x depth.

74 Pairs of window curtains

The measurement marking relating to window curtains designed to cross over when hung in pairs must be expressed in terms of the finished size of the maximum width, and the maximum drop, of each curtain.

Clause 75	Trade Measurement Regulation 2002
Part 4	Pre-packed articles
Division 4	Special provision for measurement marking of certain articles

75 Marking of width or thickness if it directly affects price

If a measurement marking may be made in terms of the length of an article, the marking shall include any measurement of the thickness or width of the article, or both, that bears a direct relationship to the price of the article.

Division 5 Special provision concerning measurement marking of outer packages

76 Package containing packages of articles of the same kind and measurement

- (1) This clause applies to 2 or more pre-packed articles of the same kind and apparently with the same measurement:
 - (a) each of which is separately packed in its own package (an ***inner package***), and
 - (b) all of which are also packed together in another package (the ***outer package***).
- (2) The measurement marking on the outer package may:
 - (a) state the total measurement of all the articles in the outer package, or
 - (b) state (as if it were a measurement marking) the number of packages in the outer package and the measurement of each of them.
- (3) A measurement marking need not be marked on the outer package if:
 - (a) the outer package contains not more than 8 inner packages, and
 - (b) the inner packages are ordinarily sold only while in the outer package, and
 - (c) the whole or part of the outer package is transparent and the measurement marking on each of the inner packages is clearly visible through the packaging of the outer package.

77 Inner and outer packages of single article

- (1) This clause applies to a pre-packed article consisting of an article contained in a package (the ***inner package***) that is contained in another package (the ***outer package***).

Trade Measurement Regulation 2002

Clause 77

Pre-packed articles

Part 4

Special provision concerning measurement marking of outer packages

Division 5

- (2) A measurement marking need not be marked on the outer package if:
- (a) the inner package is ordinarily sold only while in the outer package, and
 - (b) the whole or part of the outer package is transparent and the measurement marking on the inner package is clearly visible through the packaging of the outer package.

78 Package containing articles of different kinds or different measurements

- (1) This clause applies to a pre-packed article consisting of a package (the **outer package**) containing at least 2 articles of which at least 1 is a pre-packed article, but does not apply in a case to which clause 76 applies (pre-packed articles of the same kind and measurement).
- (2) None of the articles in the outer package is required to be marked with a measurement marking if:
 - (a) all the articles in the outer package are ordinarily sold only while in the outer package, and
 - (b) the outer package is marked in the same way as a measurement marking with a description of each article in the outer package and a statement of its measurement.
- (3) The provisions of clause 63 as to the position of a measurement marking do not apply to a marking referred to in subclause (2) (b) if the packaging of the outer package is transparent and all the articles it contains are clearly visible through it.

Division 6 Other markings concerning measurement

79 Unit price marking—retail sales of certain foods by mass

- (1) This clause applies to the following pre-packed foods:
 - (a) fruit,
 - (b) dried fruit, dehydrated fruit and dried or dehydrated mixed fruit,
 - (c) cheese and cheese products,
 - (d) dressed poultry not marked in terms of minimum mass in accordance with clause 69,
 - (e) fish (including crustaceans),
 - (f) mushrooms,

Clause 79	Trade Measurement Regulation 2002
Part 4	Pre-packed articles
Division 6	Other markings concerning measurement

- (g) vegetables,
 - (h) meat,
 - (i) smallgoods (including bacon, corned beef and ham),
except when the package is a rigid container.
- (2) When a pre-packed article to which this clause applies is sold (except for the purpose of being resold) the package containing the article must (in addition to being marked with the measurement of the article) be marked with its total price and price per kilogram unless:
- (a) the total price and price per kilogram are adequately displayed at the time of sale, as provided by subclause (4), or
 - (b) the article is described in Column 1 of the Table to this clause and is packed in a quantity specified in Column 2 of that Table opposite the description.
- (3) The marking on a package required by this clause must be made as if it were a measurement marking.
- (4) The total price and price per kilogram are adequately displayed if displayed on or immediately adjacent to the receptacle in or on which the article is exposed for sale, in characters not less than 10 mm high and in such a manner as to be readily seen and easily read.

Table

Column 1	Column 2
Cheese and cheese products	100 g 125 g 200 g 250 g 375 g 500 g 750 g 1 kg integral multiples of 500 g
Dressed poultry and meat	100 g 125 g 200 g 250 g 500 g 1 kg integral multiples of 1 kg
Dried fruit, dehydrated fruit, dried or dehydrated mixed fruit	100 g 125 g 150 g 200 g 250 g 375 g 500 g 750 g 1 kg 1.5 kg integral multiples of 1 kg
Fruit, fish (including crustaceans), mushrooms and vegetables	15 g 20 g 25 g 50 g 75 g 100 g 125 g 150 g 200 g 250 g 375 g 500 g 750 g 1 kg 1.25 kg 1.5 kg 2.5 kg integral multiples of 1 kg
Smallgoods (including bacon, corned beef and ham)	50 g 125 g 175 g 250 g 375 g 500 g integral multiples of 500 g

Trade Measurement Regulation 2002

Clause 79

Pre-packed articles

Part 4

Other markings concerning measurement

Division 6

Division 7 Prohibited and restricted expressions

80 Marking of “mass when packed”

- (1) This clause applies to bar soaps, cotton wool, flax, glauber salts, jute, manila, fresh mushrooms, oven-baked animal biscuits, personal deodorant tablets, personal soap tablets (medicinal or toilet), sisal, soap flakes, soap powder (excluding detergent powders), tobacco, washing soda and whole hams.
- (2) Pre-packed articles of the kind to which this clause applies that are not packed in a hermetically sealed package may be marked “mass when packed”, or with other words that have a similar meaning to those words, if they are marked in the same way as the appropriate measurement marking.

81 Marking of “mass at standard condition”

A package containing pre-packed yarn or cotton wool that is not an hermetically sealed package may be marked with the words “mass at standard condition” or with other words that have a similar meaning to those words if:

- (a) the words are marked in the same way as the appropriate measurement marking, and
- (b) (when the yarn or cotton wool is composed of a mixture of fibres)—the package is also marked in the same way as the appropriate measurement marking with a correct statement of the proportion by mass of each of the kinds of fibre of which the yarn or cotton wool is composed.

82 Restrictions on use of “gross mass”

- (1) For the purposes of section 30 of the Act, the expression “gross mass” and any other expression that has a similar meaning to that expression are restricted expressions.
- (2) A package may be marked with such an expression only if permitted by clause 57 (exemptions for packages containing paper) or if:
 - (a) the package is used only for the purpose of transporting an article, and

Clause 82 Trade Measurement Regulation 2002

Part 4 Pre-packed articles

Division 7 Prohibited and restricted expressions

- (b) the expression is immediately followed by the words “for transport purposes only” and a statement of the appropriate quantity, and
- (c) immediately below or following the expression the net mass is marked and designated as such or stated as a net amount in words that correspond to those used to express the gross amount.

83 Prohibited expressions

For the purposes of section 30 of the Act, the following are prohibited expressions:

- (a) any expression (other than a marking required or permitted by the Act or this Regulation) that directly or indirectly relates to or qualifies a measurement marked on the package,
- (b) a statement that directly or indirectly relates or refers to the measurement of the article or any ingredient or component of the article, or of any source from which the article is derived, if the statement cannot be tested for truth by testing the article.

Division 8 Short measure

84 Extent of deficiency necessary to constitute short measure

- (1) This Division makes provision for the deficiency in actual measurement and average measurement of pre-packed articles permitted under section 33 of the Act before the actual measurement of a pre-packed article is to be regarded as being less than the measurement marked on the package.

- (2) In this Division:

permissible actual deficiency means the deficiency in actual measurement permitted for the purposes of section 33 (1) (a) of the Act.

permissible average deficiency means the deficiency in the average of the actual measurements of a number of like articles permitted for the purposes of section 33 (1) (b) of the Act.

Trade Measurement Regulation 2002

Clause 85

Pre-packed articles

Part 4

Short measure

Division 8

85 Articles marked “mass when packed” etc

If the package containing a pre-packed article is, in accordance with clause 80, marked “mass when packed” or with other words that have a similar meaning to those words:

- (a) the permissible actual deficiency, if measured on the day the article is packed, is a deficiency of 5 per cent, and
- (b) the permissible average deficiency, if measured on the day the article is packed, is nil, and
- (c) the permissible actual deficiency, if measured after the day the article is packed, is the deficiency specified in Column 2 of the Table to this clause opposite the description of the article in Column 1 of that Table, and
- (d) the permissible average deficiency, if measured after the day the article is packed, is the deficiency specified in Column 3 of the Table to this clause opposite the description of the article in Column 1 of that Table.

Table—Permissible deficiencies after day of packing

Column 1	Column 2	Column 3
(Description of article)	(Permissible actual deficiency—per cent)	(Permissible average deficiency—per cent)
Bar soaps	21	16
Cotton wool	7	2
Flax	8	3
Glauber salts	7	2
Jute	9	4
Manila	8	3
Mushrooms (fresh)	18	13
Oven-baked animal biscuits	9	4

Clause 85 Trade Measurement Regulation 2002

Part 4 Pre-packed articles

Division 8 Short measure

Column 1	Column 2	Column 3
(Description of article)	(Permissible actual deficiency—per cent)	(Permissible average deficiency—per cent)
Personal deodorant tablets	12	7
Personal soap tablets (medicinal or toilet)	11	6
Sisal	8	3
Soap flakes	10	5
Soap powder (excluding detergent powders)	15	10
Tobacco	10	5
Washing soda	7	2
Whole hams	7	2

86 Articles marked “mass at standard condition”

- (1) If the package containing a pre-packed article is, in accordance with this Regulation, marked “mass at standard condition” or with other words that have a similar meaning:
 - (a) the permissible actual deficiency is the deficiency specified in Column 2 of the Table to this clause opposite the description of the class of article in Column 1 of that Table, and
 - (b) the permissible average deficiency is the deficiency specified in Column 3 of the Table to this clause opposite the description of the class of article in Column 1 of that Table.
- (2) If the article consists of a mixture of any 2 or more of class A, B or C fibres (as described in Column 1 of the Table to this clause):
 - (a) the permissible actual deficiency is the deficiency, expressed as a percentage, calculated in accordance with the formula $6x + 2y + 5$, and

Trade Measurement Regulation 2002

Clause 86

Pre-packed articles

Part 4

Short measure

Division 8

- (b) the permissible average deficiency is the deficiency, expressed as a percentage, calculated in accordance with the formula $6x + 2y$,

where:

- x is the proportion that the mass of all class A fibre (if any) in the article bears to the total mass of the article, and
- y is the proportion that the mass of all class B fibre (if any) in the article bears to the total mass of the article.

Table

Column 1	Column 2	Column 3
(Class of article)	(Permissible actual deficiency—per cent)	(Permissible average deficiency—per cent)
Class A fibre (wool or other animal fibre, viscose or cuprammonium rayon, or a mixture of any 2 or more of them)	11	6
Class B fibre (silk, cotton or cellulose acetate or a mixture of any 2 or more of them)	7	2
Class C fibre (a fibre, or a mixture of fibres, that is not a Class A or Class B fibre)	5	0

87 Other pre-packed articles

If the package containing a pre-packed article is not one to which clauses 85 or 86 applies:

- (a) the permissible actual deficiency is 5 per cent, and
- (b) the permissible average deficiency is nil.

Clause 88 Trade Measurement Regulation 2002

Part 4 Pre-packed articles

Division 8 Short measure

88 Method of determining average measurement (sec 33)

- (1) For the purposes of this Division, the average of the actual measurements of a number of like articles shall be determined by calculating the average of the measurements of the contents of at least 12 packages or, if less than 12 are available, of such number (not less than 6) as are available.
- (2) If more than 12 packages are available, the actual number to be tested shall be as determined by an inspector.
- (3) Each of the packages measured must be of the same kind and have the same measurement marking and must be selected by an inspector without having been measured by an inspector.

Division 9 Miscellaneous provisions regarding pre-packed articles

89 Mass of frozen pre-packed scallops

For the purposes of the Act and this Regulation, the mass of frozen scallops packed as a pre-packed article shall be determined as follows:

- (a) measure and record the mass of an appropriate perforated container,
- (b) place the entire contents of the package into a suitable impermeable bag,
- (c) suspend or immerse the bag in running water until the contents have thawed,
- (d) empty contents into the perforated container,
- (e) drain the perforated container and the contents until minimal drip loss is recorded,
- (f) measure and record the mass of the perforated container plus contents,
- (g) subtract the mass of the perforated container from the mass of the perforated container and contents to obtain the net mass of the contents.

Trade Measurement Regulation 2002

Clause 90

Pre-packed articles

Part 4

Miscellaneous provisions regarding pre-packed articles

Division 9

90 Application for permit to sell certain articles

An application for a permit under section 38 of the Act for the sale of an article must:

- (a) be made to the administering authority in writing signed by or on behalf of the applicant, and
- (b) specify the grounds in section 39 of the Act that are relied on by the applicant, and
- (c) give particulars of the facts justifying reliance on those grounds.

Clause 91 Trade Measurement Regulation 2002

Part 5 Miscellaneous

Part 5 Miscellaneous

91 Offer etc for sale by reference to measurement

- (1) This clause does not apply to:
- (a) pre-packed articles, or
 - (b) wine, spirits, beer, porter, stout, ale, cider, perry, mead or any other spirituous or fermented liquor, or
 - (c) diamonds or other precious stones.
- (2) A person who advertises, offers or exposes an article for sale at a price determined by reference to measurement (being mass, volume, linear measurement or superficial measurement) is guilty of an offence unless the measurement is:
- (a) in the case of mass:
 - (i) 1 kilogram, or
 - (ii) 1 kilogram, with another reference to an integral number of kilograms, or
 - (iii) an integral number of tonnes, or
 - (iv) if the article is a precious metal—1 gram or 1 troy ounce, or
 - (b) in the case of volume:
 - (i) 1 litre, or
 - (ii) 1 litre, with another reference to an integral number of litres, or
 - (iii) an integral number of cubic metres, or
 - (c) in the case of linear measurement:
 - (i) 1 centimetre, or
 - (ii) 1 metre, or
 - (iii) 1 metre, with another reference to an integral number of metres, or
 - (d) in the case of superficial measurement:
 - (i) 1 square centimetre, or
 - (ii) 1 square metre, or
 - (iii) 1 square metre, with another reference to an integral number of square metres,
- or is a measurement authorised by subclause (3).
- Maximum penalty: \$2,000.

Trade Measurement Regulation 2002

Clause 91

Miscellaneous

Part 5

-
- (3) The length, width, thickness, diameter or other linear measurement of an article specified in the Table to this clause may be advertised, offered or exposed for sale by the millimetre, centimetre or metre.

Table

Carpets	Resin laminates
Ceramic tiles	Rope
Chain	Rubber material
Cord	Rubber mouldings
Cordage	Sheet glass
Electrical cable	Textiles
Electrical flex	Textile products (other than ready-made clothing)
Fabrics	Plywood
Floor coverings	Timber
Hardboard	Veneers
Particle board	Wire netting
Plastic mouldings	

92 Beer and spirits to be sold by volume

- (1) Beer, stout, ale, brandy (including cognac and armagnac), gin, rum, vodka and whisky (whiskey) are prescribed articles to which section 26 of the Act applies.
- (2) Pursuant to that section, a sale of a quantity of such an article is required to be at a price determined by reference to the volume of the quantity.

Clause 93 Trade Measurement Regulation 2002

Part 5 Miscellaneous

93 Savings provision

Any act, matter or thing that, immediately before the repeal of the following Regulations, had effect under those Regulations continues to have effect under this Regulation:

- (a) the *Trade Measurement (Weighbridges) Regulations 1997*,
- (b) the *Trade Measurement (Measuring Instruments) Regulations 1997*,
- (c) the *Trade Measurement (Pre-packed Articles) Regulations 1997*,
- (d) the *Trade Measurement (Miscellaneous) Regulations 1997*.

Trade Measurement Regulation 2002

Duties of operator of public weighbridge

Schedule 1

Schedule 1 Duties of operator of public weighbridge

(Clause 24)

1 Due care to be exercised

An operator shall exercise due care in the performance of his or her functions under the Act and this Regulation.

2 Entry in tare mass book

An operator who measures the tare mass of a vehicle without issuing a measurement ticket shall immediately enter in the tare mass book consecutively in the order in which each tare mass is measured the particulars required by the form of the book.

3 Measurement tickets—completion and issue

(1) An operator:

- (a) shall complete and issue a measurement ticket only in the form appropriate for the measurement made and in accordance with the particulars required by the form and this Regulation, and
- (b) shall, except in the case of a tare mass entered in the tare mass book, complete a measurement ticket in its numerical order in the book or pad immediately after finding a measurement by use of the weighbridge, and
- (c) shall issue a measurement ticket immediately after its completion unless it is required to be retained after cancellation or for issue under clause 5 (2) (a) of this Schedule, and
- (d) shall not complete or issue a measurement ticket except for the purpose of complying with paragraph (b) or (c) or clause 5 (2) (a) of this Schedule, and
- (e) in completing a measurement ticket for 2 linked but separately registered vehicles, shall enter the registration figures and letters for both vehicles, and
- (f) shall include in each measurement shown on a measurement ticket for a vehicle the measurement of the load supported by all axles.

Trade Measurement Regulation 2002

Schedule 1 Duties of operator of public weighbridge

- (2) An operator who makes an error in completing a measurement ticket shall forthwith cancel, and retain in the book or pad, the measurement ticket and the duplicate or duplicates forming part of the book or pad.
- (3) An operator shall, by the use of carbon paper or other effective means, make each duplicate that forms part of a book or pad of measurement tickets an exact copy of the original ticket completed by the operator.
- (4) An operator shall not issue a measurement ticket that includes any matter additional to that required by this Regulation unless the additional matter:
 - (a) appears in a margin, at the foot, or on the reverse side, of the ticket, and
 - (b) is not inconsistent with, and does not qualify, the meaning or accuracy of the information on the ticket.

4 Issue of measurement ticket—tare mass only

An operator who issues a measurement ticket recording only the tare mass of a vehicle shall alter the measurement ticket:

- (a) by striking out the words “gross mass” and “net mass” on the ticket and writing in their place the words “tare mass only”, and
- (b) by stamping across the face of the ticket the words “TARE MASS ONLY” in prominent capital letters not less than 5 mm high.

5 Issue of measurement ticket—loaded vehicle

- (1) An operator who measures the mass of a loaded vehicle of which the tare mass has been determined shall immediately complete and issue an appropriate measurement ticket.
- (2) An operator who measures the mass of a loaded vehicle of which the tare mass has not been determined shall:
 - (a) immediately record the gross mass on the next consecutive measurement ticket and issue the ticket only after the tare mass of the vehicle has been determined, or
 - (b) issue a measurement ticket on which the gross mass has been recorded after:
 - (i) striking out the words “tare mass” and “net mass” on the ticket and writing in their place the words “gross mass only”, and

Trade Measurement Regulation 2002

Duties of operator of public weighbridge

Schedule 1

- (ii) stamping across the face of the ticket the words “GROSS MASS ONLY” in prominent capital letters not less than 5 mm high.
- (3) An operator shall not enter tare mass on the measurement ticket for a loaded vehicle unless the operator copies the tare mass from:
 - (a) an entry made in the tare mass book, or
 - (b) a tare mass measurement ticket issued,not more than 24 hours earlier by the same operator or another operator using the same weighbridge or another weighbridge on the same premises.

6 Axle load measurement

- (1) If the measurement to be made is not an end-and-end measurement but is only for the purpose of issuing a measurement ticket showing each load supported by separate axles, or groups of axles, of a vehicle, the operator of the weighbridge shall ensure that subclause (2) is complied with.
- (2) This subclause is complied with if:
 - (a) the approaches to the weighbridge have a smooth and level surface which is paved with concrete or other approved material and is in the same horizontal plane as the top of the platform or platforms, and
 - (b) the perimeter of the approaches is clearly indicated by painted marks or by other approved means, and
 - (c) at all times during the measuring:
 - (i) the wheels on one or more of the axles are located on the platform or platforms and the wheels on the other axles are located within the indicated perimeter of the approaches, and
 - (ii) the brakes, gears and other means capable of restricting the free movement of the vehicle are disengaged.

7 Copies of measurement tickets

- (1) If required to do so by:
 - (a) a buyer or seller of goods of which the measurement has been found by use of a weighbridge, or

Trade Measurement Regulation 2002

Schedule 1 Duties of operator of public weighbridge

- (b) any other person who has an interest in the goods,
the operator of the weighbridge shall, on payment of the public weighbridge licensee's fee, supply a copy of the measurement ticket.
- (2) An operator shall not supply a copy of a ticket under subclause (1) unless the copy complies with subclause (3) or (4).
- (3) A copy of a measurement ticket complies with this subclause if it is issued from a book or pad of measurement tickets after being amended:
- (a) by striking out its number and writing nearby the words "Copy of ticket No " (quoting the number of the ticket of which it is a copy), and
- (b) by stamping across the face of the ticket the words "COPY ONLY" in prominent capital letters not less than 5 mm high.
- (4) A copy of a measurement ticket complies with this subclause if it is issued from a book or pad printed in a form approved for the purpose of making those copies that includes on its face the words "COPY ONLY" in prominent capital letters not less than 5 mm high.
- (5) Except for any requirement as to time, and except for any inconsistency with this clause, this Regulation applies in relation to a copy measurement ticket in the same way as it applies to the ticket of which it is a copy.

8 Inspector may require measurement to be made

An operator shall, if required to do so by an inspector exercising the functions of an inspector, make without charge a measurement relating to a loaded or unloaded vehicle.

Trade Measurement Regulation 2002

Forms of tare mass book

Schedule 2

Schedule 2 Forms of tare mass book

(Clause 22)

Form 1

Date of measurements	Description of vehicle measured	Registered No or Nos of vehicle	Name of driver of vehicle	Tare mass (including decimal submultiples of tonnes)
-------------------------	---------------------------------------	---------------------------------------	------------------------------	--

Form 2

Date of measurements	Description of vehicle measured	Registered No or Nos of vehicle	Name of driver of vehicle	Tare mass (kilograms)
-------------------------	---------------------------------------	---------------------------------------	------------------------------	--------------------------

Trade Measurement Regulation 2002

Schedule 3 Forms of measurement tickets

Schedule 3 Forms of measurement tickets

(Clause 22)

Form 1

Ticket No

Date

Registered Public Weighbridge No

[Here state the name of the holder of the public weighbridge licence]

.....

.....

[Here state the location of the weighbridge]

Direct Measurement

Goods measured

Marks and brands on goods measured

Place of despatch of goods measured

Destination of goods measured

Registered No or Nos of vehicle measured

Name of driver of vehicle

Gross mass in tonnes (including decimal submultiples of tonnes)

Tare mass in tonnes (including decimal submultiples of tonnes)

Net mass in tonnes (including decimal submultiples of tonnes)

.....

[Signature of operator]

Trade Measurement Regulation 2002

Forms of measurement tickets

Schedule 3

Form 2

Ticket No

Date

Registered Public Weighbridge No

[Here state the name of the holder of the public weighbridge licence]

.....

.....

[Here state the location of the weighbridge]

Direct Measurement

Goods measured

Marks and brands on goods measured

Place of despatch of goods measured

Destination of goods measured

Registered No or Nos of vehicle measured

Name of driver of vehicle

Gross mass in kilograms

Tare mass in kilograms

Net mass in kilograms

.....

[Signature of operator]

Trade Measurement Regulation 2002

Schedule 3 Forms of measurement tickets

Form 3

Ticket No

Date

Registered Public Weighbridge No

[Here state the name of the holder of the public weighbridge licence]

.....

.....

[Here state the location of the weighbridge]

Axle Masses Only

Registered No or Nos of vehicle(s) measured

Name of driver of vehicle

	Axle No (front to rear)	Tonnes (including decimal submultiples of tonnes)
If 2 or more axles are measured together, this is to be shown by bracketing the relevant axle numbers.	—1—	.....
	—2—	.....
	—3—	.....
	—4—	.....
	—5—	.....
	—6—	.....

.....

[Signature of operator]

Masses shown on this ticket are not to be used for trade.

Trade Measurement Regulation 2002

Forms of measurement tickets

Schedule 3

Form 4

Ticket No

Date

Registered Public Weighbridge No

[Here state the name of the holder of the public weighbridge licence]

.....

.....

[Here state the location of the weighbridge]

Axle Masses Only

Registered No or Nos of vehicle(s) measured

Name of driver of vehicle

	Axle No (front to rear)	Kilograms
If 2 or more axles are measured together, this is to be shown by bracketing the relevant axle numbers.	—1 —	.....
	—2 —	.....
	—3 —	.....
	—4 —	.....
	—5 —	.....
	—6 —	.....

.....

[Signature of operator]

Masses shown on this ticket are not to be used for trade.

Trade Measurement Regulation 2002

Schedule 4 Exemptions from marking

Schedule 4 Exemptions from marking

(Clause 56)

1 Textile goods

- (1) Textile, wearing apparel and other similar articles that are not packed for sale by measurement and are not ordinarily so sold.
- (2) Textiles that are:
 - (a) packed for sale by mass and are sold in packages each containing more than 4 kg, or
 - (b) packed for sale by length and are sold in packages each containing more than 25 m, or
 - (c) packed for sale by area and are sold in packages each containing more than 25 m².

2 Food goods

- (1) Any agricultural produce grown and packed on the same property by the grower and sold by mass in sacks of more than 25 kg gross mass.
- (2) Confectionery, nuts, popcorn, potato crisps and savouries that are:
 - (a) packed on premises for sale on those premises if the package is displayed for sale on those premises in a receptacle that bears a statement that can be readily seen and easily read in characters not less than 10 mm high of the mass and of the price of the contents of the package and if the mass of the contents does not exceed 200 g, or
 - (b) packed in or with another article if the value of the combined articles is substantially represented by that other article.
- (3) Confectionery packed singly in a novelty shape and an Easter egg packed singly.
- (4) Honey in the comb in original frames.
- (5) Hay.
- (6) Ice cream packed in a quantity less than 200 mL.
- (7) Kippers.
- (8) Pies or pasties made for use as an individual serve of which the mass is less than 250 g.

Trade Measurement Regulation 2002

Exemptions from marking

Schedule 4

-
- (9) Cakes, puddings and sponges packed singly in a quantity less than 125 g.
 - (10) Alcoholic liquors packed in a quantity more than 10 L.

3 Medicinal and toilet goods

- (1) Therapeutic goods, being goods the sale or supply of which to the public is prohibited by law except on the written prescription of a person recognised by law as competent to prescribe them.
- (2) A toilet preparation in a compact and a refill of such a preparation.
- (3) Single application hair dyes or hair bleaches or single application home permanent hair waving kits.
- (4) Vaccine packed in a quantity less than 25 mL or a single dose of any substance packed in a vial or ampoule for sale for use as an injection.

4 Hardware goods

- (1) Articles of hardware that are not packed for sale by measurement and are not ordinarily so sold.
- (2) Tinters or colouring agents for use in paint that are packed in a quantity less than 100 g or 100 mL.
- (3) Colouring material in a package on which is marked directions for mixing it, or a specified quantity of it, with a specified type and volume of paint—if the quantity of the material to be mixed does not exceed 10 per cent of the volume of the paint with which it is to be mixed.

5 General goods

- (1) Articles ordinarily sold by number that are packed in a quantity of less than 9 in a package made wholly or partly of transparent material so that when the package is exposed for sale the number of articles contained in the package is readily apparent to a purchaser.
- (2) An article of which the mass exceeds 75 kg or the volume exceeds 150 L.
- (3) An article packed in a quantity less than 15 g or 15 mL other than adhesives, dried vegetables and freeze-dried vegetables, herbs, instant tea, pepper and other spices, therapeutic goods and tobacco.
- (4) Fire extinguisher refills.

Trade Measurement Regulation 2002

Schedule 4 Exemptions from marking

- (5) Photographic film and photographic printing paper.
- (6) A bag of clay.
- (7) Fish bait.
- (8) Garden landscape material, including pine-bark feature mix, pine-bark nuggets, pre-planted mushroom spawn, tree-bark, any article that is or contains compost, farmyard manure, garden peat, leaf mould, peatmoss, sphagnum moss, tanbark or other like substance.
- (9) Artists' paint packed in a quantity less than 100 g.
- (10) Candles.
- (11) Legume seed inoculants.
- (12) A pre-packed article sold as authorised by Division 2 (permits) of Part V of the Act.

Trade Measurement Regulation 2002

Expression of measurement marking

Schedule 5

Schedule 5 Expression of measurement marking

(Clause 66)

Column 1	Column 2
(Description of article)	(Kind of measurement permissible)
Acids in liquid form	mass or volume
Aerosol products	mass
Compressed or liquefied gases	mass or equivalent volume (cubic metres or litres) at stated temperature and pressure
Cream and cream substitutes	volume
Fencing wire	length
Flavouring essences	mass or volume, if the quantity is not less than 500 g
Heavy residual fuel oil, industrial diesel fuel and furnace oil	mass or volume
Honey, malt extract, golden syrup and treacle	mass
Ice cream	volume
Linseed oil and other vegetable oils	volume if the quantity is not more than 5 L; mass or volume if the quantity is more than 5 L
Liquefied petroleum gas	mass
Liquid chemicals	mass or volume
Paint (other than paste paint), varnish and varnish stains	volume
Paste paint	mass
Perfume compounds	mass or volume, if the quantity is not less than 500 g
Perlite	mass or volume

Page 67

Trade Measurement Regulation 2002

Schedule 5 Expression of measurement marking

Column 1	Column 2
(Description of article)	(Kind of measurement permissible)
Resins	mass or volume
Rope, cord and line— (a) of a diameter less than 1.5 mm (b) of a diameter of 1.5 mm or more	length and mass per specified length length and diameter
Skin cream in jars	mass or volume
Tomato sauce	volume
Toothpaste	mass
Twines, twists and lashings	length and mass per specified length
Yoghurt	mass

Trade Measurement Regulation 2002

Permissible units of measurement

Schedule 6

Schedule 6 Permissible units of measurement

(Clause 66)

1 Mass

If the measurement marking is to be expressed in terms of mass, the permissible units of measurement are as follows:

- (a) kilogram is permissible in all cases,
- (b) gram is also permissible if the mass does not exceed 1 000 grams,
- (c) milligram is also permissible if the mass does not exceed 1 000 milligrams.

2 Volume

If the measurement marking is to be expressed in terms of volume, the permissible units of measurement are as follows:

- (a) litre, decilitre or centilitre is permissible for liquids in all cases,
- (b) cubic metre is permissible for solids in all cases,
- (c) millilitre is also permissible in the case of a liquid if the volume does not exceed 1 000 millilitres,
- (d) cubic centimetre is also permissible in the case of a solid if the volume does not exceed 1 000 cubic centimetres.

3 Linear measurement

If the measurement marking is to be expressed in terms of linear measurement, the permissible units of measurement are as follows:

- (a) metre is permissible in all cases,
- (b) centimetre is also permissible if the length does not exceed 100 centimetres,
- (c) millimetre is also permissible if the length does not exceed 1 000 millimetres,
- (d) millimetre is also permissible in the case of paper lengths not exceeding 10 000 millimetres, building material in sheet form and coated abrasive belts,

Trade Measurement Regulation 2002

Schedule 6 Permissible units of measurement

- (e) millimetre is also permissible in the case of an article if it was customary before the *Trade Measurement (Pre-packed Articles) Regulations 1997* commenced to express the linear measurement of the article in millimetres.

4 Superficial measurement

If the measurement marking is to be expressed in terms of superficial measurement, any unit of superficial measurement is permissible.

5 Mass per specified length

If the measurement marking is to be expressed in terms of mass per specified length, the permissible units of measurement are grams for mass and kilometres for length.

Warehousemen's Liens Regulation 2002

under the

Warehousemen's Liens Act 1935

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Warehousemen's Liens Act 1935*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

This Regulation replaces, without any major changes in substance, the *Warehousemen's Liens Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*. The new Regulation deals with the following matters:

- (a) the notice to be given of claims as to the ownership of, or interest in, goods to be made under section 5 or 6 of the Act (clause 4),
- (b) the manner in which an application is to be made to a Local Court for a stay of proceedings leading to the sale of goods under a lien (clause 5),
- (c) the manner in which accounts are to be verified in relation to money paid to the Public Trustee from the proceeds of sale of goods under a lien (clause 6),
- (d) the charges deductible in respect of money held by the Public Trustee from the proceeds of sale of goods under a lien (clause 7).

This Regulation is made under the *Warehousemen's Liens Act 1935*, including sections 5, 6, 8 and 11 (the general regulation-making power).

This Regulation comprises matters of a machinery and savings or transitional nature.

Warehousemen's Liens Regulation 2002

Contents

Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Definitions	3
4 Prescribed notice of claim under sections 5 and 6	3
5 Application for stay of proceedings	3
6 Verification of statements of account	4
7 Charges payable to the Public Trustee	4
8 Savings provision	5

Warehousemen's Liens Regulation 2002

1 Name of Regulation

This Regulation is the *Warehousemen's Liens Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

Note. This Regulation replaces the *Warehousemen's Liens Regulation 1997* which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

In this Regulation:

the Act means the *Warehousemen's Liens Act 1935*.

4 Prescribed notice of claim under sections 5 and 6

The prescribed notice of claim referred to in sections 5 and 6 of the Act is a notice:

- (a) that is in writing, and
- (b) that identifies the goods to which it relates, and
- (c) that specifies the name and address of the person by or on whose behalf the claim is made, and
- (d) that specifies whether that person claims to be the owner of the goods or merely to have an interest in the goods and, if the latter is the case, the nature of the interest claimed.

5 Application for stay of proceedings

- (1) An application for a stay of proceedings under section 6 of the Act is to be made by means of a notice in writing lodged with the Clerk of the Local Court for the district in which the premises of the warehouseman are situated.
- (2) Such a notice must contain:
 - (a) a brief description of the goods, and
 - (b) a summary of the charges claimed by the warehouseman, and

Clause 5 Warehousemen's Liens Regulation 2002

-
- (c) a summary of the reasons for which it is claimed that the proceedings should be stayed.
 - (3) On receiving an application, the Clerk of the Local Court must appoint a time and place for the hearing of the application.
 - (4) The applicant must cause notice of the time and place appointed for the hearing to be served on the warehouseman at least 2 days before the date of the hearing.
 - (5) Service of such a notice may be effected in the same way as service of a summons may be effected under section 63 of the *Justices Act 1902* or (if the warehouseman is a company) in any way that complies with the requirements of the *Corporations Act 2001* of the Commonwealth in relation to the service of summonses.

6 Verification of statements of account

- (1) The copies of the statement of account that are furnished to the Public Trustee under section 8 (3) of the Act must be verified by the signature of the warehouseman or of some other person on the warehouseman's behalf.
- (2) Written particulars of the following matters must be furnished to the Public Trustee together with the copies of the statement of account:
 - (a) the date of deposit of the goods,
 - (b) the name and address of the person who deposited the goods,
 - (c) the name and address of the owner of the goods and of each person who claims to be the owner of the goods or to have an interest in the goods, including the name and address of any person who claims to be the holder of a bill of sale in respect of the goods,
 - (d) particulars of any such claim,
 - (e) particulars of any searches carried out by or on behalf of the warehouseman under the *Bills of Sale Act 1898*,
 - (f) such other relevant information as is in the possession of the warehouseman.

Warehousemen's Liens Regulation 2002

Clause 7

7 Charges payable to the Public Trustee

- (1) The Public Trustee is entitled to deduct the following charges from any amount held by the Public Trustee under section 8 of the Act:
 - (a) 5 per cent of the amount so held, or \$20, whichever is the greater,
 - (b) any fees prescribed under the *Public Trustee Act 1913* in relation to the amount so held.
- (2) The Public Trustee may waive or remit any charge to which the Public Trustee is entitled under this clause.

8 Savings provision

Any act, matter or thing that, immediately before the repeal of the *Warehousemen's Liens Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Wentworth Irrigation Regulation 2002

under the

Wentworth Irrigation Act 1890

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Wentworth Irrigation Act 1890*.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to provide for the following matters:

- (a) the recovery of amounts payable under the *Wentworth Irrigation Act 1890*,
- (b) the charging of interest on arrears of rent,
- (c) the making of applications for the consent of the Lands Administration Ministerial Corporation to transfers or other dealings,
- (d) the surrender of leases,
- (e) the granting of licences to occupy,
- (f) other matters of a minor, consequential or ancillary nature.

The Regulation replaces the *Wentworth Irrigation Regulation 1997*, which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*. This Regulation is substantially the same as the repealed Regulation.

The Regulation is made under the *Wentworth Irrigation Act 1890*, including section 33 (the general regulation making power).

The Regulation comprises or relates to matters of a machinery nature.

Wentworth Irrigation Regulation 2002

Contents

Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Definitions	3
4 Recovery of amounts payable under the Act	3
5 Interest on arrears of rent	3
6 Applications for consent to transfers or other dealings	3
7 Surrender of leases	4
8 Granting of licences to occupy	4
9 Savings	4

Wentworth Irrigation Regulation 2002

Clause 1

Wentworth Irrigation Regulation 2002

1 Name of Regulation

This Regulation is the *Wentworth Irrigation Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

3 Definitions

(1) In this Regulation:

approved means approved for the time being by the Ministerial Corporation.

Far West Region Office means the Far West Region Office at Dubbo of the Department of Land and Water Conservation.

Ministerial Corporation means the Lands Administration Ministerial Corporation constituted by the *Crown Lands Act 1989*.

the Act means the *Wentworth Irrigation Act 1890*.

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

4 Recovery of amounts payable under the Act

Any amount payable under the Act may be recovered as a debt due to the Ministerial Corporation.

5 Interest on arrears of rent

(1) Any rent payable under the Act accrues interest at the rate prescribed for the time being under section 148 (2) of the *Crown Lands Act 1989*.

(2) The Ministerial Corporation may, if it is satisfied that the circumstances so warrant, postpone or waive payment of the whole or any part of any interest payable under this clause or remit the whole or any part of any interest that has been paid.

Clause 6 Wentworth Irrigation Regulation 2002

6 Applications for consent to transfers or other dealings

- (1) An application for the consent of the Ministerial Corporation to a transfer or other dealing, as referred to in section 26 of the Act, must be lodged at the Far West Region Office.
- (2) The application must be accompanied by a fee of the amount prescribed for the time being under clause 9 of the *Crown Lands (Continued Tenures) Regulation 2000*.

7 Surrender of leases

- (1) A lessee may at any time, with the consent of the Ministerial Corporation, surrender the lease or part of the lease.
- (2) The Ministerial Corporation may accept a surrender.

8 Granting of licences to occupy

- (1) The Ministerial Corporation may grant licences to occupy land within the Area subject to such conditions as it determines.
- (2) A licence to occupy may be terminated at any time by either party by notice in writing to the other party.

9 Savings

Any act, matter or thing that, immediately before the repeal of the *Wentworth Irrigation Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Note. The *Wentworth Irrigation Regulation 1997* is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.

Orders



Order

under the

Westpac Banking Corporation (Transfer of Incorporation)
Act 2000

I, Robert John Debus, Attorney General, in pursuance of section 5A of the *Westpac Banking Corporation (Transfer of Incorporation) Act 2000*, do, by this my Order, specify 23 August 2002 as the day on which Westpac Banking Corporation is to be taken to be registered as a public company limited by shares for the purposes of section 5H of the *Corporations Act 2001* of the Commonwealth.

Dated this 23rd day of August 2002.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Order is to specify the day on which Westpac Banking Corporation is to be taken to be registered as a public company limited by shares for the purposes of section 5H of the *Corporations Act 2001* of the Commonwealth (the **Commonwealth Act**).

Section 5H of the Commonwealth Act provides that a body is taken to be registered under that Act as a company of a particular type under section 118 of that Act if a law of a State or Territory to which the Act applies:

- (a) provides that the body is a deemed registration company for the purposes of the section, and
- (b) specifies:
 - (i) the day on which the body is to be taken to be registered or the manner in which that day is to be fixed, and
 - (ii) the type of company the body is to be registered as under the Act, and
 - (iii) the company's proposed name (unless the ACN is to be used in its name),

Order

Explanatory note

and if section 5H (2) and (3) (relating to the lodgement of certain notices and documents with ASIC) are satisfied.

Section 5 of the *Westpac Banking Corporation (Transfer of Incorporation) Act 2000* provides that Westpac Banking Corporation is a deemed registration company for the purposes of section 5H of the Commonwealth Act. It also provides that for the purposes of section 5H of the Commonwealth Act:

- (a) the day on which Westpac is to be taken to be registered as a company is the registration date specified by the Attorney General in an order made under section 5A of the *Westpac Banking Corporation (Transfer of Incorporation) Act 2000*, and
- (b) the type of company that Westpac is to be registered as is a public company limited by shares, and
- (c) the company's proposed name is "Westpac Banking Corporation".

This Order is made under section 5A of the *Westpac Banking Corporation (Transfer of Incorporation) Act 2000*.

Other Legislation

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following ecological community in Part 3 of Schedule 1 to that Act (Endangered ecological communities) and, accordingly, that Schedule is amended as set out in Annexure “A” to this Notice:

Quorrobolong Scribbly Gum Woodland in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

The final determination to insert this ecological community in Part 3 of Schedule 1 has been made because the Scientific Committee is of the opinion that the community is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 10th day of August 2002.

Dr Chris Dickman
Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 3 in alphabetical order the matter:

Quorrobolong Scribbly Gum Woodland in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

NSW SCIENTIFIC COMMITTEE

Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to list the Quorrobolong Scribbly Gum Woodland in the Sydney Basin Bioregion as an ENDANGERED ECOLOGICAL COMMUNITY in Part 3 of Schedule 1 of the Act. The listing of endangered ecological communities is provided for by Part 2 of the Act.

The Scientific Committee has found that:

1. Quorrobolong Scribbly Gum Woodland is the name given to the ecological community occurring on a residual sand deposit overlying the Permian clay sediments in the Hunter Valley. The Ecological Community is characterised by the species assemblage listed below.

<i>Acacia parvipinnula</i>	<i>Allocasuarina littoralis</i>
<i>Angophora costata</i>	<i>Aristida vagans</i>
<i>Banksia spinulosa</i> var. <i>collina</i>	<i>Billardiera scandens</i>
<i>Breynia oblongifolia</i>	<i>Callistemon pinifolius</i>
<i>Comesperma ericinum</i>	<i>Correa reflexa</i> var. <i>reflexa</i>
<i>Cryptostylis subulata</i>	<i>Dampiera stricta</i>
<i>Daviesia ulicifolia</i>	<i>Dillwynia retorta</i>
<i>Entolasia stricta</i>	<i>Eragrostis brownii</i>
<i>Eucalyptus piperita</i>	<i>Eucalyptus racemosa</i>
<i>Eucalyptus resinifera</i> subsp. <i>resinifera</i>	<i>Eucalyptus punctata</i>
<i>Exocarpos cupressiformis</i>	<i>Gahnia aspera</i>
<i>Glycine clandestina</i>	<i>Gompholobium minus</i>
<i>Goodenia heterophylla</i> subsp. <i>heterophylla</i>	<i>Goodenia rotundifolia</i>
<i>Hakea sericea</i>	<i>Hardenbergia violacea</i>
<i>Hibbertia diffusa</i>	<i>Imperata cylindrica</i> var. <i>major</i>
<i>Jacksonia scoparia</i>	<i>Laxmannia compacta</i>
<i>Leptospermum trinervium</i>	<i>Leptospermum polygalifolium</i> subsp. <i>cismontanum</i>
<i>Leucopogon juniperinus</i>	<i>Lomandra cylindrica</i>
<i>Lomandra glauca</i>	<i>Lomandra multiflora</i> subsp. <i>multiflora</i>
<i>Lomandra obliqua</i>	<i>Lomatia silaifolia</i>
<i>Melaleuca nodosa</i>	<i>Melaleuca sieberi</i>
<i>Microlaena stipoides</i> var. <i>stipoides</i>	<i>Notelaea venosa</i>
<i>Panicum simile</i>	<i>Paspalidium distans</i>
<i>Persoonia linearis</i>	<i>Phyllanthus hirtellus</i>
<i>Platysace ericoides</i>	<i>Polyscias sambuccifolia</i>
<i>Pomax umbellata</i>	<i>Pratia purpurascens</i>
<i>Pteridium esculentum</i>	<i>Syncarpia glomulifera</i> subsp. <i>glomulifera</i>
<i>Themeda australis</i>	<i>Xylomelum pyriforme</i>
<i>Zieria smithii</i> subsp. <i>smithii</i>	

2. The total flora species list for the community may be larger than that given above, with many species present in only one or two sites or in very small quantity. In any particular site not all of the assemblage listed above may be present. At any one time, above ground individuals of some species may be absent, but the species may be represented below

ground in the soil seed bank or as dormant structures such as bulbs, corms, rhizomes, rootstock or lignotubers. The community includes invertebrates, many of which are poorly known, as well as vertebrates; some invertebrate species may be restricted to sediments or canopy trees and shrubs. The species composition of the site will be influenced by the size of the site and by its recent disturbance history. The number of species and the above-ground composition of species will change with time since fire, and may also change in response to changes in fire regime, e.g. fire frequency.

3. Quorrobolong Scribbly Gum Woodland is known from a small area between Quorrobolong and Mulbring in the Cessnock Local Government Area but may occur elsewhere. It occupies gentle slopes and rises on a residual sand deposit overlying the Permian clay sediments of the Hunter Valley floor.
4. Quorrobolong Scribbly Gum Woodland differs in floristic composition from other woodland communities on sand deposits within the region in the presence and importance of *Eucalyptus racemosa* in the canopy and the presence of *Eucalyptus piperita*, *E. resinifera* and *Syncarpia glomulifera*. Quorrobolong Scribbly Gum Woodland Ecological Community was not described in NSW NPWS (2000) but is a distinct community differing from other communities described in that report.
5. The currently known extent of the Quorrobolong Scribbly Gum Woodland is about 70 ha; the pre-European extent is estimated as about 160 ha, a reflection of the limited area of the sand deposit on which it occurs.
6. No part of the Quorrobolong Scribbly Gum Woodland occurs within a conservation reserve. A small part, about 6 ha, is within the Bow Wow Creek Gorge site listed on the Register of the National Estate.
7. Threats to the Quorrobolong Scribbly Gum Woodland include the very limited extent of the community, exposing it to stochastic disturbance events, clearing, grazing, inappropriate fire regimes and the spread of weeds.
8. In view of the above the Scientific Committee is of the opinion that the Quorrobolong Scribbly Gum Woodland in the Sydney Basin Bioregion is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Dr Chris Dickman
Chairperson
Scientific Committee

Reference:

NSW NPWS (2000). Vegetation Survey and Mapping – Lower Hunter and Central Coast Region. Report prepared for the Lower Hunter and Central Coast Regional Environment Management Strategy, Version 1.1, April 2000. 178pp.

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination as follows:

- (a) to insert the following ecological community in Part 3 of Schedule 1 to that Act (Endangered ecological communities):

*Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

- (b) as a consequence, to omit the following matter from Part 3 of Schedule 1:

*Eastern Suburbs Banksia Scrub (as described in the final determination of the Scientific Committee to list the ecological community)

and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice.

The final determination to insert this ecological community in Part 3 of Schedule 1 has been made because the Scientific Committee is of the opinion that the community is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 27th day of July 2002.

Threatened Species Conservation Act 1995 No 101—Final Determination

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended:

- (a) by inserting in Part 3 in alphabetical order the matter:
 - *Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)
- (b) by omitting the following matter from Part 3:
 - *Eastern Suburbs Banksia Scrub (as described in the final determination of the Scientific Committee to list the ecological community)

NSW SCIENTIFIC COMMITTEE

Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act has made a Final Determination to amend Part 3 of Schedule 1 of the Act (Endangered ecological communities) by listing the Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion as an endangered ecological community and, as a consequence, to omit reference to the Eastern Suburbs Banksia Scrub in Part 3 of Schedule 1 of the Act. Listing of endangered ecological communities is provided for by Part 2 of the Act.

The Scientific Committee has found that:

1. A Notice of Final Determination to list the Eastern Suburbs Banksia Scrub appeared in the NSW Government Gazette No. 62 on 13th June, 1997. The Scientific Committee considers that an amendment should be made to this listing following the receipt of additional information about the ecological community.
2. The Eastern Suburbs Banksia Scrub is the accepted name for the ecological community occurring on nutrient poor sand deposits in the Sydney Basin Bioregion.
3. It has the structural form predominantly of sclerophyllous heath or scrub occasionally with small areas of woodland or low forest, with, depending on local topography and drainage conditions, limited wetter areas.
4. The Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion is characterised by the following assemblage of species.

<i>Acacia longifolia</i>	<i>Acacia suaveolens</i>	<i>Acacia terminalis</i>
<i>Acacia ulicifolia</i>	<i>Actinotus helianthii</i>	<i>Actinotus minor</i>
<i>Allocasuarina distyla</i>	<i>Astroloma pinifolium</i>	<i>Baeckaea imbricata</i>
<i>Banksia aemula</i>	<i>Banksia ericifolia</i>	<i>Banksia integrifolia</i>
<i>Banksia serrata</i>	<i>Bauera rubioides</i>	<i>Billardiera scandens</i>
<i>Boronia parvifolia</i>	<i>Bossiaea heterophylla</i>	<i>Bossiaea scolopendria</i>
<i>Brachyloma daphnoides</i>	<i>Caustis pentandra</i>	<i>Conospermum taxifolium</i>
<i>Cyathochaeta diandra</i>	<i>Darwinia fascicularis</i>	<i>Darwinia leptantha</i>
<i>Dianella revoluta</i>	<i>Dichelachne crinita</i>	<i>Dillwynia retorta</i>
<i>Epacris longiflora</i>	<i>Epacris microphylla</i>	<i>Epacris obtusifolia</i>
<i>Eragrostis brownii</i>	<i>Eriostemon australasius</i>	<i>Eucalyptus gummifera</i>
<i>Gonocarpus teucrioides</i>	<i>Haemodorum planifolium</i>	<i>Hakea teretifolia</i>
<i>Hardenbergia violacea</i>	<i>Hibbertia fasciculata</i>	<i>Hypolaena fastigiata</i>
<i>Kunzea ambigua</i>	<i>Lambertia formosa</i>	<i>Lepidosperma laterale</i>
<i>Leptocarpus tenax</i>	<i>Leptospermum laevigatum</i>	<i>Leptospermum trinervium</i>
<i>Lepyrodia scariosa</i>	<i>Leucopogon ericoides</i>	<i>Lomandra longifolia</i>
<i>Melaleuca nodosa</i>	<i>Melaleuca squamea</i>	<i>Monotoca elliptica</i>

<i>Monotoca scoparia</i>	<i>Persoonia lanceolata</i>	<i>Philotheca salsolifolia</i>
<i>Pimelea linifolia</i>	<i>Pomax umbellata</i>	<i>Pteridium esculentum</i>
<i>Restio fastigiata</i>	<i>Ricinocarpos pinifolius</i>	<i>Styphelia viridis</i>
<i>Woollsia pungens</i>	<i>Xanthorrhoea resinifera</i>	<i>Xanthosia pilosa</i>

5. The total flora species list for the community may be larger than that given above, with many species present only in one or two sites or in very small quantity. In any particular site, not all of the assemblage listed above may be present. At any one time some species may only be present as seeds in the soil seed bank with no above ground individuals present. Invertebrate species are poorly known but some species may be restricted to soils or canopy trees and shrubs. The species composition of a site will be influenced by the size of the site and by its recent disturbance history. For a number of years after a major disturbance dominance by a few species (such as *Kunzea ambigua* or *Leptospermum laevigatum*) may occur, with gradual restoration of a more complex floristic composition and vegetation structure over time. The balance between species will change with time since fire, and may also change in response to changes in fire regimes (e.g. fire frequency).
6. The Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion is distinguished from the coastal heath which occurs along the eastern seaboard on soils derived either directly from sandstone or, if aeolian, of younger age than those of the Eastern Suburbs Banksia Scrub. Coastal heath is characteristically much lower than Eastern Suburbs Banksia Scrub and, although sharing many species with the Eastern Suburbs Banksia Scrub, characteristically contains a more maritime element including *Baeckea imbricata*, *Correa alba* and *Westringia fruticosa*.

Heathland with *Banksia aemula* has been recorded from the Central Coast by Benson & Howell (1994). These stands have a less dense shrub layer, a greater density of graminoids in the ground layer and differences in total floristics when compared with Eastern Suburbs Banksia Scrub in the Sydney Basin Bioergion as defined in this determination and are not regarded as part of this community.
7. The Community has been reported from areas of sand deposits in the local government areas of Botany, Manly, Randwick, Waverley and Woollahra which are all within the Sydney Basin Bioregion. On North Head, within Manly local government area the ecological community occurs on a sand sheet of similar age and composition to that on which the ecological community occurs further south.
8. The Scientific Committee noted that general information on the Eastern Suburbs Banksia Scrub is provided in Benson D & Howell J 1990. 'Taken for Granted - The Bushland of Sydney and its Suburbs'. Kangaroo Press, Kenthurst.
9. Less than 1% of the original area of the community currently exists in the form of a number of remnants.

10. Threats to the survival of the community include fragmentation, development, increased nutrient status, inappropriate fire regimes, invasion by exotic plants, grazing by horses and rabbits, erosion from use of bicycles, motorcycles and from excessive pedestrian use.
11. Although a small part of the surviving Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion is included within the Botany Bay National Park, this in itself does not ensure the survival of the community unless the threats to the integrity of the community are ameliorated.
12. In view of the above the Scientific Committee is of the opinion that the Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

Dr Chris Dickman
Chairperson
Scientific Committee

Reference:

Benson, D. & Howell, J. (1994). The natural vegetation of the Sydney 1:100,000 map sheet.
Cunninghamia **3(4)**, 679 - 787

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following ecological community in Part 3 of Schedule 1 to that Act (Endangered ecological communities) and, accordingly, that Schedule is amended as set out in Annexure “A” to this Notice:

Melaleuca armillaris Tall Shrubland in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

The final determination to insert this ecological community in Part 3 of Schedule 1 has been made because the Scientific Committee is of the opinion that the community is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 27th day of July 2002.

Dr Chris Dickman

Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 3 in alphabetical order the matter:

Melaleuca armillaris Tall Shrubland in the Sydney Basin Bioregion (as described in the final determination of the Scientific Committee to list the ecological community)

NSW SCIENTIFIC COMMITTEE

Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to list *Melaleuca armillaris* Tall Shrubland in the Sydney Basin Bioregion as an ENDANGERED ECOLOGICAL COMMUNITY in Part 3 of Schedule 1 of the Act. The listing of endangered ecological communities is provided for by Part 2 of the Act.

The Scientific Committee has found that:

1. *Melaleuca armillaris* Tall Shrubland is the name given to the ecological community found on outcrops of volcanic soils on dry rocky ridges in the Illawarra area (within the Sydney Basin Bioregion) and is characterised by the following assemblage of species:

<i>Acacia mearnsii</i>	<i>Alphitonia excelsa</i>
<i>Bracteantha bracteata</i>	<i>Calandrinia pickeringii</i>
<i>Cheilanthes distans</i>	<i>Cheilanthes sieberi</i>
<i>Commelina cyanea</i>	<i>Commersonia fraseri</i>
<i>Crassula sieberiana</i>	<i>Dodonaea viscosa</i> subsp. <i>angustifolia</i>
<i>Hibiscus heterophyllus</i>	<i>Melaleuca armillaris</i>
<i>Plectranthus graveolens</i>	<i>Prostanthera linearis</i>
<i>Zieria granulata</i>	

2. The total species list of the community is considerably larger than that given in 1 (above), with many species present in only one or two sites or in very small quantity. In any particular site not all of the assemblage listed in 1 may be present. At any one time, some species may only be present as seeds in the soil seed bank with no above-ground individuals present. The species composition of the site will be influenced by the size of the site, recent rainfall or drought conditions and by its disturbance history. The number of species and the above-ground composition of species will change with time since fire, and may also change in response to changes in fire frequency. The community includes a diverse fauna, both vertebrate and invertebrate, but it is poorly known. The threatened species *Zieria granulata* is closely associated with *Melaleuca armillaris* Tall Shrubland (Mills & Assoc 2000).
3. *Melaleuca armillaris* Tall Shrubland may be up to about 5 m tall and is dominated by the large Paperbark shrub *Melaleuca armillaris*. It occurs in sites away from the coast on very dry rocky ridges, at Dunmore and in Jamberoo Valley on volcanic soils overlying latite, and in small patches near Killalea. Rock outcrops are common within the Community. Because the soils on which it grows are shallow and are unable to retain enough moisture, the shrubs may die back during drought. (Dense stands of *M. armillaris* on coastal headlands are not included within this ecological community).
4. *Melaleuca armillaris* Tall Shrubland has been recorded from the local government areas of Shellharbour City, and Kiama Municipality (within the Sydney Basin Bioregion) and may occur elsewhere in the Bioregion.
5. Small stands of *Melaleuca armillaris* Tall Shrubland occur in Killalea State Park.

6. Many areas of *Melaleuca armillaris* Tall Shrubland have been cleared. Most remnants are small and fragmented and their longterm viability is threatened. Threats include further clearing, grazing, including by rabbits, quarrying, inappropriate fire regimes, weed invasion, rubbish dumping, housing and hobby farm developments.
7. In view of the above the Scientific Committee is of the opinion that *Melaleuca armillaris* Tall Shrubland in the Sydney Basin Bioregion is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Dr Chris Dickman
Chairperson
Scientific Committee

Reference

Kevin Mills & Associates (2000) Nature Conservation Study Rural lands study area City of Shellharbour (prepared for Shellharbour City Council).

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following ecological community in Part 3 of Schedule 1 to that Act (Endangered ecological communities) and, accordingly, that Schedule is amended as set out in Annexure “A” to this Notice:

Brigalow within the Brigalow Belt South, Nandewar and Darling Riverine Plains Bioregions (as described in the final determination of the Scientific Committee to list the ecological community)

The final determination to insert this ecological community in Part 3 of Schedule 1 has been made because the Scientific Committee is of the opinion that the community is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 10th day of August 2002.

Dr Chris Dickman

Chairperson
Scientific Committee

Threatened Species Conservation Act 1995 No 101—Final Determination

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 3 in alphabetical order the matter:

Brigalow within the Brigalow Belt South, Nandewar and Darling Riverine Plains Bioregions (as described in the final determination of the Scientific Committee to list the ecological community)

NSW SCIENTIFIC COMMITTEE

Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to list Brigalow within the Brigalow Belt South, Nandewar and Darling Riverine Plains Bioregions as an ENDANGERED ECOLOGICAL COMMUNITY in Part 3 of Schedule 1 of the Act. The listing of endangered ecological communities is provided for by Part 2 of the Act.

The Scientific Committee has found that:

1. Brigalow, where *Acacia harpophylla* is a dominant or co-dominant species in the canopy, is found in the Brigalow Belt South Bioregion in NSW and as isolated occurrences in the Darling Riverine Plains and Nandewar Bioregions. Brigalow is usually associated with heavy clay soils.
2. Brigalow within the Brigalow Belt South, Nandewar and Darling Riverine Plains Bioregions is characterised by the following assemblage of species.

<i>Acacia harpophylla</i>	<i>Alectryon oleifolius</i>
<i>Amyema quandang</i>	<i>Apophyllum anomalum</i>
<i>Atriplex leptocarpa</i>	<i>Atriplex pseudocampanulata</i>
<i>Austrodanthonia bipartita</i>	<i>Austrostipa scabra</i> subsp. <i>scabra</i>
<i>Bracteantha bracteata</i>	<i>Brunoniella australis</i>
<i>Calandrinia eremaea</i>	<i>Capparis lasiantha</i>
<i>Capparis mitchellii</i>	<i>Casuarina cristata</i>
<i>Centipeda minima</i> var. <i>lanuginosa</i>	<i>Chloris truncata</i>
<i>Crassula colorata</i>	<i>Dodonaea viscosa</i> subsp. <i>spathulata</i>
<i>Einadia nutans</i>	<i>Enchylaena tomentosa</i>
<i>Enteropogon acicularis</i>	<i>Eremophila bignoniiflora</i>
<i>Eremophila mitchellii</i>	<i>Eucalyptus coolabah</i>
<i>Eucalyptus largiflorens</i>	<i>Eucalyptus melanophloia</i>
<i>Eucalyptus pilligaensis</i>	<i>Eucalyptus populnea</i> subsp. <i>bimbil</i>
<i>Geijera parviflora</i>	<i>Ixiolaena tomentosa</i>
<i>Leptochloa divaricatissima</i>	<i>Maireana aphylla</i>
<i>Muehlenbeckia florulenta</i>	<i>Paspalidium caespitosum</i>
<i>Pimelea microcephala</i>	<i>Pimelea pauciflora</i>
<i>Rhagodia spinescens</i>	<i>Sclerolaena bicornis</i>
<i>Sclerolaena birchii</i>	<i>Sclerolaena diacantha</i>
<i>Sclerolaena muricata</i>	<i>Sclerolaena tetracuspis</i>
<i>Sclerolaena tricuspidis</i>	<i>Solanum parvifolium</i>
<i>Stellaria angustifolia</i>	<i>Tetragonia tetragonoides</i>
<i>Vittadinia cuneata</i>	<i>Zygophyllum glaucum</i>

3. The total flora list for the community is considerably larger than that given above, with many species present in only one or two sites or in very small quantity. In any particular site not all of the assemblage listed above will be present. At any one time, above ground individuals of some species may be absent, but the species may be represented below ground in the soil seed bank or as dormant structures such as bulbs, corms, rhizomes, rootstock or lignotubers. The species composition of the site will be influenced by the size of the site, recent rainfall or drought conditions and by its disturbance history. The community also includes a diverse fauna, both vertebrate and invertebrate.
4. Brigalow can be found in the following structural forms. The closed canopy form of the community consists of stands of *Acacia harpophylla* (brigalow) found on deep gilgaied clay soils on gently undulating country, forming closed forests to 25 metres in height. The understorey is scattered and ground cover sparse.

Brigalow has a low woodland form which is typified by the dominance of *Acacia harpophylla* (brigalow), with pockets of vegetation dominated by *Casuarina cristata* (belah) and *Eucalyptus populnea* subsp. *bimbil* (poplar box). This variation seems to relate to site drainage characteristics, the belah favouring the less well drained sites and the poplar box favouring the better drained sites. The main canopy of this form of the community tends to be moderately dense with small trees, shrubs and grasses occurring as scattered individuals.

Remnants of Brigalow which have been subjected to some clearing or disturbance in the past may form closed shrublands with a single cohort of plants arising from root-suckers forming the canopy.

5. Brigalow in NSW has been extensively cleared for agricultural purposes and the remnants have often been thinned and modified. The original extent of the Brigalow community is not known but mapping of “Brigalow soils” in the early 1960s gives an area of potential habitat for this community in NSW of 115,300 hectares (Isbell 1962). Recent vegetation mapping of the northern wheatbelt has found that only 13,500 hectares remains of this community and that it is severely fragmented (D. Sivertsen & L. Metcalfe, pers. comm.).
6. Surviving remnants of Brigalow are often small linear patches along roadsides and the edges of paddocks where threats include ongoing logging for fence posts; road widening and invasion by weeds.
7. Brigalow ecological community is poorly represented in the existing reserve system with only one reserve, “Brigalow Park Nature Reserve”, of 202 hectares containing this community.
8. Brigalow (*Acacia harpophylla* dominant and co-dominant) is listed as an Endangered Ecological Community under the Commonwealth’s Environment Protection and Biodiversity Conservation Act 1999.

9. In view of the above the Scientific Committee is of the opinion that Brigalow within the Brigalow Belt South, Nandewar and Darling Riverine Plains Bioregions is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Dr Chris Dickman
Chairperson
Scientific Committee

Reference

Isbell, I. F. (1962) *Soils and vegetation of the Brigalow Lands, Eastern Australia*. Soils and Land Use Series No. 43. CSIRO:Melbourne.

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following species of plant in Part 1 of Schedule 1 to that Act (Endangered species) and, accordingly, that Schedule is amended as set out in Annexure “A” to this Notice:

Plants

Capparaceae

Capparis canescens Banks ex DC.

The final determination to insert this species in Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that the species is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 27th day of July 2002.

Threatened Species Conservation Act 1995 No 101—Final Determination

Dr Chris Dickman

Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 1 in alphabetical order under the heading “Plants” and the sub-heading “Capparaceae” the matter:

Capparis canescens Banks ex DC.

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following species of plant in Part 1 of Schedule 1 to that Act (Endangered species) and, accordingly, that Schedule is amended as set out in Annexure “A” to this Notice:

Plants

Myrtaceae

Eucalyptus scoparia Maiden

The final determination to insert this species in Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that the species is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 27th day of July 2002.

Threatened Species Conservation Act 1995 No 101—Final Determination

Dr Chris Dickman

Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 1 in alphabetical order under the heading “Plants” and the sub-heading “Myrtaceae” the matter:

Eucalyptus scoparia Maiden

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following species of animal in Part 1 of Schedule 1 to that Act (Endangered species) and, accordingly, that Schedule is amended as set out in Annexure “A” to this Notice:

Animals

Gekkonidae

Diplodactylus conspicillatus Lucas and Frost (1897) Fat-tailed Diplodactylus

The final determination to insert this species in Part 1 of Schedule 1 has been made because the Scientific Committee is of the opinion that the species is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 27th day of July 2002.

Threatened Species Conservation Act 1995 No 101—Final Determination

Dr Chris Dickman

Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 1 under the heading “Animals” and the sub-heading “Reptiles” and immediately before the sub-heading “Scincidae” the matter:

Gekkonidae

Diplodactylus conspicillatus Lucas and Frost (1897) Fat-tailed Diplodactylus

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 3 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following matter in Schedule 3 to that Act (Key threatening processes) and, accordingly, that Schedule is amended as set out in Annexure “A” to this Notice:

Importation of Red Imported Fire Ants *Solenopsis invicta* Buren 1972

The final determination to insert this matter in Schedule 3 has been made because the Scientific Committee is of the opinion that the importation of Red Imported Fire Ants could cause species, populations or ecological communities that are not threatened to become threatened.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 10th day of August 2002.

Threatened Species Conservation Act 1995 No 101—Final Determination

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 3 to the *Threatened Species Conservation Act 1995* is amended by inserting in alphabetical order the matter:

Importation of Red Imported Fire Ants *Solenopsis invicta* Buren 1972

Threatened Species Conservation Act 1995 No 101

Notice of Final Determination and Amendment of Schedule 1 to Act

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has, in pursuance of Division 3 of Part 2 of that Act, made a final determination to insert the following population of plant in Part 2 of Schedule 1 to that Act (Endangered populations) and, accordingly, that Schedule is amended as set out in Annexure "A" to this Notice:

Plants

Fabaceae

Pultenaea villifera Sieber ex DC.

Pultenaea villifera Sieber ex DC.
population in the Blue Mountains local
government area

The final determination to insert this population in Part 2 of Schedule 1 has been made because the Scientific Committee is of the opinion that the population's habitat has been so drastically reduced that it is in immediate danger of extinction, that it is not a population of a species already listed in Schedule 1 and that it is disjunct and at or near the limit of its geographic range.

Copies of the final determination may be inspected during business hours at:

The National Parks Centre
102 George St
The Rocks
Sydney

and at Area Offices or Visitor Centres of the National Parks and Wildlife Service.

Signed at Sydney, this 27th day of July 2002.

Threatened Species Conservation Act 1995 No 101—Final Determination

Dr Chris Dickman
Chairperson
Scientific Committee

Annexure “A”

Schedule 1 to the *Threatened Species Conservation Act 1995* is amended by inserting in Part 2 in alphabetical order under the heading “Plants” and the sub-heading “Fabaceae” the matter:

Pultenaea villifera Sieber ex DC.

Pultenaea villifera Sieber ex DC.
population in the Blue Mountains local
government area

OFFICIAL NOTICES

Appointments

The Cabinet Office, Sydney.
21 August 2002 .

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the
State of the Minister for Transport and
Minister for Roads

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable S. C. NORI, M.P., Minister for Small Business, Minister for Tourism, and Minister for Women, to act for and on behalf of the Minister for Transport and Minister for Roads, as on and from 24 August 2002, with a view to her performing the duties of the Honourable P. C. SCULLY, M.P., during his absence from duty.

BOB CARR,
Premier

REGISTRAR GENERAL ACT 1973

Appointment of Acting Registrar General
Department of Information Technology and Management

HER Excellency the Governor and the Executive Council, in pursuance of section 2 of the Registrar General Act 1973 and section 14 of the Public Sector Management Act 1988, that Warwick Arthur WATKINS be appointed as Acting Registrar General from 14 August 2002 to 13 August 2003.

KIM YEADON, M.P.,
Minister for Information Technology

GEOGRAPHICAL NAMES ACT 1966

Appointment of a Member
Geographical Names Board of New South Wales

HER Excellency the Governor, with advice of Executive Council, pursuant to the provisions of the Geographical Names Act 1966, has appointed Michael Leslie MARX, AM, nominee of the Community Relations Commission of New South Wales as a member of the Geographical Names Board of New South Wales for a term commencing 15 August 2002 until 12 December 2006.

KIM YEADON, M.P.,
Minister for Information Technology

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Section 177 (c) — Notice of Aquaculture Lease Cancellation

THE Minister has cancelled the following aquaculture leases:

OL76/038 within the estuary of Brisbane Waters with an area of 3.038 hectares formerly leased by Ian Albert Shackleton and Paul Stanley Shackleton.

OL93/034 within the estuary of Brisbane Waters with an area of 2.091 hectares formerly leased by Ian Albert Shackleton.

OL70/629 within the estuary of Shoalhaven River, having an area of 0.9788 hectares formerly leased by Stuart Seymour-Munn and Phillip Cranston.

OL79/153 within the estuary of Crookhaven River, having an area of 2.63 hectares formerly leased by Stuart Seymour-Munn and Kathleen Seymour-Munn.

OL66/001 within the estuary of Crookhaven River having an area of 3.7626 hectares formerly leased by Brian Gregory Hyland.

OL74/140 within the estuary of Crookhaven River having an area of 0.4160 hectares formerly leased by Brian Gregory Hyland.

OL75/107 within the estuary of Crookhaven River having an area of 0.4498 hectares formerly leased by Brian Gregory Hyland.

OL75/108 within the estuary of Crookhaven River having an area of 0.5692 hectares formerly leased by Brian Gregory Hyland.

OL75/109 within the estuary of Crookhaven River having an area of 1.8314 hectares formerly leased by Brian Gregory Hyland.

OL76/047 within the estuary of Crookhaven River having an area of 0.5137 hectares formerly leased by Brian Gregory Hyland.

The Hon. EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Clause 35 (4) — Notice of Aquaculture Lease Renewal

THE Minister has renewed the following class 1 Aquaculture Leases:

OL71/188 within the estuary of the Hastings River having an area of 0.4755 hectares to Robert Lachlan Herbert of Port Macquarie NSW, for a term of 15 years expiring on 28 October 2016.

OL72/316 within the estuary of Port Stephens having an area of 0.7826 hectares to Brian Leslie Holdom and Sandra Lorraine Holdom of Karuah NSW, for a term of 15 years expiring on 9 March 2018.

OL56/221 within the estuary of Port Stephens having an area of 0.3727 hectares to Stephen Patrick Hunter of Swan Bay NSW, for a term of 15 years expiring on 10 September 2017.

OL73/243 within the estuary of the Hawkesbury River having an area of 0.5771 hectares to Robert Charles Moxham of Brooklyn NSW, for a term of 15 years expiring on 14 May 2018.

OL57/337 within the estuary of the Hawkesbury River having an area of 0.4173 hectares to C E & Y Moxham Pty Ltd of Brooklyn NSW, for a term of 15 years expiring on 10 November 2017.

OL57/117 within the estuary of the Pambula River having an area of 1.4800 hectares to Robert Anthony Dwyer and Robyn Ann Dwyer of South Pambula NSW, for a term of 15 years expiring on 20 June 2017.

OL87/030 within the estuary of the Pambula River having an area of 1.5440 hectares to Mantons Oysters Pty Ltd of Eden NSW, for a term of 15 years expiring on 9 May 2017.

The Hon. EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 1995

Clause 44A — Notice of Aquaculture Lease Subdivision

THE Minister has subdivided the following aquaculture lease:

OL58/185 within the estuary of the Manning River having an area of 1.5296 hectares to create aquaculture leases AL00/005 and AL00/006 having an area of 0.4938 and 0.4625 hectares respectively. Both leases retain the expiry date of the original lease, being 22 December 2004.

The Hon. EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

FISHERIES MANAGEMENT ACT 1994Section 8 Notification — Fishing Closure
Clarence River

I, Edward OBEID, prohibit the taking of fish by all methods of commercial fishing from the waters of the Clarence River and its tributaries described in Schedule 1 of this notification. An exception to this prohibition is the method of commercial fishing described in Schedule 2 in the waters and for the period specified in Schedule 2.

This notification will be effective from 1 September 2002 for a period of five (5) years.

This notification replaces all other commercial fishing closures currently in force in the waters of the Clarence River described in Schedule 1, below.

The Hon. EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

Note: This closure does not apply to fishing gear on board licensed fishing boats when travelling through these waters by the most direct route or when moored near the south western shore of Oyster Channel on the downstream side of the Oyster Channel Road Bridge. Fishing gear must be secured at all times within the closures.

SCHEDULE 1

Waters where Commercial Fishing is Prohibited

Waters

The whole of the waters of the Clarence River from a line drawn across the river entrance from the eastern extremity of the northern breakwall, to the eastern extremity of the southern breakwall, and then upstream to a line drawn from the NSW Waterways Authority Front Lead Beacon number 122 at mean high water on the northern side of Hickey Island, then northwesterly to the NSW Waterways Authority navigation Aid number 097 located on the downstream side of the most easterly opening in Middle Wall, and then northeasterly across to the western extremity of Moriartys Wall.

The whole of the waters of Oyster Channel from a line drawn from the NSW Fisheries marker post RFH1, located on the southern shore adjacent to the intersection of Micalo and Yamba Roads, northeasterly to the NSW Fisheries marker post RFH2 located on the shore north of Whyna Island, then following mean high water upstream to a NSW Fisheries marker post RFH3 beneath the second set of powerlines crossing Oyster Channel, located approximately 420m upstream of the Oyster Channel Road Bridge, then westerly following the powerlines to a NSW Fisheries post marker RFH4 on the shore of Micalo Island.

The whole of the waters of Romiaka Channel south from a line drawn from the NSW Fisheries marker post RFH5, located on the shore of the northern extremity of Romiaka Island, northerly across to the NSW Fisheries marker post RFH6 on the shore at Palmers Island, west of Ungundam Island, and then upstream to a line drawn from the NSW Fisheries marker post RFH7 located on the shore of Romiaka Island at the southern end of the rock retaining wall on "Burn's farm", then westerly across Romiaka Channel to the NSW Fisheries marker post RFH8 on the shore of Palmers Island.

The whole of the waters of the North Arm of the Clarence River within the following boundaries, commencing at the NSW Fisheries marker post RFH9 located on the shore beneath the multiple overhead powerlines crossing the waters of the North Arm near Marandowie Drive, Iluka, then westerly directly beneath those powerlines for 100 metres, then upstream and parallel to the shore to a line parallel to the powerlines drawn from the NSW Fisheries marker post RFH10 located on the shore near the northern end of the rock retaining wall at the entrance to Saltwater Inlet.

SCHEDULE 2

Exception to Schedule 1

Column 1
Methods*Column 2*
Waters

Hauling net (general purpose) as prescribed by clause 23 of the Fisheries Management

The waters adjacent to Wave Trap Beach located at the western end of the northern breakwall at the entrance of the Clarence River.
(General) Regulation 1995.

NB: this Schedule only applies between 1 April and 31 August each year, inclusive.

FISHERIES MANAGEMENT ACT 1994Section 8 Notification — Fishing Closure
Wattamolla Lagoon

I Edward OBEID, prohibit the taking of fish by the methods of fishing described in Column 1 of the Schedule below, from the waters described in Column 2.

This notification is effective from the date of publication for a period of five years.

The Hon. EDWARD OBEID, OAM, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

SCHEDULE

<i>Column 1</i> Method	<i>Column 2</i> Waters
By means of nets and traps of every description, with the exception of the landing net, as prescribed by cl 52 of the Fisheries Management (General) Regulation 1995.	The whole of the waters of Wattamolla Lagoon (Royal National Park).

FISHERIES MANAGEMENT ACT 1994

Acquisition Declaration

I, Edward OBEID, Minister for Fisheries, by this Order declare that the parts of fisheries specified in Schedule A are fisheries to which Division 4B of Part 2 of the Fisheries Management Act 1994 applies and the relevant commercial fishing entitlements specified in Schedule B are acquired and will be cancelled under that Division.

Schedule A ó Fishery

The following category 2 share management fisheries and restricted fisheries:

- (i) Ocean prawn trawl;
- (ii) Ocean trap and line;
- (iii) Estuary general; and
- (iv) Estuary prawn trawl

in respect of commercial fishing activities authorised by the specified commercial fishing entitlements that are held by the owners of fishing businesses that include an endorsement authorising the taking of prawns by the method of trawling in the waters of Botany Bay.

Schedule B ó The entitlements acquired and to be cancelled

The commercial fishing entitlements acquired and to be cancelled are as follows:

Entitlement holder	Commercial fishing entitlements
Dennis Charles Hicks	The entitlements and any catch history associated with Fishing Business no.1825, including: 1. Commercial fishing licence no. FL 880405 2. Commercial fishing boat licence numbers: LFB1845 and LFB3831 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement • Ocean prawn trawl fishery – inshore endorsement • Estuary general fishery – handlining and hauling crew endorsement • Estuary general fishery – meshing endorsement • Estuary general fishery – prawning endorsement 4. Net registration numbers 2722, 9359, 9360, 9708, 13854, 13855 and any other net registrations owned or in the name of the entitlement holder.

Entitlement holder	Commercial fishing entitlements
Hoang Von Le	1. The entitlements and any catch history associated with Fishing Business no.6, including: Commercial fishing licence no. FL 970101 2. Commercial fishing boat licence no. LFB2182 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement 4. Any net registrations owned or in the name of the entitlement holder
Van Thanh Nguyen	The entitlements and any catch history associated with Fishing Business no.1605, including: 1. Commercial fishing licence no. FL 880230 2. Commercial fishing boat licence no. LFB5440 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement 4. Any net registrations owned or in the name of the entitlement holder.
Andrew Panto	The entitlements and any catch history associated with Fishing Business no.1700, including: 1. Commercial fishing licence no. FL 771277 2. Commercial fishing boat licence no. LFB4920 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement • Ocean trap and line fishery – line fishing (western zone) endorsement 4. Net registration numbers 13796, 13797, 23472, 43403 and any other net registrations owned or in the name of the entitlement holder.
Van Dung Pham	The entitlements and any catch history associated with Fishing Business no.1646, including: 1. Commercial fishing licence no. FL 830581 2. Commercial fishing boat licence no. LFB646 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement 4. Any net registrations owned or in the name of the entitlement holder.
Van Mai Pham	The entitlements and any catch history associated with Fishing Business no. 1647, including: 1. Commercial fishing licence no. FL 870232 2. Commercial fishing boat licence no. LFB11722 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement 4. Any net registrations owned or in the name of the entitlement holder.
Con Quach	The entitlements and any catch history associated with Fishing Business no. 2199, including: 1. Commercial fishing licence no. FL 970006 2. Commercial fishing boat licence no. LFB4487 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement 4. Any net registrations owned or in the name of the entitlement holder.
Neil David Spain & Matthew Bell	The entitlements and any catch history associated with Fishing Business no. 1624, including: 1. Commercial fishing licence no. FL 990135 2. Commercial fishing boat licence no. LFB1088 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement 4. Any net registrations owned or in the name of the entitlement holder.
Duc Hieu Tran	The entitlements and any catch history associated with Fishing Business no. 1619, including: 1. Commercial fishing licence no. FL 900245 2. Commercial fishing boat licence numbers. LFB3102 3. The following licence endorsements: • Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement 4. Any net registrations owned or in the name of the entitlement holder.

Entitlement holder

Van Sang Tran

Commercial fishing entitlements

The entitlements and any catch history associated with Fishing Business no. 2354, including:

1. Commercial fishing licence no. FL 860211
2. Commercial fishing boat licence no. LFB416
3. The following licence endorsements:
 - Estuary prawn trawl fishery – Botany Bay prawn trawl endorsement
4. Any net registrations owned or in the name of the entitlement holder.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

Department of Land and Water Conservation

Land Conservation

DUBBO OFFICE

Department of Land and Water Conservation
142 Brisbane Street (PO Box 865), Dubbo, NSW 2830
Phone: (02) 6841 5200 Fax: (02) 6841 5231

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any other person to the same as highways.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation
 And Minister for Fair Trading

Description

Land District of Dubbo
Local Government Area of Dubbo

Lot 1, DP 1043450, Parish of Dubbo, County of Gordon (not being land under the Real Property Act). File No: DB01H349.

Note: On closing, the title for Lot 1 shall remain vested in The State of New South Wales as Crown Land.

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Marcia Therese HUMMEL (new member)	Dubbo Small Bore Rifle Club Trust	Reserve No. 97620 Public Purpose: Non-Profit Making Organisations Notified: 14 Dec. 1984 File Reference: DB83R170/2
John Hubert BALL (new member)		
Christopher DAVIS (new member)		
Edwin Thompson MORTIMER (re-appointment)		
Malcolm John BRYDON (new member)		
Kevin James HARRIS (new member)		
Colin Frederick TAYLOR (new member)		

For a term commencing this day and expiring 22 August 2007.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Michael James GOULDING (re-appointment)	Uarbry Recreation Reserve Trust	Reserve No. 48657 Public Purpose: Public Recreation Notified: 12 March 1913 File Reference: DB81R224/2
Clive John SCHULTZ (new member)		
Carol Elizabeth GLEESON (new member)		
Gregory John FURLONG (new member)		
Graham Samuel GOODMAN (re-appointment)		
Susan Elizabeth FURLONG (new member)		

For a term commencing this day and expiring 22 August 2007.

WITHDRAWAL OF RESERVES FROM CONTROL OF RURAL LANDS PROTECTION BOARD

IN pursuance of the provisions of section 86 (1) of the Rural Lands Protection Act 1998, the reserves specified hereunder are withdrawn from the control of the Rural Lands Protection Board for the Rural Lands Protection District.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation.

SCHEDULE 1

Reserve 2852 for Camping, notified 18 December 1886.
 Part Withdrawn: The whole.
 Rural Lands Protection District: Dubbo
 Placed under control: 23 December 1932
 File No.: DB96 R 19

SCHEDULE 2

Reserve 2853 for Camping, notified 18 December 1886
 Part Withdrawn: The whole
 Rural Lands Protection District: Dubbo
 Placed under control: 23 December 1932
 File No.: DB96 R 19

SCHEDULE 3

Reserve 2863 for Water Supply, notified 18 December 1886
 Part Withdrawn: The whole
 Rural Lands Protection District: Dubbo
 Placed under control: 7 December 1934
 File No.: DB96 R 19

ESTABLISHMENT OF RESERVE TRUST

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

JOHN AQUILINA, M.P. ,
Minister for Land and Water Conservation.

SCHEDULE 1**COLUMN 1**

Stuart Town Camping
(R2852) Reserve Trust

COLUMN 2

Reserve 2852 at Stuart Town
notified for the purpose of
Camping on 18 December 1886.
Reserve 2853 at Stuart Town
notified for the purpose of
Camping on 18 December 1886.
Reserve 2863 at Stuart Town
notified for the purpose of Water
Supply on 18 December 1886.
File No.: DB96 R 19.

APPOINTMENT OF CORPORATION TO MANAGE A RESERVE TRUST

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

JOHN AQUILINA, M.P. ,
Minister for Land and Water Conservation.

SCHEDULE 1**COLUMN 1**

Wellington
Council

COLUMN 2

Stuart Town
Camping (R2852)
Reserve Trust

COLUMN 3

Reserve 2852 at Stuart
Town notified for the
purpose of Camping on
18 December 1886.
Reserve 2853 at Stuart
Town notified for the
purpose of Camping on
18 December 1886.
Reserve 2863 at Stuart
Town notified for the
purpose of Water Supply on
18 December 1886.
File No.: DB96 R 19.

FAR WEST REGIONAL OFFICE**Department of Land and Water Conservation**

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

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

ALTERATION OF PURPOSE OF A WESTERN LANDS LEASE

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

*Administrative District — Willyama;
Shire — Unincorporated Area and Central Darling;
Parish — Kars and others;
Counties — Menindee and Tandora*

The purpose of Western Lands Leases 10638 and 10639, being the land contained within Folio Identifiers 4395/767260 and 4396/767260 have been altered from "Grazing" to "Grazing, Farm Tourism, Film Making and Recreational Hunting" effective from 15 August 2002.

Annual rental and lease conditions remain unaltered as a consequence of the change of purpose except for the addition of those special conditions published in the Government Gazette of 8 March 2002, Folios 1478-1482.

GOULBURN OFFICE
Department of Land and Water Conservation
159 Auburn Street (PO Box 748), Goulburn, NSW 2580
Phone: (02) 4828 6725 Fax: (02) 4828 6730

REVOCATION OF RESERVATION OF CROWN LAND

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

Hon JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation
and Minister for Fair Trading

SCHEDULE

COLUMN 1

Land District: Boorowa
Shire: Boorowa
Parish: Congera
County: Monteagle
Reserve No: 77736
Purpose: From Sale Generally
Date of Notification: 1 July 1955
File No: GB 02 H 114

COLUMN 2

Whole being Lot 137 DP 754585
of 20.44 ha

SCHEDULE

COLUMN 1

Land District: Crookwell
Shire: Crookwell
Parish: Yarraman
County: Georgiana
Reserve No: 80289
Purpose: From Sale for Soil Conservation
Date of Notification: 17 January 1958

COLUMN 2

Whole being Lot 108 DP 753066
of 24.28 ha

File No: GB 02 H 109

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1

Grant Michael
POINTING
(new member)
John Charles
WHATMAN
(re-appointment)

COLUMN 2

Robertson
Showground
Trust

COLUMN 3

Reserve No. 180002
Public Purpose: Showground
Notified: 27 June 1986
File Reference: GB91R4

William James HINDMARSH (re-appointment)
Gordon John STEAD (re-appointment)
Glen SHEPHERD (new member)
Patricia Edith WILLARD (re-appointment)
Kenneth William SHARP (re-appointment)

For a term commencing the date of this notice and expiring
22 August 2007.

SCHEDULE 2

COLUMN 1

Garry James
HOGAN
(ex-officio member)
Gretchen ALT-COOPER
(new member)
Joye McCULLEN (re-appointment)
Brett Anthony COLLINS (new member)
Ron GIMBERT (re-appointment)
Raymond Gregory CROKER (new member)
Ronald Kevin GARDNER (re-appointment)
Ian Ross GORDON (new member)

COLUMN 2

Goulburn Rifle
Range Reserve Trust

COLUMN 3

Reserve No. 42683
Public Purpose: Rifle Range
Notified: 29 April 1908
File Reference: GB86R11

For a term commencing the date of this notice and expiring
22 August 2007.

GRAFTON OFFICE
Department of Land and Water Conservation
76 Victoria Street (Locked Bag 10), Grafton, NSW 2460
Phone: (02) 6640 2000 Fax: (02) 6640 2035

DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trusts specified in Column 1 of the Schedules hereunder, which were established in respect of the reserves specified opposite thereto in Column 2 of the Schedules, are dissolved.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2
Ballina Boomerang Park Reserve Trust	Reserve No. 75925 Public Purpose: Public Recreation Notified: 15 May 1953 File Reference: GF81R251

SCHEDULE 2

COLUMN 1	COLUMN 2
Lake Ainsworth Reserve (R82783) Reserve Trust	Reserve No. 82783 Public Purpose: Public Recreation Notified: 9 September 1960 File Reference: GF80R46

SCHEDULE 3

COLUMN 1	COLUMN 2
Ballina Shaws Bay (R84107) Reserve Trust	Reserve No. 84107 Public Purpose: Resting Place Public Recreation Notified: 14 December 1962 File Reference: GF81R309

ESTABLISHMENT OF RESERVE TRUST

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2
Ballina Shire Holiday Parks Reserve Trust	Reserve No. 75925 Public Purpose: Public Recreation Notified: 15 May 1953 File Reference: GF81R251 Reserve No. 82783 Public Purpose: Public Recreation Notified: 9 September 1960 File Reference: GF80R46 Reserve No. 84107 Public Purpose: Public Recreation Resting Place Notified: 14 December 1962 File Reference: GF81R309

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 in that Column, as members of the trust boards for the reserve trusts specified opposite thereto in Column 2, which have been established and appointed as trustees of the reserves referred to opposite thereto in Column 3 of the Schedules.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Winifred Althea Willmore GIBSON (re-appointment) Kevin James LEE (re-appointment) Peter John MATHER (re-appointment) Eileen Christina TYLER (new member)	Ashby Community Centre and Public Recreation Reserve Trust	Reserve No. 97674 Public Purpose: Community Centre Public Recreation Notified: 8 February 1985 File Reference: GF85R15

For a term commencing the date of this notice and expiring 22 August 2007.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Kenneth Graham Leader (new member)	Bellingen Showground Trust	Dedication No. 540022 Public Purpose: Showground Notified: 26 July 1911 File Reference: GF80R178

For a term commencing the date of this notice and expiring 19 August 2004.

SCHEDULE 3

COLUMN 1	COLUMN 2	COLUMN 3
Marie Helene LUCAS (re-appointment) Ross ST CLAIR PAUL (re-appointment) Janice Ruth MARTIN (re-appointment) Paul Leonard LUCAS (re-appointment) Russell James SCHUBRING (re-appointment) Karen Louise COBBETT (re-appointment)	Mount Burrell Community Centre Reserve Trust	Reserve No. 140080 Public Purpose: Community Purposes Notified: 5 March 1993 File Reference: GF93R11

For a term commencing the date of this notice and expiring 22 August 2007.

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Winifred Althea	Ashby Community	Reserve No. 97674
Willmore Gibson	Centre and Public	Public Purpose:
(re-appointment)	Recreation Reserve	Community Centre
Kevin James Lee	Trust	Public Recreation
(re-appointment)		Notified: 8 February 1985
Peter John Mather		File Reference: GF85R15
(re-appointment)		
Eileen Christina		
Tyler		
(new member)		

For a term commencing the date of this notice and expiring 22 August 2007.

MAITLAND OFFICE
Department of Land and Water Conservation
Newcastle Road (PO Box 6), East Maitland, NSW 2323
Phone: (02) 4934 2280 Fax: (02) 4934 2252

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Leo WELLS (new member)	Port Stephens Community Arts	Reserve No. 170047 Public Purpose: Community Centre
Denise TUCKER (new member)	Centre Trust	Notified: 1 May 1987
Raymond Victor SAUNDERS (new member)		File Reference: MD87R43/2
Marilyn TINDALL (new member)		
Norman John FORRESTER (re-appointment)		
Michael Patrick FRANCIS (new member)		
Phillipa Robin ALEXANDER (re-appointment)		

For a term commencing the date of this notice and expiring
15 August 2007.

ESTABLISHMENT OF RESERVE TRUST

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2
Elgin Street Reserve (R1002862) Reserve Trust	Reserve No. 1002862 Public Purpose: Public Recreation Notified: 19 November 1999 File Reference: MD99 R 37
Lorn River Reserve (R1002864) Reserve Trust	Reserve No. 1002864 Public Purpose: Public Recreation Notified: 19 November 1999 File Reference: MD99 R 36
Johnson Reserve (R1002865) Reserve Trust	Reserve No. 1002865 Public Purpose: Public Recreation Notified: 19 November 1999 File Reference: MD99 R 35

SCHEDULE 2

COLUMN 1	COLUMN 2
Maitland Cemetery (1003089) Reserve Trust	Dedication No. 1003089 Public Purpose: Cemetery Notified: 24 April 1941 File Reference: MD00H234/1

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

COLUMN 1	COLUMN 2	COLUMN 3
Maitland City Council	Elgin Street Reserve (R1002862) Reserve Trust	Reserve No. 1002862 Public Purpose: Public Recreation Notified: 19 November 1999 File Reference: MD99R37

Commencing this day _____

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
Maitland City Council	Lorn River Reserve (R1002864) Reserve Trust	Reserve No. 1002864 Public Purpose: Public Recreation Notified: 19 November 1999 File Reference: MD99R36

Commencing this day _____

SCHEDULE 3

COLUMN 1	COLUMN 2	COLUMN 3
Maitland City Council	Johnson Reserve (R1002865) Reserve Trust	Reserve No. 1002865 Public Purpose: Public Recreation

DISSOLUTION OF RESERVE TRUST

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE**COLUMN 1**

Umina District Girl Guides
(R87850) Reserve Trust

COLUMN 2

Reserve No. 87850
Public Purpose: Girl Guides
Notified: 28 August 1970
File Reference: MD97R35/1

MOREE OFFICE

Department of Land and Water Conservation
Frome Street (PO Box 388), Moree, NSW 2400
Phone: (02) 6752 5055 Fax: (02) 6752 1707

NOTIFICATION OF CLOSING OF A ROAD

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

Description

Land District — Moree;
Council — Moree Plains

Lots 1 and 2 in D.P. 1039317, Parishes Noona and Carore, County Courallie (not being land under the Real Property Act). File Reference: ME99H78.

Note: Upon closure, the land vests in the Crown as Crown land.

CORRECTION NOTICE

Notification which appeared in the Government Gazette of 3rd October 1997, folio 8401, under the heading "Notification of Closing of Roads" is amended as follows:

In relation to the road 100.58 metres wide through Lot 2 DP 756017, Parish Paleranga, County Stapylton insert "now being Lot 10 in D.P. 1043080". File Reference: ME97H147.

NOWRA OFFICE
Department of Land and Water Conservation
64 North Street (PO Box 309), Nowra, NSW 2541
Phone: (02) 4423 0122 Fax: (02) 4423 3011

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

IT is intended, following the laying of a copy of this notification before each House of Parliament in the State of New South Wales in accordance with section 84 of the Crown Lands Act 1989, to revoke the dedication of Crown land specified in Schedule 1 hereunder to the extent specified in Schedule 2 with a view to dealing with the land as specified in Schedule 3.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

Land District: Nowra	Local Government Area:
Dedication No. 580056	Shoalhaven City Council
Public Purpose: Public Recreation	Notified: 17 October 1876
	Area: 4.795ha

<i>Lot</i>	<i>Sec.</i>	<i>D.P. No.</i>	<i>Parish</i>	<i>County</i>
7031		1016687	Nowra	St Vincent
7032		1002793	Nowra	St Vincent
7034		1031852	Nowra	St Vincent

File Reference: NA02R17

SCHEDULE 2

The part being

<i>Lot</i>	<i>Sec.</i>	<i>D.P. No.</i>	<i>Parish</i>	<i>County</i>
7034		1031852	Nowra	St Vincent

of an area of 2135m²

SCHEDULE 3

If revoked, it is intended to re-reserve the land as R. 1003208 for Community Purposes.

ADDITION TO RESERVED CROWN LAND

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1

Land District: Bega
 Local Government Area:
 Bega Valley Shire Council
 Locality: Pambula Beach
 Lot 533, D.P. No. 1014766,
 Parish Pambula, County
 Auckland
 Area: 2704m²
 File Reference: NA80R10

COLUMN 2

Reserve No. 89211
 Public Purpose:
 Public Recreation Access
 Notified: 28 June 1974
 Lot 7016, D.P. No. 750227#
 Parish Pambula, County Auckland
 Lot 540, D.P. No. 1014766,
 Parish Pambula, County Auckland
 New Area: 2.586ha

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Clifford George HEADFORD (new member)	Ulladulla Native Flora & Fauna Reserve Trust	Reserve No. 83283 Public Purpose: Public Recreation Promotion of the Study and the Preservation of Native Flora and Fauna Notified: 21 July 1961 File Reference: NA80R453/1
Cassandra May BREED (new member)		
Robyn Margaret MILLER (re-appointment)		
Catherine Alison CAMPBELL (re-appointment)		
Joseph Barry VIDLER (re-appointment)		
Robert Bruce WHITE (re-appointment)		
Anthony Edgar BOLAND (re-appointment)		

For a term commencing this day and expiring 22 August 2007.

ORANGE OFFICE
Department of Land and Water Conservation
92 Kite Street (PO Box 2146), Orange, NSW 2800
Phone: (02) 6393 4300 Fax: (02) 6362 3896

ERRATUM

THE two errata notices which appeared in the *Government Gazette* of 25 November 1983 folio 5329 in relation to additions to Reserve 52017 for Public Recreation notified 9 March 1917 are withdrawn. R.52037 as originally notified is the correct number. OE81H443.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

CROWN LANDS ACT 1989

Declaration Of Land To Be Crown Land

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

*Land District and Local Government Area – Lithgow
Village – Glen Davis; Parish – Gindantherie;
County – Cook*

All those parcels hereunder with a total area of 16.47 hectares. File No.: OE93 H 20.

Section 1 - Allotments 8, 17-18, 21 & 24-36.
Section 2 - Allotments 1-13.
Section 3 - Allotments 1 & 11-12
Section 4 - Allotments 1-18, 26-30, 36-37, 39-40
Section 5 - Allotments 1-7, 17
Section 6 - Allotments 7-8, 12, 16-18, 24
Section 7 - Allotments 2-6, 8-12
Section 8 - Allotments 1-5, 9-11
Section 9 - Allotments 4-6, 10-18
Section 10 - Allotments 2, 10-11, 13-19, 25-26.
Section 11 - Allotments 7-17.
Section 12 - Allotments 1, 8, 10-14.
Section 13 - Allotments 3, 7, 9-18.
Section 14 - Allotments 1A, 1-21.
Section 15 - Allotments 1-14.
Section 16 - Allotments 3-13, 15, 17, 18.
Section 17 - Allotments 1, 4-5, 7-8, 12, 19-22.
Section 21 - Allotments 1-4, 14, 19.
Section 22 - Allotments 1, 3, 4, 12, 17.
Section 23 - Allotments 1, 2, 5, 6, 11-14.
Section 24 - Allotments 1-3, 8-9.
Section 30

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
Level 12, Macquarie Tower 10 Valentine Avenue, Parramatta NSW 2124
(PO Box 3935, Parramatta NSW 2124
Phone: (02) 9895 7657 Fax: (02) 9895 6227

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.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation.

SCHEDULE**COLUMN 1**

Henley Cottage (R96659)
Reserve Trust

COLUMN 2

Reserve No. 96659
Public Purpose: Community
Purposes
Notified: 25 March 1983
File Ref.: MN92R4/1

APPOINTMENT OF ADMINISTRATOR

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation.

SCHEDULE**COLUMN 1**

Peter William
MANN
(for a period of
six months,
expiring on
18 February 2003

COLUMN 2

The Wentworth
Park Sporting
Complex Reserve
Trust

COLUMN 3

That part of the area at
Glebe proclaimed on
10 November 1885 for the
public purpose of
“PublicPark” and known
as the “Wentworth Park
Sporting Complex”
(D500010)
File No.: MN80R279

TAMWORTH OFFICE

Department of Land and Water Conservation
25–27 Fitzroy Street (PO Box 535), Tamworth, NSW 2340
Phone: (02) 6764 5100 Fax: (02) 6766 3805

NOTIFICATION OF CLOSING OF ROADS

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation.

Description

Land District – Gunnedah
Local Government Area – Gunnedah

Road Closed: Lot 1 in Deposited Plan 1043522 at Tambar Springs, Parish Tamarang, County Pottinger (not being land under the Real Property Act). File No: TH 02 H 43

Note: On closing, the land within Lot 1 in Deposited Plan 1043522 will remain vested in the Crown as Crown Land.

TAREE OFFICE
Department of Land and Water Conservation
102-112 Victoria Street (PO Box 440), Taree, NSW 2430
Phone: (02) 6552 2788 Fax: (02) 6552 2816

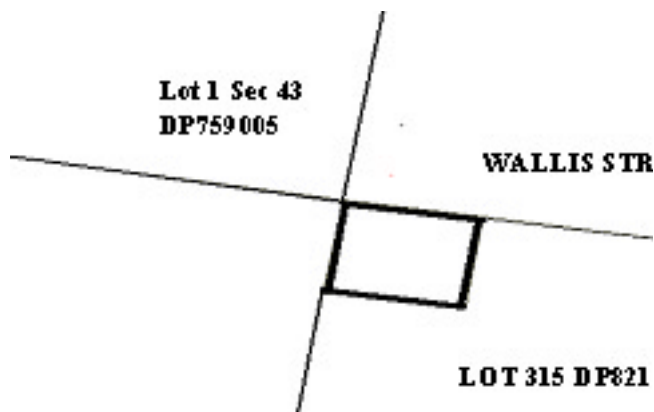
ROADS ACT 1993

IN pursuance of Part 2, section 12 of the Roads Act 1993, the Crown land show by thick black edge on diagram in Schedule 1 is opened as public road and the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice, is declared to be the Roads Authority for the said public road.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE 1

Parish - Tuncurry; County - Gloucester.
At Tuncurry
Local Government Area - Great Lakes.



Roads Authority: Great Lakes Council

File No: TE02 H 69 Council Ref: T22/19.01 Doc 13182

ADDITION TO RESERVED CROWN LAND

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE**COLUMN 1**

Land District: Taree
 Local Government Area:
 Great Lakes Council
 Locality: Forster
 Parish: Forster
 County: Gloucester
 Lot PT 7032, DP 753168#
 Area: 2.5 ha
 File No.: TE80R49

COLUMN 2

Reserve No: 83666
 Public Purpose: Public Recreation
 Notified: 5 January 1962
 Parish: Forster
 County: Gloucester
 Lot PT 7032, DP 753168#
 Lot 7033, DP 753168#
 New Area: 24.64ha

Please note that the above lot numbers marked # are for Departmental use only.

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 in Column 2 of the Schedule.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE**COLUMN 1**

One Mile Beach Reserve
 (R83666) Trust

COLUMN 2

Reserve No.: 83666
 Public Purpose: Public Recreation
 Notified: 5 January 1962
 File No.: TE79R10

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.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE**COLUMN 1**

Land District: Kempsey
 Local Government Area:
 Kempsey Shire Council
 Locality: Hat Head
 Reserve No: 89765
 Public Purpose: Public
 Recreation
 Notified: 2 April 1976
 File No.: TE80R311

COLUMN 2

The Whole being Lot 1 section 9
 DP 758505 and closed road
 adjoining Lot 11 section 9
 DP 758505
 Area: 1900 square metres
 Parish: Kinchela
 County: Macquarie

WAGGA WAGGA OFFICE
Department of Land and Water Conservation
43–45 Johnston Street (PO Box 10), Wagga Wagga, NSW 2650
Phone: (02) 6923 0400 Fax: (02) 6931 0397

APPOINTMENT OF TRUST BOARD MEMBERS

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Peter James MILLER (re-appointment)	Dirnaseer Public Hall Trust	Reserve No. 82132 Public Purpose: Public Hall Notified: 6 November 1959 File Reference: WA79R48
Charles MILLER (re-appointment)		
Denise Clare MILLER (re-appointment)		

For a term commencing the date of this notice and expiring 30 June 2007.

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

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

JOHN AQUILINA, M.P.
Minister for Land and Water Conservation

*Parish - Jindera; County - Goulburn
Land District - Albury; Shire - Hume*

SCHEDULE 1

Crown Public Road 20.115 metres wide comprising the road commencing from the north-eastern boundary of Lot 1, DP 253066 continuing in an easterly direction to the south-eastern boundary of Lot 71, DP 806740.

SCHEDULE 2

Roads Authority: Hume Shire Council
File No.: WA01H25

Water Conservation

WATER ACT 1912

APPLICATIONS under Part 2 of the Water Act 1912, being within a Proclaimed (declared) Local Area under section 5 (4) of the Act.

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

Barwon/Darling River Valley

Charles Solomon WORRELL, Marjorie Joy WORRELL, Robert Charles WORRELL and Donna Marie WORRELL for 2 pumps on the Darling River, Lot 3, DP 259701, Parish of Palinyewah, County of Wentworth, for irrigation of 52 hectares (replacement licence – due to additional works and increase in irrigated area – no increase in commitment to Lower Darling River storages) (Ref: 60SL085389) (GA2:499534).

Jodie Marie WAKEFIELD for 1 pump on the Darling River Lot 1/1010380, Parish of Avoca, County of Wentworth, for irrigation of 8.5 hectares (replacement licence – due to separation of existing licence – no increase in commitment to Murray River storages). (Ref: 60SL085308)

Michael James MORONEY, for 1 pump on the Darling River, Crown Land Fronting Lot 75, DP 43595, Parish of Perry, County of Menindee, for domestic purposes. (new licence – domestic purpose only) (Ref: 60SL085390). (GA2:499535).

TANDOU LIMITED for 2 pumps on the Darling River Lot 4521/767598, Parish of Hume, County of Tandora, for irrigation of 1205.50 hectares (replacement licence – due to permanent intrastate transfer – no increase in commitment to Lower Darling River storages) (Ref: 60SL085394) (GA2:499537).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed local area and must be lodged within the Department's Natural Resource Project Officer at Buronga within twenty eight (28) days as provided by the Act.

P. WINTON,
Natural Resource Project Officer
Murray Region

Department of Land and Water Conservation
PO Box 363 (32 Enterprise Way) BURONGA NSW 2739
Phone: (03) 5021 9400

WATER ACT 1912

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

Application for a Licence, under section 10 of Part 2 of the Water Act 1912 has been received from:

Murray River Valley

Rodney James and Valerie Jeanette DUNN for a pump on the Merran Creek on a road adjacent to Lot 42, DP756554, Parish of Merran, County of Wakool, for water supply for stock and domestic purposes and irrigation (replacement licence due to permanent transfer) (GA2: 504545) (Ref: 50SL75526).

Any enquiries regarding the above should be directed to the undersigned (Phone: (03) 5881-9200).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged at the Department's Office at Deniliquin within 28 days of the date of this publication.

L. J. HOLDEN,
Acting Senior Natural Resource Officer
Murray Region

Department of Land and Water Conservation
PO Box 205, DENILIKUIN NSW 2710

WATER ACT 1912

Notice Under Section 22B – Pumping Suspensions

Oxley River Above Tyalgum Township, Tyalgum Creek And Their Tributaries

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, is satisfied that the quantity of water available in Oxley River above Tyalgum Township, Tyalgum Creek and their tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Thursday 22 August 2002 and until further notice, the right to pump water from Oxley River above Tyalgum Township, Tyalgum Creek and their tributaries is **SUSPENDED**.

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

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

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

One penalty unit = \$110.00.

Dated this 22nd day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region, Grafton
GA2: 343368

WATER ACT 1912

Notice Under Section 22B – Pumping Restrictions

Richmond River From Casino To The Risk And Its Tributaries

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act, 1912, is satisfied that the quantity of water available in Richmond River from Casino

to the Risk and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Monday 20 August 2002 and until further notice, the right to pump water from Richmond River from Casino to the Risk and its tributaries is **RESTRICTED** to a maximum of six hours in any twenty four hour period between the hours of 6pm to 6am.

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

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

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

One penalty unit = \$110.00.

Dated this 20th day August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region, Grafton
GA2: 343367

WATER ACT 1912

Notice Under Section 22B

Pumping Restrictions – Duroby Creek And Its Tributaries

THE Department of Land and Water Conservation pursuant to Section 22B of the Water Act, 1912, is satisfied that the quantity of water available in Duroby Creek and its tributaries is insufficient to meet all requirements and hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act that from Thursday 22 August 2002 and until further notice, the right to pump water from Duroby Creek and its tributaries is **RESTRICTED** to a maximum of four hours in any twenty four hour period between the hours of 6 am to 8 am and 6 pm to 8 pm.

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

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

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

One penalty unit = \$110.00.

Dated this 22nd day of August 2002.

G. LOLLBACK,
Resource Access Manager
North Coast Region, Grafton
GA2: 343368

WATER ACT 1912

AN APPLICATION under Part 2 within a Proclaimed (declared) Local Area under section 5(4) of the Water Act 1912.

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

Murrumbidgee Valley

GLENBERNIE PASTORAL COMPANY PTY LIMITED for a bywash dam on Bennetts Creek, Lots 73 or 32, DP 756714, Parish of Murroo, County of Wallace, for the conservation of water for stock watering purposes. New Licence. Reference: 40SL70809.

Any enquiries regarding the above should be directed to the undersigned (telephone 02 6953 0700).

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

S. F. WEBB ,
Resource Access Manager
Murrumbidgee Region

Department of Land & Water Conservation
PO Box 156, LEETON NSW 2705

WATER ACT 1912

AN APPLICATION for a licence under Part 5 of the Water Act 1912, as amended, has been received from:

Murrumbidgee Valley

Neil Malcolm McGREGOR and Fiona Frances WHOLOHAN for a bore on Lot 2, DP 554287, Parish of Murrumbateman, County of Murray for a water supply for the irrigation of approximately 6 hectares (Vines). New Licence. (Reference: 40BL188809)

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 20th September, 2002 as prescribed by the Act.

S. F. WEBB ,
Resource Access Manager
Murrumbidgee Region

Department of Land & Water Conservation
PO Box 156, LEETON NSW 2705

WATER ACT 1912

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

Joseph Tony and Lily TADROSSE for 3 dams and 2 pumps on unnamed watercourses on 2/37560, Parish of Bilpin, County of Cook for conservation of water, water supply for farming purposes and irrigation of 16 hectares (orchard) (in excess of the MHRDC) (existing works) (Ref: 10SL56313). (GA2:460638).

Joseph John, Raymond Peter and John Richard SALIBA for a hillside dam and pump on 31/801496, Parish of Bilpin, County of Cook for the conservation of water and irrigation of 3.5 hectares (orchard) (in excess of the MHRDC) (existing works) (Ref: 10SL56406). (GA2:460638).

Joseph John, Raymond Peter and John Richard SALIBA for 2 hillside dams and a pump for conservation of water and irrigation of 6 hectares (orchard) (in excess of the MHRDC) on 5/210461, Parish of Bilpin, County of Cook (existing works) (Ref: 10SL56405). (GA2:460638).

Anne Kathlene DONEY for a pump on Grose River on part 21//250448, Parish of Kurrajong, County of Cook for irrigation of 2 hectares (improved pasture) (not subject to 1995 Hawkesbury/Nepean Embargo) (part replacement licence – no increase in Volumetric Entitlement) (10SL56451). (GA2:460638).

Timothy Mark and Christine Marguerite SMYTH for a pump on Capertee River on 1/199364, 1/755796 and 50/755796, Parish of Umbiella, County of Roxburgh for irrigation of 15.0 hectares (wheat, lucerne, oats, canola sorghum improved pasture) (part replacing and amalgamating existing licences) (no increase in existing Volumetric Entitlement) (not subject to the 1995 Hawkesbury/Nepean Embargo) (10SL56457) (Ref: 460666).

Walter and Sheelagh BRUNTON for 3 dams and 3 pumps on unnamed watercourses and a pump on Coolagolite Creek 315/752154, 305/752154 and 236/752154, Parish of Narira, County of Dampier for the conservation of water and water supply for stock and domestic and farming (dairy) purposes and the irrigation of 25.0 hectares (improved pasture) (replacement licence due to amalgamation of 10SL47193 and 10SL46569 and applications received as a result of the 1998 NSW Water Amnesty (Ref: 10SL56462) (GA2:509146).

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

John James STARR and others for a pump on Grose River on 19/250448, Parish of Kurrajong, County of Cook for water supply for stock and domestic purposes and irrigation of 19.5 hectares (improved pastures) (existing works) (to replace existing licence 10SL34064 – no increase in area – no increase in Volumetric Entitlement) (not subject to the Hawkesbury/Nepean Embargo) (Ref: 10SA2525). (GA2:460638).

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

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

Department of Land and Water Conservation
PO Box 3935 PARRAMATTA NSW 2124

WATER ACT 1912

AN APPLICATION under Part 8, being within a Proclaimed (declared) Local Area under Section 5(4) of the Water Act.

An application for Approval of a Controlled Work under Section 167 within the Proclaimed (declared) Local Area described hereunder has been received as follows:-

Namoi River Valley

CHARLIE ARNOTT PTY LTD for controlled works (earthworks, embankments or levees) to include or in association with irrigation supply channels, drains, recirculation/storage, storage, floodway/waterways on the Lower Namoi Floodplain on Lot 1/753945, Lot 2/753945 and Road, Parish of Merah North, County of Jamison on the property known as "Hazeldene" for prevention of inundation of land and irrigation an/or drainage development on the floodplain. Ref: 90CW810912. GA2493741.

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the Proclaimed Area, whose interest may be affected must be lodged with the Department's Resource Access Manager at Tamworth by **19th September, 2002**.

Plans showing the location of the works referred to in the above application may be viewed at the Moree office of the Department of Land and Water Conservation.

GEOFF CAMERON,
Manager Resource Access

Department of Land and Water Conservation
PO Box 550 TAMWORTH NSW 2340

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T02-0388)

No. 1961, LESLIE HERBERT SAVAGE, area of 4 units, for Group 1, dated 9 August, 2002. (Orange Mining Division).

(T02-0390)

No. 1963, GRAHAM MURRAY RICHARDSON, area of 17 units, for Group 2, dated 15 August, 2002. (Broken Hill Mining Division).

(T02-0391)

No. 1964, MOUNT ISA MINES LIMITED (ACN 009 661 447), area of 3 units, for Group 1, dated 15 August, 2002. (Orange Mining Division).

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following application has been withdrawn:

EXPLORATION LICENCE APPLICATION

(T01-0226)

No. 1841, HARRY ROSS TICKNER, County of Gough, Map Sheet (9138). Withdrawal took effect on 14 August, 2002.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

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

(T97-1341)

Exploration Licence No. 5527, JERVOIS MINING N.L. (ACN 007 626 575), area of 82 units. Application for renewal received 13 August, 2002.

(T00-0054)

Exploration Licence No. 5776, DIAMONEX LIMITED (ACN 091 951 978), area of 65 units. Application for renewal received 12 August, 2002.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

REFUSAL OF APPLICATION FOR RENEWAL

NOTICE is given that the application for renewal in respect of the following authority has been refused:

(T96-1176)

Exploration Licence No. 5484, ACAPULCO MINING NL (ACN 067 983 582), County of Georgiana and County of Westmoreland, Map Sheet (8830), area of 11 units. The authority ceased to have effect on 14 August, 2002.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDERS

NOTICE is given that the following authority has been cancelled:

(T96-1248)

Exploration Licence No. 5272, MILLIE PHILLIPS, County of Phillip, Map Sheet (8833), area of 4 units. Cancellation took effect on 12 August, 2002.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

TRANSFERS

(T98-1219)

Exploration Licence No. 5772, formerly held by WMC RESOURCES LTD (ACN 004 184 598) and AUSTRALIAN CANCER TECHNOLOGY LIMITED (ACN 007 701 715) has been transferred to AUSTRALIAN CANCER TECHNOLOGY LIMITED (ACN 007 701 715). The transfer was registered on 9 August, 2002.

(T98-1219)

Exploration Licence No. 5772, formerly held by AUSTRALIAN CANCER TECHNOLOGY LIMITED (ACN 007 701 715) has been transferred to GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827). The transfer was registered on 9 August, 2002.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

Department of Planning

Bathurst Local Environmental Plan 1997 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S01/01483/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Bathurst Local Environmental Plan 1997 (Amendment No 5)

Bathurst Local Environmental Plan 1997 (Amendment No 5)

1 Name of plan

This plan is *Bathurst Local Environmental Plan 1997 (Amendment No 5)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Zone No 6 (a) (the Local Recreation Zone) to Zone No 2 (a) (the Residential Zone) under *Bathurst Local Environmental Plan 1997*, and
- (b) to reclassify part of the land from community to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

- (1) To the extent that this plan rezones land, it applies to Lot 7, DP 1032436 and Lot 5, DP 1029078, Baillie Street, Bathurst, as shown edged heavy black on Sheet 1 of the map marked “Bathurst Local Environmental Plan 1997 (Amendment No 5)” deposited in the office of the Council of the City of Bathurst.
- (2) To the extent that this plan reclassifies land, it applies to Lot 7, DP 1032436, Baillie Street, Bathurst, as shown edged heavy black on Sheet 2 of that map.

4 Amendment of Bathurst Local Environmental Plan 1997

Bathurst Local Environmental Plan 1997 is amended by inserting in appropriate order in the definition of **land use map** in clause 28 (1) the following words:

Bathurst Local Environmental Plan 1997 (Amendment No 5)—Sheet 1

Bathurst Local Environmental Plan 1997 (Amendment No 5)

Clause 5

5 Amendment of Bathurst Local Environmental Plan 1997—Classification of Public Land

Bathurst Local Environmental Plan 1997—Classification of Public Land is amended by inserting in the Schedule under the heading of “**Bathurst**” in alphabetical order of street name the following matter:

Baillie Street

Lot 7, DP 1032436, as shown edged heavy black on Sheet 2 of the map marked “Bathurst Local Environmental Plan 1997 (Amendment No 5)” deposited in the office of Bathurst City Council.

Baulkham Hills Local Environmental Plan 1991 (Amendment No 99)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (P99/00218/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Baulkham Hills Local Environmental Plan 1991 (Amendment No 99)

Baulkham Hills Local Environmental Plan 1991 (Amendment No 99)

1 Name of plan

This plan is *Baulkham Hills Local Environmental Plan 1991 (Amendment No 99)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies to the Residential 2 (a1) Zone under *Baulkham Hills Local Environmental Plan 1991 (the 1991 plan)*, and
- (b) to reclassify part of the land (being Council-owned public land) from community land to operational land within the meaning of the *Local Government Act 1993*, and
- (c) to adjust the boundaries affecting the remainder of the land, being certain land within the General Business 3 (a) Zone, the Special Business 3 (b) Zone and the Open Space 6 (a) (Existing and Proposed Public Recreation) Zone under the 1991 plan, to ensure the boundaries are consistent with the recently constructed Castle Hill ring road.

3 Land to which plan applies

(1) To the extent that this plan rezones land, it applies to:

- (a) Lot 4, DP 881999, Gay Street, Castle Hill, and
- (b) Lots 1 and 2, DP 713190, 51a and 51 Old Castle Hill Road, Castle Hill, and
- (c) Lot 1a, DP 373987 and Lot 1, DP 21002, 53 Old Castle Hill Road, Castle Hill,

as shown edged heavy black and lettered “2 (a1)” on the map marked “Baulkham Hills Local Environmental Plan 1991 (Amendment No 99)” deposited in the office of Baulkham Hills Shire Council.

Baulkham Hills Local Environmental Plan 1991 (Amendment No 99)

Clause 3

-
- (2) To the extent that this plan reclassifies land, it applies to:
- (a) Lot 4, DP 881999, Gay Street, Castle Hill, and
 - (b) Lot 1, DP 713190, 51a Old Castle Hill Road, Castle Hill, and
 - (c) Lot 1a, DP 373987 and Lot 1, DP 21002, 53 Old Castle Hill Road, Castle Hill.
- (3) To the extent that this plan adjusts zone boundaries, it applies to Lot 600, DP 1025421, Lot 51, DP 1022542 and Lot 3, DP 881999, as shown edged heavy black and lettered “3 (a)”, “3 (b)” and “6 (a)”, respectively, on that map.

4 Amendment of Baulkham Hills Local Environmental Plan 1991

Baulkham Hills Local Environmental Plan 1991 is amended as set out in Schedule 1.

Baulkham Hills Local Environmental Plan 1991 (Amendment No 99)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Baulkham Hills Local Environmental Plan 1991 (Amendment
No 99)

[2] Schedule 4 Classification and reclassification of public land as operational land

Insert at the end of Part 2 (Interests not changed) of the Schedule:

Lot 4, DP 881999, Gay Street, Castle Hill

Lot 1, DP 713190, 51a Old Castle Hill Road, Castle Hill

Lot 1a, DP 373987 and Lot 1, DP 21002, 53 Old Castle Hill
Road, Castle Hill

Hawkesbury Local Environmental Plan 1989 (Amendment No 135)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (P01/00283)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Hawkesbury Local Environmental Plan 1989 (Amendment No 135)

Hawkesbury Local Environmental Plan 1989 (Amendment No 135)

1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 135)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies from Special Uses “A” (Hospital) to Zone No 3 (a) (the Business General) Zone under *Hawkesbury Local Environmental Plan 1989 (the 1989 plan)*, and
- (b) to remove part of the land as a heritage item from Schedule 1 to the 1989 plan, and
- (c) to add the remainder of the land as a heritage item to Schedule 1 to the 1989 plan.

3 Land to which plan applies

- (1) To the extent that this plan rezones land, it applies to the site of the former Hawkesbury Hospital, Windsor, as shown coloured light blue with red edging and lettered “3 (a)” on Sheet 1 of the map marked “Hawkesbury Local Environmental Plan 1989 (Amendment No 135)” deposited in the office of the Council of the City of Hawkesbury.
- (2) To the extent that this plan removes a property as a heritage item, it applies to land known as Melrose Cottage, Lot 2, DP 223745, No 57 East Market Street, Richmond (which had been shown on the zoning map supporting the 1989 plan with a red circled number “479”), as shown coloured pink and lettered “2 (a)” on Sheet 2 of that map.
- (3) To the extent that this plan adds a property as a heritage item, it applies to Lot 1, DP 511364, known as No 205 Macquarie Street, Windsor, as shown coloured pink, lettered “2 (a)” and with a red circled number “516” on Sheet 3 of that map.

Hawkesbury Local Environmental Plan 1989 (Amendment No 135)

Clause 4

4 Amendment of Hawkesbury Local Environmental Plan 1989

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

Hawkesbury Local Environmental Plan 1989 (Amendment No 135)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

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

Hawkesbury Local Environmental Plan 1989 (Amendment
No 135)

[2] Schedule 1 Heritage items

Omit from the Schedule under the headings 1 Richmond and **East Market Street**:

“Melrose Cottage”, No 57, Lot 2, DP 223745. (479)

[3] Schedule 1

Insert in the Schedule under the headings 2 Windsor and **Macquarie Street**, after the matter relating to No 204:

No 205, lot 1, DP 511364. (516)

Manly Local Environmental Plan 1988 (Amendment No 45)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S00/01474/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Manly Local Environmental Plan 1988 (Amendment No 45)

Manly Local Environmental Plan 1988 (Amendment No 45)

1 Name of plan

This plan is *Manly Local Environmental Plan 1988 (Amendment No 45)*.

2 Aims of plan

- (1) This plan aims to rezone part of the land to which this plan applies from Zone No 2 to Zone No 3 under *Manly Local Environmental Plan 1988*.
- (2) This plan also aims in respect of the remainder of the land, to allow, with the consent of Manly Council, basement car parking associated with the Totem shopping centre at 168–182 Woodland Street, Balgowlah, provided that:
 - (a) the roof of the car park:
 - (i) does not exceed 2 metres above the existing ground level, and
 - (ii) is graded back to the existing ground level between 182 and 172 Woodland Street, Balgowlah, and
 - (b) vehicular access to the car park (other than for residential purposes) is prohibited from Woodland Street.

3 Land to which plan applies

- (1) To the extent that this plan rezones land, it applies to land known as 207–215 Condamine Street, Balgowlah, as shown edged heavy black on Sheet 1 of the map marked “Manly Local Environmental Plan 1988 (Amendment No 45)” deposited in the office of Manly Council.
- (2) To the extent that this plan allows basement car parking, it applies to land known as the Totem shopping centre, 168–182 Woodland Street, Balgowlah, as shown edged heavy black on Sheet 2 of that map.

4 Amendment of Manly Local Environmental Plan 1988

Manly Local Environmental Plan 1988 is amended as set out in Schedule 1.

Manly Local Environmental Plan 1988 (Amendment No 45)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Interpretation

Insert in appropriate order in the definition of *the map* in clause 7 (1):

Manly Local Environmental Plan 1988 (Amendment No 45)—Sheet 1

[2] Schedule 5 Development for additional purposes

Omit the following matter from Schedule 5:

Land being lots A and B, DP 347250, and part lot B, DP 162462, known as Nos 168–170 Woodland Street and part 172A Woodland Street, Balgowlah, as shown edged heavy black on the map marked “Manly Local Environmental Plan 1988 (Amendment No 2)” —club, provided that vehicular access and pedestrian access (except for postal deliveries) to the club is excluded from Woodland Street.

[3] Schedule 5

Insert at the end of the Schedule:

Land being Lots A and B, DP 347250, Lots A and B, DP 162462, Lot A, DP 382578, Lot 25, DP 8949, Lot 7, DP 9650 and Lot 2, DP 303359, known as the Totem shopping centre, 168–182 Woodland Street, Balgowlah, as shown edged heavy black on Sheet 2 of the map marked “Manly Local Environmental Plan 1988 (Amendment No 45)” —basement car parking associated with that shopping centre, provided that:

- (a) the roof of the car park:
 - (i) does not exceed 2 metres above the existing ground level, and
 - (ii) is graded back to the existing ground level between 182 and 172 Woodland Street, Balgowlah, and

Manly Local Environmental Plan 1988 (Amendment No 45)

Schedule 1

Amendments

- (b) vehicular access to the car park (other than for residential purposes) is prohibited from Woodland Street.

Narrabri Local Environmental Plan No 44

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S02/00936/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Narrabri Local Environmental Plan No 44

Narrabri Local Environmental Plan No 44

1 Name of plan

This plan is *Narrabri Local Environmental Plan No 44*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to the Residential “D” Zone under *Narrabri Local Environmental Plan No 5 (Township of Boggabri)*.

3 Land to which plan applies

This plan applies to Lot 102, DP 594602, 95 Oakham Street, Boggabri, as shown edged heavy black on the map marked “Narrabri Local Environmental Plan No 44” deposited in the office of the Narrabri Shire Council.

4 Amendment of Narrabri Local Environmental Plan No 5 (Township of Boggabri)

Narrabri Local Environmental Plan No 5 (Township of Boggabri) is amended by inserting in appropriate order in the definition of ***the map*** in clause 5 (1) the following words:

Narrabri Local Environmental Plan No 44

Newcastle Local Environmental Plan 1987 (Amendment No 125)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (N02/00009/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Newcastle Local Environmental Plan 1987 (Amendment No 125)

Newcastle Local Environmental Plan 1987 (Amendment No 125)

1 Name of plan

This plan is *Newcastle Local Environmental Plan 1987 (Amendment No 125)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to Zone No 2 (a) (the Residential Zone) under *Newcastle Local Environmental Plan 1987*.

3 Land to which plan applies

This plan applies to Lots 142–147 and 156–160, Section C, DP 12628, Lawson Avenue, Beresfield, as shown edged heavy black and lettered “2 (a)” on the map marked “Newcastle Local Environmental Plan 1987 (Amendment No 125)” deposited in the office of the Council of the City of Newcastle.

4 Amendment of Newcastle Local Environmental Plan 1987

Newcastle Local Environmental Plan 1987 is amended by inserting in appropriate order in the definition of ***the map*** in clause 9 (1) the following words:

Newcastle Local Environmental Plan 1987 (Amendment No 125)



New South Wales

Queanbeyan Local Environmental Plan 1998 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (Q99/00067/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Queanbeyan Local Environmental Plan 1998 (Amendment No 5)

Queanbeyan Local Environmental Plan 1998 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Queanbeyan Local Environmental Plan 1998 (Amendment No 5)*.

2 Aims of plan

This plan aims:

- (a) to rezone land to which *Queanbeyan Local Environmental Plan 1998* applies from partly Zone 4 (a) Industrial A, partly Zone 4 (b) Industrial B, and partly Zone 4 (b) Industrial B scenic protection to Zone 2 (d) Residential D to allow the land to be used for residential purposes, and
- (b) to require a flora and fauna study and an archaeological study to be undertaken before that part of the land identified by black hatching on the map marked “Queanbeyan Local Environmental Plan 1998 (Amendment No 5)” can be used for residential purposes.

3 Land to which plan applies

This plan applies to land within the City of Queanbeyan, being Lot 1, DP 778527, Lot 51, DP 715657, Lots 368–422, DP 13991 and Lot 1, DP 793004, known as 65 Carwoola Street, Queanbeyan, and Lot 5, DP 800542, known as 2 Cook Avenue, Queanbeyan, as shown edged heavy black and partly hatched on the map marked “Queanbeyan Local Environmental Plan 1998 (Amendment No 5)” deposited in the office of Queanbeyan City Council.

4 Amendment of Queanbeyan Local Environmental Plan 1998

Queanbeyan Local Environmental Plan 1998 is amended as set out in Schedule 1.

Queanbeyan Local Environmental Plan 1998 (Amendment No 5)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 68A

Insert after clause 68:

68A Development of certain land off Ellerton Drive

- (1) The Council must not grant consent to the development of land identified by black hatching on the map marked “Queanbeyan Local Environmental Plan 1998 (Amendment No 5)” unless both an archaeological study, and a flora and fauna study, of the land have been undertaken.
- (2) Before undertaking either the archaeological study or the flora and fauna study referred to in subclause (1), the Council must consult with the Director-General of National Parks and Wildlife on the briefs for those studies and as far as reasonable incorporate the Director-General’s requirements into those briefs.

[2] Schedule 1 Dictionary

Insert at the end of the definition of *the map*:

Queanbeyan Local Environmental Plan 1998 (Amendment No 5)

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (W97/00134/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)

1 Name of plan

This plan is *City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)*.

2 Aims of plan

This plan aims to amend the *City of Shoalhaven Local Environmental Plan 1985*:

- (a) to permit tourist facilities on certain land in the vicinity of Danjera Dam, Yalwal, within Zone No 7 (c) under that plan, and
- (b) to ensure that the water quality of Danjera Dam is safeguarded, and
- (c) to acknowledge the heritage significance of the area by identifying it as an item of environmental heritage under that plan, and
- (d) to ensure that matters relating to sound environmental, cultural and economic management, visual impact, heritage, management of riparian buffer zones, effluent management, erosion control and size and scale of any tourist facilities are adequately addressed.

3 Land to which plan applies

This plan applies to land situated in the City of Shoalhaven local government area at Yalwal, as shown edged heavy black on the map marked "City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)" deposited in the office of the Council of the City of Shoalhaven.

4 Amendment of Shoalhaven Local Environmental Plan 1985

City of Shoalhaven Local Environmental Plan 1985 is amended as set out in Schedule 1.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 39F

Insert after clause 39E:

39F Development on certain land at Yalwal

- (1) This clause applies to land shown edged heavy black on the map marked "City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)".
- (2) The Council must not grant consent to development for the purpose of a dwelling (including a tourist accommodation unit) on land that is within 40 metres of Danjera Dam or any natural watercourse measured as the shortest distance between the boundary of the development site and:
 - (a) the top of the high bank, if present, or
 - (b) if no high bank is present, then:
 - (i) the mean high water mark in tidal waters, or
 - (ii) the mean water level in non-tidal waters.
- (3) The Council may consent to development for the purpose of a tourist related use (other than a tourist accommodation unit) on land that is within 40 metres of Danjera Dam or any natural watercourse measured in accordance with subclause (2), but only if the Council is satisfied that the proposed use:
 - (a) is ancillary to a tourist facility, and
 - (b) is passive in nature, and
 - (c) will not have a detrimental effect on water quality in Danjera Dam.
- (4) The Council must not grant consent to the carrying out of development involving the disposal of effluent directly into the ground water system unless the Council is satisfied that the disposal will not have a detrimental effect on the water quality of Danjera Dam.

City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)

Schedule 1 Amendments

[2] Schedule 7

Insert in alphabetical order in the Schedule under the heading “RURAL AREAS:”:

YALWAL

Yalwal General Cemetery

Part of Lots 1–7, Section 5, Parish of Danjera, County of St Vincent

Part Portion 12, Parish of Danjera

[3] Schedule 9

Insert at the end of Schedule 9:

Land at Yalwal, in the vicinity of Danjera Dam, as shown edged heavy black on the map marked “City of Shoalhaven Local Environmental Plan 1985 (Amendment No 186)” —tourist facilities, but only if the Council is satisfied that the application for consent adequately addresses the following matters:

- (a) protection of water quality and the integrity of the Danjera water supply system,
- (b) protection of the natural and cultural environments on the land from damage,
- (c) sound management of water storage on the land, and natural and cultural values of the land,
- (d) sound economic management of the proposed tourist facilities,
- (e) visual amenity of the proposed tourist facilities and surrounding land,
- (f) heritage conservation,
- (g) management of riparian buffers,
- (h) management of effluent,
- (i) control of erosion,
- (j) appropriateness of the size and scale of the proposed tourist facilities.

Sutherland Shire Local Environmental Plan 2000 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S02/01248/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Sutherland Shire Local Environmental Plan 2000 (Amendment No 18)

Sutherland Shire Local Environmental Plan 2000 (Amendment No 18)

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan 2000 (Amendment No 18)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone 2 (a1) Residential to Zone 6 (b) Private Recreation under *Sutherland Shire Local Environmental Plan 2000*.

3 Land to which plan applies

This plan applies to Lot D, DP 393082, 99 Oak Road, Kirrawee, as shown edged heavy black on the map marked "Map 28: No. 99 Oak Road" appearing at the end of this plan and deposited in the office of Sutherland Shire Council.

4 Amendment of Sutherland Shire Local Environmental Plan 2000

Sutherland Shire Local Environmental Plan 2000 is amended by inserting in Schedule 7 in numerical order the following map:

Sutherland Shire Local Environmental Plan 2000 (Amendment No 18)

Clause 4



Map 28 : No.99 Oak Road.

Location KIRRAWEE



6 (b) Private Recreation

Wyong Local Environmental Plan 1991 (Amendment No 132)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (N00/00244/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 132)

Wyong Local Environmental Plan 1991 (Amendment No 132)

1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 132)*.

2 Aims of plan

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

3 Land to which plan applies

This plan applies to Lot 34 DP 9215, Aldenham Road, Warnervale.

4 Amendment of Wyong Local Environmental Plan 1991

Wyong Local Environmental Plan 1991 is amended as set out in Schedule 1.

Wyong Local Environmental Plan 1991 (Amendment No 132)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 65A Classification or reclassification of public land as operational land

Insert after clause 65A (4):

(4A) Land described in Part 3 of Schedule 3:

- (a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and
- (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as operational land.

[2] Schedule 3 Classification or reclassification of public land as operational land

Insert at the end of Schedule 3:

Part 3

Warnervale

Aldenhams Road—Lot 34 DP 9215.

Roads and Traffic Authority

Roads Act 1993

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

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

Alan Burgess
General Manager
Kempsey Shire Council
(by delegation from the Minister for Roads)

Schedule

1. **Citation**

This Notice may be cited as the Kempsey Shire Council B-Doubles Notice No 1/2002.

2. **Commencement**

This Notice takes effect from date of gazettal.

3. **Effect**

This Notice remains in force until 1 September 2007 unless it is amended or repealed earlier.

4. **Application**

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

5. **Routes**

B-Double routes within the Kempsey Shire Council

Type	Road No	Road Name	Starting point	Finishing point	Conditions
25m	MR556	Smithtown Road	Pacific Highway (SH10)	South West Rocks Road	
25m	MR198	South West Rocks Road	Smithtown Road	Mintoka Pty Ltd, 1052 South West Rocks Road , Austral Eden	

Roads Act 1993

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

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

Garry Styles
General Manager
Mudgee Shire Council
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Mudgee Shire Council B-Doubles Notice No 1/ 2002.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until August 2007 unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Mudgee Shire Council

Type	Road No.	Road Name	Starting Point	Finishing Point
25	000	Henry Lawson Drive, Gulgong	Homer St	Intersection of Kaolin Rd and Henry Lawson Drive
25	000	Railway Street, Gulgong	Station Street	Homer Street
25	000	Homer Street, Gulgong	Railway Street	Henry Lawson Drive
25	000	Tallawang Street, Gulgong	Caledonian Street	Prince Street
25	000	Prince Street, Gulgong	Tallawang Street	End of street

ROADS ACT 1993

Order - Section 27

Revocation of a road widening order and variation of a road widening order applying to parts of the Hume Highway at Ashfield in the Ashfield Municipal Council area

The Roads and Traffic Authority of New South Wales, by its delegate and with the consent of the Minister for Roads, by this order under section 27 of the Roads Act 1993:

revokes the road widening order published in the Government Gazette No 171 of 8 December, 1978 on page 5112 applying to part of the Hume Highway at Ashfield; and

varies the road widening order published in the Government Gazette No 9 of 18 January, 1957 on page 124 applying to part of the Hume Highway at Ashfield by excluding the land described in the schedule below from the operation of that Order.

D J Lorsch
Manager, Statutory Processes
Roads and Traffic Authority of New South Wales

SCHEDULE

All those pieces or parcels of land situated in the Ashfield Municipal Council area, Parish of Petersham and County of Cumberland, shown on Sheet 1 of Deposited Plan 447780 as:

the areas of $\frac{1}{2}$ perch (12.6 m²), $1\frac{3}{4}$ perches (44.3 m²) and $3\frac{1}{4}$ perches (82.2 m²), (now shown as parts of Lot 2 on Deposited Plan 631344), being parts of the land in Certificate of Title 2/631344;

the areas of $4\frac{1}{2}$ perches (113.8 m²) and $3\frac{1}{2}$ perches (88.5 m²), being the whole of the land remaining in Certificate of Title Volume 8430 Folio 126;

the area of 3 perches (75.9 m²), being part of the land in Certificate of Title C/17678;

the area of 3 perches (75.9 m²), being part of the land in Certificate of Title B/17678;

the area of $2\frac{3}{4}$ perches (69.6 m²), being part of the land in Certificate of Title A/17678; and

the area of 7 perches (177 m²), being part of the land in Deed of Confirmatory Conveyance and Release No 17 Book 3190.

(RTA Papers 2/10.1168)

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road
at Woolgoolga in the Coffs Harbour City Council area

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

D J Lorsch
Manager, Statutory Processes
Roads and Traffic Authority of New South Wales

SCHEDULE

All that piece or parcel of land situated in the Coffs Harbour City Council area, Parish of Woolgoolga and County of Fitzroy, shown as Lot 10 Deposited Plan 248762.

(RTA Papers: FPP 10/110.1256)

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Tabulam
in the Tenterfield Shire Council area

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

D J Lorsch
Manager, Statutory Processes
Roads and Traffic Authority of New South Wales

SCHEDULE

All those pieces or parcels of land situated in the Tenterfield Shire Council area, Parish of Timbarra and County of Drake, shown as Lots 1, 7 and 8 Deposited Plan 238244.

(RTA Papers: 16/430.1201)

ROADS ACT 1993

Order – Sections 46, 48, 52, 54 and 67

Sutherland Shire and Wollongong City Council Areas

Repeal of Classification as Toll Work and Declaration as
Freeway of Part of the Southern Freeway between
Waterfall and the top of Bulli Pass

I, the Minister for Roads, pursuant to Sections 46, 48, 52, 54
and 67 of the Roads Act, 1993, by this order -

1. repeal the proclamation published in Government Gazette No 77 dated 19 June 1970 on page 2374 which proclaimed as toll work the work described in the Schedule of that proclamation;
2. dedicate as public road the Roads and Traffic Authority land described in Schedule 1 under;
3. declare to be a main road the said public road described in Schedule 1;
4. declare to be a freeway the said main road described in Schedule 1;
5. declare that access to the said freeway is restricted; and
6. specify in Schedule 2 under, the points along the freeway at which access may be gained to or from other public roads.

CARL SCULLY, M.P.,
Minister for Roads

SCHEDULE 1

All those pieces or parcels of Roads and Traffic Authority land situated in the Sutherland Shire Council area, Parish of Heathcote and County of Cumberland shown as:

Lots 1 and 2 Deposited Plan 574637;

Lot 2 Deposited Plan 543188; and

Lots 5 to 9 inclusive Deposited Plan 247387.

ALSO all those pieces or parcels of Roads and Traffic Authority land situated in the Wollongong City Council area, Parishes of Heathcote and Southend and County of Cumberland shown as:

Lots 2, 3 and 4 Deposited Plan 247387;

Lots 1 to 11 inclusive Deposited Plan 247388;

Lots 1 to 4 inclusive Deposited Plan 573212;

Lots 6 to 10 inclusive Deposited Plan 240006;

Lot 5 Deposited Plan 1000975;

Lots 8 to 11 inclusive Deposited Plan 239206;

Lot 2 Deposited Plan 1000140;

Lots 1 and 2 Deposited Plan 571475;

Lots 6 to 10 inclusive Deposited Plan 239402;

Lot 4 Deposited Plan 571476;

Lots 2 to 10 inclusive Deposited Plan 248386;

Lots 5 to 8 inclusive Deposited Plan 240566;

Lots 5 to 11 inclusive Deposited Plan 248333;

Lots 9 to 15 inclusive Deposited Plan 248499;

Lots 5 to 8 inclusive Deposited Plan 248633; and

Lots 11 to 15 inclusive, 22 to 25 inclusive and 27 to 30 inclusive Deposited Plan 248632.

The above Lots are all shown on RTA Plan 6006 497 AC 0219.

SCHEDULE 2

Between the points A and B;

between the points C and D;

between the points E and F; and

between the points G and H, all shown on RTA Plan 6006 497 AC 0219.

(RTA Papers F6/497.1514)

Roads Act 1993

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

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

N J MACHAN
GENERAL MANAGER
BOMBALA COUNCIL
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Bombala Council B-Doubles Notice No 1/2002.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2006 unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Bombala Council

Type	Rd No	Road Name	Starting point	Finishing point	Conditions
25	000	Bondi Link Rd, Bondi State Forest	Bondi Forest Way	Buldah Rd	
25	000	Extension Eight Rd, Bondi State Forest	Query Rd	Bondi Forest Way	
25	000	Goldfields Rd, Bondi State Forest	Extension Eight Rd	Indigo Rd	
25	000	Little Bog Rd, Bondi State Forest	Miralai Rd	Old Mill Rd	
25	000	Miralai Rd, Bondi State Forest	Craigie- Mila Rd	Little Bog Rd	
25	000	Old Mill Rd, Bondi State Forest	Little Bog Rd	Cairnlea Rd	

Roads Act 1993

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

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

N J MACHAN
GENERAL MANAGER
BOMBALA COUNCIL
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Bombala Council B-Doubles Notice No 2/2002.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2006 unless it is amended or repealed earlier.

4. Application

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

5. Routes

B-Double routes within the Bombala Council

Type	Rd No	Road Name	Starting point	Finishing point	Conditions
25	000	Mahratta St, Bombala	Forbes St (Monaro Hwy SH19)	High St	1. Travel is permitted only in the direction of listing 2. Subject to trial until 28 February 2003
25	000	High St, Bombala	Mahratta St	Stephen St (Monaro Hwy SH19)	1. Travel is permitted only in the direction of listing 2. Subject to trial until 28 February 2003

ROADS ACT 1993**Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996**

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

.....
Rowan Perkins, General Manager

Berrigan Shire Council

(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Berrigan Shire Council B-Doubles Notice No. 14/2002.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31st December 2007 unless it is amended or repealed earlier.

4. Application

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

5. Routes

Special 19metre B-Double routes within the Berrigan Shire Council where Gross Weight exceeds 50 tonne.

(For Single Road Listings)

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
19	00	Boundary Road (Parish of Tongaboo)	Barnes Road	Jerilderie Boundary Road	
19	00	Fullers Road (Parish of Langunya)	Newell Highway (SH17)	Woolshed Road	
19	00	Pinelodge Road (Parish of Woperana)	Newell Highway (SH17)	Conargo Shire Boundary	
19	00	Woolshed Road (Parish of Finley)	Riverina Highway (SH20)	Fullers Road	
19	00	Piney Road (Parish of Headford)	Berrigan Main Road (MR363)	Woolshed Road	
19	00	Bushfields Road (Parish of Berrigan)	Sullivans Road	Edgecombe Road	
19	00	Mickles Road (Parish of Finley)	Edgecombe Road	Riverina Highway (SH20)	
19	00	Edgecombe Road (Parish of Berrigan)	Bushfield Road	Mickles Road	
19	00	Ruwolts Road (Parish of Boomanoomana)	Mulwala-Barooga Road (MR551)	End	
19	00	Coach Road (Parish of Boomanoomana)	Mulwala Barooga Road (MR551)	End	

ROADS ACT 1993

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

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

Graeme Faulkner
General Manager
Wagga Wagga City Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This notice may be cited as the Wagga Wagga City Council B-Double Notice Number 6, 2001

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This notice remains in force until 31/11/2006 unless it is amended or repealed earlier.

4. Application

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

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

Type	Road No	ROAD NAME	Starting Point	Finishing Point	Conditions
25	000	Fox St, Wagga Wagga	Edward St (Sturt Hwy)	Donnelly Ave	

Other Notices

CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact – Order

I, the Honourable Bob Debus Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve the Port Stephens Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 19 August 2002 and remains in force until 18 August 2005.

Signed at Sydney, this 19th day of August 2002.

BOB DEBUS, M.P.,
Attorney General

DISTRICT COURT ACT 1973

District Court Rules 1973 – Direction

BY this direction made under Part 51A rule 1(2) of the District Court Rules 1973, I specify the following venues to be a prescribed place for the purpose of section 63A of the District Court Act 1973, for the periods indicated:

Venue	Period (Week Commencing)
Maitland	2 September 2002
Wagga Wagga	23 September 2002

Dated this 13th day of August 2002.

R. O. BLANCH,
Chief Judge

DISTRICT COURT RULES 1973

Forms

IN pursuance of Part 47 rule 2 (2) of the District Court Rules 1973, I have amended the following form for use in the Court.

Dated: 13 August 2002.

THE HON. JUSTICE R.O. BLANCH,
Chief Judge of the District Court

Form 1 – Heading of any document filed before judgment, and any form of judgment

Delete the following text:

Principal & Co
22 Main St
Sydney 2000
DX xxxxx Sydney
Phone: (02) xxxx xxxx
Fax: (02) xxxx xxxx

Agent & Co
20 Main St
Sydney 2000
DX xxxx Sydney
Phone: (02) xxxx xxxx
Fax: (02) xxxx xxxx

And instead, insert:

Principal & Co
22 Main St
Sydney 2000
DX xxxxx Sydney
ABN: (insert ABN number, if any)
Phone: (02) xxxx xxxx
Fax: (02) xxxx xxxx

Agent & Co
20 Main St
Sydney 2000
DX xxxx Sydney
ABN: (insert ABN number, if any)
Phone: (02) xxxx xxxx
Fax: (02) xxxx xxxx

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder in the Lachlan Local Government Area.

Hazel Brough Memorial Park, Barneys Basin, Banar Swamp, Black Fella Rock, Mount Herring.

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

WARWICK WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder in the Gloucester Local Government Area.

Copeland Reserve, Rocky Crossing Reserve, Bowman Reserve, Craven Reserve.

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

WARWICK WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder in the Tweed Local Government Area.

Ambrose Brown Park, Amwil Park, Arkinstall Park, Barrie Smith Hockey Fields, Bluey Hill Park, Border Fountain, Boyd Family Park, Bruce Chick Conservation Park, Buckley Park, Budd Park, Bullamakanka Park, Campbell Park, Chambers Park, Charles Harold Lundberg Memorial Park, Coral Street Park, Corowa Park, Crams Farm Reserve, Cunningham Park, Dallis Park, Ducat Park, Ebenezer Park, Englert Park, Faulks Park, Faux Park, Gerald Parker Park, Hardy Park, Hartman Park, Hogans Park, Jack Bayliss Park, Jack Chard Park, James Henry Williams Park, Johansen Park, Keys Park, Lucas Park, Merv Edwards Reserve, Nicholl Park, Norco Park, Oxley Park, Pascoe Park, Pelican Point Lookout, Peter Solomon Park, Pioneer Park, Prindable Park, Queens Park, Quinn Family Park, Razorback Road Reservoir, Recreation Street Reserve, Sacred Park, Solander Street Park, Stan Sercombe Park, Suter Park, Tierney Park, Tom O'Connors Park, Tumbulgum Sportsground, Turnock Park, Tweed Apex Park, Tweed Bicentennial Environment Park, Walter Peate Reserve, Willward Park, Wilson Park, Windley Park.

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

WARWICK WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795

GEOGRAPHICAL NAMES ACT 1966**ERRATUM**

IN the notice referring to the assignment of the name Fishermans Lookout, Folio 3642, 2 August 1974. The notice incorrectly stated the designation as Island, the correct designation is Lookout, this notice corrects that error.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795

GEOGRAPHICAL NAMES ACT 1966

Notice Of Assignment Of Geographical Names And
Boundaries For Localities in Yallaroi Shire

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the names and boundaries of the following seventeen localities in Yallaroi Shire, to be used as the address, as shown on map GNB3821:

Balfours Peak, Biniguy, Blue Nobby, Boonal, Coolatai, Crooble, Croppa Creek, Delungra, Gineroi, Graman, Gravesend, North Star, Pallamallawa, Tulloona, Warialda, Warialda Rail and Yallaroi.

W. WATKINS,
Chairperson

Geographical Names Board
PO Box 143, BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966**ERRATUM**

IN the notice referring to the assignment of the name and Mid Point, Folio 5065, 10 October 1980. The name was spelt incorrectly and should have read Midpoint, this notice corrects that error.

W. WATKINS,
Chairman

Geographical Names Board
PO Box 143 Bathurst 2795

GEOGRAPHICAL NAMES ACT 1966

NOTICE OF DISCONTINUANCE OF GEOGRAPHICAL
NAMES

PURSUANT to the provisions of section 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day discontinued the name "Deniliquin Reservoir" which was assigned with the designation of Trig Station, folio 278, 17 January 1992.

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143, Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned Name:	Maynggu Ganai Historic Site
Designation:	Historic Site
L.G.A.:	Wellington Shire Council
Parish:	Wellington
County:	Wellington
L.P.I. Map:	Wellington
1:100,000 Map:	Wellington 8632
Reference:	GNB 4854

Assigned Name:	Boori Creek
Designation:	Creek
L.G.A.:	Wellington Shire Council
Parish:	Geurie
County:	Lincoln
L.P.I. Map:	Geurie
1:100,000 Map:	Dubbo 8633
Reference:	GNB 4794

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

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143, Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the names listed hereunder as geographical names.

Any person wishing to make comment upon these proposals may within one (1) month of the date of this notice, write to the Secretary of the Board with that comment.

Proposed Name: Railway War Memorial Park
Designation: Reserve
L.G.A.: Tamworth City Council
Parish: Tamworth
County: Inglis
L.P.I. Map: Tamworth
1:100,000 Map: Tamworth
Reference: GNB 4904

Proposed Name: Claude Whitfield Reserve
Designation: Reserve
L.G.A.: Coonabarabran Shire Council
Parish: Coonabarabran
County: Gowen
L.P.I. Map: Coonabarabran
1:100,000 Map: Coonabarabran 8735
Reference: GNB 4906

Proposed Name: G B Holt Reserve
Previous Name: Edgehill Street Reserve
Designation: Reserve
L.G.A.: Rockdale City Council
Parish: St George
County: Cumberland
L.P.I. Map: Botany Bay
1:100,000 Map: Sydney 9130
Reference: GNB 4907

Proposed Name: Riverwood Peace Park
Designation: Reserve
L.G.A.: Canterbury City Council
Parish: St George
County: Cumberland
L.P.I. Map: Botany Bay
1:100,000 Map: Sydney 9130
Reference: GNB 4915

Proposed Name: Van Diemen Park
Designation: Reserve
L.G.A.: Blacktown City Council
Parish: Rooty Hill
County: Cumberland
L.P.I. Map: Riverstone
1:100,000 Map: Penrith 9030
Reference: GNB 4909

Proposed Name: Harry Rourkes Reef
Designation: Reef
L.G.A.: Lord Howe Island Board
L.P.I. Map: Lord Howe Island
Reference: GNB 4910

Proposed Name: Clarice Scholz Park
Designation: Reserve
L.G.A.: Gilgandra Shire Council
Parish: Bobarah
County: Ewenmar
L.P.I. Map: Gilgandra
1:100,000 Map: Gilgandra 8634
Reference: GNB 4912

Proposed Name: Colin McKenzie Park
Designation: Reserve
L.G.A.: Forbes Shire Council
Parish: Forbes
County: Ashburnham
L.P.I. Map: Forbes
1:100,000 Map: Parkes 8531
Reference: GNB 4913

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

WARWICK WATKINS,
Chairperson

Geographical Names Board
PO Box 143
Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned Name: Maru Reserve
Designation: Reserve
L.G.A.: Holroyd City Council
Parish: St John
County: Cumberland
L.P.I. Map: Prospect
1:100,000 Map: Penrith 9030
Reference: GNB 4902

Assigned Name: Holroyd Volunteer Park
Designation: Reserve
L.G.A.: Holroyd City Council
Parish: St John
County: Cumberland
L.P.I. Map: Prospect
1:100,000 Map: Penrith 9030
Reference: GNB 4902

Assigned Name: Karabi Reserve
Designation: Reserve
L.G.A.: Holroyd City Council
Parish: St John
County: Cumberland
L.P.I. Map: Prospect
1:100,000 Map: Penrith 9030
Reference: GNB 4902

Assigned Name: Pemulway Reserve
 Designation: Reserve
 L.G.A.: Holroyd City Council
 Parish: St John
 County: Cumberland
 L.P.I. Map: Prospect
 1:100,000 Map: Penrith 9030
 Reference: GNB 4902

Assigned Name: Munal Reserve
 Designation: Reserve
 L.G.A.: Holroyd City Council
 Parish: St John
 County: Cumberland
 L.P.I. Map: Prospect
 1:100,000 Map: Penrith 9030
 Reference: GNB 4902

Assigned Name: Peel Reserve
 Designation: Reserve
 L.G.A.: Blacktown City Council
 Parish: Gidley
 County: Cumberland
 L.P.I. Map: Riverstone
 1:100,000 Map: Penrith 9030
 Reference: GNB 4887

Assigned Name: Robert Brown Reserve
 Designation: Reserve
 L.G.A.: Blacktown City Council
 Parish: Prospect
 County: Cumberland
 L.P.I. Map: Prospect
 1:100,000 Map: Penrith 9030
 Reference: GNB 4896

Assigned Name: Cor Brouwer Reserve
 Previous Name: Cawarra Park
 Designation: Reserve
 L.G.A.: Blacktown City Council
 Parish: Rooty Hill
 County: Cumberland
 L.P.I. Map: Prospect
 1:100,000 Map: Penrith 9030
 Reference: GNB 4896

Assigned Name: Bill Swift Reserve
 Designation: Reserve
 L.G.A.: Blacktown City Council
 Parish: Prospect
 County: Cumberland
 L.P.I. Map: Prospect
 1:100,000 Map: Penrith 9030
 Reference: GNB 4896

Assigned Name: Harry Carr Reserve
 Designation: Reserve
 L.G.A.: Baulkham Hills Shire Council
 Parish: Castle Hill
 County: Cumberland
 L.P.I. Map: Prospect
 1:100,000 Map: Penrith 9030
 Reference: GNB 4899

Assigned Name: Maria Iori Park
 Designation: Reserve
 L.G.A.: Baulkham Hills Shire Council
 Parish: Castle Hill
 County: Cumberland
 L.P.I. Map: Riverstone
 1:100,000 Map: Penrith 9030
 Reference: GNB 4899

Assigned Name: Bill Wood Reserve
 Designation: Reserve
 L.G.A.: Baulkham Hills Shire Council
 Parish: Castle Hill
 County: Cumberland
 L.P.I. Map: Riverstone
 1:100,000 Map: Penrith 9030
 Reference: GNB 4899

Assigned Name: Barden Ridge Oval
 Designation: Reserve
 L.G.A.: Sutherland Shire Council
 Parish: Holsworthy
 County: Cumberland
 L.P.I. Map: Port Hacking
 1:100,000 Map: Port Hacking 9129
 Reference: GNB 4894

Assigned Name: Harrie Denning Soccer Centre
 Designation: Reserve
 L.G.A.: Sutherland Shire Council
 Parish: Sutherland
 County: Cumberland
 L.P.I. Map: Port Hacking
 1:100,000 Map: Port Hacking 9129
 Reference: GNB 4894

Assigned Name: Brickyard Creek
 Designation: Creek
 L.G.A.: Tenterfield Shire Council
 Parish: Bolivia
 County: Clive
 L.P.I. Map: Emmaville
 1:100,000 Map: Clive 9239
 Reference: GNB 4900

Assigned Name: Purtles Hill
 Designation: Hill
 L.G.A.: Tenterfield Shire Council
 Parish: Bolivia
 County: Clive
 L.P.I. Map: Emmaville
 1:100,000 Map: Clive 9239
 Reference: GNB 4900

Assigned Name: Jump Up Creek
 Previous Name: Jump Up Gully
 Designation: Gully
 L.G.A.: Tenterfield Shire Council
 Parish: Bluff Land
 County: Clive
 L.P.I. Map: Mole River
 1:100,000 Map: Clive 9239
 Reference: GNB 4900

Assigned Name: Rifle Range Hill
 Designation: Rural Place
 L.G.A.: Tenterfield Shire Council
 Parish: Bolivia
 County: Clive
 L.P.I. Map: Sandy Flat
 1:100,000 Map: Tenterfield 9339
 Reference: GNB 4900

Assigned Name: Huntingdale Circle Reserve
 Designation: Reserve
 L.G.A.: Baulkham Hills Shire Council
 Parish: South Colah
 County: Cumberland
 L.P.I. Map: Hornsby
 1:100,000 Map: Sydney 9130
 Reference: GNB 4899

Assigned Name: Elaine Hurst Oval
 Designation: Reserve
 L.G.A.: Port Stephens Council
 Parish: Sutton
 County: Gloucester
 L.P.I. Map: Karuah
 1:100,000 Map: Newcastle 9232
 Reference: GNB 4901

Assigned Name: Charlie Casey Boat Ramp
 Designation: Ramp
 L.G.A.: Port Stephens Council
 Parish: Sutton
 County: Gloucester
 L.P.I. Map: Port Stephens
 1:100,000 Map: Port Stephens 9332
 Reference: GNB 4895

Assigned Name: Carroll Reserve
 Designation: Reserve
 L.G.A.: Port Stephens Council
 Parish: Tomaree
 County: Gloucester
 L.P.I. Map: Port Stephens
 1:100,000 Map: Port Stephens 9332
 Reference: GNB 4895

Assigned Name: Ellery Park
 Designation: Reserve
 L.G.A.: Mosman Municipal Council
 Parish: Willoughby
 County: Cumberland
 L.P.I. Map: Parramatta River
 1:100,000 Map: Sydney 9130
 Reference: GNB 4890

Assigned Name: Ray Beddoe Park
 Designation: Reserve
 L.G.A.: Wagga Wagga City Council
 Parish: South Wagga Wagga
 County: Wynyard
 L.P.I. Map: Lake Albert
 1:100,000 Map: Wagga Wagga 8327
 Reference: GNB 4891

Assigned Name: Spring Creek
 Designation: Rural Place
 L.G.A.: Wollondilly Shire Council
 Parish: Camden
 County: Camden
 L.P.I. Map: Camden
 1:100,000 Map: Wollongong 9029
 Reference: GNB 4903

Assigned Name: Peel Park
 Designation: Reserve
 L.G.A.: Hawkesbury City Council
 Parish: Kurrajong
 County: Cook
 L.P.I. Map: Kurrajong
 1:100,000 Map: Penrith 9030
 Reference: GNB 4893

Assigned Name: Lavington Pioneer Park
 Designation: Reserve
 L.G.A.: Albury City Council
 Parish: Albury
 County: Goulburn
 L.P.I. Map: Albury
 1:100,000 Map: Albury 8225
 Reference: GNB 4898

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

WARWICK WATKINS,
 Chairperson

Geographical Names Board
 PO Box 143
 Bathurst NSW 2795

LOCAL GOVERNMENT ACT 1993

Registration of a Political Party

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

United Action Party
 Holroyd Independents
 Save Our Suburbs
 Eurobodalla First
 No Politics
 Progressive Action Group
 Local Voice Party
 Community Sports Party
 Voice for Eurobodalla Group
 Shire Wide Action Group
 Real Peoples Party

J. WASSON,
 Electoral Commissioner

State Electoral Office
 Level 20, 207 Kent Street
 Sydney 2000

13 August 2002

LOCAL GOVERNMENT ACT 1993

Cancellation of Registration of Parties

IT is hereby notified that pursuant to section 320 of the Local Government Act 1993 that registration of the undermentioned political party is cancelled:

No Urban Village – Save Manly Dam

J. WASSON,
Electoral Commissioner

State Electoral Office
Level 20, 207 Kent Street
Sydney 2000

12 August 2002

LOTTERIES AND ART UNIONS ACT 1901

ORDER

I, J. Richard Face, Minister for Gaming and Racing, in pursuance of paragraph (b) of the definition of “prescribed event” in section 4D(1) of the Lotteries and Art Unions Act 1901, make the Order set forth hereunder.

Signed at Sydney, this 19th day of August, 2002.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

The Lotteries and Art Unions (Sweeps and Calcuttas) Order 1994 is amended by inserting in alphabetical order in Part 8 of the Table to clause 2 the following matter:

The Barrier Homing Society The Barrier and Broken Hill
Pigeon Race Homing Club Incorporated

EXPLANATORY NOTE

The objects of the Order are to specify The Barrier Homing Society Pigeon Race conducted by the Barrier and Broken Hill Homing Club Incorporated as an event in relation to which sweeps and calcuttas may be conducted in accordance with section 4D of the Lotteries and Art Unions Act 1901.

NATIONAL PARKS AND WILDLIFE ACT 1974

Plans Of Management Oxley Wild Rivers National Park, Cunnawarra National Park And Georges Creek Nature Reserve And Werrikimbe National Park

IN pursuance of Sections 75 and 76 of the National Parks and Wildlife Act 1974, it is hereby notified that a Plan of Management for Oxley Wild Rivers National Park, Cunnawarra National Park and Georges Creek Nature Reserve and a Plan of Management for Werrikimbe National Park have been prepared.

The plans will be on public display from 23 August 2002 until 2 December 2002. Copies of the plans may be inspected during office hours at:

NPWS Head Office Library
7th Floor
43 Bridge Street
HURSTVILLE

NPWS North Coast Regional Office
Level 3
49 Victoria Street
GRAFTON

NPWS Mid North Coast Regional Office
152 Horton Street
PORT MACQUARIE

NPWS Northern Tablelands Regional Office
87 Faulkner Street
ARMIDALE

National Parks Centre
102 George Street
THE ROCKS

NPWS Walcha Area Office
188W North Street
WALCHA

Kempsey Council Library
Elbow Street
WEST KEMPSEY

Armidale Library
Faulkner Street
ARMIDALE

Natural Resources Service Centre
25-27 Fitzroy Street
TAMWORTH

NPWS Dorrigo Area Office
Dorrigo Rainforest Centre
Dome Road
DORRIGO

Copies of the plans may be obtained, free of charge, from the above National Parks and Wildlife Service offices and the National Parks Centre or from our website: www.npws.nsw.gov.au

Written representations in connection with the plans should be forwarded to:

The Planning Officer
National Parks and Wildlife Service
PO Box 402
ARMIDALE NSW 2350

by close of business on 2 December 2002.

The plan of management together with any representations received will be submitted to the National Parks and Wildlife Advisory Council for its comments and advice to the Minister.

Your comments on this draft plan of management may contain information that is defined as “personal information” under the NSW Privacy and Personal Information Protection Act 1998 and identifies you. Following adoption of the plan by the Minister, copies of all submissions will be available by arrangement for inspection in the regional office mentioned above. If you do not want your personal details to become public, please mark on your submission that you want your details to remain confidential.

KEVIN SHANAHAN,
Manager
Conservation Management Unit

RURAL FIRES ACT 2002

PURSUANT to Section 82 of the Rural Fires Act 2002 as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of variation: Camden Local Government Area
Campbelltown Local Government Area
Blacktown Local Government Area
Fairfield Local Government Area
Penrith Local Government Area
Liverpool Local Government Area

The Local Bush Fire Danger period has been extended for the period 19 August 2002 until 30 September 2002.

During this period permits pursuant to Section 87 of the Rural Fires Act 2002 as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

SHANE FITZSIMMONS AFSM,
Executive Director Operations
Delegate

RURAL FIRES ACT 2002

PURSUANT to Section 82 of the Rural Fires Act 2002 as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of variation: Greater Taree Local Government Area

The Local Bush Fire Danger period has been extended for the period 14 August 2002 until 30 September 2002.

During this period permits pursuant to Section 87 of the Rural Fires Act 2002 as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

SHANE FITZSIMMONS AFSM,
Executive Director Operations
Delegate

RURAL FIRES ACT 2002

PURSUANT to Section 82 of the Rural Fires Act 2002 as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of variation: Gloucester Local Government Area
Hastings Local Government Area
Tenterfield Local Government Area
Severn Local Government Area
Walcha Local Government Area
Armidale Local Government Area
Dumaresq Local Government Area
Tamworth Local Government Area
Parry Local Government Area
Manilla Local Government Area
Quirindi Local Government Area
Scone Local Government Area
Murrurundi Local Government Area
Nundle Local Government Area
Guyra Local Government Area
Uralla Local Government Area
Pristine Waters Local Government Area
Maclean Local Government Area
Grafton Local Government Area
Copmanhurst Local Government Area
Tweed Local Government Area
Byron Local Government Area
Lismore Local Government Area
Kyogle Local Government Area
Nambucca Local Government Area
Coffs Harbour Local Government Area
Bellingen Local Government Area
Ballina Local Government Area
Richmond Valley Local Government Area

The Local Bush Fire Danger period has been extended for the period 1 August 2002 until 30 September 2002.

During this period permits pursuant to Section 87 of the Rural Fires Act 2002 as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

SHANE FITZSIMMONS AFSM,
Executive Director Operations
Delegate

RURAL FIRES ACT 2002

PURSUANT to Section 82 of the Rural Fires Act 2002 as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of variation: Cessnock Local Government Area
Blue Mountains Local Government Area
Gosford Local Government Area
Maitland Local Government Area
Evans Local Government Area
Bathurst Local Government Area
Dungog Local Government Area
Rylstone Local Government Area
Wollondilly Local Government Area
Wyong Local Government Area
Wollongong Local Government Area
Wingecarribee Local Government Area
Singleton Local Government Area
Tallaganda Local Government Area
Muswellbrook Local Government Area
Oberon Local Government Area
Merriwa Local Government Area
Lake Macquarie Local Government Area
Narrabri Local Government Area
Eurobodalla Local Government Area
Mudgee Local Government Area
Port Stephens Local Government Area

The Local Bush Fire Danger period has been extended for the period 1 September 2002 until 30 September 2002.

During this period permits pursuant to Section 87 of the Rural Fires Act 2002 as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

SHANE FITZSIMMONS AFSM,
Executive Director Operations
Delegate

THREATENED SPECIES CONSERVATION ACT

Notice of Preliminary Determinations

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

Endangered Species (Part 1 of Schedule 1)

Calotis pubescens N.G. Walsh & K.L. McDougall ms, a perennial forb

Melicope vitiflora (F. Muell.) T. Hartley, a small tree

Pomaderris delicata N.G. Walsh & F. Coates, a shrub

The Committee is of the opinion that these species are likely to become extinct in nature in NSW unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

Endangered Ecological Community (Part 3 of Schedule 1)

New England Peppermint (*Eucalyptus nova-anglica*)
Woodland on Sediments in the New England Tableland Bioregion

The Committee is of the opinion that this Ecological Community is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Vulnerable Species (Schedule 2)

Eucalyptus boliviana J.B. Williams & K.D. Hill, a shrub or tree

Pterostylis elegans D.L. Jones, a terrestrial orchid

The Committee is of the opinion that these species are likely to become endangered unless the circumstances and factors threatening their survival or evolutionary development cease to operate.

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

Director General
National Parks & Wildlife Service
PO Box 1967
Hurstville NSW 2220

Attention: Suzanne Chate
Executive Officer,
Scientific Committee

Submissions must be received by 27th September, 2002.

Copies of these Determinations may be inspected at the National Parks Centre 102 George St, The Rocks, Sydney and at NPWS Area Offices or Visitors Centres during business hours.

DR CHRIS DICKMAN,
Chairperson
Scientific Committee

TENDERS

Department of Public Works and Services

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

TENDERS for the undermentioned Period Contracts, Supplies and Services, required for the use of the Public Service, will be received by the Department of Public Works and Services, Level 3, McKell Building, 2-24 Rawson Place, Sydney, N.S.W. 2000, up til 9.30 am on the dates shown below:

21 August 2002

IT02/2829 RENTAL OF PERSONAL COMPUTERS AND PRINTERS. DOCUMENTS: \$110.00 PER SET
02/7265 SUPPLY & INSTALLATION OF A FIXED PUBLIC ADDRESS SYSTEM. DOCUMENTS: \$55.00 PER SET

27 August 2002

S0228860 2002 HSC SECURITY METRO SYDNEY. DOCUMENTS: \$110.00 PER SET
S0228862 2002 HSC SECURITY, W'GONG, GOS'F, SYD. DOCUMENTS: \$110.00 PER SET

28 August 2002

IT 01/2807 COMMERCIALISATION OF LCAID
 DPWS'S LIFE CYCLE ASSESSMENT SOFTWARE. DOCUMENTS: \$110.00 PER SET

29 August 2002

02/2809 PROVISION OF JOINT COMPUTER NETWORK ADMINISTRATION AND SUPPORT.
 DOCUMENTS: \$220.00 PER SET

3 September 2002

038/904 INTRAVENOUS & IRRIGATING SOLUTIONS. DOCUMENTS: \$0.00 PER SET

4 September 2002

2006b COMPUTER PERIPHERALS AND ASSOCIATED EQUIPMENT. DOCUMENTS: \$220.00 PER SET
025/7255 SUPPLY OF ELECTRONIC SECURITY EQUIPMENT. DOCUMENTS: \$110.00 PER SET
023/7306 SUPPLY OF INFLUENZA VACCINE FOR NEW SOUTH WALES DEPARTMENT OF HEALTH.
 DOCUMENTS: \$110.00 PER SET

11 September 2002

025/7315 PRINTING SERVICES FOR THE SYDNEY OPERA HOUSE. DOCUMENTS: \$110.00 PER SET
014/318b MEDICAL GAS ADMINISTRATION EQUIPMENT AND ACCESSORIES - SUPPLEMENTARY.
 DOCUMENTS: \$110.00 PER SET

18 September 2002

022/7289 PRE EMPLOYMENT MEDICAL EXAMINATION SERVICE FOR NSW POLICE. DOCUMENTS:
 \$110.00 PER SET
022/7289 PRE EMPLOYMENT MEDICAL EXAMINATION SERVICE FOR NSW POLICE. DOCUMENTS:
 \$110.00 PER SET
022/7284 DEVELOPMENT & DELIVERY OF NSW GOVT. EXECUTIVE DEVELOPMENT PROGRAMS.
 DOCUMENTS: \$110.00 PER SET
025/7309 TEACHER RETRAINING & ACCELERATED TEACHER TRAINING PROGRAMS.
 DOCUMENTS: \$110.00 PER SET

19 September 2002

036/7285 BANKING AND PURCHASING CARD FACILITIES TO NSW GOVT, AND SCHOOL BANKING.
 DOCUMENTS: \$1,650.00 PER SET
S02/00116 LAUNDRY AND LINEN HIRE/ LEASE SERVICES - PARLIAMENT HOUSE. DOCUMENTS:
 \$110.00 PER SET

10 October 2002

IT02/2783 SUPPLY OF A NSW GOVERNMENT LICENSING SYSTEM (GLS). DOCUMENTS: \$1,650.00 PER SET

TENDER DOCUMENT FEE

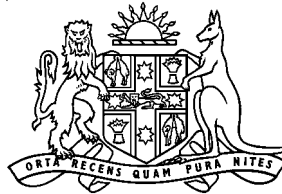
Tender documents for inspection and purchase, and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Public Works and Services. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further Information is available on the Internet (<http://www.dpws.nsw.gov.au/tenders>).

Government Printing Service

TENDERS FOR PRINTING

TENDERS will be received up to 9.30 am on the date specified for the undermentioned printing. Envelopes containing tenders must be addressed to: Government Printer Unit 5 Block V 391 Park Road REGENTS PARK NSW 2143, and have legibly endorsed upon the face thereof the items and description of the printing for which the tender is submitted.



The Office of the NSW Government Printer

Printing Tender No. 26490

Tenders are invited for the printing of corrugated board disposable furniture and other products for the NSW General Election to be held in March 2003.

The criteria for the tender evaluation will carefully scrutinise all tender responses for the following:

- Capacity to produce all in-house
- Security (whilst in production and distribution)
- Implementation of quality procedures
- Being located close to the Sydney CBD

For full details and tender documentation, and to view samples, contact Phil Dobson, Tel: 9743 8777.

Tenders close 9.30am on Monday 26th August 2002, and must be lodged in the Tender Box at the Office of the NSW Government Printer & NSW Government Printing Service Unit 5, Block V, 391 Park Rd, Regents Park NSW 2143.

Tender closing Monday 2nd September 2002

Advertised for 2 weeks starting Friday 16th August 2002

Job No. 30612 Tenders are invited on behalf of the Department of Education for the production and printing of 28,000 Calendars. The calendar is printed in 4 colour process throughout and incorporates platemaking, printing, binding and delivery. The successful tenderer must provide proper facilities and resources and supply the high standard of production and quality required. They will be expected to meet with the customer and designer when required. Strict timelines are in place for the duration of the project. Enquiries to Peter Sparks on 9743 8777.

The University of Sydney Library
TENDER FOR THE SUPPLY AND
MAINTENANCE OF PUBLIC ACCESS
PHOTOCOPIERS & PRINTERS
AND/OR
FACILITIES MANAGEMENT CONTRACT
FOR PUBLIC ACCESS PHOTOCOPIERS
& PRINTERS

THE University of Sydney Library invites corporations and others who may be interested to tender for the above contracts.

Any corporation interested in being placed on the list of invitees should immediately register their interest by notification to:

Ms Janine Ryan
Fisher Library
The University of Sydney 2006
Telephone: 9351 7303
Fax: 9351 2890
Email: j.ryan@library.usyd.edu.au



**CM SOLUTIONS BRINGS TOGETHER AS ONE
STATE MAIL, GPS
AND THE LEGISLATIVE COMPONENT
OF GIS**

**FOR YOUR TOTAL
PRINT,
DOCUMENT
MANAGEMENT
&
MAIL
SOLUTIONS**



Phone: 9743 8777
Web: www.gps.dpws.nsw.gov.au



Phone: 9721 8700
Web: www.sms.dpws.nsw.gov.au

You can arrange to have a copy of the
NSW Government Gazette delivered
each week by telephoning Kerry Wain
on **9743 8777**

This space is now available for advertising

For further information please contact:

David Brendish or Denis Helm on:

Telephone: 9743 8777

Fax: 9743 8203

www.gps.dpws.nsw.gov.au

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BEGA VALLEY SHIRE COUNCIL

Rural Fires Act 1997

Bush Fire Danger Period

Bega Valley Rural Fire District

PURSUANT to section 82 of the Rural Fires Act 1997, notice is hereby given that the bush fire danger period for Bega Valley Rural Fire District, comprising Local Government area of Bega Valley Shire, commences on 1st September, 2002 and shall continue until 1st March, 2003 unless otherwise notified. Persons wishing to light any fire in the open must first obtain a permit from the local permit issuing officer of the Rural Fire Brigade for the area in which they wish to burn. Fines apply for failure to comply with this Regulation. JOHN CULLEN, Fire Control Officer, Bega Valley Rural Fire Service, PO Box 684, Bega, NSW 2550. [0675]

LEETON SHIRE COUNCIL

Roads Act 1993

Naming of Public Roads – Carrington Drive and Moreton Bay Drive

NOTICE is hereby given that the Leeton Shire Council, in pursuance of Division 2 of the abovementioned Act, resolved to name the roads as shown hereunder:

<i>Description</i>	<i>Name</i>
Unnamed road in Noble Park off Karri Road – Corridor leading directly into the “T” intersection in front of the park as well as the internal road leading around to the right all the way to the other internal “T” intersection.	Carrington Drive.

Unnamed road in Noble Park off Karri Road – Other road turning left at the intersection in front of the park all the way down to bottom cul de sac.	Moreton Bay Drive.
---	--------------------

Authorised by resolution of the Council on 24th July, 2002. R. C. PLUIS, General Manager, Leeton Shire Council, 23-25 Chelmsford Place, Leeton, NSW 2705. [0676]

LITHGOW CITY COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads – Henderson Place and Thornley Close

NOTICE is hereby given that in accordance with section 162 (1) and (2) of the Roads Act 1993, Council has named the following roads as described below:

<i>Location</i>	<i>Names</i>
Off Inch Street being a subdivision of Lot 1, DP 1018854.	Henderson Place and Thornley Close.

I. STEWART, General Manager, Lithgow City Council, PO Box 19, Lithgow, NSW 2790. [0677]

PARRAMATTA CITY COUNCIL

Erratum

Local Government Act 1993, Section 50

Notice of Dedication of Land as Public Garden and Recreation Space at Rydalmere in the Parramatta City Council Area

AN erratum to the notice was given on 2nd November, 2001 in the *NSW Government Gazette* read “dedicates” and should have read “vest”. T. BARNES, General Manager, Parramatta City Council, PO Box 32, Parramatta, NSW 2124.

SCHEDULE

The entire parcel of land situated in the Parramatta City Council area at Dundas, Parish of Field of Mars, County of Cumberland, shown as Lots 75, 76 and 77, Deposited Plan 29597. [0678]

PARRAMATTA CITY COUNCIL

Erratum

Local Government Act 1993, Section 50

Notice of Dedication of Land as Public Garden and Recreation Space at Rydalmere in the Parramatta City Council Area

AN erratum to the notice was given on 2nd November, 2001 in the *NSW Government Gazette* read “dedicates” and should have read “vest”. T. BARNES, General Manager, Parramatta City Council, PO Box 32, Parramatta, NSW 2124.

SCHEDULE

The entire parcel of land situated in the Parramatta City Council area at Dundas, Parish of Field of Mars, County of Cumberland, shown as Lot 17, Deposited Plan 25930. [0679]

SEVERN SHIRE COUNCIL

Rural Fires Act 1997

Declaration of Bush Fire Danger Period

IN accordance with section 82 of the Rural Fires Act 1997, the bush fire danger period for the Severn Shire Local Government area will commence on 16th August, 2002 and remain in force until 30th September, 2002. Pursuant to section 87 of the Rural Fires Act 1997, any person wishing to light any fire in the open, for any purpose, must obtain a permit to do so, from their local authority. Failure to comply can result in fines under the Rural Fires Act 1997. R. N. LANGFORD, General Manager, Severn Shire Council, PO Box 447, Glen Innes, NSW 2370. [0680]

SINGLETON SHIRE COUNCIL

Roads Act 1993, Section 162

Renaming of Public Road – Grande Close

NOTICE is hereby given that the Singleton Council in pursuance of section 162 of the Roads Act 1993, has renamed the following road:

<i>Road</i>	<i>New Name</i>
Clayworth Close, Hunterview.	Grande Close.

Authorised by resolution of the Council on 15th July, 2002. SINGLETON SHIRE COUNCIL, PO Box 314, Singleton, NSW 2330. [0681]

TAMWORTH CITY COUNCIL

Local Government Act 1993, Section 50

Notice of Land Vested in Council as Drainage Reserve

NOTICE is hereby given by the Tamworth City Council that pursuant to section 50 (4) of the Local Government Act 1993, the land described in the Schedule below is vested in Council as drainage reserve. Dated at Tamworth, 9th August, 2002. P. LYON, General Manager, Tamworth City Council, PO Box 555, Tamworth, NSW 2340.

SCHEDULE

Lot 16 in Deposited Plan 22546, Parish of Calala, County of Parry. [0699]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HAZEL OLIVE DREW, late of 68 George Street, Lambton, in the State of New South Wales, widow, who died on 20th May, 2002 must send particulars of his claim to the executor, Owen John Drew, c.o. Lockhart Quinn & Co., 5 Library Lane, Charlestown, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 18th July, 2002. LOCKHART QUINN & CO., Solicitors, 5 Library Lane, Charlestown, NSW 2290 (DX 12611, Charlestown), tel.: (02) 4942 3222. [0682]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SYBIL MARIAN CAIL, late of Berkeley Vale, in the State of New South Wales, retired teacher, who died on 3rd June, 2002 must send particulars of his claim to the executrices, Rita Marian Livesey and Nola Currie, c.o. John G. Burton & Associates, Solicitors, 16 Adelaide Street, East Gosford, within one (1) calendar month from publication of this notice. After that time the executrices may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 8th August, 2002. JOHN G. BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899. [0683]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HAZEL MADELENE PRITCHARD, late of Dulwich Hill, in the State of New South Wales, home duties, who died on 29th April, 2002 must send particulars of his claim to the executor, Robert Lewis Pritchard, c.o. John G. Burton & Associates, Solicitors, 16 Adelaide Street, East Gosford, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 9th August, 2002. JOHN G. BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899. [0684]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MICHAEL TROY COX, late of 5/18 Coolabah Drive, Taree, in the State of New South Wales, who died on 4th October, 2001, must send particulars of his claim to the administrators, Leslie John Cox and Nita Lynette Cox, c.o. McKerns, Solicitors, 43 Isabella Street, Wingham, within one (1) calendar month from publication of this notice. After that time the administrators may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Letters of Administration were granted in New South Wales on 8th August, 2002. MCKERNS, Solicitors, 43 Isabella Street, Wingham, NSW 2429 (DX 7021, Taree), tel.: (02) 6557 0922. [0685]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JOHN KELLO MILLAR, late of 15 Chetwynd Road, Merrylands, in the State of New South Wales, who died on 13th April, 2002, must send particulars of his claim to the executrix, Suzanne Mary Farrelly, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 8th August, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0687]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of THOMAS BROWN HUNTER, late of 65/15 Bias Avenue, Bateau Bay, in the State of New South Wales, widower, who died on 21st November, 2001, must send particulars of his claim to the executors, Donna Marie Harris and William Thomas Hunter, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 7th August, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0688]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of FLORIAN RAICA, late of 31 The Esplanade, Guildford, in the State of New South Wales, boiler maker/welder, who died on 26th March, 2002, must send particulars of his claim to the executors, Magdalena Roswitha Raica and Aurelia Raica, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 7th August, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0689]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MERVYN GEORGE ARCHER, late of 55 Crosby Crescent, Fairfield, in the State of New South Wales, widower, who died on 7th March, 2002, must send particulars of his claim to the executrix, Katherine Meta Norma Gregory, c.o. Maclarens, Solicitors, 232 Merrylands Road, Merrylands, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 6th August, 2002. MACLARENS, Solicitors, 232 Merrylands Road, Merrylands, NSW 2160 (DX 25406, Merrylands), tel.: (02) 9682 3777. [0690]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of EDMUND SHEED, late of Griffith, in the State of New South Wales, retired, who died on 2nd June, 2002, must send particulars of his claim to the executors, Noel James Gale and Janice Mary Zanesco, c.o. Olliffe & McRae, Solicitors, PO Box 874, Griffith, NSW 2680, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 2nd June, 2002. OLLIFFE & McRAE, Solicitors, PO Box 874, Griffith, NSW 2680, tel.: (02) 6962 1744. [0694]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of VIOLET CONSTANCE BUTTSWORTH, late of Wyoming, in the State of New South Wales, florist, who died on 28th April, 2002, must send particulars of his claim to the executor, Geoffrey Mark Lawley, c.o. John G. Burton & Associates, Solicitors, 16 Adelaide Street, East Gosford, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 26th June, 2002. JOHN G. BURTON & ASSOCIATES, Solicitors, 16 Adelaide Street, East Gosford, NSW 2250 (DX 7263, Gosford), tel.: (02) 4323 4899. [0695]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MURRAY RONALD JAMES FEAR (also known as RONALD JAMES MURRAY FEAR), late of St Ives, in the State of New South Wales, company director, who died on 4th June, 2002, must send particulars of his claim to the executors, Grahame Ronald Fear, Susan Erica Fear and John Alexander Fear, c.o. John H. Hastings, Solicitor, Level 8, 159 Kent Street, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 16th August, 2002. JOHN H. HASTINGS, Solicitor, Level 8, 159 Kent Street, Sydney, NSW 2000 (DX 10313, Sydney Stock Exchange), tel.: (02) 9251 2138. [0696]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of LUCY MAY TELFER, late of 45 Lancelot Street, Five Dock, in the State of New South Wales, who died on 3rd June, 2002, must send particulars of his claim to the executors, c.o. John S. Fordham, Solicitor, 12 Station Street, West Ryde, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 13th August, 2002. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde, NSW 2114 (DX 27551, West Ryde), tel.: (02) 9858 1533. [0700]

COMPANY NOTICES

NOTICE convening final meeting of members.—ALPINE JINDABYNE PTY LIMITED (In liquidation), ABN 96 001 079 929.—Notice is hereby given in pursuance of subsection 509 (3) and (4) of the Corporations Law that a general meeting of members of the abovenamed company will be held on the 16th day of September 2002 at 38 Jewara Drive, Jindabyne East, for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and hearing any explanation that may be given by the liquidator. Dated this 5th day of August 2002. SANDRA KANDOLF, Liquidator, 38 Jewara Drive, Jindabyne East, NSW 2627. [0691]

NOTICE of final meeting of members.—TRIABLA PTY LIMITED (In liquidation), ACN 001 853 578.—Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovementioned company will be held at the offices of Roberts & Morrow, 137 Beardy Street, Armidale on 21st September, 2002 at 1.00 p.m., for the purpose of laying before the meeting the liquidator's final accounts and report and giving any explanation thereof. Dated this 15th day of August 2002. ANN MAURER, c.o. Roberts & Morrow, Chartered Accountants, 137 Beardy Street, Armidale, NSW 2350, tel.: (02) 6774 8400. [0692]

NOTICE of general meeting of members.—BREMMELL'S SHOE STORE PTY LIMITED (In liquidation), ACN 001 090 571.—Notice is hereby given in pursuance of sub-section 509 (3) and (4) of the Corporations Law that a general meeting of members of the abovenamed company will be held on 16th day of September 2002 at 10.00 a.m. at the office of Crosbie Warren Sinclair, 1 Warabrook Boulevard, Warabrook for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and hearing any explanation that may be given by the liquidator. Dated this 15th day of August 2002. RICHARD JAMES SOUTH, Liquidator, c.o. Crosbie Warren Sinclair, Accountants, Box 29 Hunter Region Mail Centre, NSW 2310, tel.: (02) 4923 4000.

[0693]

NOTICE of voluntary winding up.—E. RAYMOND PTY LIMITED, ACN 000 204 795.—Notice is hereby given that at a general meeting of the abovenamed company, duly convened and held at 14 Ferndale Street, West Chatswood on 12th August, 2002 the following special resolution was duly passed: "That the company be wound up voluntarily". Mr B. J. Westhoff of O'Brien Verrills & Co. was appointed liquidator of the company. Dated this 14th August 2002. B. J. WESTHOFF, Liquidator, c.o. O'Brien Verrills & Co., Level 1, 90 Pitt Street, Sydney, NSW 2000, tel.: (02) 9233 3385.

[0698]

OTHER NOTICES

NOTICE of dissolution of partnership.—AERO ALBURY.—Notice is hereby given that the partnership previously subsisting between Andrew James HEATH, Amanda Julie HEATH, Timothy Charles HOWARD and Catherine Maree HOWARD and carrying on the business of Aircraft Engine Mechanics at Hangar 8, Albury Airport, Albury in the State of New South Wales under the style or firm name of "Aero Albury" has been dissolved as from the 11th day of June 2002. Dated 19th day of August 2002. ANDREW JAMES HEATH, AMANDA JULIE HEATH, TIMOTHY CHARLES HOWARD and CATHERINE MAREE HOWARD.

[0697]



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 134

Friday, 23 August 2002

Published under authority by the Government Printing Service

PUBLIC SECTOR NOTICES

SENIOR EXECUTIVE SERVICE APPOINTMENT UNDER SECTION 13

HER Excellency the Governor and the Executive Council in pursuance of the provisions of section 13 of the Public Sector Management Act 1988, has approved that the following officer be appointed to the senior executive service position shown, effective from the dates shown within the brackets:

Attorney General's Department

Information Technology

Walter John CELLICH, Director [19 August 2002].

SENIOR EXECUTIVE SERVICE APPOINTMENT UNDER SECTION 13(1)

HER Excellency the Governor and the Executive Council in pursuance of the provisions of section 13(1) of the Public Sector Management Act 1988, has approved that the following officer be appointed to the senior executive service position shown, effective from the dates shown within the brackets:

Department of Information Technology and Management

David Lloyd MULCAHY, Executive Director, Corporate Governance [14 August 2002].

SENIOR EXECUTIVE SERVICE REMOVAL UNDER SECTION 42Q

HER Excellency the Governor and the Executive Council with the approval of the Department Head and in pursuance of section 42Q of the Public Sector Management Act 1988, have approved that the following officer be removed from the senior executive position from the date shown within the brackets:

Department of Information Technology and Management

David Lloyd MULCAHY, Registrar General [14 August 2002].

APPOINTMENT ON PROBATION

HER Excellency the Governor, with the advice of the Executive Council, pursuant to the provisions of section 28 of the Public Sector Management Act 1988, and upon recommendation of the appropriate Department Head, has approved the appointment on probation of the following, with effect from the date shown:

NSW Department of Education and Training

Greg Jeffery BARBER, Clerical Officer Grade 1/2 [19 June 2002].

Hoshang Phirojsha BATLIWALLA, Clerk Grade 1/2 [12 June 2002]

David Francis CROTTY, Clerk Grade 5/6 [13 June 2002].

Melissa Frances FROST, Clerk Grade 9/10 [24 June 2002].

Peter Douglas GAFF, Tech-Security 2 [24 June 2002].

Barbara Joy McVEY, Clerk Grade 7/8 [3 July 2002].

Scott MOLLOY, Clerk Grade 9/10 [3 June 2002].

Frederick Joseph MORONEY, Clerk Grade 7/8 [17 June 2002].

Karen PERINI, Clerical Officer Grade 3/4 [17 June 2002].

Andrew James STEEL, Clerk Grade 9/10 [24 June 2002].

Peter Norman TROY, Clerk Grade 9/10 [1 July 2002].

Barbara Renee WILLIAMSON, Clerk Grade 3/4 [24 June 2002].

Department of Public Works and Services

Robert DOBNER, Documentation Specialist, Senior Professional Grade 1 [1 July 2002].

Bona JOVANOVSKI, Documentation Specialist, Senior Professional Grade 1 [24 June 2002].

Ronaldi KARAM, Administrative Coordinator, Staff Grade 5/6 [15 July 2002].

Ralph Horst KIJKO, Project Officer Staff Grade 3/4 [11 June 2002].
Jane Catherine MCCARTHY, Business Analyst, Staff Grade 9/Senior 1 [18 July 2002].
Cheryl Kathleen MILLS, Executive Assistant Staff Grade 3/4 [1 July 2002].
Neil James THOMAS, Project Officer Staff Grade 3/4 [17 June 2002].

State Forests of New South Wales

Claire Irene BYRNE, Forester [13 May 2002].
Belinda Robyn FIELD, Forester [8 May 2002].
Denize MOSS, Clerk [17 June 2002].
Marcius Johannes Clark HEYMANN [11 June 2002].
Patrick FITZGERALD, Forest Assistant [17 June 2002].

CONFIRMATION OF APPOINTMENTS

HER Excellency the Governor, with the advice of the Executive Council and upon recommendation of the Department Head, has approved the confirmation of appointments in pursuance of section 29 of the Public Sector Management Act 1988, of the following:

NSW Department of Education and Training

Jesse Luke ARROWSMITH; Jill Lynette CHARTERS; Amratlal CHAUHAN; Marie Therese GILBERT; Michael John POWTER; Carlos Felipe TORRES; Rebecca Kate WOODERSON.

Department of Public Works and Services

Jonathan ABANDOWITZ; Ben BARBER; Keith CHEUNG; Lia Therese EDWARDS; Farrokh FARROKHZADI; Ben ISAKKA; David HARTCHER; Sharon Coral JOHNSON; Robert Kenneth LEWIS; Conor Francis MACDERMOTT; Catherine MACARTHUR; Leslie William McCLOSKEY; James OOSTERVEEN; Belinda Veronica PETERSON; Michael Patrick QUIRK; Bruce John SHERIDAN; Margaret Mary SHIRLEY; Darren James SMAILS; Philip Harold STEDMAM; Denise SWANBROUGH; Lynette Anne TWIGG.

Ombudsman's Office

Janette COUGHLAN.

RETIREMENT

THE following retirement from the Public Service is hereby notified, pursuant to section 36 of the Public Sector Management Act 1988, under which the retirement was effected and/or the last day of service being indicated within brackets:

Department of Fair Trading

Robert BAKER, Clerk Grade 5/6 [13 September 2002].
Richard JOLLEY, Clerk Grade 11 [5 August 2002].
Shirley MCCREA, Clerk Grade 1/2 [15 July 2002].

RESIGNATION

THE Department Head of the respective Departments listed below has accepted the following resignations from the Public Service, pursuant to the Public Sector Management Act 1988 and the last day of service being indicated within brackets:

Audit Office of NSW

Adrian Anthony CORBOULD, Senior Audit Clerk [26 April 2002].
Ditty Man Lok HO, Audit Senior [1 April 2002].
Shemron NAIDU, Senior Audit Clerk [17 May 2002].
Julie Anne NEWTON, Manager, Professional Development [28 February 2002].
Olwen Christine PAUL, Audit Manager [31 May 2002].
Shelby McCoy REED, Audit Senior [24 April 2002].
Eurosia TSE, Trainee Auditor [2 July 2002].
Lee Elizabeth WONG, Auditor [12 March 2002].
Dong Ni WONG, Trainee Auditor [28 March 2002].

Department of Community Services

Rhonda O'RANCE, Residential Support Worker [5 October 2001].
Jennifer McNELLEE, Child Protection Caseworker [1 February 2002].

Department of Corrective Services

Benjamin COX, Correctional Officer [7 May 2002].
Patricia ROBINSON, Overseer [21 April 2002].
Richard BALL, Correctional Officer [27 June 2002].
Steven PALMER, Correctional Officer [17 April 2002].
Pamela VAN DEN HOOGEN, Probation Officer [14 June 2002].
Neville KEYNES, Probation Officer [23 June 2002].
Elizabeth WILCOX, Correctional Officer [7 April 2002].
Sunil NAMBIAR, Clerical Officer Grade 1/2 [26 April 2002].
Janell MAHONEY, Correctional Officer [10 May 2002].
Jason FLETCHER, Correctional Officer [5 May 2002].
James SNOWDEN, Correctional Officer [22 April 2002].
Fiona WILSON-MOORE, Librarian [25 June 2002].
Lynette TAYLOR, Probation Officer [7 June 2002].
Trevor DENHAM, Senior Overseer [24 April 2002].
Jillian DAWE, Probation Officer [1 May 2002].
Eva SANDBERG, Clerk Grade 3/4 [13 May 2002].
Mary ALLEN, Correctional Officer [7 April 2002].
Jeanette REID, Clerk Grade 9/10 [30 June 2002].
Alan THOMPSON, Assistant Superintendent [21 April 2002].
Glenn CASTLE, Correctional Officer [10 May 2002].
Melinda COULSON, Correctional Officer [9 May 2002].
David CANFIELD, Correctional Officer [23 April 2002].
Derek ADIE, Correctional Officer [18 June 2002].
Ian NORRIS, Correctional Officer [23 April 2002].
Heather KROLL, Teacher [29 April 2002].
Margaret GRIFFITHS, Clerical Officer Grade 3/4 [19 April 2002].
Timothy NEWSON, Correctional Officer [3 May 2002].
Michelle RADFORD, Probation Officer [12 April 2002].
Judi WHITCHURCH, Correctional Officer [9 June 2002].

Department of Fair Trading

Grant CHURCHIN, Clerk Grade 5/6 [7 August 2002].
Robyn DAVIS, Clerk General Scale [31 July 2002].
Gregory NOLAN, Clerk Grade 1/2 [7 August 2002].
Kristine OLSEN, Clerk Grade 1/2 [25 July 2002].

Department of Public Works and Services

Jane Elizabeth AHERN, Relationship Marketing Manager [22 July 2002].
Gabrielle Patricia BAKER, Assistant Advertising and Media Coordinator [26 July 2002].
Michael Thomas KENDALL, Project Officer [26 July 2002].
Anne Susan TENNANT, Architect [31 July 2002].

VOLUNTARY REDUNDANCIES

HER Excellency the Governor and the Executive Council with the advice of the Department Head has approved that the following officers be declared redundant in pursuance of the provisions of section 51(3) of the Public Sector Management Act 1988, the last day of service being indicated within brackets:

Department of Public Works and Services

Robert CHIA, Electrical Engineer, Professional Staff, Grade 3 [28 June 2002].
Subhash Chander GUPTA, Professional Staff, Grade 2 [28 June 2002].
Gregory William HANCHARD, Contract Officer, Staff, Grade 7/8 [28 June 2002].
Anne Dorothy HIGHAM, Senior Heritage Architect, Professional Staff, Senior 1 [28 June 2002].
Nick ILEA, Architect, Professional Staff, Grade 2 [28 June 2002].
Karen Jane LAMBERT, Community Liaison Officer, Staff, Grade 9/Senior 1 [28 June 2002].
Gregory Frank LOOKER, Executive Officer, Grade 9/Senior 1 [28 June 2002].
William Wing-Lok LUI, Engineer, Professional Staff, Grade 4 [28 June 2002].
Marek Marian MIERNIK, Contract Manager, Professional Staff, Grade 3 [28 June 2002].
Sigurds TUKTENS, Environmental Officer, Professional Staff, Grade 3 [28 June 2002].
Dimitri VTURIN, Architect, Professional Staff, Grade 3 [28 June 2002].

APPOINTMENTS

HER Excellency the Governor, with the advice of the Executive Council and upon the recommendation of the appropriate Department Head, in pursuance of the provisions of section 25 of the Public Sector Management Act 1988, has approved on the following appointments set out in the Schedule hereunder.

<i>Administrative Unit</i>	<i>Position</i>	<i>Appointed Officer</i>		
		<i>Name</i>	<i>Administrative Unit</i>	<i>Present Position</i>
Department of Public Works & Services	Project Manager, DPWS Staff Grade 7/8	ALDAY, Romanita	Department of Public Works & Services	Contract Officer, DPWS Staff Grade 6/7
	Support Officer, DPWS Staff Grade 7/8	BONNEY, Premala	Department of Corrective Services	Clerk, Grade 7/8
	Senior Contracts Officer, DPWS Staff 9/Senior 1	FROST, Robert Michael	Department of Public Works & Services	Contracts Systems Officer, DPWS Staff Grade 7/8
	Cost Centre Manager, DPWS Senior Management Grade 2	GILKES, Simon John	Department of Information Technology and Management	Regional Valuer
	Information Services Manager, DPWS Senior Staff Grade 2/3	HATHWAY, Kay	Department of Public Works & Services	Manager, Research and Information, DPWS Senior Staff Grade 1/2
	Project Officer, DPWS Staff Grade 7/8	NARASIMHIAH, Shashikanth	Department of Public Works & Services	Project Officer, DPWS Staff Grade 5/6
	Help Desk Officer, DPWS Staff Grade 5/6	PHILLIPS, Kellie Joyce	Department of Public Works & Services	Administrative Assistant, DPWS Staff Grade 3/4
	Contract Support Officer, DPWS Staff Grade 5/6	PINTO, Prudence Philomena	Department of Public Works & Services	Customer Service Officer, DPWS Grade 3/4
	Senior Contracts Officer, DPWS Staff 9/Senior 1	SEQUEIRA, Christopher George	Department of Public Works & Services	Contract Officer, DPWS Staff Grade 7/8
	Senior Technology Officer, Clerk Grade 9/10, Information Technology	BAILEY, Stephen Andrew	Department of Education and Training	Systems Programmer, Clerk Grade 7/8
Department of Education and Training	Administrative Coordinator, Ryde, Clerk Grade 5/6, TAFE Educational Services	BILSBOROUGH, Annette Margaret	Department of Education and Training	Clerical Officer Grade 3/4
	Properties Service Officer, Clerk Grade 5/6, Properties	BOYD, Chris Walkom	Department of Education and Training	School Service Officer, Clerk Grade 3/4
	Clerical Support Services Officer, Clerical Officer Grade 3/4, Child Protection Investigation	CARRALL, Rebekah	Department of Education and Training	Clerical Officer Grade 1/2
	Senior Technology Officer, Clerk Grade 9/10, Information Technology	CHAMBERS, Owen Boyd	Department of Education and Training	Systems Programmer, Clerk Grade 7/8

<i>Administrative Unit</i>	<i>Position</i>	<i>Appointed Officer</i>		
		<i>Name</i>	<i>Administrative Unit</i>	<i>Present Position</i>
Department of Education and Training (continued)	Manager, BVET Executive Officer, Clerk Grade 11/12, Skills & Development & Workforce Policy	CRITTENDEN, Gabrielle	Department of Education and Training	Executive Assistant to Director Public Affairs, Clerical Officer Grade 5/6
	Vocational Advisory Officer, Clerk Grade 3/4, State Training Services	DEGAN, Sharon	Department of Education and Training	Administrative Assistant, Clerical Officer Grade 1/2
	Properties Service Officer, Clerk Grade 5/6, Properties	DIXON, Peter Ross	Department of Education and Training	School Service Officer, Clerk Grade 3/4
	Accounts Officer, Clerical Officer Grade 3/4, Curriculum Support	DONG, Sharon Xiao-Hong	Department of Education and Training	Administrative Officer, Clerical Officer Grade 1/2
	Manager, Properties Service Unit, Clerk Grade 9/10, Properties	FRASER, Mark Stephen	Department of Education and Training	Leader, Properties Services, Clerk Grade 7/8
	Properties Project Coordinator, Clerk Grade 7/8, Properties	HARTNEY, David Douglas	Department of Education and Training	Senior Technical Officer, Grade 2
	Properties Service Officer, Clerk Grade 5/6, Properties	HOGAN, Maureen Elizabeth	Department of Education and Training	School Service Officer, Clerk Grade 3/4
	Manager, Asset Maintenance Coordinator, Clerk Grade 11, Properties	HOLMES, Kenneth John	Department of Education and Training	Maintenance Coordinator, Clerk Grade 7/8
	Senior Project Officer, Clerk Grade 11, Properties	HUGHES, Allan	Department of Education and Training	Asset Planner, Clerk Grade 9/10
	IT Support Assistant (Server Team – Email), Clerk Grade 3/4, Information Technology	HUME, Julian David	Department of Education and Training	IT Support Assistant, Finance & Purchasing, Clerk Grade 3/4
	Properties Service Officer, Clerk Grade 5/6, Properties	KRAMER, Dexter Kenneth	Department of Education and Training	School Service Officer, Clerk Grade 3/4
	Administrative Assistant, Clerk Grade 5/6, Information Technology	LLORENTE, Blanca	Department of Education and Training	Clerical Officer (Administration), Grade 1/2
	Manager, Properties Service Unit, Clerk Grade 9/10, Properties	MARTIN, Janice Margaret	Department of Education and Training	Properties Service Office, Clerk Grade 5/6
	Clerical Officer, Clerical Officer Grade 3/4, TAFE Educational Services	MCMARTIN, Corrina May	Department of Community Services	Clerical Officer Grade 1/2
	Office Manager, Clerk Grade 7/8, Legal Services	MCNAMARA, Louise Mary	Attorney General's Department	Office Manager, Clerk Grade 7/8
	Asset Information Systems (AIS) analyst, Clerk Grade 11, Properties	PARKES, Michael	Department of Education and Training	Properties Service Office, Clerk Grade 5/6

<i>Administrative Unit</i>	<i>Position</i>	<i>Appointed Officer</i>		
		<i>Name</i>	<i>Administrative Unit</i>	<i>Present Position</i>
Department of Education and Training (continued)	Properties Service Officer, Clerk Grade 5/6, Properties	RAMAGE, Toni	Department of Education and Training	Properties Clerk, Grade 3/4
	Support Officer, Clerical Officer Grade 3/4, Legal Services	RATANASAN, Chuan Chuen (Lyn)	Department of Education and Training	Clerical Officer, FOI & Privacy, Grade 1/2
	Properties Service Officer, Clerk Grade 5/6, Properties	SMITH, Robyn Ann	Department of Education and Training	School Services Officer, Clerk Grade 3/4
	Media Liaison Officer, Public Relations Officer Grade 1, Public Affairs	SORENSEN, Tina Margaret	Department of Education and Training	Medial Liaison Officer, Grade 2
	Property Service Officer, Clerk Grade 5/6, Properties	STEPHENSON, Brian Robert	Department of Education and Training	School Services Officer, Clerk Grade 3/4
	Systems Programmer (Server Team-NT), Clerk Grade 7/8, Information Technology	TRIEU, Cong Duy	Department of Education and Training	Assistant Systems Programmer, Clerk Grade 5/6
	Senior Officer, Administration & Personnel, Clerk Grade 5/6, Personnel Programs	VAN GRAMBERG, Rosemary Anne	Department of Education and Training	Executive Assistant, Clerical Officer Grade 5/6
	Senior Finance Officer, Clerk Grade 5/6, Curriculum Support	WALTERS, Sandra Rose	Audit Office of NSW	Senior Audit Clerk, Grade 3/4
	Project Officer, Specialist Capital Programs, Clerk Grade 9/10,	WHITING, David	Department of Education and Training	Leader, Properties Services, Clerk Grade 7/8
	Senior Technology Officer, Clerk Grade 9/10, Information Technology	WILLEMSSEN, Dale Bert	Department of Education and Training	Systems Programmer, Clerk Grade 7/8
	Properties Service Officer, Clerk Grade 5/6, Properties	YOUNG, Andrew James	Department of Education and Training	Properties Clerk, Grade 3/4
	Properties Service Officer, Clerk Grade 5/6, Properties	ZEAL, Wayne David	Department of Education and Training	Properties Clerk, Grade 3/4

BOB CARR,
Premier.

Authorised to be printed

R. J. MILLIGAN, Government Printer.

ISSN 0155-6320



brings together as one **State Mail, GPS** and part of **GIS**.



This merger means our clients will have a complete one-stop communication management solution service. **cmSolutions** offers more than the traditional mail or print service. From design to distribution we look after your document, we create the job around you!



GPS has over 10 years of government print experience. Our skills have ensured that we are always considered first by our clients to get the job done! Our dedicated team of professionals ensures your job is completed to meet your outcomes on time and to budget. We have never missed delivering the NSW Government Gazette on time for over 10 years.



State Mail has over 10 years of government mail experience. Our skills in dealing with government mail are second to none! The trust and cohesion we have developed with our clients is the reason why we were chosen for the security scanning of the Sydney 2000 Olympic mail.

GPS and **SMS** are quality endorsed organisations who are customer driven. **cmSolutions** provides you with a total print, storage and distribution solution, which through our specialisation and economies of scale, saves you time and money which are important to any organisation.

Come speak with us today or contact us and make arrangements to discuss your next project with **cmSolutions**.



Phone: 9721 8700
Web: www.sms.dpws.nsw.gov.au



Phone: 9743 8777
Web: www.gps.dpws.nsw.gov.au