



Government Gazette

OF THE STATE OF

NEW SOUTH WALES

Week No. 20/2008

Friday, 16 May 2008

*Published under authority by
Government Advertising
Level 16, McKell Building
2-24 Rawson Place, SYDNEY NSW 2001
Phone: 9372 7447 Fax: 9372 7423
Email: nswgazette@commerce.nsw.gov.au*

*Containing numbers 51, 52 and 53
Pages 3861 – 3944*

CONTENTS

Number 51

SPECIAL SUPPLEMENT

Mine Subsidence Compensation Amendment (Contributions) Regulation 2008	3861
---	------

Number 52

SPECIAL SUPPLEMENT

Coal Mine Health And Safety Act 2002	3867
--	------

Number 53

LEGISLATION

Regulations –

Charitable Fundraising Amendment (Exempt Religious Body or Organisation) Regulation 2008.....	3869
---	------

Commercial Agents and Private Inquiry Agents Amendment (Fees) Regulation 2008.....	3871
---	------

Impounding Regulation 2008	3875
----------------------------------	------

Motor Accidents Compensation Amendment (Costs and Fees) Regulation 2008.....	3880
---	------

Other Legislation –

Supreme Court (Corporations) Amendment (No. 8) Rules 2008.....	3892
---	------

OFFICIAL NOTICES

Appointments	3906
--------------------	------

Department of Lands	3907
---------------------------	------

Department of Primary Industries	3916
--	------

Roads and Traffic Authority	3929
-----------------------------------	------

Department of Water and Energy	3936
--------------------------------------	------

Other Notices	3937
---------------------	------

PRIVATE ADVERTISEMENTS

(Council, Probate, Company Notices, etc).....	3942
---	------

DEADLINES

Attention Advertisers . . .

*Government Gazette inquiry times are:
Monday to Friday: 8.30 am to 4.30 pm*

Phone: (02) 9372 7447; Fax: (02) 9372 7421

Email: nswgazette@commerce.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.

Freedom of Information Act 1989

Summary of Affairs for 27 June 2008

deadline 5.00 pm, 20 June 2008

email document to:

nswgazette@commerce.nsw.gov.au

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

Department of Commerce Tenders

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

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

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

**SEE the Government Advertising website at:
www.advertising.nswp.commerce.nsw.gov.au/Home.htm**



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 51

Friday, 9 May 2008

Published under authority by Government Advertising

SPECIAL SUPPLEMENT



New South Wales

Mine Subsidence Compensation Amendment (Contributions) Regulation 2008

under the

Mine Subsidence Compensation Act 1961

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Mine Subsidence Compensation Act 1961*.

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

Explanatory note

The object of this Regulation is to prescribe the rates of contribution payable by the proprietors of colliery holdings to the Mine Subsidence Compensation Fund for the 2007 calendar year.

This Regulation is made under the *Mine Subsidence Compensation Act 1961*, including sections 11 and 18 (the general regulation-making power).

Clause 1 Mine Subsidence Compensation Amendment (Contributions) Regulation
2008

Mine Subsidence Compensation Amendment (Contributions) Regulation 2008

under the

Mine Subsidence Compensation Act 1961

1 Name of Regulation

This Regulation is the *Mine Subsidence Compensation Amendment (Contributions) Regulation 2008*.

2 Amendment of Mine Subsidence Compensation Regulation 2007

The *Mine Subsidence Compensation Regulation 2007* is amended as set out in Schedule 1.

Mine Subsidence Compensation Amendment (Contributions) Regulation
2008

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Rate of contribution to Mine Subsidence Compensation Fund for 2007

(Clause 4)

Column 1	Column 2
Colliery holding	Rate (in \$)
Aberdare North	Excepted
Airly	0.00108
Angus Place	0.19895
Antiene	Excepted
Appin	0.09582
Ashton	0.08694
Austar	0.06366
Avon	Excepted
Awaba	0.07813
Baal Bone	0.21358
Bargo	Excepted
Bayswater No 2	0.32133
Bengalla	0.15890
Berrima	0.01211
Bloomfield	0.01077
Blue Mountains	0.02000
Boggabri	0.02625
Brimdale	Excepted
Camberwell	0.07351

Page 3

Mine Subsidence Compensation Amendment (Contributions) Regulation
2008

Schedule 1 Amendment

Column 1	Column 2
Colliery holding	Rate (in \$)
Canyon	Excepted
Cardiff Borehole	Excepted
Chain Valley	0.06818
Charbon	0.08875
Clarence	0.08379
Cordeaux	0.00871
Cullen Valley	0.02348
Cumnock No 1	0.07011
Dartbrook	0.18262
Delta	Excepted
Dendrobium	0.04036
Donaldson Coal	0.03367
Drayton	0.12024
Duralie	0.10135
Elouera	0.02474
Enhance Place	0.12913
Glendell	Excepted
Glennies Creek	0.09893
Gunnedah	0.00278
Hebburn No 3	Excepted
Hunter Valley Operations	0.07557
Huntley	Excepted
Invincible	0.08111
Ivanhoe No 2	0.00163
John Darling	Excepted
Kandos No 3	0.00400
Kemira	0.00093
Lambton	Excepted
Liddell	0.04829

Mine Subsidence Compensation Amendment (Contributions) Regulation
2008

Amendment

Schedule 1

Column 1	Column 2
Colliery holding	Rate (in \$)
Mandalong Mine	0.10783
Mannering	0.04399
Maules Creek	0.00038
Metropolitan	0.10506
Mitchells Flat	0.00043
Mount Owen	0.09037
Mount Thorley	0.07368
Munmorah	0.00032
Muswellbrook	0.06891
Myuna	0.11586
Narama	0.06606
Nattai	0.00151
New Wallsend No 2	0.00639
Newdell	Excepted
Newpac No 1	0.06571
Newstan	0.07817
North Cliff	Excepted
Northern	Excepted
NRE Avondale	0.00077
NRE No 1	0.00781
Pinedale	Excepted
Preston and Preston Extended Tunnel	0.00690
Ravensworth No 2	0.07830
Rixs Creek	0.04445
Sandy Creek	Excepted
Saxonvale	0.26628
Springvale	0.24794
Stratford	0.00827
Tahmoor	0.06894

Mine Subsidence Compensation Amendment (Contributions) Regulation
2008

Schedule 1 Amendment

Column 1	Column 2
Colliery holding	Rate (in \$)
Tarrawonga	0.02039
Tasman	0.00737
Ulan No 2	0.22708
United	0.17526
Vickery	0.05000
Wallarah	Excepted
Wallerawang	0.00400
Wambo	0.09692
Warkworth	0.11886
Werris Creek No 2	0.07013
West Cliff	0.16453
West Wallsend	0.13499
Western Main	0.00250
Westside	0.01254
Whitehaven	0.09034
Wilpinjong	0.06894



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 52
Monday, 12 May 2008

Published under authority by Government Advertising

SPECIAL SUPPLEMENT

COAL MINE HEALTH AND SAFETY ACT 2002

Notice under section 8(3) of the Coal Mine Health and Safety Act 2002

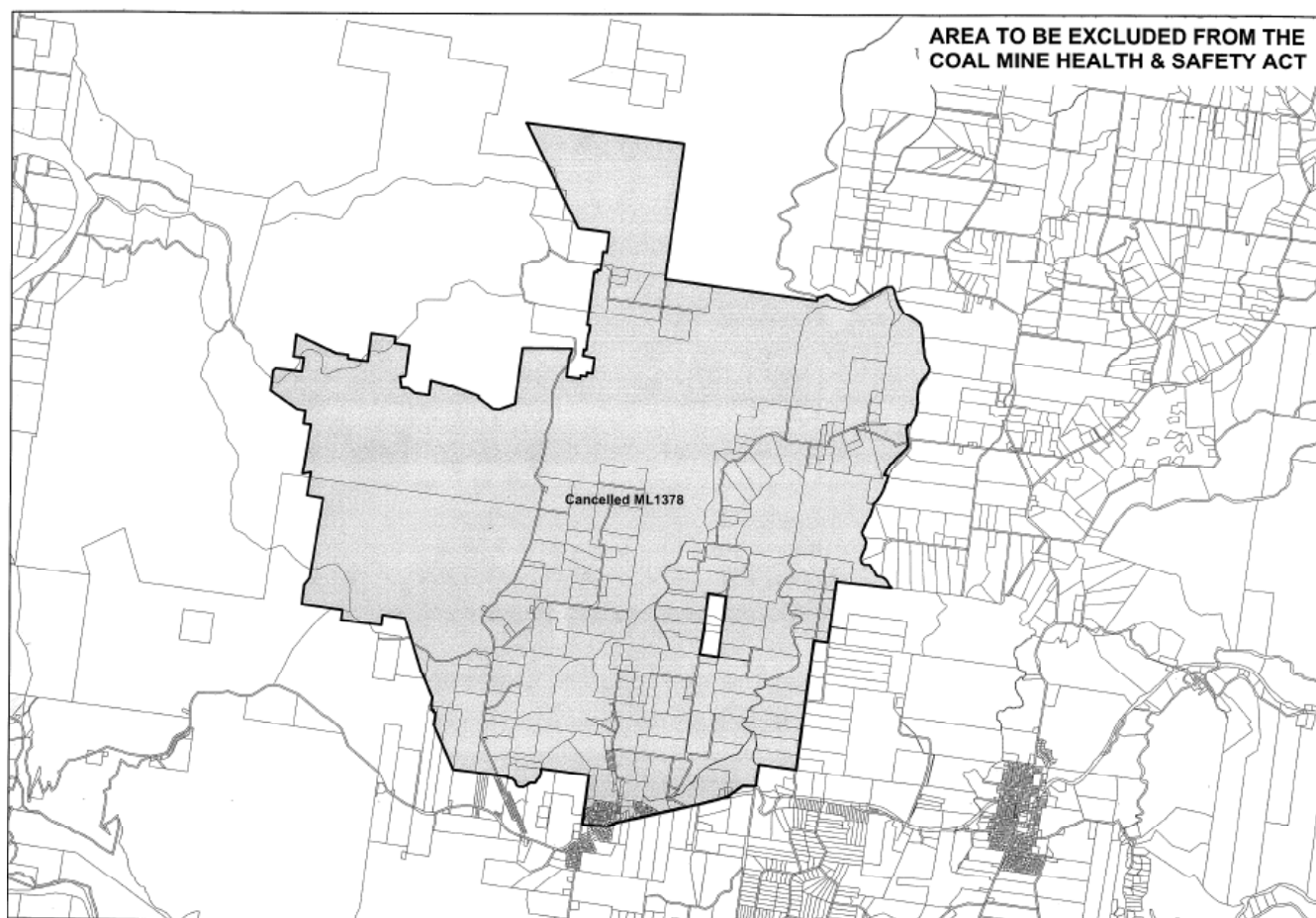
Place where Act does not apply

I, IAN MACDONALD, MLC, Minister for Mineral Resources, pursuant to section 8(3)(b) of the Coal Mine Health and Safety Act 2002 (the Act) hereby give notice that the place defined in Schedule 1 is a place to which the Act does not apply.

This notice is effective unless and until it is revoked.

SCHEDULE 1

The area identified as the former Mining Lease 1378 as shown by the shaded area on the diagram below.



Dated this 30th day of April 2008

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

ISSN 0155-6320

Authorised to be printed
DENIS H. HELM, Government Printer.



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 53
Friday, 16 May 2008

Published under authority by Government Advertising

LEGISLATION

Regulations



New South Wales

Charitable Fundraising Amendment (Exempt Religious Body or Organisation) Regulation 2008

under the

Charitable Fundraising Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Charitable Fundraising Act 1991*.

GRAHAM WEST, M.P.,
Minister for Gaming and Racing

Explanatory note

Clause 7 of the *Charitable Fundraising Regulation 2003* prescribes those religious bodies or religious organisations that are exempt from the application of the *Charitable Fundraising Act 1991* (apart from section 48, which deals with remuneration of board members of charitable organisations).

The object of this Regulation is to amend clause 7 of that Regulation to include The Journey Incorporated as a religious body or religious organisation that is so exempt.

This Regulation is made under the *Charitable Fundraising Act 1991*, including sections 7 (1) (b) (Religious organisations exempt from Act) and 55 (the general regulation-making power).

Clause 1 Charitable Fundraising Amendment (Exempt Religious Body or Organisation) Regulation 2008

Charitable Fundraising Amendment (Exempt Religious Body or Organisation) Regulation 2008

under the

Charitable Fundraising Act 1991

1 Name of Regulation

This Regulation is the *Charitable Fundraising Amendment (Exempt Religious Body or Organisation) Regulation 2008*.

2 Amendment of Charitable Fundraising Regulation 2003

The *Charitable Fundraising Regulation 2003* is amended by inserting in alphabetical order of religious body or organisation in clause 7 the words “The Journey Incorporated”.



New South Wales

Commercial Agents and Private Inquiry Agents Amendment (Fees) Regulation 2008

under the

Commercial Agents and Private Inquiry Agents Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Commercial Agents and Private Inquiry Agents Act 2004*.

DAVID CAMPBELL, M.P.,
Minister for Police

Explanatory note

The object of this Regulation is to amend the *Commercial Agents and Private Inquiry Agents Regulation 2006* so as to increase the fee payable when applying for certain master licences and operator licences and to increase the fee payable when updating particulars that are included in master licences and operator licences.

This Regulation is made under the *Commercial Agents and Private Inquiry Agents Act 2004*, including sections 6, 12 and 39 (the general regulation-making power).

Clause 1 Commercial Agents and Private Inquiry Agents Amendment (Fees)
Regulation 2008

Commercial Agents and Private Inquiry Agents Amendment (Fees) Regulation 2008

under the

Commercial Agents and Private Inquiry Agents Act 2004

1 Name of Regulation

This Regulation is the *Commercial Agents and Private Inquiry Agents
Amendment (Fees) Regulation 2008*.

2 Amendment of Commercial Agents and Private Inquiry Agents Regulation 2006

The *Commercial Agents and Private Inquiry Agents Regulation 2006* is
amended as set out in Schedule 1.

Commercial Agents and Private Inquiry Agents Amendment (Fees)
Regulation 2008

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 8 Application fees

Omit "\$465" from clause 8 (1) (a). Insert instead "\$480".

[2] Clause 8 (1) (b)

Omit "\$895". Insert instead "\$910".

[3] Clause 8 (1) (c)

Omit "\$1,925". Insert instead "\$1,940".

[4] Clause 8 (2) (d)

Omit "\$65". Insert instead "\$80".

[5] Clause 8 (3)

Insert " (a)–(c)" after (2).

[6] Clause 8 (3A)

Insert after clause 8 (3):

(3A) The whole of the fee prescribed by subclause (2) (d) is a processing fee for the purposes of Part 2 of the *Licensing and Registration (Uniform Procedures) Act 2002*.

[7] Clause 8 (4)

Omit "\$50". Insert instead "\$65".

[8] Clause 11 Condition as to periodic updating of registered particulars

Omit "\$50". Insert instead "\$65".

[9] Clause 14 Application fees

Omit "\$115" from clause 14 (1) (a). Insert instead "\$130".

[10] Clause 14 (1) (b)

Omit "\$465". Insert instead "\$480".

[11] Clause 14 (3)

Omit "\$65". Insert instead "\$80".

Commercial Agents and Private Inquiry Agents Amendment (Fees)
Regulation 2008

Schedule 1 Amendments

[12] Clause 14 (4)

Omit "\$50". Insert instead "\$65".

[13] Clause 18 Condition as to periodic updating of registered particulars

Omit "\$50" from clause 18 (1). Insert instead "\$65".



New South Wales

Impounding Regulation 2008

under the

Impounding Act 1993

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

PAUL LYNCH, M.P.,
Minister for Local Government

Explanatory note

The object of this Regulation is to remake, with minor amendments, the provisions of the *Impounding Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the prescribing of certain authorities as impounding authorities for the purposes of the *Impounding Act 1993*,
- (b) the prescribing of certain offences as penalty notice offences for the purposes of that Act,
- (c) savings and formal matters.

This Regulation is made under the *Impounding Act 1993*, including sections 36 and 51 (the general regulation-making power).

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

Impounding Regulation 2008

Contents

	Page
1 Name of Regulation	3
2 Commencement	3
3 Interpretation	3
4 Impounding authorities	3
5 Penalty notice offences	4
6 Saving	4
Schedule 1 Penalty notice offences	5

Impounding Regulation 2008

Clause 1

Impounding Regulation 2008

under the

Impounding Act 1993

1 Name of Regulation

This Regulation is the *Impounding Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

Note. This Regulation replaces the *Impounding Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Interpretation

(1) In this Regulation:

the Act means the *Impounding Act 1993*.

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

4 Impounding authorities

For the purposes of the definition of **impounding authority** in the Dictionary to the Act, each authority specified in the Table to this clause is prescribed as an impounding authority for the place or classes of places so specified in relation to the authority.

Table

Authority	Place or classes of place
Parramatta Park Trust	All land vested in the Trust
Parramatta Stadium Trust	All land vested in the Trust
Royal Botanic Gardens and Domain Trust	All land vested in the Trust
State Sports Centre Trust	All land vested in the Trust
State Transit Authority	All places in NSW that are under the control of the Authority
Sydney Ferries	All land vested in Sydney Ferries

Clause 5 Impounding Regulation 2008

Authority	Place or classes of place
Sydney Olympic Park Authority	All land vested in the Authority

5 Penalty notice offences

For the purposes of section 36 of the Act:

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

6 Saving

Any act, matter or thing that, immediately before the repeal of the *Impounding Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.

Impounding Regulation 2008

Penalty notice offences

Schedule 1

Schedule 1 Penalty notice offences

(Clause 5)

Column 1	Column 2
Section 32 (1) (article not being a motor vehicle)	\$110
Section 32 (1) (article being a motor vehicle)	\$220
Section 32 (2)	\$220



New South Wales

Motor Accidents Compensation Amendment (Costs and Fees) Regulation 2008

under the

Motor Accidents Compensation Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Accidents Compensation Act 1999*.

JOHN DELLA BOSCA, M.L.C.,
Minister Assisting the Minister for Finance

Explanatory note

The object of this Regulation is to amend the *Motor Accidents Compensation Regulation 2005* to increase:

- (a) the maximum costs for legal services provided by legal practitioners to claimants or to insurers in motor accidents matters and for matters that are not legal services but are related to proceedings in motor accidents matters (the increase, however, does not apply to costs that are charged on an ad valorem basis), and
- (b) the maximum fees for the provision of medical reports, and appearances as witnesses, by medical practitioners in relation to motor accidents matters.

The increases are generally in line with movements in the Consumer Price Index.

This Regulation is made under the *Motor Accidents Compensation Act 1999*, including Part 3.4 (Medical assessment) and sections 72, 82, 94, 96, 104, 149, 150 and 228 (the general regulation-making power).

Clause 1 Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Motor Accidents Compensation Amendment (Costs and Fees) Regulation 2008

under the

Motor Accidents Compensation Act 1999

1 Name of Regulation

This Regulation is the *Motor Accidents Compensation Amendment (Costs and Fees) Regulation 2008*.

2 Amendment of Motor Accidents Compensation Regulation 2005

The *Motor Accidents Compensation Regulation 2005* is amended as set out in Schedule 1.

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Schedules 1 and 2

Omit the Schedules. Insert instead:

Schedule 1 Maximum costs for legal services

(Clause 9 (1))

1 Costs determined by reference to certain stages in the matter

- (1) The maximum costs for legal services provided for a stage of a motor accidents matter set out in Column 1 of Table A to this clause are the costs set out in Column 2 opposite that stage.
- (2) However, if a legal practitioner was first retained in the matter after a certificate as to the claims assessment is issued under section 94 of the Act, the costs are those set out in Table B to this clause.
- (3) Costs may be charged for more than one stage described in this Schedule.
- (4) Other than stage 1 in the Tables to this clause, each stage specifies the maximum costs payable for all legal services provided in the period commencing on the occurrence of one specified event and concluding on either the occurrence of another specified event or settlement of the matter (whichever occurs first).

Table A

Column 1		Column 2
Stage		Costs
1	For assistance in completing an accident notification form	Nil (except, in respect of a legal practitioner acting for a claimant, in so far as the assistance forms part of stage 2)

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Schedule 1 Amendment

Column 1		Column 2	
Stage		Costs	
2	From the acceptance of the retainer to the preparation and service of a notice of claim under section 72 of the Act (including the provision of all relevant particulars about the claim to the insurer, even if those particulars are requested after the claim is served)	(a)	in the case of a legal practitioner acting for a claimant—\$260
		(b)	in the case of a legal practitioner acting for an insurer—nil
3	From service of the notice of claim under section 72 of the Act to the preparation and service of a response to the insurer's offer of settlement under section 82 of the Act	(a)	in the case of a legal practitioner acting for a claimant—\$380
		(b)	in the case of a legal practitioner acting for an insurer—nil
4	If settlement occurs without the issue of a certificate under section 94 of the Act—from service of the response to the insurer's offer of settlement under section 82 of the Act to finalisation of the matter	In addition to the \$640 specified for stages 2 and 3 (if chargeable):	
		(a)	if the settlement amount is \$20,000 or less and the insurer wholly admitted liability for the claim—\$640
		(b)	if the settlement amount is \$20,000 or less and the insurer denied liability for up to 25% of the claim—10% of the settlement amount
		(c)	if the settlement amount is more than \$20,000 but less than \$50,001 and the insurer wholly admitted liability for the claim—\$640 plus 12% of every dollar of the settlement amount over \$20,000

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Amendment

Schedule 1

Column 1	Column 2
Stage	Costs
	(d) if the settlement amount is more than \$20,000 but less than \$50,001 and the insurer denied liability for up to 25% of the claim—\$2,400 plus 12% of every dollar of the settlement amount over \$20,000
	(e) if the settlement amount is \$50,001 or more but less than \$100,001 and the insurer wholly admitted liability for the claim—\$4,800 plus 10% of every dollar of the settlement amount over \$50,000
	(f) if the settlement amount is \$50,001 or more but less than \$100,001 and the insurer denied liability for up to 25% of the claim—\$6,600 plus 10% of every dollar of the settlement amount over \$50,000
	(g) if the settlement amount is \$100,001 or more and the insurer wholly admitted liability for the claim—\$10,600 plus 2% of every dollar of the settlement amount over \$100,000
	(h) if the settlement amount is \$100,001 or more and the insurer denied liability for up to 25% of the claim—\$12,400 plus 2% of every dollar of the settlement amount over \$100,000

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Schedule 1 Amendment

Column 1		Column 2
Stage		Costs
5	If settlement occurs after the issue of a certificate under section 94 of the Act but without the commencement of court proceedings—from the issue of the certificate to finalisation of the matter	The total of the following: (a) an amount determined, in accordance with stage 4, by reference to the amount of the assessment as if that assessment were the amount of the settlement referred to in stage 4, (b) 2% of the assessment
6	If the matter is finalised after the commencement of court proceedings (whether by way of settlement or an award of damages)—from the issue of the certificate under section 94 of the Act to finalisation of the matter	The total of the following: (a) an amount determined under stage 5, (b) 2% of the settlement or award

Table B

Column 1		Column 2
Stage		Costs
1	Advice on the issue of the certificate under section 94 of the Act	\$320
2	From the giving of the advice on the certificate issued under section 94 of the Act to finalisation of matter by settlement or award of damages	In addition to the \$320 specified for stage 1: (a) if the settlement amount or award is \$20,000 or less—nil (b) if the settlement amount or award is more than \$20,000 but less than \$50,001—10% of the settlement amount or award over \$20,000

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Amendment

Schedule 1

Column 1	Column 2
Stage	Costs
	(c) if the settlement amount or award is \$50,001 or more but less than \$100,001—\$3,500 plus 8% of every dollar of the settlement amount or award over \$50,000
	(d) if the settlement amount or award is \$100,001 or more—\$8,200 plus 2% of every dollar of the settlement amount or award over \$100,000

2 Other costs for legal services

- (1) Maximum costs for legal services provided in motor accidents matters may include (in addition to the costs for legal services provided for a stage in the matter, as referred to in clause 1) the costs set out in the Table to this clause.
- (2) However, an amount for the fees for senior counsel, or for more than one advocate, are not to be included unless the court so orders.

Table

Nature of costs	Maximum costs
Costs associated with a medical dispute under Part 3.4 of the Act, as allowed by the claims assessor	up to \$640 but not exceeding \$1,520 in respect of any one claim, regardless of the number or kind of disputes
Costs associated with a dispute referred to in section 96 of the Act, as allowed by the claims assessor	up to \$760 in respect of any one claim, regardless of the number or kind of disputes
Cost of representation at an assessment conference under section 104 of the Act:	
(a) flat fee	\$510
(b) additional amount, at the claims assessor's discretion, if the conference exceeds 2 hours	up to \$160 per hour for each hour (or part of an hour) in excess of 2 hours

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Schedule 1 Amendment

Nature of costs	Maximum costs
Cost of representation in court, per day:	
(a) advocate other than senior counsel	\$2,000
(b) senior counsel	\$2,790
Cost of conference directly related to an assessment of the claim or a court hearing, per hour (or part of an hour)	\$160

3 Country loadings

- (1) An advocate whose principal chambers or offices are in the Sydney Metropolitan area is entitled, in respect of proceedings heard or partially heard in a town outside that area, to a loading for that town in accordance with the Table to this clause. If proceedings take place at two or more towns outside that area, the loading payable is that appropriate to the town that is the farther or farthest from those chambers or offices.
- (2) An advocate whose principal chambers or offices are in a town outside the Sydney Metropolitan area is entitled, in respect of proceedings heard or partially heard in the Sydney Metropolitan area, to a loading for that town in accordance with the Table to this clause.
- (3) An advocate whose principal chambers or offices are in a town outside the Sydney Metropolitan area is entitled, in respect of proceedings heard or partially heard at another such town, to a loading for that other town in accordance with the Table to this clause. If proceedings take place at two or more towns outside that area, the loading payable is that appropriate to the town that is the farther or farthest from those chambers or offices.
- (4) For the purposes of this clause, if a town is not included in the Table to this clause, the loading for that town is to be the loading for the nearest town that is so included.
- (5) If an advocate holds more than one brief in respect of proceedings heard at a place on any one day and a loading is applicable under this item, the loading is to be divided equally between those briefs in respect of which an advocate's fees are awarded or payable.

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Amendment

Schedule 1

Table	
Town	Loading \$
Albury	915
Armidale	839
Batemans Bay	838
Bathurst	665
Bega	1,011
Bourke	1,444
Broken Hill	1,559
Campbelltown	80
Casino	943
Cessnock	520
Cobar	1,328
Coffs Harbour	739
Condobolin	1,125
Cooma	1,116
Coonamble	1,076
Cootamundra	763
Cowra	587
Deniliquin	983
Dubbo	779
Forbes	779
Glen Innes	739
Gosford	223
Goulburn	550
Grafton	905
Griffith	744
Gundagai	873
Gunnedah	861
Hay	963
Inverell	865
Katoomba	303

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Schedule 1 Amendment

Town	Loading \$
Kempsey	796
Lismore	853
Lithgow	346
Maitland (including East Maitland)	520
Moree	780
Moruya	653
Moss Vale	359
Mudgee	620
Murwillumbah	963
Muswellbrook	552
Narrabri	724
Narrandera	719
Newcastle	520
Nowra	520
Nyngan	1,236
Orange	593
Parkes	801
Penrith	80
Port Macquarie	671
Queanbeyan	666
Singleton	800
Tamworth	776
Taree	620
Tweed Heads	904
Wagga Wagga	689
Wentworth	1,460
Wollongong	329
Yass	586
Young	763

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Amendment

Schedule 1

4 Interstate loadings

- (1) An advocate whose principal chambers or offices are in New South Wales is entitled, in respect of proceedings heard or partially heard in another State or Territory, to such reasonable loading as is determined by the court or the claims assessor.
- (2) If an advocate holds more than one brief in respect of proceedings heard at a place on any one day and a court or assessor determines that a loading is applicable under this item, the loading is to be divided equally between those briefs in respect of which an advocate's fees are awarded or payable.

Schedule 2 Maximum fees for medico-legal services

(Clause 13)

		\$
Appearances as witnesses		
1	Medical practitioners and other medical professionals called to give evidence other than expert evidence, per hour (or proportionately if not for a full hour) to a maximum of \$495	250
2	Medical practitioners and other medical professionals called to give expert evidence:	
	(a) for the first one and a half hours (including time travelling to the court from the medical professional's home, hospital, place of practice, office or other place and return to that place from the court)	580
	(b) for every full hour after the first hour and a half (or proportionately if not for a full hour)	250
	to a maximum of \$2,060	
3	Travelling allowance in connection with appearance as witness	0.38 per kilometre
4	Accommodation and meals in connection with appearance as witness	reasonable costs

Motor Accidents Compensation Amendment (Costs and Fees) Regulation
2008

Schedule 1 Amendment

		\$
Medical reports		
5	Report (in the form, if any, provided for in the MAA Medical Guidelines) made by an attending general practitioner:	
	(a) if a re-examination of the patient is not required	125
	(b) if a re-examination of the patient is required	190
6	Report (in the form, if any, provided for in the MAA Medical Guidelines) made by an attending specialist:	
	(a) if a re-examination of the patient is not required	250
	(b) if a re-examination of the patient is required	330
7	Report (in the form, if any, provided for in the MAA Medical Guidelines) made by a specialist who has not previously treated the patient:	
	(a) if an examination of the patient is not required	330–415
	(b) if an examination of the patient is required	390–685
		(depending, in both cases, on the complexity of the matter, the number of documents to be studied and the amount of research required)
8	Charges for copying medical reports	1 per page
Cancellation fee		
9	Fee if appearance or medical report is not required	No more than 50% of the relevant amount specified in this Table

Rules



New South Wales

Supreme Court (Corporations) Amendment (No 8) Rules 2008

under the

Supreme Court Act 1970

The Supreme Court Rule Committee made the following rules of court under the *Supreme Court Act 1970* on 5 May 2008.

Steven Jupp
Secretary of the Rule Committee

Explanatory note

The object of these Rules is to amend the *Supreme Court (Corporations) Rules 1999*:

- (a) to give effect to certain amendments made to the *Corporations Act 2001* of the Commonwealth by the *Corporations Amendment (Insolvency) Act 2007* of the Commonwealth, by making further provision in relation to the remuneration of office-holders involved in the external administration of a company and by making provision for applications for the issue of warrants for the arrest of certain persons, and
- (b) to make other minor changes relating to the obligation to give notice of applications to ASIC, the conduct of meetings ordered by the Court and the form of consent of a liquidator or provisional liquidator of a company to act as liquidator or provisional liquidator.

The amendments are in line with changes agreed to be implemented by New South Wales and other jurisdictions to their court rules that apply to proceedings under the *Corporations Act 2001* of the Commonwealth and the *Australian Securities and Investments Commission Act 2001* of the Commonwealth.

Rule 1 Supreme Court (Corporations) Amendment (No 8) Rules 2008

Supreme Court (Corporations) Amendment (No 8) Rules 2008

under the

Supreme Court Act 1970

1 Name of Rules

These Rules are the *Supreme Court (Corporations) Amendment (No 8) Rules 2008*.

2 Amendment of Supreme Court (Corporations) Rules 1999

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

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Amendments

Schedule 1

Schedule 1 Amendments

(Rule 2)

[1] **Rule 1.4 Expressions used in the Corporations Act**

Insert in alphabetical order of expressions in the note:

ASIC—see section 9

[2] **Rule 1.4, note, definition of “Commission”**

Omit the definition.

[3] **Rules 2.4 (2), 2.4A (3) (a), 2.8, 2.10, 3.5 (b), 6.2 (2) (a), 7.1 (1), 7.2 (2) (a), 7.5 (1) (b) and (3) (e), (g) (i) and (h), 7.7 (2) (c) and (3), 7.11 (2) and (4), 11.2 (1) (a) and (b), 11.3 (6), 11.5 (3) (b), 11.8 (1) (a) and (2), 11.11 (2), note, 12.1 and 15.1 and Schedule 1, Form 5, heading and signature block**

Omit “the Commission” wherever occurring. Insert instead “ASIC”.

[4] **Rule 2.8 Notice of certain applications to be given to ASIC**

Omit “of a compulsory” from item 2 of the Table to rule 2.8 (3).

Insert instead “or termination of a”.

[5] **Rules 2.10, 3.5, 12.1 and 15.1**

Omit “**Commission**” wherever occurring. Insert instead “**ASIC**”.

[6] **Rule 2.15 Meetings ordered by the Court**

Omit “regulations 5.6.12”. Insert instead “regulations 5.6.11”.

[7] **Rule 9.1 Remuneration of receiver (Corporations Act s 425 (1))—Form 16**

Omit the note to rule 9.1 (1). Insert instead:

Note 1. Under paragraph 425 (2) (b) of the Corporations Act, the Court may exercise its power to make an order fixing the remuneration of a receiver appointed under an instrument even if the receiver has died, or has ceased to act, before the making of the order or the application for the order.

Note 2. The amendment to section 425 of the Corporations Act made by the *Corporations Amendment (Insolvency) Act 2007* of the Commonwealth applies in relation to a receiver appointed on or after 31 December 2007—see Corporations Act s 1480 (5).

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Schedule 1 Amendments

[8] Rule 9.1 (6)

Omit the subrule. Insert instead:

- (6) An affidavit in support of the originating process, or interlocutory process, seeking the order must:
 - (a) include evidence of the matters mentioned in subsection 425 (8) of the Corporations Act, and
 - (b) state the nature of the work performed or likely to be performed by the receiver, and
 - (c) state the amount of remuneration claimed, and
 - (d) include a summary of the receipts taken and payments made by the receiver, and
 - (e) state particulars of any objection of which the receiver has received notice, and
 - (f) if the receivership is continuing—give details of any matters delaying the completion of the receivership.

[9] Rules 9.2 and 9.2A

Omit rule 9.2. Insert instead:

9.2 Determination by Court of remuneration of administrator (Corporations Act s 449E (1) (c) and (1A) (c))—Form 16

- (1) This rule applies to an application by the administrator of a company under administration, or of a deed of company arrangement, for an order under paragraph 449E (1) (c) or (1A) (c) of the Corporations Act determining the administrator's remuneration.
- (2) At least 21 days before filing an originating process, or interlocutory process, seeking the order, the administrator must serve a notice in accordance with Form 16 of the administrator's intention to apply for the order, and a copy of any affidavit on which the administrator intends to rely, on the following persons:
 - (a) each creditor who was present, in person or by proxy at any meeting of creditors,
 - (b) each member of any committee of creditors or committee of inspection,
 - (c) if there is no committee of creditors or committee of inspection, and no meeting of creditors has been convened and held, each of the 5 largest (measured by amount of debt) creditors of the company,

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Amendments

Schedule 1

-
- (d) each member of the company whose shareholding represents at least 10% of the issued capital of the company.
- (3) Within 21 days after the last service of the documents mentioned in subrule (2), any creditor or contributory may give to the administrator a notice of objection to the remuneration claimed, stating the grounds of objection.
- (4) If the administrator does not receive a notice of objection within the period mentioned in subrule (3):
- (a) the administrator may file an affidavit, made after the end of that period, in support of the originating process, or interlocutory process, seeking the order stating:
 - (i) the date, or dates, when the notice and affidavit required to be served under subrule (2) were served, and
 - (ii) that the administrator has not received any notice of objection to the remuneration claimed within the period mentioned in subrule (3), and
 - (b) the administrator may endorse the originating process, or interlocutory process, with a request that the application be dealt with in the absence of the public and without any attendance by, or on behalf of, the administrator, and
 - (c) the application may be so dealt with.
- (5) If the administrator receives a notice of objection within the period mentioned in subrule (3), the administrator must serve a copy of the originating process, or interlocutory process, seeking the order on each creditor or contributory who has given a notice of objection.
- (6) An affidavit in support of the originating process, or interlocutory process, seeking the order must:
- (a) include evidence of the matters mentioned in subsection 449E (4) of the Corporations Act, and
 - (b) state the nature of the work performed or likely to be performed by the administrator, and
 - (c) state the amount of remuneration claimed, and
 - (d) include a summary of the receipts taken and payments made by the administrator, and

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Schedule 1 Amendments

-
- (e) state particulars of any objection of which the administrator has received notice, and
 - (f) if the administration is continuing—give details of any matters delaying the completion of the administration.

9.2A Review of remuneration of administrator (Corporations Act s 449E (2))

- (1) This rule applies to an application for review of the amount of the remuneration of an administrator under subsection 449E (2) of the Corporations Act.

Note. The amendment to section 449E of the Corporations Act made by the *Corporations Amendment (Insolvency) Act 2007* of the Commonwealth applies in relation to an administrator appointed on or after 31 December 2007—see Corporations Act s 1480 (6).

- (2) The application may be made only after the remuneration has been determined under paragraph 449E (1) (a) or (b) or paragraphs 449E (1A) (a) or (b) of the Corporations Act.
- (3) At least 21 days before filing the originating process or the interlocutory process applying for a review, the plaintiff or applicant must serve a notice, in accordance with Form 16A, of intention to apply for the review and a copy of any affidavit on which the plaintiff or applicant intends to rely (other than an affidavit required by subrule (9)), on the following persons:
 - (a) if there is a committee of creditors or a committee of inspection—each member of the committee,
 - (b) if the remuneration of the administrator was determined by the creditors—each creditor who was present, in person or by proxy, at the meeting of creditors at which the remuneration was determined,
 - (c) each member of the company whose shareholding represents at least 10% of the issued capital of the company.
- (4) Within 21 days after the last service of the documents mentioned in subrule (3), any person on whom the notice has been served may serve on the plaintiff or applicant a notice:
 - (a) stating the person's intention to appear at the hearing of the applicant for review, and
 - (b) setting out the issues that the person seeks to raise before the Court.

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Amendments

Schedule 1

-
- (5) A person mentioned in subrule (3) is entitled to be heard on the application for review, but only (unless the Court otherwise orders) if the person has served on the plaintiff or applicant a notice in accordance with subrule (4).
 - (6) If the plaintiff or applicant is served with a notice in accordance with subrule (4), the plaintiff or applicant must serve a copy of the originating process or interlocutory process applying for the review on each person who has served such a notice.
 - (7) The administrator must file an affidavit stating the following matters:
 - (a) the matters mentioned in subsection 449E (4) of the Corporations Act,
 - (b) the nature of the work performed or likely to be performed by the administrator,
 - (c) the amount of remuneration claimed by the administrator if that amount is different from the amount of remuneration that has been determined,
 - (d) a summary of the receipts taken and payments made by the administrator,
 - (e) particulars of any objection to the remuneration as determined, of which the administrator has received notice,
 - (f) if the administration is continuing—details of any matters delaying the completion of the administration.
 - (8) The affidavit mentioned in subrule (7) must annex a copy of the report that the administrator was required to prepare before remuneration was determined.
 - (9) The plaintiff or applicant must:
 - (a) file an affidavit stating whether any notice or notices under subrule (4) has or have been served, and
 - (b) annex or exhibit to the affidavit a copy of any such notice.

[10] Rule 9.3 Remuneration of provisional liquidator (Corporations Act s 473 (2))—Form 16

Omit “committee of creditors” from rule 9.3 (3) (b), wherever occurring.
Insert instead “committee of inspection”.

[11] Rule 9.3 (7) (a)

Omit “carried out”. Insert instead “performed or likely to be performed”.

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Schedule 1 Amendments

[12] Rule 9.3 (7) (c)

Omit “for the period for which remuneration is claimed”.

[13] Rule 9.3 (8)

Insert after rule 9.3 (7):

- (8) The affidavit must also provide evidence of the matters mentioned in subsection 473 (10) of the Corporations Act:
 - (a) to the extent that they may be relevant to a provisional liquidator, and
 - (b) as if references in that subsection to “liquidator” were references to “provisional liquidator”.

[14] Rule 9.4 Determination by Court of liquidator’s remuneration (Corporations Act s 473 (3) (b) (ii))

Omit “subsection 473 (3)” from rule 9.4 (1).

Insert instead “subparagraph 473 (3) (b) (ii)”.

[15] Rule 9.4 (1), note

Insert after rule 9.4 (1):

Note. The amendment to section 473 of the Corporations Act made by the *Corporations Amendment (Insolvency) Act 2007* of the Commonwealth applies in relation to a liquidator appointed on or after 31 December 2007—see Corporations Act s 1480 (7).

[16] Rule 9.4 (3) (a)

Omit “the meeting of creditors”.

Insert instead “any meeting of creditors at which the remuneration of the liquidator was considered”.

[17] Rule 9.4 (3) (b)

Omit “creditors”. Insert instead “inspection”.

[18] Rule 9.4 (3) (c) and (d)

Omit rule 9.4 (3) (c). Insert instead:

- (c) if there is no committee of inspection, and no meeting of creditors has been convened and held—each of the 5 largest (measured by amount of debt) creditors of the company,
- (d) each member of the company whose shareholding represents at least 10 per cent of the issued capital of the company.

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Amendments

Schedule 1

[19] Rule 9.4 (7)

Omit the subrule. Insert instead:

- (7) An affidavit in support of the interlocutory process seeking the order must:
 - (a) include evidence of the matters mentioned in subsection 473 (10) of the Corporations Act, and
 - (b) state the nature of the work performed or likely to be performed by the liquidator, and
 - (c) state the amount of remuneration claimed, and
 - (d) include a summary of the receipts taken and payments made by the liquidator, and
 - (e) state particulars of any objection of which the liquidator has received notice, and
 - (f) if the winding up is continuing—give details of any matters delaying the completion of the winding up.

[20] Rule 9.4A

Insert after rule 9.4:

9.4A Review of remuneration of liquidator (Corporations Act s 473 (5) and (6) and s 504 (1))

- (1) This rule applies to an application for review of the amount of the remuneration of a liquidator under subsection 473 (5) or (6) or 504 (1) of the Corporations Act.

Note. The amendment to section 504 of the Corporations Act made by the *Corporations Amendment (Insolvency) Act 2007* of the Commonwealth applies in relation to a liquidator appointed on or after 31 December 2007—see Corporations Act s 1480 (7).
- (2) The application may only be made after remuneration has been determined under paragraph 473 (3) (a) or subparagraph 473 (3) (b) (i), or fixed under subsection 495 (1) or subsection 499 (3), of the Corporations Act.
- (3) At least 21 days before filing the originating process or interlocutory process applying for a review, the plaintiff or applicant must serve a notice, in accordance with Form 16A, of intention to apply for the review and a copy of any affidavit on which the plaintiff or applicant intends to rely (other than an affidavit required by subrule (9)), on the following persons:
 - (a) if there is a committee of inspection—each member of the committee,

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Schedule 1 Amendments

- (b) if the remuneration of the liquidator was determined or fixed by the creditors—each creditor who was present, in person or by proxy, at the meeting of creditors at which the remuneration was determined or fixed,
 - (c) each member of the company whose shareholding represents at least 10% of the issued capital of the company.
- (4) Within 21 days after the last service of the documents mentioned in subrule (3), any person on whom the notice has been served may serve on the plaintiff or applicant a notice:
 - (a) stating the person's intention to appear at the hearing of the application for review, and
 - (b) setting out the issues that the person seeks to raise before the Court.
- (5) A person mentioned in subrule (3) is entitled to be heard on the application for review, but only (unless the Court otherwise orders) if the person has served on the plaintiff or applicant a notice in accordance with subrule (4).
- (6) If the plaintiff or applicant is served with a notice in accordance with subrule (4), the plaintiff or applicant must serve a copy of the originating process or interlocutory process applying for the review on each person who has served such a notice.
- (7) The liquidator must file an affidavit stating the following matters:
 - (a) for an application under subsection 473 (5) or (6) of the Corporations Act—the matters mentioned in subsection 473 (10) of the Corporations Act,
 - (b) for an application under subsection 504 (1) of the Corporations Act—the matters mentioned in subsection 504 (2) of the Corporations Act,
 - (c) the nature of the work performed or likely to be performed by the liquidator,
 - (d) the amount of remuneration claimed by the liquidator if the amount is different from the amount of remuneration that has been determined or fixed,
 - (e) a summary of the receipts taken and payments made by the liquidator,
 - (f) particulars of any objection to the remuneration as determined or fixed of which the liquidator has received notice,

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Amendments

Schedule 1

-
- (g) if the winding up is continuing—details of any matters delaying the completion of the winding up.
 - (8) The affidavit under subrule (7) must annex a copy of the report that the liquidator was required to prepare before remuneration was determined or fixed.
Note. For the requirement to prepare a report, see subsections 473 (11), 473 (12), 495 (5), 499 (6) and 499 (7) of the Corporations Act.
 - (9) The plaintiff or applicant must:
 - (a) file an affidavit stating whether any notice or notices under subrule (4) has or have been served, and
 - (b) annex or exhibit to the affidavit a copy of any such notice.
- [21] **Rule 9.5 Remuneration of special manager (Corporations Act s 484 (2))—Form 16**
Insert “or committee of inspection” after “committee of creditors” in rule 9.5 (3) (b), wherever occurring.
- [22] **Rule 9.5 (7) (a)**
Omit “carried out”. Insert instead “performed or likely to be performed”.
- [23] **Rule 9.5 (7) (c)**
Omit “for the period for which remuneration is claimed”.
- [24] **Division 11A**
Insert after rule 11.11:
- Division 11A Warrants (Corporations Act s 486B and Part 5.4B, Division 3, Subdivision B)**
- 11A.1 Arrest of person (Corporations Act s 486B)—Form 17A**
- (1) An application for the issue of a warrant under subsection 486B (1) of the Corporations Act for the arrest of a person must state the grounds for the issue of the warrant.
 - (2) The application must be accompanied by an affidavit stating the facts in support of the application.
 - (3) The warrant must be in accordance with Form 17A.

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Schedule 1 Amendments

- (4) If a person is arrested under the warrant, the person who carried out the arrest must immediately give notice of the arrest to the Registrar.

Note. Sections 489A to 489E of the Corporations Act, inserted by the *Corporations Amendment (Insolvency) Act 2007* of the Commonwealth, apply in relation to a warrant issued on or after 31 December 2007—see Corporations Act s 1481 (3).

[25] Schedule 1 Forms

Insert after “of the company.” in Form 8:

EITHER

I am not aware of any relevant relationship mentioned in subsection 60 (2) of the *Corporations Act 2001* of the Commonwealth.

OR

I have, or have had within the preceding 24 months, the following relevant relationships mentioned in subsection 60 (2) of the *Corporations Act 2001* of the Commonwealth.

[Set out all relevant relationships.]

[26] Schedule 1, Form 8

Insert after “these hourly rates.”

Note. The requirement to disclose hourly rates should not be taken to imply that remuneration on an hourly basis is the most desirable or appropriate arrangement in every case. The Corporations Act acknowledges that another method of calculating remuneration may be appropriate (see, for example, s 473 (2) and (3)).

[27] Schedule 1, Form 16A

Insert after Form 16:

Form 16A Notice of intention to apply for review of remuneration

(rules 9.2A, 9.4A)

IN THE MATTER OF [company name]

ACN or ABN: [ACN or ABN of company to which proceeding relates]

TO: [name and address of person to whom notice is given]

TAKE NOTICE that, not less than 21 days after this notice is served on you, I, [name and address of proposed plaintiff or applicant], *[the *administrator/*liquidator of the above company,] intend to apply to the Court

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Amendments

Schedule 1

to review **the remuneration of/*my remuneration as the*
**administrator/*liquidator of the company.*

The amount of the remuneration that has been determined or fixed is [*state the amount*]. The remuneration was determined or fixed by [*state who determined or fixed the remuneration*] on [*state the date when the remuneration was determined or fixed*].

I intend to apply for an order to **confirm/*increase/*reduce* the remuneration.

[*Set out the grounds upon which an order or orders will be sought. If an order to increase or reduce the remuneration is sought, set out the amount by which the remuneration is sought to be increased or reduced.*]

If you wish to appear at the hearing of the application, in order to raise any issues before the Court, you must, within 21 days after being served with this notice, serve on me a notice under subrule **9.2A (4)/*9.4A (4)* of the *Supreme Court (Corporations) Rules 1999*, stating your intention to appear at the hearing and setting out the issues that you seek to raise before the Court.

Date:

.....

Signature of proposed plaintiff or applicant

** Omit if not applicable*

[28] Schedule 1, Form 17A

Insert after Form 17:

Form 17A Arrest warrant

(Corporations Act 2001 (Cth) s 486B and Supreme Court
(Corporations) Rules 1999 rule 11A.1)

[*Title*]

TO: All members and special members of the Australian Federal Police and to all officers of the police force of the State or Territory in which [*name of person*] is found, and to the Sheriff of that State or Territory and all of that Sheriff's officers.

WHEREAS:

- * [*name of company*] (the Company) is being wound up in insolvency* or
- * [*name of company*] (the Company) is being wound up by the Court* or
- * an application has been made for [*name of company*] (the Company) to be wound up*

AND THE COURT IS SATISFIED THAT [*name of person*]:

- (a) is about to leave Australia in order to avoid:
 - (i) paying money to the company* or
 - (ii) being examined about the company's affairs* or

Supreme Court (Corporations) Amendment (No 8) Rules 2008

Schedule 1 Amendments

-
- (iii) complying with an order of the Court, or some other obligation, under Chapter 5 of the *Corporations Act 2001* (Cth) in connection with the winding up* *or*
 - (b) has concealed or removed property of the Company in order to prevent or delay the taking of the property into the liquidator's custody or control* *or*
 - (c) has destroyed, concealed or removed books of the Company or is about to do so,*

THIS WARRANT THEREFORE requires and authorises you to take [*name of person*] and to bring *him/*her before the Court at [*address of court*] and to keep *him/*her there pending the making of a further order by the Court.

THIS WARRANT ALSO requires and authorises you to seize any property or books of the company in the possession of [*name of person*] and to deliver them into the custody of the Registrar of the Court to be kept by that Registrar until the Court makes an order for their disposal.

Note. Section 489A of the *Corporations Act 2001* of the Commonwealth provides that if the Court issues a warrant under section 486B for a person to be arrested and brought before the Court, and the person is not in prison, then the person named in the warrant may be arrested by an officer of the police force of the State or Territory in which the person is found, or the Sheriff of that State or Territory or any of the Sheriff's officers, or a member or special member of the Australian Federal Police.

Date:

.....

[*signed*]
Judge/Registrar

* *Omit if inapplicable*

OFFICIAL NOTICES**Appointments****CONSTITUTION ACT 1902**

Ministerial arrangements during the absence from duty of the Premier, and Minister for Citizenship

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable J. A. Watkins, M.P., Deputy Premier, Minister for Transport and Minister for Finance, to act for and on behalf of the Premier and Minister for Citizenship, as on and from 16 May 2008, with a view to him performing the duties of the offices of the Premier and Minister for Citizenship during my absence from duty.

MORRIS IEMMA, M.P.,
Premier

Department of Premier and Cabinet
Sydney 2008

CONSTITUTION ACT 1902

Ministerial arrangements during the absence of the Minister for Health

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Hon J. Hatzistergos, M.L.C., Attorney General and Minister for Justice, to act for and on behalf of the Minister for Health, as on and from 16 May 2008, with a view to his performing the duties of the Honourable R. P. Meagher, M.P., during her absence from duty.

MORRIS IEMMA, M.P.,
Premier

Department of Premier and Cabinet
Sydney 2008

Department of Lands

ARMIDALE OFFICE

108 Faulkner Street (PO Box 199A), Armidale NSW 2350

Phone: (02) 6770 3100 Fax (02) 6771 5348

ERRATUM

THE notification appearing in the NSW Government Gazette of 9 May 2008 folio 3715 under the heading "Roads Act 1993 – Notification of closing of road" is amended by deletion of the notification in respect to "Lot 1, DP 1119529, Parishes Donald and Springmount". This notification should be disregarded and is hereby withdrawn. This notification was originally published in the NSW Government Gazette of 7 December 2007 folio 9306.

FORFEITURE OF HOLDING

Erratum

THE Forfeiture of Holding Special Lease 1979/3 Armidale, that appeared in the Government Gazette No. 50 at folio 3715 on the 9th May 2008 the DP on this notice was incorrect and should have read 758519.

DUBBO OFFICE

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

Phone: (02) 6883 3300 Fax: (02) 6882 6920

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.

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

Description

*Local Government Area – Mid-Western Regional Council;
Land District – Mudgee*

Lots 1 and 2, DP 1123565, Parish of Grattai, County of Wellington (not being land under the Real Property Act).
File No.: DB07 H 83.

Note: On closing, the titles for Lots 1 and 2 shall vest in the State of New South Wales as Crown land.

Description

Local Government Area and Land District – Dubbo

Lot 1, DP 1124281, Parish of Oxley, County of Gordon (not being land under the Real Property Act). File No.: DB05 H 74.

Note: On closing, the title for Lot 1 shall vest in the State of New South Wales as Crown land.

NOTIFICATION OF CLOSING OF ROADS

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 road and the rights of passage and access that previously existed in relation to the roads are extinguished.

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

Description

*Land District – Coonabarabran;
Council – Gilgandra Shire;
Parishes – Uargon and Wallumburrawang;
County – Gowen*

Lot 1 in DP 1124931. File Reference: DB05 H 75.

Note: On closing, the land within Lot 1, DP 1124931 remains vested in the State of New South Wales as Crown land.

GOULBURN OFFICE
159 Auburn Street (PO Box 748), Goulburn NSW 2580
Phone: (02) 4828 6725 Fax: (02) 4828 6730

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the lands comprised therein ceases to be public roads and the rights of passage and access that previously existed in relation to the roads are extinguished. Upon closing, title to the lands, comprising the former public roads, vests in the body specified in the Schedules hereunder.

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

Description

SCHEDULE 1

*Parish – Young; County – Monteagle;
Land District – Young; LGA – Young*

Lots 24 and 25, DP 1094011 (not being land under the Real Property Act). File Reference: 07/4565 and 07/4566:JK.

Note: On closing, the title for the land in Lots 24 and 25, DP 1094011 remains vested in the State of New South Wales as Crown land.

**REVOCATION OF RESERVATION OF
CROWN LAND**

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

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

SCHEDULE 1

Column

Land District: Goulburn
Local Government Area:
Goulburn Mulwaree
Council

Locality: Terranna

Reserve No.: 92775

Public Purpose: Future public
requirements

Notified: 20 June 1980

File No.: GB04 H 542

Note: To facilitate conversion of Perpetual Lease 107955.

Column 2

The whole being Lots 13
and 14, DP 750049, Parish
Terranna, County Argyle,
of an area of 181.7 hectares

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

*Parish – Mittagong; County – Camden;
Land District – Moss Vale;
LGA – Wingecarribee Shire Council*

Lot 3, DP 550860 and Lot 1, DP 1124628 (not being land under the Real Property Act). File Reference: GB05 H 427:JK

Note: On closing, the titles for the land in Lot 3, DP 550860 and Lot 1, DP 1124628 remains vested in Young Shire Council as operational land.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District and LGA – Lismore

Road Closed: Lots 1, DP 1121935 at Coffee Camp, Parish Nimbin, County Rous. File Reference: GF05 H 58

SCHEDULE

On closing, the land within Lots 1, DP 1121935 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Casino; LGA – Kyogle

Road Closed: Lot 1, DP 1124246 at Collins Creek, Parish Warrazambil, County Rous. File Reference: GF05 H 672

SCHEDULE

On closing, the land within Lot 1, DP 1124246 remains vested in the State of New South Wales as Crown Land.

DECLARATION OF LAND TO BE CROWN LAND

PURSUANT to section 138 of the Crown Lands Act 1989 the Minister for Lands declares the land to be Crown land.

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

SCHEDULE

*Land District – Grafton;
Local Government Area – Clarence Valley Council;
Parish – Taloumbi; County – Clarence*

Lot 11 in Deposited Plan 259179, at Maclean, being land within Certificate of Title 11/259179 and said to be in the possession of the Minister for Agriculture. File Reference: GF06 H 377.

*Land District – Grafton;
Local Government Area – Clarence Valley Council;
Parish – Taloumbi; County – Clarence*

Lot 12 in Deposited Plan 259179, at Maclean, being land within Certificate of Title 12/259179 and said to be in the possession of the Minister for Agriculture for and on behalf of Her Majesty Queen Elizabeth II. File Reference: GF06 H 378.

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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District – Deniliquin, LGA – Conargo

Lot 1, DP 1124597, Parish of Wononga, County of Townsend. File No.: HY82 H 525

SCHEDULE

Note: On closing, the land within Lot 1, DP 1124597 remains vested in the State of New South Wales as Crown land.

Description

Land District – Deniliquin, LGA – Conargo

Lot 1, DP 1124602, Parish of Wononga, County of Townsend. File No.: HY82 H 536

SCHEDULE

Note: On closing, the land within Lot 1, DP 1124602 remains vested in the State of New South Wales as Crown land.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District – Hay; LGA – Hay

Lots 1, DP 1122369, Parish of South Deniliquin and Lot 2, DP 1122369, Parish of Yalama, County of Townsend. File No.: HY 81 H 339.

Note: (1) On closing, title for the land comprised in Lots 1 and 2 will remain vested in the State of New South Wales as Crown land.

MAITLAND OFFICE
Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323
Phone: (02) 4937 9300 Fax: (02) 4934 2252

RESERVATION OF CROWN LAND

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

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

SCHEDULE

Column 1

Land District: Maitland
 Local Government Area:
 Port Stephens Council
 Locality: Butterwick

<i>Lot</i>	<i>Sec.</i>	<i>D.P. No.</i>	<i>Parish</i>	<i>County</i>
68		752451	Butterwick	Durham
7001		1053992	Butterwick	Durham
67		752451	Butterwick	Durham
66		752451	Butterwick	Durham
PT 61		752451	Butterwick	Durham
7005		1054061	Butterwick	Durham
65		752451	Butterwick	Durham
115		40238	Butterwick	Durham

Area: About 80.97ha

File Reference: 08/2932/1

Column 2

Reserve No. 1014828
 Public Purpose:
 Environmental
 Protection

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

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

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

SCHEDULE

Column 1

Crown Lands Reserve Trust

Column 2

Reserve No. 1014828
 Public Purpose:
 Environmental Protection
 Notified: This day
 File Reference: 08/2932/1

SYDNEY METROPOLITAN OFFICE
Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150
(PO Box 3935, Parramatta NSW 2124)
Phone: (02) 8836 5300 Fax: (02) 8836 5365

NOTIFICATION OF CLOSING OF ROADS

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

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

 Descriptions

Land District – Metropolitan; LGA – Manly

Lot 100, DP 1125884 at Seaforth, Parish Manly Cove, County Cumberland. 07/3343

Note: On closing, title for the land in Lot 100 remains vested in Manly Council as operational land.

 Descriptions

Land District – Metropolitan; LGA – Manly

Lot 3 DP 701218 at Balgowlah, Parish Manly Cove, County Cumberland. 08/1142

Note: On closing, title for the land in Lot 3 remains vested in Manly Council as operational land.

 Descriptions

Land District – Metropolitan; LGA – Auburn

Lots 1 and 2, DP 1121474 at Homebush Bay, Parish Concord, County Cumberland. 07/5617

Note: On closing, title for the land in Lots 1 and 2 remain vested in Auburn Council as operational land.

ESTABLISHMENT OF RESERVE TRUST

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

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

 SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Manns Point (R46639) Reserve Trust	Reserve No. 46639 Public Purpose: Public Recreation Notified: 31 May 1911 File Ref.: 08/3941/1

**APPOINTMENT OF CORPORATION TO
MANAGE RESERVE TRUST**

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

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

 SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lane Cove Council	Manns Point (R46639) Reserve Trust	Reserve No. 46639 Public Purpose: Public Recreation Notified: 31 May 1911 File Ref.: 08/3941/1

For a term commencing the date of this notice.

**REVOCATION OF RESERVATION OF
CROWN LAND**

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

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

 SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Windsor Council: Hawkesbury Parish: Merroo County: Cook Location: Kurrajong Reserve: 88152 Purpose: Future Public Requirements Date of Notification: 26 February 1971 File No.: MN06 H 246	The whole of Reserve 88152 created over Lots 108, 109 and 111, DP 751658

 SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Windsor Council: Hawkesbury Parish: Merroo County: Cook Location: Kurrajong Reserve: 91639 Purpose: Future Public Requirements Date of Notification: 30 November 1979 File No.: 07/4075	Part Reserve 91639 being the whole of Lot 118, DP 751658

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

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the 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.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Peter HULL (new member)	Collingullie	Dedication No. 620050
Tina RUDD (new member)	Soldiers' Memorial Hall Trust	Public Purpose: War Memorial (Hall Site)
Stuart DONALDSON (new member)		Notified: 18 October 1946
John Barry MEYERS (new member)		File Ref.: WA80 R 171/2

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

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.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Donna Maree THOMSON (new member)	Adelong Crossing Park Trust	Dedication No. 620027
		Public Purpose: Public Recreation
		Notified: 26 March 1886
		File Ref.: WA82 R 85/2

For a term commencing the date of this notice and expiring 31 July 2012.

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Albury City Council Crown	Dedication No. 1000143
	Reserves Reserve Trust
	Public Purpose: Local Government Purposes
	Notified: 2 December 1955
	File Reference: 07/5986

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

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

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

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

*Administrative District – Cobar; Shire – Cobar;
Parish – Urolie and Yanko; County – Mouramba*

The purpose/conditions of Western Lands Leases 9260, being the land contained within Folio Identifier 4225/766852 has been altered from “Grazing” to “Grazing and Cultivation” effective from 8 May 2008.

As a consequence of the alteration of purpose/conditions rent will be assessed annually in line with the Western Lands Act 1901 and Regulations.

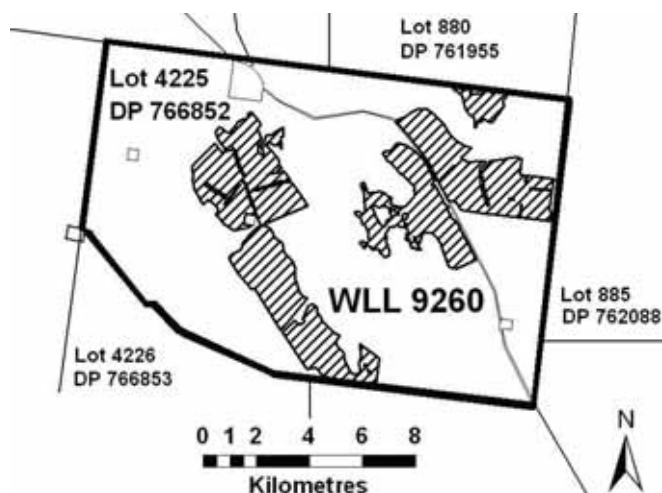
The term of the lease and the conditions have been altered by the inclusion of the special conditions following.

Special Conditions attached to
Western Lands Lease No. 9260.

1. These conditions may be reviewed by the Western Lands Commissioner at any time, and the conditions may be altered. Unless the Commissioner determines otherwise, the holder of this lease will be provided three calendar months in which to consult with the Commissioner or his delegate before any review or alteration is effected.
2. The lessee may request alteration of any condition upon payment of the fee as determined from time to time.
3. If the lessee commits, permits or suffers to occur any breach or default in the due observance and performance of any of the conditions, then the Western Lands Commissioner may suspend the Lease, or after affording the lessee an opportunity to be heard, cancel or continue the Lease.
4. The lessee may reapply for a new Change of Lease Purpose provided that he/she shall have complied with the conditions throughout the period.
5. The lessee shall ensure that persons employed or otherwise engaged by him/her for the purpose of this Lease do not contravene the provisions of the Lease.
6. The lessee shall ensure that every contractor, supervisor or other responsible person engaged in cultivation authorised by these conditions be familiar with and have ready access to these conditions, or a copy of these conditions and shall be able to produce the conditions within 24 hours when requested to do so by an authorised officer.
7. The lessee shall only cultivate within the boundaries of the shape files as shown hatched on the attached diagram.
8. Cultivation shall be carried out on the approximate contour.
9. The lessee shall ensure all areas designated for exclusion are to remain permanently uncultivated.
10. Sandhills and other soils with a surface texture of loamy sand or coarser shall be left uncultivated unless specifically approved by the Commissioner.
11. Texture Contrast (or Duplex) soils are soil types which have a sandy to loamy topsoil abruptly overlying a clay subsoil and are prone to scalding (producing claypans and hummocks). Land within 60 metres of any texture contrast or duplex soil area shall not be cultivated except in accordance with a plan approved by the Commissioner.
12. Areas with a slope greater than 2% shall not be cultivated until any soil conservation measures considered necessary by the Land Management Officer of the Department of Lands have been implemented at the lessee's expense.
13. Access tracks to the area to be cultivated must be arranged in such a manner as to minimise the disturbance of any land surfaces within the areas required to be left uncultivated to comply with the conditions of this Lease.
14. Cultivation adjacent to a road is permitted; however, such cultivation shall be
15. Incised drainage lines, other than man made structures, which carry water after storms shall be left uncultivated in the channels and for a distance of at least 20 metres on either side of the banks of the channels except when the Commissioner specifies otherwise.
16. The lessee shall ensure that stubble will be retained on the soil surface and shall not be burnt, except with the approval of the Commissioner or his delegate. Where such approval is granted, stubble burning is to be carried out as per the requirements of the NSW Rural Fire Service.
17. Cropping frequency will not be limited when land management actions such as stubble retention and pasture ley maintain soil fertility and prevent the risk or occurrence of soil erosion.
If the Commissioner considers that the land resource is at risk then the limits to cropping frequency may be imposed.
18. Long fallow shall only be carried out using approved conservation farming techniques. In the event that the commissioner is of the view that the soil is being depleted by the rotation adopted, a restricted rotation may be required
19. Livestock may be excluded from cultivated fallows by direction of the Commissioner or the Rangeland Management Officer.
20. The lessee shall maintain records of cultivation dates and methods; of cropping or pasture sowings; of the success or failure and yield (where relevant) of each sowing attempt and fertiliser or agricultural chemicals used. These records are to be made available to the Commissioner or his delegate upon request and the Commissioner may retain and use information from such records.

21. The lessee shall only conduct dryland cultivation within the area of 4082 hectares indicated by hatching on the diagram hereunder. Any other cultivation outside this area will only be allowable with the consent of the Commissioner or Minister.
22. The lessee shall comply with the provisions of the Native Vegetation Act 2003 and any regulations made in pursuance of that act.
23. Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing, or firewood, comply with the routine agricultural management activities listed in the Native Vegetation Act 2003.
24. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
25. The lessee shall establish windbreaks, at his/her own expense, ordered by the Commissioner to provide adequate protection of the soil.
26. Aboriginal Sites are protected under the National Parks and Wildlife Act 1974, and are extremely vulnerable to many kinds of agricultural development.

Should any Aboriginal archaeological relics or sites be uncovered during the proposed works, work is to cease immediately. The lessee must consider the requirements of the National Parks and Wildlife Act 1974 with regards to Aboriginal relics. Under section 90 it is an offence to damage or destroy relics without prior consent of the Director-General of the National Parks and Wildlife Service (NPWS). If a site is discovered the lessee should contact the Manager, Cultural Heritage Unit, National Parks and Wildlife Services on Phone (02) 6883 5324 or at 58-62 Wingewarra Street, Dubbo.



ALTERATION OF CORPORATE NAME OF RESERVE TRUST

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

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

SCHEDULE 1

Collarenebri Swimming Pool (R78775) Reserve Trust.

SCHEDULE 2

Reserve No. 78775.
Public Purpose: Public Recreation.
Notified: 3 August 1956.
File Reference: WL88R87/1.

SCHEDULE 3

Earl Park Reserve Trust.

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

Column 1	Column 2	Column 3
Land Administration Ministerial Corporation	Menindee Lakes Park Trust	Reserve No. 83184 Public Purpose: Public Recreation Notified: 19 May 1961 File Reference: WL90R65/4

For a term commencing the date of this notice.

Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Notice of Receipt of Application for Aquaculture Lease

Notification under section 163 (7) of the Fisheries Management Act 1994 and clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

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

- Approx. 4.0627 hectares over former oyster lease OL87/202

NSW DPI is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. NSW DPI is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL87/202 to be signed and dated with a return address. If additional expressions of interest are received, NSW DPI may offer the area for leasing through a competitive public tender process, auction or ballot.

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

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

BILL TALBOT,

Director, Fisheries Conservation and Aquaculture,
Fisheries, Compliance and Regional Relations,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

ORDER – Assessment Guidelines

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to section 220ZZA of the *Fisheries Management Act 1994*, by this order issue the guidelines titled 'Threatened Species Assessment Guidelines' as set out in the Schedule below, with the concurrence of the Minister for Planning, relating to the determination of whether an action is likely to significantly affect threatened species, populations or ecological communities or their habitats.

Schedule

Threatened Species Assessment Guidelines

The assessment of *signi cance*

Introduction

Threatened species impact assessment is an integral part of environmental impact assessment. The objective of s. 5A of the *Environmental Planning and Assessment Act 1979*

(EP&A Act), the *assessment of signi cance*, is to improve the standard of consideration afforded to threatened species, populations and ecological communities, and their habitats through the planning and assessment process, and to ensure that the consideration is transparent.

The *Threatened Species Conservation Amendment Act 2002* revised the factors that need to be considered when assessing whether an action, development or activity is likely to significantly affect threatened species, populations or ecological communities, or their habitats, previously known as the '8-part test.' The changes affect s. 5A EP&A Act, s. 94 *Threatened Species Conservation Act 1995* (TSC Act) and s. 220ZZ *Fisheries Management Act 1994* (FM Act).

These revised *factors of assessment* maintain the earlier intent of the legislation but focus particularly on likely impacts to the **local** rather than the **regional** environment. The reason for the shift to a local focus is that the long-term loss of biodiversity at all levels arises mainly from the accumulation of losses and depletions of populations at a local level. This is the broad principle underpinning the TSC Act, state and federal biodiversity strategies, and international agreements.

The consideration of impacts at a local level is also designed to make it easier for local government to assess, and easier for applicants and consultants to undertake the assessment of significance because there is no longer a need to research regional and state-wide information.

The assessment of significance is the first step in considering potential impacts. When a significant effect is likely, further consideration is required and is more appropriately carried out when preparing a *species impact statement*.

Assessment Guidelines

Section 94A of the TSC Act and s. 220ZZA of the FM Act provides that the Minister for Climate Change, Environment and Water and the Minister for Primary Industries, with the concurrence of the Minister for Planning, may prepare *assessment guidelines* to assist in the interpretation and application of the factors of assessment.

These guidelines have been prepared to help applicants/proponents of a development or activity with interpreting and applying the factors of assessment. The aim of the guidelines is to help ensure that a consistent and systematic approach is taken when determining whether an action, development or activity is likely to significantly affect threatened species, populations or ecological communities, or their habitats either directly or indirectly.

Making determinations requires technical expertise, and knowledge of species and their habitats. The guidelines assume that those undertaking an assessment of significance have sufficient knowledge and experience to do so.

These guidelines clarify the specific terminology of the relevant legislation and provide clear interpretations of the factors of assessment. Further guidance, including examples and case studies will be provided in a supplementary document.

The assessment of significance should not be considered a 'pass or fail' test but a system allowing applicants/proponents to undertake a qualitative analysis of the likely impacts, and

ultimately, whether further assessment needs to be undertaken through a species impact statement. All factors must be considered and an overall conclusion must be drawn from all factors in combination. Where there is reasonable doubt regarding the likely impacts, or where detailed information is not available, a species impact statement should be prepared. Other issues not specifically addressed by the factors of assessment should be included and discussed in the broader impact assessment process, for example, in a review of environmental factors or an environmental impact statement.

Listed threatened species

The assessment of significance is applied to species, populations and ecological communities listed on Schedules 1, 1A and 2 of the TSC Act and Schedules 4, 4A and 5 of the FM Act. The applicant/proponent should develop a list of threatened species, populations and ecological communities which may be affected directly or indirectly by the proposed action, development or activity. Adequate reasons should be provided to show how the list was derived.

A species does not have to be considered as part of the assessment of significance if adequate surveys or studies have been carried out that clearly show that the species:

- does not occur in the study area, or
- will not use on-site habitats on occasion, or
- will not be influenced by off-site impacts of the proposal.

Otherwise all species likely to occur in the study area (based on general species distribution information), and known to use that type of habitat, should be considered in the rationale that determines the list of threatened species, populations and ecological communities for the assessment of significance.

Consultants for proponents/applicants need to be aware that any 'Final Determination' to list a species, population or ecological community as 'Critically Endangered' or 'Endangered' made after lodgement of a s. 91 TSC Act or s. 220ZW FM Act licence, development application or activity proposal needs to be included in the consideration of impacts and the application of the assessment of significance. Therefore applicants/proponents are advised to give due consideration to Preliminary Determinations made by the Scientific Committees. Vulnerable species listed after lodgement are not subject to impact assessment so long as the application is determined within 12 months of lodgement (s. 113C TSC Act, ss. 105A and. 110D EP&A Act). The NSW legislation website (www.legislation.nsw.gov.au/) provides the most up-to-date information on what is listed in the schedules.

To assist the assessment process, the Department of Environment and Climate Change NSW (DECC) and the NSW Department of Primary Industries (DPI) have prepared species profiles for a number of threatened species. Consultants are advised to refer to these and other fact sheets for baseline information on species morphology, behaviour, habitat and threats.

- Threatened species profiles
[www.threatenedspecies.environment.nsw.gov.au/tsprofile/browse_allspecies.aspx]
- Threatened species publications
[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications]

- Threatened species on the Fisheries website
[www.fisheries.nsw.gov.au/threatened_species/threatened_species]

Information is also available in threatened species determinations made by the NSW Scientific and Fisheries Scientific Committee:

- www.nationalparks.nsw.gov.au/npws.nsf/Content/List+of+Scientific+Committee+determinations
- www.fisheries.nsw.gov.au/threatened_species/fsc.

Terminology

Throughout this guideline the terms *subject site* and *study area* are used. It is important to have a thorough understanding of these terms as they apply to the assessment.

Subject site means the area directly affected by the proposal.

Study area means the subject site and any additional areas which are likely to be affected by the proposal, either directly or indirectly. The study area should extend as far as is necessary to take all potential impacts into account.

Direct impacts are those that directly affect the habitat and individuals. They include, but are not limited to, death through predation, trampling, poisoning of the animal/plant itself and the removal of suitable habitat. When applying each factor, consideration must be given to all of the likely direct impacts of the proposed activity or development.

The Department of Environment and Climate Change NSW was created in April 2007 by renaming the Department of Environment and Conservation NSW.

Indirect impacts occur when project-related activities affect species, populations or ecological communities in a manner other than direct loss. Indirect impacts can include loss of individuals through starvation, exposure, predation by domestic and/or feral animals, loss of breeding opportunities, loss of shade/shelter, deleterious hydrological changes, increased soil salinity, erosion, inhibition of nitrogen fixation, weed invasion, fertiliser drift, or increased human activity within or directly adjacent to sensitive habitat areas. As with direct impacts, consideration must be given, when applying each factor, to all of the likely indirect impacts of the proposed activity or development.

The Factors of Assessment

- in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction**

Context

This factor refers only to those species listed on Part 1 and Part 4 of Schedule 1, Part 1 of Schedule 1A and Part 1 of Schedule 2 of the TSC Act, and Part 1 and Part 4 of Schedule 4 and Schedule 5 of the FM Act.

Interpretation of key terms used in this factor

Life cycle: the series or stages of reproduction, growth, development, ageing and death of an organism.

Viable: the capacity to successfully complete each stage of the life cycle under normal conditions.

Local population: the population that occurs in the study area. The assessment of the local population may be extended to include individuals beyond the study area if it can be

clearly demonstrated that contiguous or interconnecting parts of the population continue beyond the study area, according to the following definitions.

- The *local population* of a threatened *plant* species comprises those individuals occurring in the study area or the cluster of individuals that extend into habitat adjoining and contiguous with the study area that could reasonably be expected to be cross-pollinating with those in the study area.
- The *local population* of *resident fauna* species comprises those individuals known or likely to occur in the study area, as well as any individuals occurring in adjoining areas (contiguous or otherwise) that are known or likely to utilise habitats in the study area.
- The *local population* of *migratory or nomadic fauna* species comprises those individuals that are likely to occur in the study area from time to time.

In cases where multiple populations occur in the study area, each population should be assessed separately.

Risk of extinction: the likelihood that the local population will become extinct either in the short-term or in the long-term as a result of direct or indirect impacts on the viability of that population.

Application

The key assessment is risk of extinction of the local population. The risk of extinction will increase if any factor operates to reduce population size or reproduction success. The components of the life cycle of a species are dependent on its habitat and affected by threats to the species. The removal or modification of habitat or changes to the nature of important periodic disturbances such as fire or flood may affect the survival of that species. Therefore, it is important that the applicant/proponent not only has an understanding of the species' life cycle, but also an understanding of the way in which a species makes use of its habitat, the way this may change at particular times or in certain seasonal conditions, and whether the life cycle is dependent on a particular disturbance.

Demonstrating that a population is not viable would require considerable effort and study. Therefore any known or presumed local population should be assumed viable unless the contrary can be conclusively demonstrated through analysis of local ecological information, records, references and knowledge of species' behaviour and habitat or through a comprehensive on-site ecological study.

- (b) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction**

Context

This factor is essentially identical to factor (a) except that it refers only to endangered populations listed in Part 2 of Schedule 1 of the TSC Act and Part 2 of Schedule 4 of the FM Act, whereas factor (a) refers to species.

The key assessment is risk of extinction of the local population. The risk of extinction will increase if any factor operates to reduce population size or reproduction success. The components of the life cycle of the individuals that comprise an endangered population of a species are

dependent on its habitat and threats to the population. The removal or modification of habitat or changes to the nature of important periodic disturbances such as fire or flood may affect the survival of that population. Therefore, it is important that the applicant/proponent not only has an understanding of the life cycles of the species involved, but also an understanding of the way in which a species makes use of its habitat, the way this may change at particular times or in certain seasonal conditions, and whether the life cycle is dependent on particular disturbances.

Demonstrating that a population is not viable would require considerable effort and study. Therefore any known or presumed local population should be assumed to be viable unless the contrary can be conclusively demonstrated through analysis of local ecological information, records, references and knowledge of species' behaviour and habitat, or through a comprehensive on-site ecological study.

- (c) in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:**

- (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or**
- (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction**

Context

This factor applies to endangered ecological communities listed under Part 3 of Schedule 1 of the TSC Act and Part 3 of Schedule 4 of the FM Act, and critically endangered ecological communities listed under Part 2 of Schedule 1A of the TSC Act and Part 2 of Schedule 4A of the FM Act. Endangered and critically endangered ecological communities are defined in determinations made by the respective Scientific Committees.

It is important to note that the size or age of a remnant are not determining factors as to whether that remnant constitutes a listed endangered or critically endangered ecological community.

Ecological communities are usually defined by two major components – the geographical distribution and the species composition which influences the physical structure and ecological function of the ecological community. The relative importance of the geographical distribution and the species composition varies according to the specific listed ecological community. Hence this factor provides for consideration of two criteria:

- (i) local occurrence of the ecological community
- (ii) modification of the ecological community's composition.

Interpretation of key terms used in this factor

Local occurrence: the ecological community that occurs within the study area. However the local occurrence may include adjacent areas if the ecological community on the study area forms part of a larger contiguous area of that ecological community and the movement of individuals and exchange of genetic material across the boundary of the study area can be clearly demonstrated.

Risk of extinction: similar to the meaning set out in factor (a), this is the likelihood that the local occurrence of the ecological community will become extinct either in the short-term or in the long-term as a result of direct or indirect impacts on the ecological community, and includes changes to ecological function.

Composition: both the plant and animal species present, and the physical structure of the ecological community. Note that while many ecological communities are identified primarily by their vascular plant composition, an ecological community consists of all plants and animals as defined under the TSC and FM Acts that occur in that ecological community.

Application

Determining the risk of extinction of an ecological community is difficult. Critical thresholds of remnant size, and species and structural composition required to maintain ecological functioning will vary from ecological community to ecological community.

When evaluating the significance of the impact, consideration must be given to whether the life cycles of the species which make up the ecological community will be disrupted in a similar manner to the consideration of individual species described in factor (a). Disproportionate impacts may occur on certain components of the community that may cause those components to be placed at a greater risk of extinction without explicitly placing the entire ecological community at risk. Loss of individual species from a community may simplify faunal, floristic or vegetation structure and have flow-on effects to other plant and animal species. This may increase its susceptibility to extreme events and decrease its resilience. An assessment of ecological functioning is critical to this factor.

(d) in relation to the habitat of a threatened species, population or ecological community:

- (i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and**
- (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and**
- (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality**

Interpretation of key terms used in this factor

Habitat: the area occupied, or periodically or occasionally occupied, by any threatened species, population or ecological community and includes all the different aspects (both biotic and abiotic) used by species during the different stages of their life cycles.

Extent: the physical area removed and/or to the compositional components of the habitat and the degree to which each is affected.

Importance: related to the stages of the species' life cycles and how reproductive success may be affected.

Locality: the same meaning as ascribed to local population of a species or local occurrence of an ecological community.

Application

When applying this factor, consideration must be given to all short- and long-term impacts (direct and indirect) on habitat which are likely to support threatened species, populations and ecological communities regardless of whether the habitat occurs on the subject site. This applies to both occupied and unoccupied habitat because the recovery of threatened species, populations and ecological communities relies on them having access to suitable habitat to move into as numbers increase.

The extent to which habitat is likely to be removed or modified should be determined by estimating the total area of habitat to be directly and indirectly impacted by the proposed development, activity or action. This may be an estimation of the surface area of land to be affected, and/or in some cases the number of key habitat components to be affected.

When deciding whether an area of habitat is likely to become fragmented or isolated from other areas of habitat, it is necessary to identify and assess the patterns and extent of habitat connectivity. The affected habitat may form part of a habitat corridor, cul-de-sac or an isolated area. Recent Landsat imagery, aerial photographs, vegetation maps, topographic maps and data obtained from on-ground investigations are useful information sources for assessing this. The dispersal and genetic exchange mechanisms of individual species should be considered. For example, will the isolation of habitat for threatened species, populations or ecological communities that are currently connected or near to each other adversely affect the maintenance of gene flow and the ability to sustain viable populations. It should also be noted that isolation can occur through a variety of habitat modifications and is not confined to the clearing of vegetation.

When assessing the importance of the habitat likely to be removed, modified, fragmented or isolated in the locality, a quantitative and qualitative approach should be adopted as follows:

- an assessment of the area and quality of habitat of the threatened species, population or ecological community that occurs within the locality from recent Landsat imagery, vegetation mapping, topographic maps, air photos and in some cases data obtained from on-ground investigations
- an estimate of the area and quality that the habitat of the study area represents in relation to the area and quality of that habitat within the locality
- an assessment of the role of the habitat to be affected in sustaining habitat connectivity in the locality
- an assessment of the ecological integrity of the habitat to be affected in the study area, in relation to the ecological integrity, tenure and security of the habitat which will remain both in the study area and in the locality.

(e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly)

Application

This factor is aimed at assessing whether the proposal is likely to affect (directly or indirectly) areas of critical habitat present in the study area. Critical habitat refers only to those areas of land listed in the following registers:

- the Register of Critical Habitat kept by the Director General, DECC
[www.nationalparks.nsw.gov.au/npws.nsf/content/critical+habitat+protection]

- the Register of Critical Habitat kept by the Director General, DPI
[www.fisheries.nsw.gov.au/threatened_species/general/register_of_critical_habitat]

These registers are open for public inspection during ordinary business hours and copies of, or extracts from, the register may be purchased on request.

Maps showing the location of critical habitat are kept by the Director General, DECC and the Director General, DPI.

Developments or activities which require consent or approval under Part 4 or Part 5 of EP&A Act which are proposed on land that is, or is part of, critical habitat, automatically require the preparation of a species impact statement and the concurrence of the Director General, DECC or the Director General, DPI, depending on the Act under which the critical habitat is declared. In some cases consultation with the Minister for Climate Change, Environment and Water or the Minister for Primary Industries is required.

In accordance with the EP&A Act, Local Environmental Plans and Regional Environmental Plans are required to identify any land that has been declared critical habitat. These plans are available for public inspection at the Department of Planning, the office of the council to which a Local Environmental Plan / Regional Environmental Plan applies or such other premises operated or controlled by the council.

(f) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan

Application

When deciding whether the proposal is consistent with the objectives or actions of a recovery plan or threat abatement plan, applicants/proponents must consider all relevant approved recovery plans and threat abatement plans. In addition, it is recommended that they refer to draft recovery plans and draft threat abatement plans, and threatened species profiles and related guidelines, which are available through the DECC and DPI websites.

Draft and approved recovery plans can be obtained from:

- DECC recovery plans
[www.nationalparks.nsw.gov.au/npws.nsf/Content/Recovery+plans]
- DPI recovery plans.
[www.fisheries.nsw.gov.au/threatened_species/general/abatement-plans]

Draft and approved threat abatement plans can be obtained from:

- DECC threat abatement plans
[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threat+abatement+plans+by+doctype]
- DPI threat abatement plans.
[www.fisheries.nsw.gov.au/threatened_species/general/abatement-plans]

Threatened species profiles and guidelines can be obtained from:

- DECC's threatened species website
[www.threatenedspecies.environment.nsw.gov.au/tsprofile/browse_allspecies.aspx]

- DECC's threatened species publications list
[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications]
- DPI's threatened species publications list.
[www.fisheries.nsw.gov.au/threatened_species/threatened_species]

In 2004 amendments were made to the TSC Act and the FM Act that remove the mandatory requirement to prepare recovery plans and threat abatement plans, and instead requires preparation of a *threatened species priorities action statement* (TSC Act s. 90A and FM Act s. 220ZVA).

The priorities action statements will set out the measures required to promote the recovery of each threatened species, population and ecological community to a position of viability in nature and for managing each key threatening process. In applying this factor, consideration should be given to measures outlined in the priorities action statements as well as existing recovery plans and threat abatement plans which will remain in place.

Once prepared, the priorities action statements will be available on the DECC and DPI websites. Further information can be obtained at DECC's threatened species website www.threatenedspecies.environment.nsw.gov.au/tsprofile/home_PAS.aspx.

(g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process

Context

This factor refers only to those key threatening processes (KTPs) listed in Schedule 3 of the TSC Act and Schedule 6 of the FM Act. The NSW legislation website [www.legislation.nsw.gov.au] provides the most up-to-date information on what is listed in the schedules.

All determinations to list KTPs made by the NSW Scientific Committee and Fisheries Scientific Committees can be found at:

- the NSW Scientific Committee
[www.nationalparks.nsw.gov.au/npws.nsf/Content/List+of+Scientific+Committee+determinations]
- the Fisheries Scientific Committees
[www.fisheries.nsw.gov.au/threatened_species/general/what_is_currently_listed]

DECC and DPI have produced fact sheets for a number of KTPs. They can be found at:

- DECC fact sheets
[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications]
- DPI fact sheets
[www.fisheries.nsw.gov.au/threatened_species/general/what_is_currently_listed]

Application

In addition to deciding whether the action/activity constitutes a KTP, consideration must also be given to whether the proposal is likely to exacerbate a KTP. Species listed in the determination as being 'at risk' warrant particular consideration if these species are known or likely to occur within the study area of the development or activity.

Making an Assessment of Significance

The threatened species assessment of significance should **not** be considered a 'pass or fail' test. Instead, consideration of the factors will inform the decision-making process of the likelihood of significant effect. Where necessary, the process will trigger further assessment in the form of a species impact statement.

All factors should be considered as well as any other information deemed relevant to the assessment. The assessment of significance should not be used as a substitute for a species impact statement. Application of the precautionary principle requires that a lack of scientific certainty about the potential impacts of an action does not itself justify a decision that the action is not likely to have a significant impact. If information is not available to conclusively determine that there will not be a significant impact on a threatened species, population or ecological community, or its habitat, then it should be assumed that a significant impact is likely and a species impact statement should be prepared.

Proposed measures that mitigate, improve or compensate for the action, development or activity should not be considered in determining the degree of the effect on threatened species, populations or ecological communities, unless the measure has been used successfully for that species in a similar situation.

In many cases where complex mitigating, ameliorative or compensatory measures are required, such as translocation, bush restoration or purchase of land, further assessment through the species impact statement process is likely to be required.

In determining the nature and magnitude of an impact, it is important to consider matters such as:

- pre-construction, construction and occupation/maintenance phases
- all on-site and off-site impacts, including location, installation, operation and maintenance of auxiliary infrastructure and fire management zones
- all direct and indirect impacts
- the frequency and duration of each known or likely impact/action
- the total impact which can be attributed to that action over the entire geographic area affected, and over time
- the sensitivity of the receiving environment
- the degree of confidence with which the impacts of the action are known and understood.

Recovery and threat abatement plans, priorities action statements, threatened species profiles and other fact sheets prepared by DECC and DPI may provide further guidance on whether an action or activity is likely to be significant.

Dated this 30 day of April 2008.

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

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T08-0085)

No. 3487, VOLCAN ALUMINA CORPORATION PTY LTD (ACN 130 185 885), area of 336 units, for Group 2, dated 7 May, 2008. (Inverell Mining Division).

(T08-0086)

No. 3488, ALKANE RESOURCES LTD (ACN 000 689 216), area of 22 units, for Group 1, dated 12 May, 2008. (Orange Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(07-283)

No. 3180, now Exploration Licence No. 7138, EAST COAST MOLYBDENUM PTY LTD (ACN 126611827), Counties of Clive and Gough, Map Sheets (9238, 9239), area of 67 units, for Group 1, dated 2 May, 2008, for a term until 2 May, 2010.

(07-289)

No. 3186, now Exploration Licence No. 7136, GREYSTOKE MINES PTY LTD (ACN 125 517 259), Counties of Evelyn and Mootwingee, Map Sheets (7336, 7337), area of 86 units, for Group 1, dated 30 April, 2008, for a term until 30 April, 2010.

(07-387)

No. 3284, now Exploration Licence No. 7130, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), Counties of Ashburnham and Bathurst, Map Sheets (8630, 8631), area of 66 units, for Group 1, dated 23 April, 2008, for a term until 23 April, 2009.

(07-403)

No. 3300, now Exploration Licence No. 7133, ARGENT MINERALS LIMITED (ACN 124 780 276), Counties of Bland and Gipps, Map Sheet (8330), area of 8 units, for Group 1, dated 30 April, 2008, for a term until 30 April, 2010.

(07-404)

No. 3301, now Exploration Licence No. 7134, ARGENT MINERALS LIMITED (ACN 124 780 276), Counties of Bathurst and Georgiana, Map Sheet (8730), area of 19 units, for Group 1, dated 30 April, 2008, for a term until 30 April, 2010.

(07-405)

No. 3302, now Exploration Licence No. 7135, ARGENT MINERALS LIMITED (ACN 124 780 276), County of Roxburgh, Map Sheet (8831), area of 31 units, for Group 1, dated 30 April, 2008, for a term until 30 April, 2010.

(T07-0513)

No. 3374, now Exploration Licence No. 7131, MINCOR COPPER PTY LTD (ACN 120 024 777), Counties of Flinders and Kennedy, Map Sheet (8333), area of 86 units, for Group 1, dated 23 April, 2008, for a term until 23 April, 2010.

(T07-0543)

No. 3405, now Exploration Licence No. 7132, ST BARBARA LIMITED (ACN 009 165 066), County of Gregory, Map Sheets (8335, 8435), area of 78 units, for Group 1, dated 23 April, 2008, for a term until 23 April, 2010.

(T08-0024)

No. 3424, now Exploration Licence No. 7137, JACARANDA MINERALS LTD AND MINERALS

AUSTRALIA PTY LTD, County of Hume, Map Sheets (8126, 8225, 8226), area of 294 units, for Group 1, dated 2 May, 2008, for a term until 2 May, 2010.

MINING LEASE APPLICATIONS

(06-94)

Armidale No. 274, now Mining Lease No. 1602 (Act 1992), STRAITS (HILLGROVE) GOLD PTY LTD (ACN 102 660 506), Parish of Cooney, County of Sandon; and Parish of Metz, County of Sandon, Map Sheet (9236-1-N), area of 8612 square metres, to mine for antimony, arsenic, bentonite (including fuller's earth), bismuth, cadmium, caesium, chromite, clay/shale, cobalt, columbium, copper, galena, germanium, gold, indium, iron minerals, kaolin, lead, lithium, manganese, mercury, molybdenite, nickel, niobium, platinum, platinum group minerals, rare earth minerals, rubidium, scandium and its ores, selenium, silver, structural clay, sulphur, tantalum, thorium, tin, tungsten and its ores, vanadium, zinc and zirconia, dated 4 December, 2007, for a term until 11 February, 2020.

(06-94)

Armidale No. 274, now Mining Lease No. 1603 (Act 1992), STRAITS (HILLGROVE) GOLD PTY LTD (ACN 102 660 506), Parish of Cooney, County of Sandon; and Parish of Metz, County of Sandon, Map Sheet (9236-1-N), area of 3262 square metres, to mine for antimony, arsenic, bentonite (including fuller's earth), bismuth, cadmium, caesium, chromite, clay/shale, cobalt, columbium, copper, galena, germanium, gold, indium, iron minerals, kaolin, lead, lithium, manganese, mercury, molybdenite, nickel, niobium, platinum, platinum group minerals, rare earth minerals, rubidium, scandium and its ores, selenium, silver, structural clay, sulphur, tantalum, thorium, tin, tungsten and its ores, vanadium, zinc and zirconia, dated 4 December, 2007, for a term until 11 February, 2020.

(06-94)

Armidale No. 274, now Mining Lease No. 1604 (Act 1992), STRAITS (HILLGROVE) GOLD PTY LTD (ACN 102 660 506), Parish of Cooney, County of Sandon; and Parish of Metz, County of Sandon, Map Sheet (9236-1-N), area of 1.972 hectares, to mine for antimony, arsenic, bentonite (including fuller's earth), bismuth, cadmium, caesium, chromite, clay/shale, cobalt, columbium, copper, galena, germanium, gold, indium, iron minerals, kaolin, lead, lithium, manganese, mercury, molybdenite, nickel, niobium, platinum, platinum group minerals, rare earth minerals, rubidium, scandium and its ores, selenium, silver, structural clay, sulphur, tantalum, thorium, tin, tungsten and its ores, vanadium, zinc and zirconia, dated 4 December, 2007, for a term until 11 February, 2020.

PETROLEUM APPLICATIONS

(07-426)

No. 24, now Petroleum Special Prospecting Authority No. 23, EAST COAST POWER PTY LTD A.C.N. 119 110 057 (ACN 119 110 057), area of 1 block, for petroleum, dated 30 April, 2008, for a term until 30 April, 2009. (Coffs Harbour Mining Division). For exact location details refer to the Department's NSW State Map of Petroleum Titles.

(07-427)

No. 25, now Petroleum Special Prospecting Authority No. 24, EAST COAST POWER PTY LTD A.C.N. 119 110 057 (ACN 119 110 057), area of 1 block, for petroleum, dated 30

April, 2008, for a term until 30 April, 2009. (Coffs Harbour Mining Division). For exact location details refer to the Department's NSW State Map of Petroleum Titles.

(07-428)

No. 26, now Petroleum Special Prospecting Authority No. 25, EAST COAST POWER PTY LTD A.C.N. 119 110 057 (ACN 119 110 057), area of 12 blocks, for petroleum, dated 30 April, 2008, for a term until 30 April, 2009. (Coffs Harbour Mining Division). For exact location details refer to the Department's NSW State Map of Petroleum Titles.

(07-425)

No. 83, now Petroleum Exploration Licence No. 457, EAST COAST POWER PTY LTD A.C.N. 119 110 057 (ACN 119 110 057), area of 14 blocks, for petroleum, dated 30 April, 2008, for a term until 30 April, 2011. (Coffs Harbour Mining Division). For exact location details refer to the Department's NSW State Map of Petroleum Titles.

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

NOTICE is given that the following application has been withdrawn:

EXPLORATION LICENCE APPLICATION

(T08-0044)

No. 3444, ALKANE RESOURCES LTD (ACN 000 689 216), County of Wellington, Map Sheet (8731). Withdrawal took effect on 13 May, 2008.

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

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

(T99-0215)

Exploration Licence No. 5740, ILUKA RESOURCES LIMITED (ACN 008 675 018), area of 101 units. Application for renewal received 12 May, 2008.

(T03-0862)

Exploration Licence No. 6239, SILVER MINES LIMITED (ACN 107 452 942), area of 4 units. Application for renewal received 13 May, 2008.

(06-106)

Exploration Licence No. 6570, TIRONZ PTY LIMITED (ACN 118 491 581), area of 46 units. Application for renewal received 7 May, 2008.

(06-109)

Exploration Licence No. 6571, AUZEX RESOURCES LIMITED (ACN 106 444 606), area of 50 units. Application for renewal received 12 May, 2008.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(04-3386)

Authorisation No. 404, CENTENNIAL MANDALONG PTY LIMITED (ACN 101 508 892), County of Northumberland, Map Sheets (9131, 9231), area of 3432 hectares, for a further term until 31 July, 2012. Renewal effective on and from 29 April, 2008.

(C03-0412)

Exploration Licence No. 4443, CENTENNIAL MANDALONG PTY LIMITED (ACN 101 508 892), County of Northumberland, Map Sheets (9131, 9132, 9231, 9232), area of 8775 hectares, for a further term until 23 October, 2012. Renewal effective on and from 22 April, 2008.

(C03-0417)

Exploration Licence No. 4444, CENTENNIAL MYUNA PTY LIMITED (ACN 101 508 981), County of Northumberland, Map Sheet (9231), area of 5164 hectares, for a further term until 23 October, 2012. Renewal effective on and from 29 April, 2008.

(C96-2158)

Exploration Licence No. 5183, NAMOI MINING PTY. LTD. (ACN 071 158 373), County of Pottinger, Map Sheet (8936), area of 1677 hectares, for a further term until 22 December, 2010. Renewal effective on and from 6 May, 2008.

(T98-1138)

Exploration Licence No. 5668, PEREGRINE MINERAL SANDS N.L. (ACN 009 307 591), County of Taila, Map Sheets (7328, 7428), area of 7 units, for a further term until 4 January, 2010. Renewal effective on and from 7 May, 2008.

(08-0113)

Exploration Licence No. 5919, PLATSEARCH NL (ACN 003 254 395) AND EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454), County of Yancowinna, Map Sheets (7233, 7234), area of 9 units, for a further term until 23 January, 2010. Renewal effective on and from 7 May, 2008.

(T03-1007)

Exploration Licence No. 6221, NEW SOUTH RESOURCES LIMITED (ACN 119557416), Counties of Bligh and Lincoln, Map Sheet (8733), area of 18 units, for a further term until 30 March, 2010. Renewal effective on and from 30 April, 2008.

(04-949)

Consolidated Mining Lease No. 15 (Act 1992), YOUNG MINING COMPANY PROPRIETARY LIMITED (ACN 004 301 508), Parish of Bribaree, County of Monteagle, Map Sheet (8529-4-S), area of 269.4 hectares, for a further term until 29 August, 2012. Renewal effective on and from 30 April, 2008.

(T91-506)

Mining Lease No. 1004 (Act 1973), ALEXANDER CLYDE TAGGART AND ATHOL JOHN TAGGART, Parish of Hall, County of Darling, Map Sheet (9136-3-N), area of 1.99 hectares, for a further term until 24 August, 2016. Renewal effective on and from 30 April, 2008.

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

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(T05-0265)

Exploration Licence No. 6528, INDEPENDENCE GROUP NL, County of Flinders, Map Sheet (8233), area of 54 units. Cancellation took effect on 7 May, 2008.

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

TRANSFERS

(08-791)

Consolidated Coal Lease No. 739 (Act 1973), formerly held by THE NARDELL COLLIERY PTY LTD (ACN 001 205 312) has been transferred to RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761). The transfer was registered on 30 April, 2008.

(08-0791)

Coal Lease No. 380 (Act 1973), formerly held by THE NARDELL COLLIERY PTY LTD (ACN 001 205 312) has been transferred to RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761). The transfer was registered on 30 April, 2008.

(08-791)

Coal Lease No. 580 (Act 1973), formerly held by THE NARDELL COLLIERY PTY LTD (ACN 001 205 312) has been transferred to RAVENSWORTH OPERATIONS PTY LIMITED (ACN 098 937 761). The transfer was registered on 30 April, 2008.

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

PLANT DISEASES ACT 1924**Appointment of Inspectors**

I, RICHARD FREDERICK SHELDRAKE, Director-General of the NSW Department of Primary Industries, pursuant to section 11(1) of the Plant Diseases Act 1924 ("the Act") hereby appoint Jodie Lee DICKSON and Sara Darlene LEWIS as inspectors for the purposes of the Act.

Dated this 8th day of May 2008.

RICHARD SHELDRAKE,
Director-General
NSW Department of Primary Industries

RURAL ASSISTANCE ACT 1989**Appointment of Acting Chief Executive****NSW Rural Assistance Authority**

I, IAN MACDONALD, MLC, Minister for Primary Industries, pursuant to Clause 3 of Schedule 2 to the Rural Assistance Act 1989 appoint Mr Stephen Griffith as Acting Chief Executive of the New South Wales Rural Assistance Authority from 2 June 2008 until 1 July 2008 inclusive.

Dated this 9th day of May 2008.

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

STOCK DISEASES ACT 1923

Appointment of Inspector

Notification No: 489

I, RICHARD FREDERICK SHELDRAKE, Director-General of the NSW Department of Primary Industries, pursuant to section 6(1) of the Stock Diseases Act 1923, ("the Act") hereby appoint Michael Frederick BAYER as an inspector for the purposes of the Act.

Dated this 8th day of May 2008

RICHARD SHELDRAKE,
Director-General
NSW Department of Primary Industries

STOCK DISEASES ACT 1923

Notification No. 1810 – BJD

Revocation of 'Farm Hill' Bovine Johne's Disease
Quarantine Area – BEMBOKA

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to sections 3(2)(a) and 10 of the Stock Diseases Act 1923, hereby revoke Notification Number 1806 – BJD, published in New South Wales Government Gazette No. 92 of 20 July 2007, at page 4761 and any Notification revived as a result of that revocation.

Dated this 7th day of May 2008.

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

FISHERIES MANAGEMENT ACT 1994

Section 8 and Section 11 Notification – Fishing Closures

Ocean Trap and Line Export Approval - North & South Solitary Islands, Fish Rock, Green Island and Magic Point

I, IAN MACDONALD MLC, Minister for Primary Industries do by this notification:

1. Pursuant to section 11 of the *Fisheries Management Act 1994* (“the Act”), revoke the notification titled “Ocean Trap and Line Export Approval – Magic Point and Green Island” published in *Government Gazette* No. 169 of 16 November 2007 at page 8522, and any notification revived as a result of this revocation; and
2. Pursuant to section 8 of the Act prohibit the taking of all species of fish by all endorsement holders in the Ocean Trap and Line Fishery by the methods of fishing specified in Column 1 of Schedules 1, 2, 3 and 4 to this Notification, from the waters described opposite in Column 2 of Schedules 1, 2, 3 and 4 for the period specified opposite in Column 3 of Schedules 1, 2, 3 and 4.

SCHEDULE 1

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining. The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	The Steps/ Anemone Bay – North Solitary Island All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 153°23’21.27” S 29°55’21.03”	From 1 June to 31 December (inclusive) each year
Burleying	The Steps/ Anemone Bay – North Solitary Island All waters as described above plus an additional 500 metres extending beyond the waters described above.	From 1 June to 31 December (inclusive) each year

SCHEDULE 2

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining. The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	Manta Arch – South Solitary Island All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 153°16’5.17” S 30°12’8.48”	All year
Burleying	Manta Arch – South Solitary Island All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year

SCHEDULE 3

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining. The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	Fish Rock – Green Island and connecting corridor All waters from mean high water mark and extending 1000 metres from mean high water mark in all directions around Green Island and Fish Rock, and including all waters within 1000 metres of a connecting line extending between the closest extremities of Green Island and Fish Rock.	All year
Burleying	Fish Rock – Green Island and Connecting Corridor All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year

SCHEDULE 4

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining . The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	Magic Point - Maroubra All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 151°15'38.44" S 33°57'21.53"	All year
Burleying	Magic Point – Maroubra All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year

APPENDIX

(Permitted lead lining)

Lead lining for the species listed in Part 1 of this Appendix is subject to the restrictions contained in Part 2 of this Appendix:

Part 1 – Species**Common name**

Yellowtail kingfish
Amberjack/samsonfish
Rainbow runner
Cobia/black kingfish
Spotted mackerel
Spanish mackerel
Australian bonito
Tailor

Scientific name

Seriola lalandi
Seriola dumerili & *S. hippos*
Elagatis bipinnulata
Rachycentron canadum
Scomberomorus munroi
Scomberomorus commerson
Sarda australis
Pomatomus saltatrix

Part 2 – Restrictions on the use of a lead line

- The boat must be making way (ie. under active propulsion) at all times;
- No more than one hook or gang of hooks to be used on each lead line;
- The hooks used must be constructed of plain steel (ie. not stainless steel);
- No more than two lead lines to be used per licensed fishing boat; and
- Not to be used between half-an-hour past official sunset and half-an-hour before official sunrise.
- The line must not have weights of more than 500g attached to it when used in areas declared to be a critical habitat of the grey nurse shark as set out in Schedule 1A of the *Fisheries Management (General) Regulation 2002*.

In the Schedules to this notification, the latitude and longitude coordinates are in WGS 1984 datum.

In this notification:

“Burleying” means any activity that can be reasonably likely to result in the aggregating of fish associated with line fishing methods.

“Ocean Trap and Line Fishery” means the share management fishery of that name, as described in Schedule 1 to the *Fisheries Management Act 1994*.

“Spinning” means use of an artificial fly or lure in connection with a hand held line deployed from a vessel that is not making way, in a manner that the artificial fly or lure is retrieved at or near the surface of the water (i.e. the fly or lure must not be allowed to sink prior to retrieval).

“Trolling” means use of an artificial fly or lure in connection with a hand held line deployed from a vessel that is making way.

Latitude and longitude coordinates are in WGS 1984 datum.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Trap and Line Fishery have effect despite any provision in the *Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006*.

This notification commences on 16 May and is in force for a period of five (5) years unless sooner amended or revoked.

Note 1: The purpose of this fishing closure is to implement additional protection measures for the grey nurse shark.

Note 2: The taking of fish from the waters described in Column 2 of Schedules 3 and 4 are subject to the restrictions which relate to critical habitats of the grey nurse shark contained in Clause 340B of the *Fisheries Management (General) Regulation 2002*.

Dated this 14 day of May 2008.

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

Approval of Transported Stock Statement

Dated this 8 day of May 2008.

RICHARD SHELDRAKE,
Director-General
NSW Department of Primary Industries

[illegible]

Roads and Traffic Authority

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999 – ORDER

(LS) 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 the Road Transport (Safety and Traffic Management) Act 1999 do, by this my Order, approve of the following type of speed measuring device described hereunder as being designed to measure the speed at which a vehicle is travelling.

Type of device:

The speed measuring device, Ballinger Technology SDS Digital Speedometer

Signed and sealed at Sydney, this 7th day of May, 2008.

By Her Excellency's Command,

ERIC ROOZENDAAL, M.L.C.,
Minister for Roads

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Date: 8 May 2008.

MARK RILEY,
General Manager,
Dubbo City Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as Dubbo City Council Road Train Vehicle Route Notice No. 1/2008

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

4. Application

This Notice applies to those Road Train vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
RT	000	Gipps Street Dubbo	Southern most exit driveway from the Shell Fuel Terminal in Gipps Street	Erskine Street (Golden Highway)	Northerly direction only from the Shell Fuel Terminal

ROAD TRANSPORT (GENERAL) ACT 2005

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

PARKES SHIRE COUNCIL in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Dated 9 May 2008.

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

SCHEDULE**1. Citation**

This Notice may be cited as Parkes Shire B-Double Notice No 1/2008.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Langlands Street, Parkes	Saleyards Road	To end	
25	000	Hanlon Street, Parkes	Saleyards Road	To end	
25	000	Frogley Street, Parkes	Langlands Street	Hanlon Street	
25	000	Boyd Circuit, Parkes	Saleyards Road	To end	

ROAD TRANSPORT (GENERAL) ACT 2005

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

CAMPBELLTOWN CITY COUNCIL, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 23 metre B-Double vehicles may be used.

Dated 12 May 2008.

PAUL TOSI,
General Manager,
Campbelltown City Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the. Campbelltown City Council 23metre B-Double Repeal Notice No. 01/2008

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

The General B Double Permit Notice 2005 is amended by omitting the following from appendix 2 of that Notice:

Type	Road	Starting point	Finishing point
23	MacDonald Road, Ingleburn	Hume Highway overbridge	Campbelltown Road

ROAD TRANSPORT (GENERAL) ACT 2005

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

NEWCASTLE CITY COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which **25metre B-Doubles** may be used subject to any requirements or conditions set out in the Schedule.

Date: 6 May 2008.

GRAHAM CLARKE,
(Acting) General Manager
Newcastle City Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Newcastle City Council 25 Metre B-Double route Notice No.. 2/2008

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

- (i) Omit the following route from Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 - B-Double routes in NSW

Type	Road No.	Road Name	Start Point	Finish Point	Conditions
25		Rural Drive, Sandgate	Wallsend Road	Jersey Avenue	
25		Jersey Avenue, Sandgate	Rural Drive	Friesian Close	

- (ii) Insert the following route in Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 - B-Double routes in NSW

Type	Road No.	Road Name	Start Point	Finish Point	Conditions
25		Rural Drive, Sandgate	Wallsend Rd	Entire length	
25		Jersey Avenue, Sandgate	Rural Drive	Entire length	
25		Guernsey Street, Sandgate	Jersey Avenue	Entire length	
25		Ayrshire Crescent, Sandgate	West of Rural Road	Entire length	

ROAD TRANSPORT (GENERAL) ACT 2005

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

NEWCASTLE CITY COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which **25metre B-Doubles** may be used subject to any requirements or conditions set out in the Schedule.

Date: 8 May 2008.

GRAHAM CLARKE,
(Acting) General Manager
Newcastle City Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Newcastle City Council 25 Metre B-Double route Notice No. 1/2008

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30th September 2008 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Bourke Street Carrington	Port Terminal Entrance	Robertson Street	Temporary access only to be used when Elizabeth Street is closed
25		Robertson Street Carrington	Bourke Street	Darling Street	Temporary access only to be used when Elizabeth Street is closed

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated 12 May 2008.

K YATES,
General Manager
Wyong Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Wyong Shire Council B-Double Notice No. 1/2008

2. Commencement

This Notice takes effect on the date of gazettal

3. Effect

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

4. Application

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Mingara Drive, Tumbi Umbi	Wyong Road	Hansens Road	Access only available for the duration of the annual Central Coast Truck Show at the Mingara Recreation Club

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

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

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

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

SCHEDULE

ALL those pieces or parcels of land situated in the Parramatta City Council area, Parish of St John and County of Cumberland, shown as:

Lot 13 Deposited Plan 1018522 being part of the land in Certificate of Title Volume 1304 Folio 228;

Lot 14 Deposited Plan 1018522 being part of the land in Certificate of Title Volume 4867 Folio 111;

Lot 15 Deposited Plan 1018522 and Lot 16 Deposited Plan 1018620 being parts of the land resumed by notification in the Government Gazette No 29 of 19 March 1948 on page 628;

Lot 16 Deposited Plan 1018522 being part of the land in Certificate of Title 13/109759; and

Lot 15 Deposited Plan 1018620 being part of the land in Certificate of Title 34/109759.

The land is said to be in the possession of Sydney Water Corporation.

(RTA Papers FPP 8M1589; RO F4/354.12054)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Wentworth Falls and Leura in the Blue Mountains City
Council area

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

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

SCHEDULE

ALL those pieces or parcels of land situated in the Blue Mountains City Council area, Parish of Jamison and County of Cook, shown as:

Lots 16, 19 and 20 Deposited Plan 231761;

Lot 7 Deposited Plan 707576;

Lot 14 Deposited Plan 774457;

Lot 9 Deposited Plan 842777;

Lots 2, 3 and 4 Deposited Plan 864310;

Lots 17 to 32 inclusive Deposited Plan 1051521; and

Lot 1 Deposited Plan 1067196.

(RTA Papers: 5/44.1623)

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

Notice of Compulsory Acquisition of Land at
Rockton in the Bombala Shire Council area

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

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

SCHEDULE

ALL that piece or parcel of Crown land situated in the Bombala Shire Council area, Parish of Bondi and County of Auckland, shown as Lot 18 Deposited Plan 860891, being part of the land in Travelling Stock and Camping Reserve No 70728 notified in the Government Gazette No 145 of 30 October 1942 on page 2915.

(RTA Papers FPP 7M4033; RO 19/47.1273)

ROADS ACT 1993**Section 31**

Fixing or Varying of Level of part of the Princes
Highway (Pambula Floodplain Crossing) within the
Bega Valley Shire Council area

The Roads and Traffic Authority of New South Wales by this order under Section 31 of the Roads Act 1993, fixes or varies the levels of the part of Highway No 1 - Princes Highway (Pambula Floodplain Crossing) in the vicinity of South Pambula, as shown on Roads and Traffic Authority plan Nos. 0001.032.RC.0851 and 0001.032.RC.0022.

R E Watson
Project Services Manager
Roads and Traffic Authority of New South Wales
Level 4, 90 Crown Street
Wollongong NSW 2500

(RTA Papers: FPP 32.5357; RO 1/32.1711)

Department of Water and Energy

WATER ACT 1912

APPLICATIONS for a Licence, under the section 10 of Part 2 of the Water Act 1912, as amended, have been received as follows:

Guy LUCAS and Norma Edith LUCAS for five pumps on the Brogo River being Lot 74, DP 750220 and Lot 1403, DP 628436, all Parish of Mumbulla, all County of Auckland for irrigation (improved pasture), mining, industrial (tea rooms), stock & domestic purposes. (Replacement license – replacing 10SL35262, 10SL50016, 10SL55071, 10SL55089 and the permanent transfer of part allocation from 10SA2504). No increase in area or allocation. (Not subject to the 2007 South Coast Rivers embargo). (Ref: 10SL56773).

Gary Ronald POTTS and Frances Christine PERKINS for a pump on Narira Creek being Lot 5, DP 786840, Parish Narira, County Dampier for the irrigation of 2.0 hectares (grape vines) (New licence – permanent transfer of 3.0 megalitres from 10SL056550) (exempt from the 2007 South Coast Rivers embargo). (Ref:10SL056802).

Any inquiries regarding the above should be directed to the undersigned on (02) 4429 4442. Written objections, specifying grounds, must be lodged with the Department of Water and Energy, PO Box 309, Nowra NSW 2541, within 28 days of the date of this publication.

WAYNE RYAN,
Licensing Officer

APPLICATIONS for licence under Part 2 of the Water Act 1912, being within a Proclaimed (declared) Local Area under section 5 (4) of the Act. An Application for a Licence under section 10 of Part 2 of the Water Act 1912, have been received as follows:

Lachlan River Valley

Graham Winder HUNT, for a pump on Billabong Creek, on Lot 193, DP 750164, Parish Kamandra, County Ashburnham, water supply for stock and domestic purposes, new licence (Ref.70SL091117).

XTH (2) PTY LIMITED, SCOTT CAMERON BENNETT and CASSANDRA MARGARET BENNETT for a pump on the Belubula River, on Lot 2, DP 1034324, Parish Canowindra, County Bathurst, for water supply for stock, domestic and irrigation purposes, 41 hectares (lucerne, cereal, hay and vegetables). (New Licence – allocation obtained by way of Permanent Transfer Scheme, transferring from existing entitlement and combining with an existing entitlement—no increase in pumping capacity, no additional lands to be irrigated.). (Ref: 70SL091114). (In lieu of advertisement in *Canowindra News* dated 5 March 2008 and *Government Gazette* No. 33 dated 14 March 2008).

Any inquiries regarding the above should be directed to the undersigned on (02) 6850 2800. Written objections, specifying grounds, must be lodged with the Department of Water and Energy, PO Box 291, Forbes NSW 2871, within 28 days of the date of this publication.

VIV RUSSELL,
Licensing Manager

Other Notices

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, and on the recommendation of the Anti-Discrimination Board, an exemption is granted to Veolia Transport Pty Ltd, from the provisions of sections 25 and 51 of the Anti-Discrimination Act 1977, to designate and recruit for women only positions as bus drivers.

This exemption will remain in force for a period of five (5) years from the date given.

Dated this 2nd day of May 2008.

JOHN HATZISTERGOS, M.L.C.,
Attorney General

APRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of the making of a Vocational Training Order for the recognised traineeship vocation of Retail Operations.

The Order specifies a number of matters in relation to the required training for this vocation, including the term/s of training, competency outcomes and course/s of study to be undertaken.

The Order will take effect from the date of publication in the Gazette.

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

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act, 1984.

Cancellation is effective as at the date of gazettal.

Morisset Pool Incorporated Y0165003
Bourke Community Youth Support Scheme Inc Y0258042
Orana Arabian Horse Association Inc Y0036801
Wahroonga Cricket Club Inc Y0332014
St Michaels – Taxiarchis – Soccer Club Inc Y0361005
McGraths Hill Cricket Club Inc Y0395618
Gosford District Motorcycle Club Inc Y0170700
Castle Hill Sports and Recreation Club Inc Y0293825
Eurasia Evangelistic Missions Incorporated Y2731034
Murwillumbah Triathlon Club Inc Y1173146
The 18ft Skiff Association Inc Y1297415
Breakers Community Centre Inc Inc9877209
North Coast Khalsa Federation Inc Y0872316
Abrasives Institute of Australia Inc Y1412501
Rotaract Club of Grafton Inc Y0873901
Dubbo Citizens Against Pollution Incorporated Inc9874222

Lane Cove Central Precincts Residents Association Incorporated Inc9881997
Hastings Camden Haven Total Catchment Management Committee Incorporated Y2333146
Australian Chinese Poetry Society Incorporated Y3025741
Karate Budokan International of Australia Incorporated Y2629607
Neem Association in Australia Incorporated Y2266032
Society of the Golden Keys Australia (Les Clefs D'or Australia) Inc Y1279907
Nineteen Nineties Committee Inc Y1143403
Friends of Wisteria Gardens and Cumberland Hospital Inc Y1175924
Bankstown Australian Arabic Aged Centre Inc Y1140510
The Armidale Gay and Lesbian Society Incorporated Y2388013
Order of the White Cross Australia Inc Y0059245
Society of Missionaries of the White Cross Against Hunger & Poverty Inc Y0059147
Rowe Street Musicals Inc Y0099229
Bellingen Shire Community Youth Support Scheme Inc Y0129644
Injured Workers Association North Coast Inc Y1197616
Gunning Traders Association Inc Y1238632
Te Rau Manaaki Incorporated Y1237243
No Republic (Parramatta) Incorporated Y2208932
Snowy Region Interagency Inc Y0156200
Oberon Basketball Association Inc Y1515438
Australian Macedonian Art Society Inc Y1093535
Southern Arts Committee Inc Y1098520
New Life Christian Family Centre Inc Inc3417223
Safda Incorporated Y2168031
Cootamundra Arts Council Inc Y0738319

CHRISTINE GOWLAND,
Manager, Financial Analysis Branch
Registry of Co-operatives & Associations
Office of Fair Trading
Department of Commerce
12 May 2008

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 55A

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 55A of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

The Gosford Brigades Relief Fund Incorporated Inc9884746
The UKI Forum Incorporated Inc9884663
Boolaroo Public School Council Incorporated Inc9885453
Hawkesbury Wine, Food & Music Affair Incorporated Y2864645
Pioneers Shotball and Social Club Incorporated Inc9878142

Tocumwal on the Murray Regional Tourism Board
Incorporated Inc9886104
Church Missionary Society Aid-Australia
Incorporated Y2727804
Cootamundra Assistance Services Incorporated
Inc9883639
Blessedlove Christian Introduction Incorporated
INC9887326

CHRISTINE GOWLAND,
Manager, Financial Analysis Branch,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce
9 May 2008

CO-OPERATIVES ACT 1992

Notice under Section 369M (3) of the
Co-Operatives Act 1992

NOTICE is hereby given that the Foreign Co-operative mentioned below will be deregistered upon publication of this notice.

Consolidated Herd Improvement Services
Co-operative (New South Wales) Limited

Dated this eighth day of May 2008.

C. GOWLAND,
Delegate of the Registrar of Co-Operatives

CO-OPERATIVES ACT 1992

Notice under Section 601AB of the Corporations Act 2001
as Applied by Section 325 of the Co-Operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

Wagga Wagga Education Centre Co-operative
Limited

Dated this eighth day of May 2008.

C. GOWLAND,
Delegate of the Registrar of Co-Operatives

CORPORATIONS ACT 2001

Notice under Section 601AA of the Corporations Act 2001
as Applied by Section 325 of the Co-Operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

Glenfield Farm Goodwill Co-operative Limited

Dated this eighth day of May 2008.

C. GOWLAND,
Delegate of the Registrar of Co-Operatives

FAIR TRADING ACT 1987

Section 28 (1)

Referral to the Products Safety Committee

The Products Safety Committee
C/- The Office of Fair Trading
Safety and Standards Branch
Bradfield Road
Lindfield West NSW 2070

PURSUANT to section 28 (1) of the Fair Trading Act 1987 ("the Act"), I, Linda Burney, Minister for Fair Trading, hereby refer to the Products Safety Committee ("the Committee") for its consideration in respect of goods of the kind specified in Schedule 1, the question specified in section 28 (1) of the Act which is set out in Schedule 2.

Dated this 13th day of May 2008.

LINDA BURNEY,
Minister for Fair Trading

SCHEDULE 1

Toys containing magnets which are intended to be used in playing with the toy.

SCHEDULE 2

Whether the supply of the goods should:

- (a) because they are dangerous, or are a possible source of danger, be prohibited; or
- (b) be allowed only subject to conditions or restrictions to be specified by the Committee.

FIRE BRIGADES ACT 1989

Order under Section 5 (2)

I, PROFESSOR MARIE BASHIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of section 5 (2) of the Fire Brigades Act 1989, do, by this my Order, vary the Orders published in *Government Gazette* No. 107 of 26 August 2005 (Cootamundra), No. 107 of 26 August 2005 (Goulburn), No. 170 of 21 November 1986 (Harden-Murrumburrah), No. 20 of 21 February 1997 (Young), and reconstitute the Fire Districts in the following Schedule and declare that the provisions of the Fire Brigades Act shall apply to the areas described in the Schedule.

Signed at Sydney, this 7th day of November 2007.

By Her Excellency's Command,

NATHAN REES,
Minister for Emergency Services

GAME AND FERAL ANIMAL CONTROL ACT 2002

Notification of suspension of Schedule 1 Conditions of
NSW Game Hunting Licences

IN pursuance of the Game and Feral Animal Control Regulation 2004 the Game Council of NSW gives notice of the suspension of operations of provisions in Clauses 4, 5, 7, 8 and 9 of Schedule 1 of the Game and Feral Animal Control Regulation 2004 on the following specified land for the control of game and feral animals:

For the period 16 May 2008 – 8 May 2012

Lot 32, DP 1123422

Lot 2, DP 1033849

Approved by Game Council of NSW this 16th day of May 2008.

BRIAN BOYLE,
Chief Executive Officer

For and on behalf of the Game Council of NSW

GAME AND FERAL ANIMAL CONTROL ACT 2002

Notification of suspension of Schedule 1 Conditions of
NSW Game Hunting Licences

IN pursuance of the Game and Feral Animal Control Regulation 2004 the Game Council of NSW gives notice of the suspension of operations of provisions in Clauses 4, 5, 7, 8 and 9 of Schedule 1 of the Game and Feral Animal Control Regulation 2004 on the following specified land for the control of game and feral animals:

For the period 23 May 2008 – 23 May 2013

All private land within the Port Macquarie-Hastings
Local Government Area.

Approved by Game Council of NSW this 16th day of May 2008.

BRIAN BOYLE,
Chief Executive Officer

for and on behalf of the Game Council of NSW

GAS SUPPLY ACT 1996

Market Operations Rules (NSW Gas Supply Continuity
Scheme) 2008

IN accordance with section 33K (5) of the Gas Supply Act 1996, I, Ian Macdonald MLC, Minister for Energy, give notice of the approval of the Market Operations Rules (NSW Gas Supply Continuity Scheme) 2008 which are to take effect on the date of assent of the Gas Supply Amendment Act 2008 or on the date of the publication of this notice, whichever is the later.

In accordance with section 33K (5) (c), the Market Operations Rules (NSW Gas Supply Continuity Scheme) 2008 are available on the internet site of the Department of Water and Energy at www.dwe.nsw.gov.au.

In accordance with the provisions of the Market Operations Rules (NSW Gas Supply Continuity Scheme) 2008, the Gas Market Company Limited (ABN 72 095 400 258) is appointed as scheme operator to the gas supply continuity scheme.

Dated at Sydney, this 12th day of May 2008.

IAN MACDONALD, M.L.C.,
Minister for Energy

GEOGRAPHICAL NAMES ACT 1966

Erratum

IN the notice referring to the assignment of the name Cumbil, Folio 7488, 19 October 1973. The notice should have read:

Recorded Name	Designation	Geographical Name Assigned
Discontinued	Parish	Cumbil
Cumbill		

This notice corrects that error.

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Erratum

IN the notice referring to the assignment of the name Yooloobill, Folio 2093, 27 June 1980. The name was incorrect and should have read Yooloobil. This notice corrects that error.

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Erratum

IN the notice referring to the assignment of the name Combadello, Folio 1328, 23 May 1980. The name was incorrect and should have read Combadelo. This notice corrects that error.

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Erratum

IN the notice referring to the assignment of the name Merunda, Folio 7646, 16 February 1981. The name was incorrect and should have read Meranda. This notice corrects that error.

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

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 Swain Native Park.

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 as geographical names.

Assigned Name:	Fingal Head Beach
Designation:	Beach
L.G.A.:	Tweed Shire Council
Parish:	Terranora
County:	Rous
L.P.I. Map:	Tweed Heads
1:100,000 Map:	Tweed Heads 9641
Reference:	GNB 5211
Assigned Name:	Bill McNamara Park
Designation:	Reserve
L.G.A.:	Liverpool Plains Shire Council
Parish:	Coeypollly
County:	Buckland
L.P.I. Map:	Quipolly
1:100,000 Map:	Tamworth 9035
Reference:	GNB 5225
Assigned Name:	The Swain Gardens
Discontinued Name:	Swain Native Park
Designation:	Reserve
L.G.A.:	Ku-ring-gai Council
Parish:	Gordon
County:	Cumberland
L.P.I. Map:	Parramatta River
1:100,000 Map:	Sydney 9130
Reference:	GNB 5226
Assigned Name:	Allawah Bushland Reserve
Designation:	Reserve
L.G.A.:	Ballina Shire Council
Parish:	Ballina
County:	Rous
L.P.I. Map:	Ballina
1:100,000 Map:	Ballina 9640
Reference:	GNB 5221
Assigned Name:	Forestpark Reserve
Designation:	Reserve
L.G.A.:	Shoalhaven City Council
Parish:	Numbaa
County:	St Vincent
L.P.I. Map:	Nowra
1:100,000 Map:	Kiama 9028
Reference:	GNB 5222

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.gnb.nsw.gov.au

WARWICK WATKINS,
Chairman

Geographical Names Board,
PO Box 143, Bathurst NSW 2795

LOCAL GOVERNMENT ACT 1993

Order under Local Government Act 1993

I, the Hon Paul Lynch MP, Minister for Local Government:

- (a) In pursuance of section 506 of the Local Government Act 1993, do by this Order specify that the maximum percentage by which councils' general income (as defined under section 505 (a) of the Act), for the year 1 July 2008 to 30 June 2009 may increase is 3.2%.

- (b) In pursuance of sections 507 and 508 (7) of the Local Government Act 1993, do by this Order specify that no limitation is to apply to the amount that annual charges made by councils for domestic waste management services for the year 1 July 2008 to 30 June 2009 may be varied from their respective amounts of the previous year.

Dated this 7th day of May 2008.

Hon PAUL LYNCH, M.P.,
Minister for Local Government

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

Professor Marie Bashir, A.C., 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 sections 255, 256 and 736 of the Local Government Act 1993, do, by this Proclamation, declare that the Proclamation published in *Government Gazette* No. 25 of 27 February 2008, on page 1249 declaring all civic offices of Port Macquarie-Hastings Council vacant is amended as follows:

1. After clause (d) of said Proclamation and insert:

- (e) notwithstanding paragraph (d), Mr Alan Griffin is appointed the substitute Administrator for the period 14 to 30 May 2008 inclusive."

Signed and sealed at Sydney, this fourteenth day of May 2008.

By Her Excellency's Command,

Hon PAUL LYNCH, M.P.,
Minister for Local Government

GOD SAVE THE QUEEN!

NSW SERVICE MEDALLION RECIPIENTS

Awarded 1 May 2008

<i>Title, First Name, Surname</i>	<i>Nominating Department</i>
Mr Peter AITCHISON	Public Trustee NSW
Mr Kenneth BARTHO	Department of Housing
Mr Jeffrey BEBB	NSW Police
Mr Ronald BERRINGTON	Department of Commerce
Mr Graham BRICKWOOD	Department of Ageing, Disability & Home Care
Mr Howard BUSHBY	NSW Police
Mr John CAMPBELL	Department of Commerce
Dr Roger CROUCH	South Eastern Sydney and Illawarra Area Health Service
Mr Ralph DAVIES	Department of Commerce
Mr Timothy DUNLOP	Department of Housing
Mr Kevin ELFORD	Roads and Traffic Authority
Mr Warwick FARLEY	Department of Commerce
Mr Trevor GILBY	Roads and Traffic Authority
Mr Graham GILMORE	Public Trustee NSW
Mr Alan GRAHAM	Department of Housing
Mr John GREGORY	Department of Housing
Mr Steven HAYES	Department of Commerce

Mr Brian HOBAN	Public Trustee NSW
Mr Ian JOHNSON	Department of Housing
Mr Patrick KENNEDY	Public Trustee NSW
Mr John KNOPMAN	Department of Education and Training
Mr Richard LANE	Department of Commerce
Mr Ross LATTA	Roads and Traffic Authority
Mr Gordon LAWSON	Roads and Traffic Authority
Mr John McCARTNEY	Department of Commerce
Mr John MILLS	Department of Housing
Ms Bronwyn MORRIS	Roads and Traffic Authority
Mr Gary MOWBRAY	Department of Commerce
Mr Dennis NEALL	Roads and Traffic Authority
Mr Gary NIELSEN	Department of Commerce
Mr Kenneth PARISH	Department of Commerce
Mr Neale PHILIP	Department of Environment and Climate Change
Mr Barry PORTER	Department of Education and Training
Mr William ROOHAN	Department of Commerce
Mr Geoffrey SINGH	NSW Office of Liquor, Gaming and Racing
Mr Alan TAYLOR	Department of Housing
Mr Rick VINE	Roads and Traffic Authority
Mr Geoffrey WARD	Department of Commerce
Mr Garry WARNKEN	Department of Housing
Mr George WILLIAMS	Sydney Catchment Authority
Mr Colin WILSON	Department of Commerce
Mr Phillip YOUNGMAN	Roads and Traffic Authority

SUBORDINATE LEGISLATION ACT 1989**Environmentally Hazardous Chemicals Regulation 2008**

NOTICE is given in accordance with section 5 of the Subordinate Legislation Act 1989 of the intention to make a regulation under the Environmentally Hazardous Chemicals Act 1985. The Environmentally Hazardous Chemicals Act 1985 provides for the assessment and management of environmentally hazardous chemicals and declared chemical wastes in NSW. The Environmentally Hazardous Chemicals Regulation 1999 is made under the Act and contains administrative provisions relating to the operation of the Environmentally Hazardous Chemicals Act 1985.

The proposed Environmentally Hazardous Chemicals Regulation 2008 is planned to replace the 1999 Regulation which will be automatically repealed on 1 September 2008.

The draft Regulation and Regulatory Impact Statement can be accessed via the Department of Environment and Climate Change's website www.environment.nsw.gov.au/ consult or by contacting Environment Line on 131 555.

Written comments and submissions on the proposed regulation will be accepted up to Friday 20 June 2008 and should be addressed to:

The Manager, Chemicals Policy Section
Department of Environment and
Climate Change NSW
PO Box A290
Sydney South NSW 1232

Submissions can be emailed to info@environment.nsw.gov.au.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BLUE MOUNTAINS CITY COUNCIL

Roads Act, 1993, Section 162

Naming of Public Road

IN accordance with provisions of the Roads Act, 1993, notice is given that Council has named the new road created in the subdivision of L 7 DP 10696, No 49 Pauline Avenue, Wentworth Falls, and L A, B & C DP 354154, L 1-6 DP 10696, No. 59-79 Waratah Road, Wentworth Falls, as Chancery Lane.

The new road is located off Pauline Avenue.

This notice was approved on 12 May 2008 under the authority of Paul Koen, Executive Principal, Environmental & Customer Services, Blue Mountains City Council, Locked Bag 1005, Katoomba NSW 2780. [3902]

GOSFORD CITY COUNCIL

Water Management Act 2000

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition

GOSFORD CITY COUNCIL declares with the approval of Her Excellency the Governor and the Executive Council, that the land described in the schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of sewerage.

Dated at Gosford this 14 day of May, 2008.

PETER WILSON,
General Manager

SCHEDULE

Lot 1 DP 1105645 (part land in 721/1085761). [3903]

LITHGOW CITY COUNCIL

Roads act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that in accordance with section 162 (1) and (2) of the Roads Act 1993, Council has named the named following roads as described below:

<i>Location</i>	<i>Names</i>
Dirt section of Mid Hartley Road between Browns Gap Road and Hartley Vale Road.	Fields Road
Lot 12 DP 1043086, off Sandford Avenue, rear of State Office Block, Lithgow.	Barracks Place
New subdivision adjoining Kirkley Street, South Bowenfels, being on Lot 1 DP 881717 & Lot 4 DP 1017922.	Kirkley Street Surveyors Way Stockade Close

P. ANDERSON, General Manager, Lithgow City Council, PO Box 19, Lithgow, N.S.W 2790. [3904]

LIVERPOOL CITY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

LIVERPOOL CITY COUNCIL declares with the approval of Her Excellency the Governor that the land described in the schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of a public road. Dated at Liverpool this 12th day of February 2008. GENERAL MANAGER, PO Box 555, Tamworth NSW 2340, 437 Peel Street, Tamworth NSW 2340, tel.: (02) 6767 5555.

SCHEDULE

Lot 100, DP 1030955. [3905]

MAITLAND CITY COUNCIL

Naming of Public Roads

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

<i>Deposited Plan</i>	<i>Location</i>	<i>Road Name</i>
DP1112497	Largs	Woodhurst Street
DP1112497	Largs	Majestic Road
DP1112497	Largs	Radiant Avenue
DP1112497	Largs	Chinook Street
DP1112497	Largs	Mirani Street
DP1112497	Largs	Woodhurst Street
DP1112497	Largs	Stayard Drive

The above road names have been advertised & notified. No objections to the proposed names have been received during the prescribed 28 day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220) MAITLAND NSW 2320. [3906]

NAMBUCCA SHIRE COUNCIL

Roads Act 1993 Section 10

Dedication of Land as Public Road

IN accordance with Section 10 of the Roads Act 1993, Nambucca Shire Council dedicates the land held by it and described in the Schedule below as Public Road. MICHAEL COULTER, General Manager, Nambucca Shire Council, PO Box 177 Macksville NSW 2447.

SCHEDULE

Lot 1 in Deposited Plan 1095413 at Whip Mountain Road.

Lot 3 in Deposited Plan 1106562 at Eungai Creek.

[3907]

PARKES SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

PARKES SHIRE COUNCIL declares with the approval of Her Excellency the Governor, that the lands described in the schedule below, excluding any mines or deposits of minerals in the land, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of an access road.

Dated at Parkes this 14 day of May 2008.

ALAN MCCORMACK,
General Manager

SCHEDULE

Lot 1 DP 1116186. [3908]

PARKES SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

PARKES SHIRE COUNCIL declares with the approval of Her Excellency the Governor, that the lands described in the schedule below, excluding any mines or deposits of minerals in the land, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of a sewage treatment plant.

Dated at Parkes this 14 day of May 2008.

ALAN MCCORMACK,
General Manager

SCHEDULE

Lot 162 DP 752121.
Lot 164 DP 752121. [3909]

PARKES SHIRE COUNCIL

Roads Act 1993

Dedication of Land as Public Road

NOTICE is hereby given by Parkes Shire Council pursuant to Section 10 of the Roads Act 1993 that the land as described in the schedule below is hereby dedicated as public road. Dated at Parkes, 14 May 2008. A McCormack, General Manager, Parkes Shire Council, PO Box 337, Parkes NSW 2870.

SCHEDULE

Lot 1 DP 1116186. [3910]

SUTHERLAND SHIRE COUNCIL

Local Government Act 1993, Section 50(4)

Vesting of Public Reserve in Council

NOTICE is hereby given that in accordance with Section 50(4) of the Local Government Act, 1993, the land described in the Schedule below is vested in Sutherland Shire Council.

Dated at Sutherland 9th day of May 2008.

J W RAYNER, General Manager, Sutherland Shire Council,
4-20 Eton Street, Sutherland, NSW, 2232.

Schedule

Lot 25 DP 20858 contained in Certificate of Title Volume 6673 Folio 153 situated at 2R Hotham Road, Kirrawee in the Parish of Sutherland, County of Cumberland, Local Government Area of Sutherland. [3911]

TAMWORTH REGIONAL COUNCIL

The Roads Act 1993 – Section 162

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

New Road Names

NOTICE is hereby given in accordance with the above that:

The road created by the subdivision of Lot 512 DP 259762, 398 Bournes Lane HALLSVILLE NSW 2340, under Development Application number DA0638/2006, has been named Manina Way;

The road created by the subdivision of Lots 21 and 22 in DP 1022760, 31-57 Panorama Road, CALALA, has been named Mountain Gum Road;

The road currently recorded as “Couplands Road” in the DUNCAN’S CREEK Locality has been renamed to “Oakvale Road”. The road begins at Lot 1001 in DP 1016402 and continues for approximately 1.13 Kilometres ending at Lot 1 in DP 801141. [3912]

TWEED SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Tweed Shire Council, by resolution of Council dated 22 January 2008 has resolved to dedicate the land described hereunder as public road pursuant to Section 10 of the Roads Act, 1993. Mike Rayner, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah, NSW, 2484.

SCHEDULE 1

Lot 1 DP 1120947. [3913]

TUMBARUMBA SHIRE COUNCIL

Local Government Act 1993 (Section 713)

Sale of Land for Unpaid Rates

NOTICE is hereby given to the persons named hereunder that THE Tumbarumba Shire Council has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder, of which the persons named appear to be the owners or in which they appear to have an interest and on which the amount of rates and charges stated in each case as at 26 February 2008, are due:

<i>Owners or persons having an interest in the land</i>	<i>Description of the land</i>	<i>Amount of rates, (including extra charges overdue for more than 5 years</i>	<i>Amount of all other rates, (including extra charges) due and in arrears</i>	<i>Total Outstanding (interest calculated to 26 February 2008</i>
(a)	(b)	(c)	(d)	(e)
TORRENS, Andrew Robert and PATON, Norman Murray	Lots 1 and 2, DP 1109691 400 Tintaldra Road Tooma	\$4,961.96	\$22,162.95	\$27,124.91
Estate PERKINS, Clarice Edna	Lots 2, DP 24781 101 Winton Street Tumbarumba	\$2,383.02	\$8,433.98	\$10,817.00
HEINECKE, Herman	Lots 5, DP 111858 Black Range Road Tumbarumba	\$47.41	\$320.21	\$367.62

In default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) becoming due and payable after the publication of this notice, before the time fixed for the sale, the said land will be offered by auction at the Council Chambers on Friday 21 August 2008 at 4.00 p.m. BRIAN PEARSON, General Manager, Tumbarumba Shire Council, PO Box 61, Tumbarumba NSW 2653, Cnr Bridge & Winton Street, Tumbarumba NSW 2653, tel.: (02) 6948 9100. [3914]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of JOHN LAURENCE BUCKLEY, late of 18 Osborne Avenue, Ryde, in the State of New South Wales, who died on 25 January 2008, must send particulars of his claim to the executor, c.o. John S. Fordham, Solicitor, 12 Station Street, West Ryde NSW 2114, 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 she has notice. Probate was granted in New South Wales on 1 May 2008. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde NSW 2114 (PO Box 107, West Ryde NSW 1685) (DX 27551, West Ryde), tel.: (02) 9858 1533. Reference: JSF.CT.08031. [3915]

NOTICE of intended distribution of estate.–Any person having any claim upon the estate of ERNEST WILLIAM GEORGE LONG late of Hawks Nest in the State of New South Wales, retired manager, who died on 3 February 2008, must send particulars of their claim to the Executors Robert Victor Long and Peter Ewan Kennedy c/o HWL Ebsworth, Lawyers, Australia Square, 264 George Street, Sydney within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of distribution the executors have notice. Probate was granted in New South Wales on 27 March 2008. PETER KENNEDY, Lawyer, Australia Square, 264 George Street, Sydney 2001, tel.: 9334 8844. [3916]

COMPANY NOTICES

NOTICE of voluntary liquidation. – VL MARCELLOS SOLICITOR CORPORATION, (ABN 32 078 940 922). – At a Special Resolution of Directors of VL Marcellos Solicitor Corporation, ABN 32 078 940 922, duly convened and held at Midgeon, Dungowan NSW 2340 on 30 April, 2008, the special resolution set out below was duly passed: "That the company be wound up as a voluntary liquidation under section 392 (2) (b) of the Companies' Code (NSW). It was also resolved that Megan A Edwards of Hancocks Chartered Accountants, 82 Brisbane Street, Tamworth NSW 2340 be appointed liquidator for the purposes of the winding up. Dated this 8th day of May 2008. M. EDWARDS, Liquidator, c.o. Hancocks Chartered Accountants, PO Box 84, Tamworth NSW 2340, tel.: (02) 6766 4716. [3917]

Authorised to be printed

ISSN 0155-6320

DENIS H. HELM, Government Printer.