



# *Government Gazette*

OF THE STATE OF

NEW SOUTH WALES

**Week No. 6/2013**

**Friday, 8 February 2013**

*Published under authority by  
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Pages 267 – 386*

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## DEADLINES

### Attention Advertisers . . .

*Government Gazette inquiry times are:*

*Monday to Friday: 8.30 am to 4.30 pm*

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### 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.

### Special Supplements

A Special Supplement or Extraordinary Supplement is a document which has a legal requirement to commence on a certain date and time. Release of Publication is required on the same day. The request for a Supplement is received from the department to the *Government Gazette* by telephone. The copy must be accompanied by a letter or email requesting the Supplement and signed by a Minister or Head of a Department.

**NOTE:** Advance notice of a Special Supplement is essential as early as possible on the day required. On Thursdays early notice is a priority and when possible notice should be given a day prior being the Wednesday.

#### Please Note:

- *Only electronic lodgement of Gazette contributions will be accepted. If you have not received a reply confirming acceptance of your email by the close of business on that day please phone 9228 3120.*

## Department of Finance and Services Tenders

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

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

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

*SEE the Government Gazette website at:*  
*<http://nsw.gov.au/gazette>*



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 8**  
**Friday, 1 February 2013**

Published under authority by the Department of Premier and Cabinet

## **SPECIAL SUPPLEMENT**

### **HERITAGE ACT 1977**

Notice of Listing on the State Heritage Register under Section 37 (1) (b)

Towrang Convict Stockade, Associated Sites and Road Formations  
Located off Hume Highway, approximately 11km north of Goulburn  
SHR No. 1905

IN pursuance of section 37 (1) (b) of the Heritage Act 1977 (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

Heritage Council of New South Wales

#### **SCHEDULE "A"**

The item known as the Towrang Convict Stockade, Associated Sites and Road Formations, situated on the land described in Schedule "B".

#### **SCHEDULE "B"**

All those pieces or parcels of land known as Lot 19, DP 837216; Lots 7002 and 7003, DP 1125275; Lots 7306-7308, DP 1153428; Lots 1 and 2, DP 1169829; Lots 4 and 5, DP 883163; Lot 1, DP 1170386 and part of Lot 1, DP 1089760, in the Parish of Nattery, County of Argyle, shown on the plan catalogued HC 2465 in the office of the Heritage Council of New South Wales.

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# Government Gazette

OF THE STATE OF

NEW SOUTH WALES

Number 9

Monday, 4 February 2013

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## SPECIAL SUPPLEMENT

### NEW SOUTH WALES ELECTORAL DISTRICTS COMMISSIONERS

Electoral Distribution in New South Wales

Public Suggestions and Comments

BY virtue of the provisions of section 27 (1) (c) of the *Constitution Act 1902* a distribution of electoral districts is now required. The Electoral Districts Commissioners have been appointed by the Governor and directed to distribute New South Wales into electoral districts in accordance with the *Parliamentary Electorates and Elections Act 1912*.

The Commissioners now invite written suggestions relating to the distribution of New South Wales into electoral districts, and any comments on such suggestions.

Suggestions, e.g., boundaries and names, must be lodged with the Commissioners within 30 days after the date of this advertisement (i.e. 6 March 2013). Any suggestions lodged with the Commissioners will thereafter be made available for perusal on the Redistribution website [www.redistribution.nsw.gov.au](http://www.redistribution.nsw.gov.au) and at the Office of the Commissioners.

Comments relating to any suggestions received must be lodged with the Commissioners within 14 days after the expiration of the above period of 30 days (i.e. 20 March 2013). After the expiration of the above periods, all suggestions and comments lodged will be available for perusal on the Redistribution website [www.redistribution.nsw.gov.au](http://www.redistribution.nsw.gov.au) and at the Office of the Commissioners.

The Commissioners will consider all suggestions and comments lodged with them by the due date before determining the names and boundaries of the proposed electoral districts.

It would assist the Commissioners if persons or organisations proposing to make suggestions in the form of maps could do so on index maps which are available from the Office of the Commissioners. Enrolment statistics are also available from the Office.

Interested people should visit the Redistribution website for full details about the submission process.

All suggestions must be made in writing and submitted to Electoral Districts Commissioners:

*Via the Redistribution website:* [www.redistribution.nsw.gov.au](http://www.redistribution.nsw.gov.au) – Deadline, 12 midnight Wednesday, 6 March 2013;

*Via Fax:* (02) 9290 5949 – Deadline, 12 midnight Wednesday, 6 March 2013;

*In person:* New South Wales Electoral Commission, Level 25, 201 Kent Street Sydney NSW – Deadline, 5pm Wednesday, 6 March 2013; or

*Via post:* GPO Box 832, Sydney NSW 2001 – Deadline, 12 midnight Wednesday, 6 March 2013.

Note: Section 17 A of the *Parliamentary Electorates and Elections Act 1912*, requires the Commissioners to comply with section 28 of the *Constitution Act 1902*, and:

- A. have regard to demographic trends within the State and, as far as practicable, endeavour to ensure on the basis of those trends that, at the relevant future time (13 April 2015), the number of electors enrolled in each electoral district will be equal (within a margin of allowance of 10 per cent more or less of the average enrolment in electoral districts at that future time); and
- B. subject to paragraph A, give due consideration, in relation to each electoral district, to:
  - (i) community of interests within the electoral district, including economic, social and regional interests;
  - (ii) means of communication and travel within the electoral district;
  - (iii) physical features and area of the electoral district;
  - (iv) mountains and other natural boundaries; and
  - (v) boundaries of the existing electoral districts.

#### **Electoral Districts Commissioners**

Office location: Level 25, 201 Kent Street, Sydney NSW 2000

Postal address: GPO Box 832 Sydney 2001

Telephone: 1300 135 736

Facsimile: (02) 9290 5949

For enquiries in languages other than English call our interpreting service on 13 14 50.

For hearing and speech impaired enquiries, call us via the National Relay Service on 13 36 77.

A. BROOKES,  
Secretary to the Electoral Districts Commissioners

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 10**  
**Monday, 4 February 2013**

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## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Friday, 30 November 2012.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

Schedule 1	Fire Fighting Activities
Schedule 2	Emergency Operations
Schedule 3	Fireworks
Schedule 4	Religious/Sacred Ceremonies
Schedule 5	Services and Utilities – Essential Repairs/ Maintenance
Schedule 6	Disposal of Waste/Putrescent Material
Schedule 7	Sugar Cane Harvesting
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Schedule 10	Bee Hive “Smokers”
Schedule 11	Electric or Gas Barbeques
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Schedule 13	Mining Operations
Schedule 14	Building Construction/Demolition – Urgent and Essential
Schedule 15	Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works
Schedule 16	Hot Air Balloons
Schedule 17	Olympic Cauldron
Schedule 18	Any Other Fire Approved by NSW RFS Commissioner

### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;



- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.



## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

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

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

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

- (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

## Northern Riverina

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 11**

**Monday, 4 February 2013**

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 05:00 hours to 23:59 hours on Tuesday, 1 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

Schedule 1	Fire Fighting Activities
Schedule 2	Emergency Operations
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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.



## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

(iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Greater Hunter  
Greater Sydney Region  
Illawarra/Shoalhaven  
Southern Ranges  
Central Ranges  
Lower Central West Plains

Authorised to be printed



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 12

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Wednesday, 2 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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Schedule 2	Emergency Operations
Schedule 3	Fireworks
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Schedule 6	Disposal of Waste/Putrescent Material
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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;



- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

(iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

North Western  
Upper Central West Plains  
Lower Central West Plains

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Friday, 4 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;



- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive "Smokers"

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

- (a) the canister is a commercially available "bee hive smoker" designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

(iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

## Southern Riverina

Authorised to be printed





# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 14

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Saturday, 5 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication “Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders” and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

- (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

## Southern Riverina

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 15

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Sunday, 6 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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



## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

(iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Upper Central West Plains

Lower Central West Plains

Southern Riverina

Northern Riverina

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 16

Monday, 4 February 2013

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## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Monday, 7 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication “Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders” and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive "Smokers"

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

- (a) the canister is a commercially available "bee hive smoker" designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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



## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

(iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Southern Riverina  
Northern Riverina

Authorised to be printed



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 17

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Tuesday, 8 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication “Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders” and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.



## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive "Smokers"

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

- (a) the canister is a commercially available "bee hive smoker" designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

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

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

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and
  - (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Far North Coast	Northern Slopes
North Coast	North Western
Greater Hunter	Upper Central West Plains
Greater Sydney Region	Lower Central West Plains
Illawarra/Shoalhaven	Southern Slopes
Far South Coast	Eastern Riverina
Monaro Alpine	Southern Riverina
Southern Ranges	Northern Riverina
Central Ranges	South Western
New England	Far Western

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NEW SOUTH WALES

**Number 18**

**Monday, 4 February 2013**

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Wednesday, 9 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.



## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive "Smokers"

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

- (a) the canister is a commercially available "bee hive smoker" designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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



## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

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

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

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and
  - (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Far North Coast	Northern Slopes
North Coast	North Western
Greater Hunter	Upper Central West Plains
Greater Sydney Region	Lower Central West Plains
Illawarra/Shoalhaven	Southern Slopes
Far South Coast	Eastern Riverina
Monaro Alpine	Southern Riverina
Southern Ranges	Northern Riverina
Central Ranges	South Western
New England	Far Western

Authorised to be printed



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 19

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Thursday, 10 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

Schedule 1	Fire Fighting Activities
Schedule 2	Emergency Operations
Schedule 3	Fireworks
Schedule 4	Religious/Sacred Ceremonies
Schedule 5	Services and Utilities – Essential Repairs/ Maintenance
Schedule 6	Disposal of Waste/Putrescent Material
Schedule 7	Sugar Cane Harvesting
Schedule 8	Bitumen Roadworks
Schedule 9	Disposal of Diseased Animal Carcasses
Schedule 10	Bee Hive “Smokers”
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Schedule 16	Hot Air Balloons
Schedule 17	Olympic Cauldron
Schedule 18	Any Other Fire Approved by NSW RFS Commissioner

### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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



## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

(iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Northern Slopes  
North Western

Authorised to be printed





# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 20

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Friday, 11 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

Schedule 1	Fire Fighting Activities
Schedule 2	Emergency Operations
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Schedule 5	Services and Utilities – Essential Repairs/ Maintenance
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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;

- (b) the responsible person complies with the requirements of the WorkCover NSW publication “Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders” and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

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

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

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and
  - (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Far North Coast	Northern Slopes
North Coast	North Western
Greater Hunter	Upper Central West Plains
Greater Sydney Region	Lower Central West Plains
Illawarra/Shoalhaven	Southern Slopes
Far South Coast	Eastern Riverina
Monaro Alpine	Southern Riverina
Southern Ranges	Northern Riverina
Central Ranges	South Western
New England	Far Western

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 21

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Saturday, 12 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

Schedule 1	Fire Fighting Activities
Schedule 2	Emergency Operations
Schedule 3	Fireworks
Schedule 4	Religious/Sacred Ceremonies
Schedule 5	Services and Utilities – Essential Repairs/ Maintenance
Schedule 6	Disposal of Waste/Putrescent Material
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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;



- (b) the responsible person complies with the requirements of the WorkCover NSW publication “Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders” and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

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

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

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and
  - (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Far North Coast	Northern Slopes
North Coast	North Western
Greater Hunter	Upper Central West Plains
Greater Sydney Region	Lower Central West Plains
Illawarra/Shoalhaven	Southern Slopes
Far South Coast	Eastern Riverina
Monaro Alpine	Southern Riverina
Southern Ranges	Northern Riverina
Central Ranges	South Western
New England	Far Western

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 22

Monday, 4 February 2013

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Sunday, 13 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

Schedule 1	Fire Fighting Activities
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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;



- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive "Smokers"

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

- (a) the canister is a commercially available "bee hive smoker" designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the site of the works;
- (b) adequate fire fighting equipment is provided at the site of the works to prevent the escape or spread of the fire; and
- (c) if the work is to be carried out above the normal ground or floor level the area below the works must be totally free of combustible material and any fire, spark or incandescent material must be prevented from falling to that area.
- (d) prior to lighting the fire, the person in charge of the work must notify:
  - (i) the NSW Rural Fire Service Zone or District Manager for that district, If the site of the work is within a rural fire district; or
  - (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the site of the work is within a fire district
 and comply with any direction or additional condition which may be imposed by that officer which may include a direction that the fire not to be lit.

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and

(iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Central Ranges	Southern Slopes
Northern Slopes	Eastern Riverina
North Western	Northern Riverina
Upper Central West Plains	Far Western
Lower Central West Plains	

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## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:01 hours to 23:59 hours on Friday, 18 January 2013.

Dated 4 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;



- (b) the responsible person complies with the requirements of the WorkCover NSW publication “Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders” and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

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

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

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and
  - (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Greater Hunter	North Western
Greater Sydney Region	Upper Central West Plains
Illawarra/Shoalhaven	Lower Central West Plains
Far South Coast	Southern Slopes
Monaro Alpine	Eastern Riverina
Southern Ranges	Southern Riverina
Central Ranges	Northern Riverina
Northern Slopes	

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 24**

**Thursday, 7 February 2013**

Published under authority by the Department of Premier and Cabinet

## RURAL FIRES ACT 1997

### NOTIFICATION UNDER SECTION 99

IN pursuance of the powers conferred upon me by section 99 of the Rural Fires Act 1997, I, SHANE ALAN FITZSIMMONS, Commissioner of NSW Rural Fire Service, under delegation dated 20 February 2012, from the Hon. Michael Gallacher, M.L.C., Minister for Police and Emergency Services, do, by this notification direct that the lighting, maintenance or use of all fires in the open air, with the exception of the classes of fire as specified in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 hereto, is prohibited in the parts of the State set out in Schedule A hereto, from 00:00 hours to 23:59 hours on Thursday, 7 February 2013.

Dated: 7 February 2013.

SHANE FITZSIMMONS, A.F.S.M.,  
Commissioner

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### SCHEDULE 1

#### Fire Fighting Activities

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

### SCHEDULE 2

#### Emergency Operations

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

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

### SCHEDULE 3

#### Fireworks

Fireworks lit and maintained during a Total Fire Ban as part of an organised public display, theatrical display or technical non-display purpose, provided that;

- the person in charge of the display (“the responsible person”) holds a current Pyrotechnicians Licence or a Fireworks Single Use Licence (FSUL) issued by WorkCover NSW and;



- (b) the responsible person complies with the requirements of the WorkCover NSW publication "Operational Conditions FIREWORKS Pyrotechnics and Single Use Licence Holders" and;
- (c) all fire, sparks or incandescent or burning material is extinguished at the conclusion of the display and prior to the responsible person leaving the site;
- (d) the display is conducted in a manner, which minimises the likelihood that fire, sparks or burning or incandescent material will impact on the land surrounding the display causing a fire;
- (e) precautions are taken to prevent the escape of fire, sparks or incandescent or burning material from the surrounding area;

The abovementioned requirements stipulate that the responsible person must notify, during business hours, not less than forty eight hours prior to the commencement of the fireworks display:

- (i) the NSW Rural Fire Service Zone or District Manager for that District if the place where the display is to be held is within a rural fire district; or
- (ii) the Officer In Charge of the nearest Fire and Rescue NSW fire station if the place where the display is to be held is within a fire district.

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

#### SCHEDULE 4

##### Religious/Sacred Ceremonies

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

- (a) approval to use of the land on which the ceremony or celebration is to be held has been obtained in writing from:
  - (i) the local authority for the area in which the land is located, if the land is controlled or managed by a local authority; or
  - (ii) in any other case, the owner or occupier of the land on which site the ceremony or celebration will be held;
- (b) the ceremony or celebration is held on an open area of land so that any naked flame is surrounded by ground that is clear of all combustible material for a distance of at least 20 metres;
- (c) each fire or flame is constantly under the direct control or supervision of a responsible adult person;
- (d) each fire or flame is extinguished at the conclusion of the ceremony or celebration and prior to the person having control or supervision of the fire or flame leaving the site;
- (e) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must ensure that all necessary steps are taken to prevent the escape of fire, sparks or incandescent or burning material from the site; and
- (f) the person who obtained the consent of the local authority or the owner or occupier of the land to conduct the ceremony or celebration must, not less

than six hours prior to the commencement of the ceremony or celebration, notify:

- (i) the NSW Rural Fire Service Zone or District Manager for that district, If the place where the ceremony or celebration is to be held is within a rural fire district; or
- (ii) the Officer in Charge of the nearest NSW Fire Brigades fire station if the place where the ceremony or celebration is to be held is within a fire district

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

#### SCHEDULE 5

##### Services & Utilities – Essential Repairs/Maintenance

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

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

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

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

#### SCHEDULE 6

##### Disposal of Waste/Putrescent Material

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

#### SCHEDULE 7

##### Sugar Cane Harvesting

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

- (a) the fire is lit and maintained in a manner which will prevent the escape of fire, sparks or incandescent or burning material from the area of cane which is to be harvested; and,
- (b) adequate fire fighting equipment is provided at the site of the fire to prevent the escape or spread of the fire,
- (c) the fire is under the direct control of a responsible adult person, present at all times until it is fully extinguished.
- (d) the person who lights the fire has complied with the requirements of section 87 of the Rural Fires Act 1997.

## SCHEDULE 8

## Bitumen Roadworks

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

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

## SCHEDULE 9

## Disposal of Diseased Animal Carcasses

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

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

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

## SCHEDULE 10

## Bee Hive “Smokers”

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

- (a) the canister is a commercially available “bee hive smoker” designed to prevent the escape of sparks or incandescent or burning material;
- (b) the fuel for the canister is lit inside a building or vehicle by a responsible adult person and the canister is sealed prior to leaving the building or vehicle and being taken to the hives;
- (c) fire, sparks or incandescent or burning material is not permitted to escape from the canister in the open air;

- (d) the canister is not to be left unattended while it is alight;
- (e) the fuel is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use.

## SCHEDULE 11

## Electric or Gas Barbeques

1. Fire lit, maintained or used for the purpose of food preparation on a gas or electric appliance provided that:
  - (a) the appliance is under the direct control of a responsible adult person, present at all times while it is operating;
  - (b) no combustible material of any kind is allowed within two metres of the appliance while it is operating;
  - (c) a system of applying an adequate stream of water is available for immediate and continuous use; and
    - (i) the appliance is located on land on which is erected a permanent private dwelling and is not more than twenty metres from that dwelling; or
    - (ii) where the appliance is not on land on which is erected a permanent private dwelling, both the appliance and the land on which it is located have been approved for the purpose by:
      - the council of the area or;
      - if the land is acquired or reserved under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service; or
      - if the land is within a state forest, Forests NSW.

## SCHEDULE 12

## Charcoal Production

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

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

## SCHEDULE 13

## Mining Operations

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

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

## SCHEDULE 14

## Building Construction/Demolition – Urgent and Essential

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

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

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

## SCHEDULE 15

## Exhaust Stacks for Gas Exploration, Collection, Drainage, Refining Facilities, Oil Refineries and Steel Works

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

## SCHEDULE 16

## Hot Air Balloons

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

- (a) not more than twelve hours prior to lighting such a fire the pilot must notify:
  - (i) the NSW Rural Fire Service State Operations Centre on 1800 679 737 of the proposed flight; and
  - (ii) the NSW Rural Fire Service Zone or District Manager for the launch site if within the rural fire district and for each rural fire district on the proposed flight path; and
  - (iii) the NSWFB Officer in Charge of the nearest NSW Fire Brigades fire station if the launch site is within the NSWFB fire district,

and comply with any direction or additional condition, which may be, imposed by the RFS or NSWFB, which may include a direction that the fire is not to be lit. The contact details for the RFS Zone or District Manager/s may be obtained from the RFS State Operations Centre on 1800 679 737 and the contact details for NSWFB may be obtained from the NSWFB Communications Centre on 1800 422 281;

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

## SCHEDULE 17

## Olympic Cauldron

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

## SCHEDULE 18

## Any Other Fire Approved by NSW RFS Commissioner

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

## SCHEDULE A

Southern Riverina  
Northern Riverina

Authorised to be printed



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 25**  
**Friday, 8 February 2013**

Published under authority by the Department of Premier and Cabinet

## LEGISLATION

### Online notification of the making of statutory instruments

Week beginning 28 January 2013

THE following instruments were officially notified on the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) on the dates indicated:

#### Proclamations commencing Acts

[Cancer Institute \(NSW\) Amendment Act 2012 No 78](#) (2013-31) — published LW 1 February 2013

#### Regulations and other statutory instruments

[Order regarding volunteers taking part in emergency operations](#) (2013-28) — published LW 29 January 2013

[Public Holidays Amendment Order 2013](#) (2013-37) — published LW 1 February 2013

[Roads Amendment \(Barangaroo\) Regulation 2013](#) (2013-29) — published LW 30 January 2013

[Tattoo Parlours Regulation 2013](#) (2013-30) — published LW 31 January 2013

#### Environmental Planning Instruments

[Blayney Local Environmental Plan 2012 \(Amendment No 1\)](#) (2013-32) — published LW 1 February 2013

[Central Darling Local Environmental Plan 2012](#) (2013-33) — published LW 1 February 2013

[Hunters Hill Local Environmental Plan 2012](#) (2013-34) — published LW 1 February 2013

[Nambucca Local Environmental Plan 2010 \(Amendment No 10\)](#) (2013-35) — published LW 1 February 2013

[Randwick Local Environmental Plan 2012](#) (2013-36) — published LW 1 February 2013

[Wagga Wagga Local Environmental Plan 2010 \(Amendment No 3\)](#) (2013-38) — published LW 1 February 2013



# OFFICIAL NOTICES

## Roads and Maritime Services

### ROAD TRANSPORT (GENERAL) ACT 2005

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

I, TONY MIDDLETON, Acting Chief Executive, Roads and Maritime Services, pursuant to Clause 20 of the Road Transport (Mass, Loading and Access) Regulation 2005, hereby amend the Class 2 Controlled Access Bus Notice 2010, as published in the *New South Wales Government Gazette* No. 117 on 24 September 2010, at pages 4722 to 4840, as set out in the Schedule of this Notice.

TONY MIDDLETON,  
Acting Chief Executive,  
Roads and Maritime Services

#### SCHEDULE

#### 1. Citation

This Notice is the Roads and Maritime Services Class 2 Controlled Access Bus (Amendment) Notice No. 1/2013.

#### 2. Commencement

This Notice takes effect on and from the date of publication in the *New South Wales Government Gazette*.

#### 3. Effect

This Notice remains in force up to and including 30 September 2015, unless it is repealed earlier.

#### 4. Amendment

Delete the following route from the table at Appendix A – Routes Suitable for Controlled Access Buses, under the heading WESTERN REGION State Routes.

<i>Road No.</i>	<i>Approved Road</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
SH5	Great Western Highway.	Junction SH5 and Main Street, Lithgow.	Mt York Road, Mt Victoria.	Suitable for EASTBOUND TRAVEL ONLY.

Delete the following route from the table at Appendix A – Appendix B – Routes assessed as NOT suitable for Controlled Access Buses, under the heading WESTERN REGION State Routes.

<i>Road No.</i>	<i>Approved Road</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
SH5.	Great Western Highway.	Mt York Road, Mt Victoria.	Junction SH5 and Main Street, Lithgow.	Unsuitable for WESTBOUND TRAVEL ONLY.

Insert the following route from the table at Appendix A – Routes Suitable for Controlled Access Buses, under the heading WESTERN REGION State Routes.

<i>Road No.</i>	<i>Approved Road</i>	<i>Starting Point</i>	<i>Finishing Point</i>
5.	Great Western Highway.	Main Street (MR184), Lithgow.	Mt York Road, Mt Victoria.

**ROAD TRANSPORT (GENERAL) ACT 2005**

Notice under Clause 20 of 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 19metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 22 January 2013.

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

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**SCHEDULE****1. Citation**

This Notice may be cited as Dubbo City Council 19metre B-Double Route Notice No. 1/2013.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30th September 2015, unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those 19metre B-Double vehicles where gross weight exceeds 50 tonnes which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2010 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2012.

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
19.	000.	Rawsonville Bridge Road, Dubbo.	Burroway Road.	Glen Isla Lane.
19.	000.	Glen Isla Lane, Dubbo.	Rawsonville Bridge Road.	To its conclusion and return.
19.	000.	Wrights Crossing Road and Dulla Dulla Road, Dubbo.	Rawsonville Bridge Road.	Narromine and Dubbo City Council Boundary and return.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

GILGANDRA 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 Road Trains may be used subject to any requirements or conditions set out in the Schedule.

Dated: 22 January 2013.

P. A. MANN,  
General Manager,  
Gilgandra Shire Council  
(by delegation from the Minister for Roads)

**SCHEDULE****1. Citation**

This Notice may be cited as Gilgandra Shire Council Road Train route Notice No. 1/2013.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30 September 2015, unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those Road Trains 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>
RT.	RLR228.	Quealeys Road, Gilgandra Shire.	Intersection with Newell Highway approximately 2km north of Gilgandra.	Intersection of Quealeys Road and Quealeys Lane approximately 550m east of the Newell Highway.
RT.	RLR218.	Quealeys Lane, Gilgandra Shire.	Intersection of Quealeys Road and Quealeys Lane.	Intersection of Quealeys Lane and Godber Drive approximately 250m north of Quealeys Lane.
RT.	RLR272.	Godber Drive, Gilgandra Shire.	Intersection of Quealeys Lane and Godber Drive.	RHS Access into "Baroomby" from Godber Drive approximately 200m west of the Quealeys Lane and Godber Drive intersection.

**ROADS ACT 1993**

Order - Sections 46, 49, 54 and 67

Shoalhaven City Council area

Declaration as a Controlled Access Road of part of  
Braidwood Road between Tianjara and Parma

I, the Minister for Roads and Ports, pursuant to Sections 46, 49, 54 and 67 of the Roads Act, 1993, by this order -

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

**HON DUNCAN GAY MLC**  
**MINISTER FOR ROADS AND PORTS**

**SCHEDULE 1**

ALL those pieces or parcels of land situated in the Shoalhaven City Council area, Parishes of Tianjara, Boolijah, Jerrawangala, Tomerong and Yerriyong, and County of St Vincent shown as:

Lots 50 to 70 inclusive, and 72 to 85 inclusive Deposited Plan 1075869;

Lots 1 to 8 inclusive, 17, 18, 20, 21 and 22 Deposited Plan 254498;

Lots 1, 2 and 4 Deposited Plan 254497;

Lots 14 to 41 inclusive Deposited Plan 1075211; and

Lots 101 to 112 inclusive shown in RMS Plan 0092 404 AC 4001.

The above Lots are shown on RMS Plan 0092 404 AC 4001.

**SCHEDULE 2**

Between the points A and B; and

between the points C and D; all shown in RMS Plan 0092 404 AC 4001.

(RMS Papers: 2M2616 Pt 2)

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

Notice of Compulsory Acquisition of Land at Holbrook  
in the Greater Hume Shire Council area

Roads and Maritime Services 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 Maritime Services

**SCHEDULE**

ALL that piece or parcel of public road situated in the Greater Hume Shire Council area, Parish of Holbrook and County of Goulburn, shown as Lot 103 Deposited Plan 1179640.

The land is said to be in the possession of Greater Hume Shire Council.

(RMS Papers: SF2012/48723; RO 2/186.1117)



**ROADS ACT 1993****Order**

Gosford City Council area

Declaration (and partial Repeal) as Controlled Access Road of part of the Central Coast Highway at Kariong

I, the Minister for Roads and Ports, by this order:

1. hereby repeal the parts of the order published in Government Gazette No 46 of 18 March 1994 on page 1219 which specified in Schedule 3 of that order the points along the controlled access road at which access may be gained to or from other public roads, but only in so far as those parts pertain to the point described in Schedule 1 hereunder;
2. pursuant to Section 67 of the Roads Act, 1993 specify, in Schedule 2 hereunder, a point of access along Central Coast Highway at Kariong, declared to be a controlled access road in Government Gazette No. 46 of 18 March 1994 on page 1219, at which access may be gained to or from another public road; and
3. pursuant to Sections 46, 49, 54 and 67 of the Roads Act, 1993:
  - a. dedicate as public road the land described in Schedule 3 under;
  - b. declare to be a main road the said public road described in Schedule 3 and the public road described in Schedule 4 under;
  - c. declare to be a controlled access road the said main road described in Schedules 3 and 4 under;
  - d. declare that access to the said controlled access road is restricted; and
  - e. specify in Schedule 5 under, the points along the controlled access road at which access may be gained to or from other public roads.

**HON DUNCAN GAY MLC**  
**MINISTER FOR ROADS AND PORTS**

**SCHEDULE 1**

Between the points F and G, shown on RMS plan 0010 184 SS 2353.

**SCHEDULE 2**

Between the points A and B, shown on RMS Plan 0030 184 AC 4002.

**SCHEDULE 3**

ALL those pieces or parcels of land situated in the Gosford City Council area, Parish of Gosford and County of Northumberland shown as:

Lots 12, 13 and 14 Deposited Plan 1149050; and

Lots 12 and 13 Deposited Plan 1147560.

The above Lots comprise the whole of the land in the correspondingly numbered certificates of title and are all shown on RMS Plan 0030 184 AC 4002.

**SCHEDULE 4**

ALL that piece or parcel of public road situated in the Gosford City Council area, Parish of Gosford and County of Northumberland shown as Lot 15 Deposited Plan 1149050.

The above Lot is shown on RMS Plan 0030 184 AC 4002.

**SCHEDULE 5**

Between the points C and D; and

between the points E and F and G and H, all shown on RMS Plan 0030 184 AC 4002.

(RMS Papers: SF2012/21819)

## Department of Trade and Investment, Regional Infrastructure and Services

### MINERAL RESOURCES

NOTICE is given that the following applications have been received:

#### EXPLORATION LICENCE APPLICATIONS

(T13-1008)

No. 4749, FYFEHILL PTY LTD (ACN 126 747 153), area of 54 units, for Group 10, dated 30 January 2013. (Broken Hill Mining Division).

(T13-1009)

No. 4750, FYFEHILL PTY LTD (ACN 126 747 153), area of 98 units, for Group 10, dated 30 January 2013. (Broken Hill Mining Division).

(T13-1010)

No. 4751, FYFEHILL PTY LTD (ACN 126 747 153), area of 366 units, for Group 10, dated 30 January 2013. (Broken Hill Mining Division).

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

NOTICE is given that the following application has been granted:

#### EXPLORATION LICENCE APPLICATION

(T11-0174)

No. 4288, now Exploration Licence No. 8055, NYNGAN GOLD PTY LTD (ACN 154 650 585), County of Oxley, Map Sheet (8334, 8434), area of 27 units, for Group 1, dated 25 January 2013, for a term until 25 January 2015.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

NOTICE is given that the following application has been refused:

#### EXPLORATION LICENCE APPLICATION

(T12-1022)

No. 4478, PARNOSA PTY LTD (ACN 089 489 618), County of Arrawatta and County of Gough, Map Sheet (9138, 9238). Refusal took effect on 30 January 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

NOTICE is given that the following application has been withdrawn:

#### EXPLORATION LICENCE APPLICATION

(T12-1068)

No. 4521, ADAMANTIS PTY LTD (ACN 147 168 849), County of Tandora and County of Young, Map Sheet (7434). Withdrawal took effect on 3 January 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

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

(Z13-0459)

Exploration Licence No. 6376, FORGE RESOURCES LTD (ACN 139 886 187), area of 24 units. Application for renewal received 31 January 2013.

(T08-0105)

Exploration Licence No. 7274, VOLCAN ALUMINA CORPORATION PTY LTD (ACN 130 185 885), area of 123 units. Application for renewal received 30 January 2013.

(Z09-0822)

Exploration Licence No. 7275, VOLCAN ALUMINA CORPORATION PTY LTD (ACN 130 185 885), area of 56 units. Application for renewal received 30 January 2013.

(Z09-0823)

Exploration Licence No. 7276, VOLCAN ALUMINA CORPORATION PTY LTD (ACN 130 185 885), area of 38 units. Application for renewal received 30 January 2013.

(Z09-0824)

Exploration Licence No. 7277, VOLCAN ALUMINA CORPORATION PTY LTD (ACN 130 185 885), area of 68 units. Application for renewal received 30 January 2013.

(Z09-0825)

Exploration Licence No. 7278, VOLCAN ALUMINA CORPORATION PTY LTD (ACN 130 185 885), area of 28 units. Application for renewal received 30 January 2013.

(T09-0149)

Exploration Licence No. 7448, CRISTAL MINING AUSTRALIA LIMITED (ACN 009 247 858), area of 33 units. Application for renewal received 1 February 2013.

(T09-0150)

Exploration Licence No. 7449, CRISTAL MINING AUSTRALIA LIMITED (ACN 009 247 858), area of 439 units. Application for renewal received 1 February 2013.

(T10-0115)

Exploration Licence No. 7698, TELLUS RESOURCES LTD (ACN 144 733 595), area of 14 units. Application for renewal received 31 January 2013.

(T10-0143)

Exploration Licence No. 7699, TELLUS RESOURCES LTD (ACN 144 733 595), area of 41 units. Application for renewal received 4 February 2013.

(T10-0185)

Exploration Licence No. 7700, URALLA GOLD PTY LTD (ACN 145 956 412), area of 100 units. Application for renewal received 31 January 2013.

(T10-0197)

Exploration Licence No. 7701, URALLA GOLD PTY LTD (ACN 145 956 412), area of 100 units. Application for renewal received 31 January 2013.

(Z04-1597)

Petroleum Exploration Licence No. 422, ACER ENERGY LIMITED (ACN 101 313 777), area of 44 blocks. Application for renewal received 1 February 2013.

(Z04-2941)

Petroleum Exploration Licence No. 424, ACER ENERGY LIMITED (ACN 101 313 777), area of 61 blocks. Application for renewal received 1 February 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

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### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(Z12-0023)

Exploration Licence No. 5664, PEREGRINE MINERAL SANDS PTY LTD (ACN 009 307 591), County of Taila, Map Sheet (7429, 7529), area of 11 units, for a further term until 4 January 2014. Renewal effective on and from 23 January 2013.

(T01-0097)

Exploration Licence No. 5874, ENDEAVOUR MINERALS PTY LTD (ACN 063 725 708), Counties of Bligh and Wellington, Map Sheet (8732), area of 3 units, for a further term until 2 July 2013. Renewal effective on and from 25 January 2013.

(T03-0969)

Exploration Licence No. 6281, MINERALS AUSTRALIA PTY LTD (ACN 124 475 538) and JACARANDA MINERALS LTD (ACN 117 264 570), County of Hume, Map Sheet (8226), area of 16 units, for a further term until 10 August 2014. Renewal effective on and from 30 January 2013.

(Z12-3527)

Exploration Licence No. 6831, BALAMARA RESOURCES LIMITED (ACN 061 219 985), County of Georgiana, Map Sheet (8729), area of 12 units, for a further term until 13 July 2014. Renewal effective on and from 30 January 2013.

(T08-0024)

Exploration Licence No. 7137, JACARANDA MINERALS LTD (ACN 117 264 570) and MINERALS AUSTRALIA PTY LTD (ACN 124 475 538), County of Hume, Map Sheet (8225, 8226), area of 71 units, for a further term until 2 May 2014. Renewal effective on and from 30 January 2013.

(T09-0267)

Exploration Licence No. 7469, TRI ORIGIN MINING PTY LIMITED (ACN 115 529 112), Counties of Argyle and Murray, Map Sheet (8827), area of 32 units, for a further term until 4 March 2014. Renewal effective on and from 29 January 2013.

(T10-0025)

Exploration Licence No. 7476, CARPENTARIA EXPLORATION LIMITED (ACN 095 117 981), Counties of Menindee and Yancowinna, Map Sheet (7133), area of 19 units, for a further term until 16 March 2014. Renewal effective on and from 30 January 2013.

(T09-0234)

Exploration Licence No. 7504, CARPENTARIA EXPLORATION LIMITED (ACN 095 117 981), County of Menindee, Map Sheet (7133), area of 14 units, for a further term until 8 April 2014. Renewal effective on and from 29 January 2013.

(T09-0273)

Exploration Licence No. 7563, Anthony Claude BERGER, County of Gough, Map Sheet (9238), area of 11 units, for a further term until 4 June 2014. Renewal effective on and from 30 January 2013.

(T10-0213)

Exploration Licence No. 7597, ABX1 PTY LTD (ACN 139 790 364), Counties of Bligh and Brisbane, Map Sheet (8833, 8834, 8933), area of 106 units, for a further term until 18 August 2014. Renewal effective on and from 30 January 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

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### WITHDRAWAL OF APPLICATION FOR RENEWAL

NOTICE is given that the application for renewal in respect of the following authority has been withdrawn:

(T93-3005)

Mining Claim Converted To Lease No. 80 (Act 1992), Margaret Lucy WARD, Parish of Arding, County of Sandon, Map Sheet (9136-1-N), area of 2500 square metres. The authority ceased to have effect on 18 January 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

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### CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(T09-0212)

Exploration Licence No. 7470, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Tara and County of Windeyer, Map Sheet (7231), area of 99 units. Cancellation took effect on 1 February 2013.

(T09-0213)

Exploration Licence No. 7471, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Windeyer, Map Sheet (7232, 7332), area of 195 units. Cancellation took effect on 1 February 2013.

(T11-0188)

Exploration Licence No. 7852, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Tara and County of Windeyer, Map Sheet (7131, 7132), area of 154 units. Cancellation took effect on 4 February 2013.

(T11-0092)

Exploration Licence No. 7855, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Menindee and County of Windeyer, Map Sheet (7132, 7232), area of 292 units. Cancellation took effect on 4 February 2013.

(T95-0151)

Mining Lease No. 181 (Act 1973), Mark Anthony PACKER, Parish of Swamp Oak, County of Arrawatta, Map Sheet (9138-1-S), area of 5.822 hectares. Cancellation took effect on 10 September 2012.

(T95-0392)

Mining Lease No. 240 (Act 1973), Mark Anthony PACKER, Parish of Swamp Oak, County of Arrawatta, Map Sheet (9138-1-S), area of 19.75 hectares. Cancellation took effect on 19 September 2012.

(T96-0405)

Mining Lease No. 549 (Act 1973), Mark Anthony PACKER, Parish of Swamp Oak, County of Arrawatta, Map Sheet (9138-1-S), area of 16.94 hectares. Cancellation took effect on 10 September 2012.

(T99-0585)

Mining Lease No. 860 (Act 1973), Mark Anthony PACKER, Parish of Swamp Oak, County of Arrawatta, Map Sheet (9138-1-S), area of 55.53 hectares. Cancellation took effect on 10 September 2012.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

**TRANSFERS**

(Z07-0425)

Petroleum Exploration Licence No. 457, formerly held by CLARENCE MORETON RESOURCES PTY LIMITED (ACN 140 886 853), has been transferred to CLARENCE MORETON RESOURCES PTY LIMITED (ACN 140 886 853), ERM GAS PTY LTD and RED SKY ENERGY LIMITED (ACN 099 116 275). The transfer was registered on 16 January 2013.

(T09-0006)

Petroleum Exploration Licence No. 478, formerly held by CLARENCE MORETON RESOURCES PTY LIMITED (ACN 140 886 853), has been transferred to CLARENCE MORETON RESOURCES PTY LIMITED (ACN 140 886 853) and ERM GAS PTY LTD. The transfer was registered on 16 January 2013.

(T09-0007)

Petroleum Exploration Licence No. 479, formerly held by CLARENCE MORETON RESOURCES PTY LIMITED (ACN 140 886 853), has been transferred to CLARENCE MORETON RESOURCES PTY LIMITED (ACN 140 886 853), ERM GAS PTY LTD and RED SKY ENERGY LIMITED (ACN 099 116 275). The transfer was registered on 16 January 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy



**PRIMARY INDUSTRIES****FISHERIES MANAGEMENT ACT 1994****FISHERIES MANAGEMENT (AQUACULTURE)  
REGULATION 2012****Clause 31 (3) – Notice of Granting of  
Class 1 Aquaculture Lease**

THE Minister has granted the following Class 1 Aquaculture Lease:

OL58/006 within the estuary of the Hawkesbury River, having an area of 0.5212 hectares to DENIS CHRISTIE & ASSOCIATES PTY LTD of Brooklyn NSW, for a term of 15 years expiring on 19 December 2027.

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**Clause 33 (4) – Notice of Aquaculture Lease Renewal**

The Minister has renewed the following Class 1 Aquaculture Leases:

OL87/099 within the estuary of the Manning River, having an area of 0.1403 hectares to Keith HALL of Mitchells Island NSW, for a term of 15 years expiring on 4 November 2027.

OL86/120 within the estuary of the Manning River, having an area of 1.3956 hectares to Keith HALL of Mitchells Island NSW, for a term of 15 years expiring on 30 November 2027.

OL67/167 within the estuary of the Manning River, having an area of 0.3216 hectares to Neil Kelvin CURRIE of Taree NSW, for a term of 15 years expiring on 2 December 2027.

OL68/383 within the estuary of Port Stephens, having an area of 0.0653 hectares to Colin LILLEY and Kristine LILLEY of Swan Bay NSW, for a term of 15 years expiring on 19 November 2027.

OL64/075 within the estuary of Wallis Lake, having an area of 0.6257 hectares to DM STONE HOLDINGS PTY LTD of Coopernook NSW, for a term of 15 years expiring on 9 January 2028.

OL65/307 within the estuary of Tuross Lake, having an area of 4.0047 hectares to Ruben FERNANDEZ and Laiyee FERNANDEZ of Turlinjah NSW, for a term of 15 years expiring on 24 October 2027.

OL81/204 within the estuary of the Pambula River, having an area of 0.3397 hectares to Ben MILLS, Michael MILLS and Marcus RAYMOND of Merimbula NSW, for a term of 15 years expiring on 7 October 2027.

OL82/045 within the estuary of the Crookhaven River, having an area of 0.4091 hectares to Reginald RUNDLE of Greenwell Point NSW, for a term of 15 years expiring on 28 August 2027.

OL82/047 within the estuary of the Crookhaven River having an area of 0.8435 hectares to Reginald RUNDLE of Greenwell Point NSW, for a term of 15 years expiring on 28 August 2027.

OL85/127 within the estuary of the Crookhaven River, having an area of 0.4724 hectares to Reginald RUNDLE of Greenwell Point NSW, for a term of 15 years expiring on 5 December 2027.

BILL TALBOT,  
Director,  
Aquaculture, Conservation and Marine Parks,  
Fisheries Division,  
NSW Department of Primary Industries

## LANDS

**ARMIDALE CROWN LANDS OFFICE**  
**108 Faulkner Street (PO Box 199A), Armidale NSW 2350**  
**Phone: (02) 6770 3100 Fax (02) 6771 5348**

**REVOCATION OF A 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.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

*Column 1*

Land District: Inverell.  
Local Government Area:  
Inverell Shire Council.  
Locality: Herbert.  
Reserve No.: 96252.  
Public Purpose: Future  
public requirements.  
Notified: 20 August 1982.  
Lot PT 7300, DP No. 1140967,  
Parish Herbert, County Gough.  
Lot 50, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 56, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 24, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 21, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 173, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 18, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 52, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 7006, DP No. 1032347,  
Parish Herbert, County Gough.  
Lot 67, DP No. 44698,  
Parish Herbert, County Gough.  
Lot 7005, DP No. 1030579#,  
Parish Herbert, County Gough.  
Lot 172, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 33, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 31, DP No. 753285,  
Parish Herbert, County Gough.  
Lot 23, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 22, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 20, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 19, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 18, section 20, DP No. 758927,  
Parish Herbert, County Gough.

*Column 2*

The part being Lot 173, DP  
No. 753285, Parish Herbert,  
County Gough and Lot 52,  
DP No. 753285, Parish  
Herbert, County Gough, of  
an area of 56.88 hectares.

*Column 1*

Lot 17, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 16, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 15, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 14, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
Lot 13, section 20, DP No. 758927,  
Parish Herbert, County Gough.  
File No.: AE98 H 390.

*Column 2*

Note: Purchase of Perpetual Lease 108405 by R J Kirkby  
(TRPL) Pty Ltd & M A Kirkby (TRPL) Pty Ltd.  
Disclaimer: Please note that the above Lot numbers  
marked # are for Departmental use only.

**NOTIFICATION OF CLOSING OF A ROAD**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**Description**

*Parish – Armidale; County – Sandon;*  
*Land District – Armidale; L.G.A. – Armidale Dumaresq*  
Road Closed: Lots 1-4, DP 1180441.  
File No.: 07/2466.

**Schedule**

On closing, the land within Lots 1-4, DP 1180441 remains vested in the State of New South Wales as Crown Land.

**Description**

*Parish – Butler; County – Sandon;*  
*Land District – Armidale; L.G.A. – Armidale Dumaresq*  
Road Closed: Lot 1, DP 1176323.  
File No.: 10/03786.

**Schedule**

On closing, the land within Lot 1, DP 1176323 remains vested in the State of New South Wales as Crown Land.

**Description**

*Parish – Congi; County – Inglis;*  
*Land District – Armidale; L.G.A. – Walcha*  
Road Closed: Lot 1, DP 1177303.  
File No.: 07/2284.

## Schedule

On closing, the land within Lot 1, DP 1177303 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Darby; County – Hardinge;  
Land District – Inverell; L.G.A. – Guyra*

Road Closed: Lot 1, DP 1177520.

File No.: 10/14330.

## Schedule

On closing, the land within Lot 1, DP 1177520 remains vested in the State of New South Wales as Crown Land.

## APPOINTMENT OF TRUST BOARD MEMBERS

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

## SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Norma LEAMON (re-appointment).	Glen Elgin Public Hall Reserve Trust.	Reserve No.: 88775. Public Purpose: Public hall. Notified: 17 November 1972. File No.: AE82 R 20.
Peter Raymond LEAMON (re-appointment).		
David Graeme WIRTH (re-appointment).		

## Term of Office

For a term commencing 1 January 2013 and expiring 31 December 2017.

## SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Janice O'NEILL (new member).	Inverell Golf Course Reserve Trust.	Reserve No.: 96135. Public Purpose: Public recreation. Notified: 9 July 1982. File No.: AE82 R 37.
Micheal FOX (new member).		
James Robert SHADOW (new member).		
Joseph Francis HOLAHAN (new member).		
Anthony John BALDWIN (new member).		

## Term of Office

For a term commencing 1 January 2013 and expiring 31 December 2017.

## SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Christopher Robert LAURIE (re-appointment).	Nowendoc Public Hall Trust.	Reserve No.: 72805. Public Purpose: Public hall. Notified: 6 August 1948.
Allan Robert MORRIS (re-appointment).		Reserve No.: 51148. Public Purpose: Public hall. Notified: 24 November 1915. File No.: 11/03514.
Jennifer Anne BULLEN (re-appointment).		
Cheryl Anne MARGER Y (re-appointment).		
Kim HART (new member).		
David MARGER Y (new member).		

## Term of Office

For a term commencing 1 January 2013 and expiring 31 December 2017.

## SCHEDULE 4

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Douglas George WILD (re-appointment).	Nowendoc Recreation Reserves Trust.	Reserve No.: 52764. Public Purpose: Public recreation. Notified: 26 April 1918.
Herbert John HIGGINS (re-appointment).		Reserve No.: 84037. Public Purpose: Public recreation. Notified: 26 October 1962. File No.: AE81 R 61.
Robert George LAURIE (re-appointment).		

## Term of Office

For a term commencing 1 January 2013 and expiring 31 December 2017.

## SCHEDULE 5

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Brian Charles LEADER (re-appointment).	Rob Roy Recreation Reserve Trust.	Reserve No.: 60599. Public Purpose: Public recreation. Notified: 20 July 1928. File No.: AE83 R 48.
Simon John FILE (re-appointment).		
Brian Murray PAGE (new member).		
Anne Caroline PAGE (re-appointment).		
Raymond Lindsay GOBBERT (re-appointment).		

## Term of Office

For a term commencing 1 January 2013 and expiring 31 December 2017.

## SCHEDULE 6

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Craig Mclean LAWRENCE (re-appointment).	TIA Public Hall and Recreation Reserve Trust.	Reserve No.: 52509. Public Purpose: Public hall. Notified: 2 November 1917.
Therese Mary MANN (re-appointment).		Reserve No.: 58506. Public Purpose: Public recreation. Notified: 8 January 1926. File No.: AE83 R 47.
Ronald Henry MANN (re-appointment).		

## Term of Office

For a term commencing 1 January 2013 and expiring 31 December 2017.

## SCHEDULE 7

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Carol Anne NEWBERRY (re-appointment). Vicki MALONE-AZARA (re-appointment). Peter Sinclair OBRIEN (new member).	Wellingrove Recreation Reserve Trust.	Reserve No.: 45038. Public Purpose: Public recreation. Notified: 23 March 1910. File No.: AE83 R 46.

## Term of Office

For a term commencing 1 January 2013 and expiring  
31 December 2017.



**GOULBURN OFFICE**  
**159 Auburn Street (PO Box 748), Goulburn NSW 2580**  
**Phone: (02) 4824 3700      Fax: (02) 4822 4287**

**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.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Cooma-Monaro Shire Council Crown Reserves Reserve Trust.	Reserve No.: 130055. Public Purpose: Public purposes and public recreation. Notified: 22 November 1991. Dedication No.: 530101. Public Purpose: Public hall. Notified: 8 June 1934. Reserve No.: 83602. Public Purpose: Children's playground. Notified: 1 December 1961. Reserve No.: 88709. Public Purpose: Public recreation. Notified: 8 September 1972. Reserve No.: 90236. Public Purpose: Public recreation. Notified: 6 April 1973. Reserve No.: 471. Public Purpose: Public recreation. Notified: 26 January 1880. File No.: 12/07523.

**GRAFTON OFFICE**  
**49-51 Victoria Street (PO Box 272), Grafton NSW 2460**  
**Phone: (02) 6640 3400      Fax: (02) 6642 5375**

**NOTIFICATION OF CLOSING OF A ROAD**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

Description

*Parish – Queebun; County – Rous;  
Land District – Casino; L.G.A. – Kyogle*

Road Closed: Lot 1, DP 1177302.

File No.: 07/3074.

Schedule

On closing, the land within Lot 1, DP 1177302 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Terania; County – Rous;  
Land District – Lismore; L.G.A. – Lismore*

Road Closed: Lot 1, DP 1172892.

File No.: 11/02637.

Schedule

On closing, the land within Lot 1, DP 1172892 remains vested in the State of New South Wales as Crown Land.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Shaun Michael PRIEST (re-appointment). Tess Camellia WOOD (re-appointment). Giordano Mark PARON (re-appointment). Chris WETHERALL (new member). Gary David MARSHALL (re-appointment). Patrick Joseph O'CONNOR (re-appointment). Stephen BIRNEY (re-appointment).	Burringbar Public Recreation Reserve Trust.	Reserve No.: 67652. Public Purpose: Public recreation. Notified: 3 June 1938. File No.: 07/4393.

Term of Office

For a term commencing 14 March 2013 and expiring 13 March 2018.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Gavin Joseph HOWARD (re-appointment). Kevin Maxwell ADAMS (re-appointment). Bruce James MATTEN (re-appointment).	Lower Bucca Public Recreation Reserve Trust.	Reserve No.: 41754. Public Purpose: Public recreation. Notified: 19 June 1907. File No.: 12/06758.

Term of Office

For a term commencing 1 December 2012 and expiring 30 November 2017.

**MAITLAND OFFICE****Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9300      Fax: (02) 4934 2252****ORDER – AUTHORISATION OF ADDITIONAL  
PURPOSE UNDER S121A**

PURSUANT to s121A of the Crown Lands Act 1989, I authorise by this Order, the purpose specified in Column 1 to be an additional purpose to the declared purpose of the reserves specified opposite thereto in Column 2 of the Schedule.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

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**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Tourist facilities and services.	Reserve No.: 87894. Public Purpose: Public recreation. Notified: 21 August 1970. File No.: MD81 R 90.

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

**NOTIFICATION OF CLOSING OF A ROAD**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

Description

*Parish – Stuart; County – Burnett;  
Land District – Wialda; L.G.A. – Gwydir*

Road Closed: Lot 1, DP 1176258.

File No.: ME06 H 91.

Schedule

On closing, the land within Lot 1, DP 1176258 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Derra; County – Benarba;  
Land District – Moree; L.G.A. – Moree Plains*

Road Closed: Lot 1, DP 1178262.

File No.: ME05 H 193.

Schedule

On closing, the land within Lot 1, DP 1178262 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Carbeenbri; County – Benarba;  
Land District – Moree; L.G.A. – Moree Plains*

Road Closed: Lot 2, DP 1178262.

File No.: ME05 H 193.

Schedule

On closing, the land within Lot 2, DP 1178262 remains vested in the State of New South Wales as Crown Land.

Description

*Parishes – Jamison and Bugilbone;  
Counties – Jamison and Denham;  
Land District – Narrabri; L.G.A. – Walgett*

Road Closed: Lots 1-3, DP 1177789.

File No.: ME05 H 168.

Schedule

On closing, the land within Lots 1-3, DP 1177789 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Stapylton; County – Stapylton;  
Land District – Wialda; L.G.A. – Gwydir*

Road Closed: Lot 1, DP 1179815.

File No.: ME05 H 354.

Schedule

On closing, the land within Lot 1, DP 1179815 remains vested in the State of New South Wales as Crown Land.



## NEWCASTLE OFFICE

437 Hunter Street, Newcastle NSW 2300 (PO Box 2185, Dangar NSW 2309)

Phone: (02) 4925 4104 Fax: (02) 4925 3517

## NOTIFICATION OF CLOSING OF A ROAD

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

## Description

*Parish – Binalong; County – Harden;  
Land District – Boorowa; L.G.A. – Yass Valley*

Road Closed: Lot 1, DP 1181357.

File No.: GB06 H 622:BA.

## Schedule

On closing, the land within Lot 1, DP 1181357 remains vested in the State of New South Wales as Crown Land.

## Description

*Parishes – Burrumunda, Kikiamah and Wilton;  
County – Monteagle; Land District – Young;  
L.G.A. – Young*

Road Closed: Lots 1 and 2, DP 1178435 and Lot 3, DP 1178436 (subject to easement created by Deposited Plan 1178435).

File Nos: GB07 H 370 and 10/06898:BA.

## Schedule

On closing, the land within Lots 1 and 2, DP 1178435 and Lot 3, DP 1178436 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Mongarlowe; County – St Vincent;  
Land District – Braidwood; L.G.A. – Palerang*

Road Closed: Lot 1, DP 1180061.

File No.: GB05 H 293:BA.

## Schedule

On closing, the land within Lot 1, DP 1180061 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Murrimba; County – Camden;  
Land District – Moss Vale; L.G.A. – Wingecarribee*

Road Closed: Lot 1, DP 1179849.

File No.: GB06 H 62:BA.

## Schedule

On closing, the land within Lot 1, DP 1179849 remains vested in the State of New South Wales as Crown Land.

## Description

*Parishes – Cunnigar and Douglas; County – Harden;  
Land District – Young; L.G.A. – Harden*

Road Closed: Lots 1-2, DP 1178882.

File No.: GB07 H 477:BA.

## Schedule

On closing, the land within Lot 1, DP 1178882 remains vested in the State of New South Wales as Crown Land.

On closing, the land within Lot 2, DP 1178882 becomes vested in the State of New South Wales as Crown Land.

Council's Reference: Mike Bickford.

## Description

*Parish – Dananbilla; County – Monteagle;  
Land District – Young; L.G.A. – Young*

Road Closed: Lot 48, DP 1126153.

File No.: 12/05313:BA.

## Schedule

On closing, the land within Lot 48, DP 1126153 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Merigan; County – Murray;  
Land District – Braidwood; L.G.A. – Palerang*

Road Closed: Lot 2, DP 1181363.

File No.: 12/06656:BA.

## Schedule

On closing, the land within Lot 2, DP 1181363 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Manton; County – King;  
Land District – Yass; L.G.A. – Yass Valley*

Road Closed: Lot 9, DP 1181355.

File No.: 11/13508:BA.

## Schedule

On closing, the land within Lot 9, DP 1181355 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Murringo; County – Monteagle;  
Land District – Young; L.G.A. – Young*

Road Closed: Lot 1, DP 1181362.

File No.: 07/6082:BA.

## Schedule

On closing, the land within Lot 1, DP 1181362 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Strathaird; County – Argyle;  
Land District – Goulburn; L.G.A. – Upper Lachlan Shire*

Road Closed: Lots 1-2, DP 1173763.

File No.: 11/00831:BA.

## Schedule

On closing, the land within Lot 2, DP 1173763 remains vested in the State of New South Wales as Crown Land.

On closing, the land within Lot 1, DP 1173763 becomes vested in the State of New South Wales as Crown Land.

Council's Reference: DA 169/2004.

## Description

*Parish – Hartington; County – Kennedy;  
Land District – Condobolin; L.G.A. – Lachlan*

Road Closed: Lot 1, DP 1181854.

File No.: CL/00763.

## Schedule

On closing, the land within Lot 1, DP 1181854 remains vested in the State of New South Wales as Crown Land.

## Description

*Parish – Yeo Yeo; County – Bland;  
Land District – Cootamundra; L.G.A. – Cootamundra*

Road Closed: Lot 1, DP 1181171.

File No.: 12/06633: JT.

## Schedule

On closing, the land within Lot 1, DP 1181171 remains vested in the State of New South Wales as Crown Land.

## ERRATUM

AS per the notification which appeared in *New South Wales Government Gazette* No. 119, dated 9 November 2012, Folio 4636, under the heading "REVOCATION OF RESERVATION OF CROWN LAND, Schedule, Column 2 is be amended by the removal of "The part being Lot 4, DP 1176614 of an area of 5026 square metres" to be replaced with "The part being Lot 4, DP 1176114 of an area of 5026 square metres".

File No.: 07/6154.

**NOWRA OFFICE**  
**5 O’Keefe Avenue (PO Box 309), Nowra NSW 2541**  
**Phone: (02) 4428 9100      Fax: (02) 4421 2172**

**NOTIFICATION OF CLOSING OF A ROAD**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

Description

*Parish – Southend; County – Cumberland;  
Land District – Kiama; L.G.A. – Wollongong*

Road Closed: Lot 1, DP 1168311.

File No.: 09/11453.

Schedule

On closing, the land within Lot 1, DP 1168311 remains vested in the Wollongong City Council as community land.

**ORANGE OFFICE**  
**92 Kite Street (PO Box 2146), Orange NSW 2800**  
**Phone: (02) 6391 4300      Fax: (02) 6362 3896**

**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.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

Description

*Parish – Lett; County – Cook;*  
*Land District – Lithgow*

Road Closed: Lot 1 in Deposited Plan 1180911.

File No.: 11/10515.

Note: On closing, the land within Lot 1 in DP 1180911 remains vested in Lithgow City Council as operational land for the purposes of the Local Government Act 1993.

Council Reference: 007/12.

**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 A ROAD**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

Description

*Parish – South Gulgo; County – Gipps;  
Land District – Condobolin; L.G.A. – Lachlan*

Road Closed: Lot 1, DP 1178098 subject to easement for Transmission line created by Deposited Plan 1178098.

File No.: CL/00186.

Schedule

On closing, the land within Lot 1, DP 1178098 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Jeir; County – Murray;  
Land District – Yass; L.G.A. – Yass Valley*

Road Closed: Lots 1, 2, 3, 4 and 5, DP 1178494, Lot 4 subject to easement for access created by Deposited Plan 1178494.

File No.: GB06 H 439.

Schedule

On closing, the land within Lots 1, 2, 3, 4 and 5, DP 1178494 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Capertee; County – Roxburgh;  
Land District – Rylstone; L.G.A. – Lithgow*

Road Closed: Lot 1, DP 1178075 subject to easement for transmission line created by Deposited Plan 1178075.

File No.: CL/00698.

Schedule

On closing, the land within Lot 1, DP 1178075 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Waugoola; County – Bathurst;  
Land District – Cowra; L.G.A. – Cowra*

Road Closed: Lots 1 and 2, DP 1178071.

File No.: CL/00514.

Schedule

On closing, the land within Lots 1 and 2, DP 1178071 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Hartley; County – Cook;  
Land District – Lithgow; L.G.A. – Lithgow*

Road Closed: Lot 1, DP 1178086.

File No.: 08/5862.

Schedule

On closing, the land within Lot 1, DP 1178086 remains vested in the State of New South Wales as Crown Land.

Description

*Parishes – Nanima and Bandon; County – Forbes;  
Land District – Forbes; L.G.A. – Forbes*

Road Closed: Lot 1, DP 1177214.

File No.: CL/00458.

Schedule

On closing, the land within Lot 1, DP 1177214 remains vested in the State of New South Wales as Crown Land.

**ERRATUM**

IN the notifications appearing in the *New South Wales Government Gazette* of 25 January 2013, Folio 189, under the heading “TRANSFER OF PRIVATE TRUST LAND TO THE CROWN AND RESERVATION OF CROWN LAND” and detailing “the former Lower Portland School of Arts” delete the words “Lot 1, DP 312440” and insert the words “Lot 735 DP 1113692” in lieu thereof.

File No.: 12/01519.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**ERRATUM**

THE notifications appearing in the *New South Wales Government Gazette* of 4 March 2011, Folios 1652 and 1653, under the headings ‘Declaration of Land to be Crown Land’ and ‘Addition to Reserved Crown Land’ are withdrawn this day.

File No.: 08/5168.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services



**TAMWORTH OFFICE****25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340****Phone: (02) 6764 5100****Fax: (02) 6766 3805****ASSIGNMENT OF NAME TO A RESERVE TRUST**

PURSUANT to Clause 4(3) of Schedule 8 of the Crown Lands Act 1989, the name specified in Column 1 of the Schedule hereunder, is assigned to the reserve trust constituted as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Nundle Public Recreation (R32997) Reserve Trust.	Reserve No.: 32997. Public Purpose: Public recreation. Notified: 13 July 1901. File No.: TH80 R 40

**NOTIFICATION OF CLOSING OF A ROAD**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**Description**

*Parishes – Merrigula, Tambar and Tamarang;  
County – Pottinger;*

*Land District – Gunnedah; L.G.A. – Gunnedah*

Road Closed: Lot 1, DP 1182279 (subject to easement/right of carriageway created by Deposited Plan 1182279).

File No.: TH03 H 226.

**Schedule**

On closing, the land within Lot 1, DP 1182279 remains vested in the State of New South Wales as Crown Land.

**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.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Moore Creek Reserve Trust.	Reserve No.: 1472. Public Purpose: Limestone. Notified: 1 September 1879. Reserve No.: 39847. Public Purpose: Preservation of caves. Notified: 28 October 1905. File No.: 12/04257.

**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.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Land District: Tamworth. Local Government Area: Tamworth Regional. Locality: North Tamworth. Reserve No.: 753848. Public Purpose: Future public requirements. Notified: 29 June 2007. File No.: 13/00482.	The part being Lot 57, DP No. 1161239, Parish Tamworth, County Inglis. Area: 861 square metres.

**TAREE OFFICE**  
**98 Victoria Street (PO Box 440), Taree NSW 2430**  
**Phone: (02) 6591 3500      Fax: (02) 6552 2816**

**NOTIFICATION OF CLOSING OF A ROAD**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

Description

*Parish – Congarinni; County – Raleigh;  
Land District – Kempsey; L.G.A. – Nambucca*

Road Closed: Lot 2, DP 1177522.

File No.: TE06 H 127.

Schedule

On closing, the land within Lot 2, DP 1177522 remains vested in the State of New South Wales as Crown Land.

**WESTERN REGION OFFICE**  
**45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830**  
**Phone: (02) 6883 5400      Fax: (02) 6884 2067**

**ORDER – AUTHORISATION OF ADDITIONAL  
PURPOSE UNDER S121A**

PURSUANT to s121A of the Crown Lands Act 1989, I authorise by this Order, the purpose specified in Column 1 to be an additional purpose to the declared purpose of the reserves specified opposite thereto in Column 2 of the Schedule.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Rural services.	Reserve No.: 73211. Public Purpose: Public recreation. Notified: 10 June 1949. File No.: WL07 R 5.

**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.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

*Administrative District – Bourke;  
Shire – Bourke;  
Parish of Stawell; County of Cowper;  
Parish of Euroa; County of Cowper*

The purpose/conditions of Western Lands Lease 4229 and 4230, being the land contained within Folio Identifiers 2047/763956, 2049/763958 and 3473/765762 have been altered from “Pastoral Purposes” and “Pastoral” respectively to “Grazing, Recreational Hunting and Farm Tourism” effective from 31 January, 2013.

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

The conditions previously annexed to Western Lands Leases 4229 and 4230 have been revoked and the following conditions have been annexed thereto.

**CONDITIONS AND RESERVATIONS ATTACHED TO  
WESTERN LANDS LEASE Nos. 4229 and 4230**

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of Trade & Investment as the Minister may from time to time approve.

- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
- (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.  
“GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of

the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.

- (7) The lessee must pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee must hold and use the land leased bona fide for the lessee's own exclusive benefit and must not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessee must not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (10) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (11) The land leased must be used only for the purpose of **Grazing, Recreational Hunting and Farm Tourism**.
- (12) The lessee must maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) The lessee must not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local government area.
- (14) The lessee must ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (15) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee must leave the land in a clean and tidy condition free from rubbish and debris.
- (16) The lessee must, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (17) The lessee must not obstruct or interfere with any reserves, roads, or tracks, or the use thereof by any person.
- (18) The lessee must erect gates on roads within the land leased when and where directed by the Commissioner for public use and must maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (19) Any part of a reserve for travelling stock, camping or water supply within the land leased must, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee must post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing the land leased, the lessee must provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities must be erected and maintained to the satisfaction of the Commissioner. The lessee must not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.
- (20) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.
- (21) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Authority has first been obtained and any condition to which the consent is subject under sub section (6) is complied with.
- (22) The lessee must undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Service.
- (23) The lessee must, as the Commissioner may from time to time direct, foster and cultivate on the land leased such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.
- (24) Whenever so directed by the Commissioner, the lessee must, on such part or parts of the land leased as shall be specified in the direction, carry out agricultural practices, or refrain from agricultural practices, of such types and for such periods as the Commissioner may in the direction specify.
- (25) The lessee must not overstock, or permit or allow to be overstocked, the land leased and the decision of the Commissioner as to what constitutes overstocking shall be final and the lessee must comply with any directions of the Commissioner to prevent or discontinue overstocking.
- (26) The lessee must, if the Commissioner so directs, prevent the use by stock of any part of the land leased for such periods as the Commissioner considers necessary to permit of the natural reseeding and regeneration of vegetation and, for that purpose, the lessee must erect within the time appointed by the Commissioner such fencing as the Commissioner may consider necessary.
- (27) The lessee must furnish such returns and statements as the Commissioner may from time to time require on any matter connected with the land leased or any other land (whether within or outside the Western Division) in which the lessee has an interest.

- (28) The lessee must, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and must keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (29) The lessee must not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry license under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.
- (30) If the lessee is an Australian registered company then the following conditions shall apply:
- I The Lessee will advise the Commissioner of the name, address and telephone number of the Lessee's company secretary, that person being a person nominated as a representative of the company in respect of any dealings to be had with the company. The Lessee agrees to advise the Commissioner of any changes in these details.
  - II Any change in the shareholding of the Lessee's company which alters its effective control of the lease from that previously known to the Commissioner shall be deemed an assignment by the Lessee.
  - III Where any notice or other communication is required to be served or given or which may be convenient to be served or given under or in connection with this lease it shall be sufficiently executed if it is signed by the company secretary.
  - IV A copy of the company's annual financial balance sheet or other financial statement which gives a true and fair view of the company's state of affairs as at the end of each financial year is to be submitted to the Commissioner upon request.
- (31) The lessee must not use any vehicle for the purpose of "Farm Tourism" (and shall take all reasonable steps to prevent any other person from using any vehicle for the purpose of "Farm Tourism") on any part of the lease identified under the provisions of the Soil Conservation Act 1938 as protected land or as being environmentally sensitive.
- (32) The lessee must ensure that any access tracks must be arranged in such a manner as to minimise the disturbance of any land surface.
- (33) The lessee must ensure that all traffic is contained to the designated tracks in order to reduce the impact on soil and vegetation including potential wind and water erosion on those tracks.
- (34) The lessee shall ensure that any European heritage sites, artefacts, buildings or other areas of significance will not be damaged, destroyed or defaced by either the lessee or other persons present on the leased land.
- (35) The lessee shall undertake any appropriate measures, at his/her own expense as ordered by the Commissioner to rehabilitate any degraded or disturbed areas.
- (36) No right of exclusive possession is conferred on the lessee by reason of the variation of purpose of the lease by the addition of the purpose of "**Recreational Hunting**".
- (37) No excavation will be undertaken on the subject land area for the purpose of recreational hunting.
- (38) No building, structure or other thing that is a fixture (other than a fence or gate) shall be constructed or placed on the subject land for the purpose of recreational hunting.
- (39) No garbage or poisonous, toxic or hazardous substance arising from the use of the subject land for recreational hunting shall be stored or disposed of on the subject land.
- (40) No clearing of the subject land shall be undertaken for the purpose of recreational hunting.
- (41) (a) The lessee must not use the subject land for recreational hunting on more than 100 days in any one calendar year.
- (b) The lessee must in using the subject land for recreational hunting take all reasonable precautions to ensure that persons exercising any native title rights and interests on the land are not put at risk or interfered with in the exercise of their rights and interests by reason of the use of the land for that purpose.
- (c) The lessee must when using the subject land for recreational hunting:
- (i) ensure that all persons entering upon the land for recreational hunting are licensed to carry firearms under the Firearms Act 1996
  - (ii) take all reasonable precautions to ensure that hunting is undertaken in a safe manner and that ethical firearm practices are observed when shooting near boundaries
  - (iii) ensure that all persons entering upon the land for recreational hunting are provided with a map of the property clearly defining the lease/property boundaries
  - (iv) place at the perimeter of the subject land appropriate warning signs stating that the subject land is being used for recreational hunting
  - (v) ensure that only feral animals are hunted except where persons are otherwise licensed to take or kill fauna under the National Parks and Wildlife Act 1976
  - (vi) ensure that adequate provision is made for the removal and disposal of animal carcasses.
- (42) (a) Before using the subject land for recreational hunting or granting any licence for that purpose the lessee shall take steps in the manner provided for in paragraph (c) to identify any Aboriginal sites or relics located on the subject land.



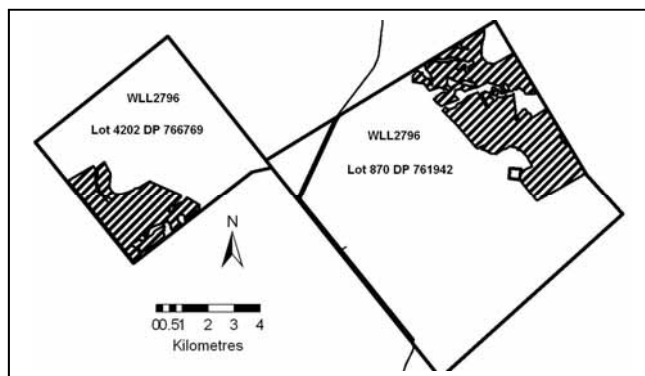
- (b) Where the existence and location of any aboriginal site or relic is identified as a result of action taken under this condition or the existence or location of such a site or relic is otherwise within the knowledge of the lessee, the lessee shall ensure by taking such precautions as may be necessary that the site or relic is not interfered with, damaged, destroyed or defaced.
  - (c) The lessee must consult with the applicant for any native title determination in respect of the subject land, any parties to that application of aboriginal descent and the local aboriginal land council with a view to identifying and locating any aboriginal site or relics on the subject land.
  - (d) The lessee must ensure that any licensee is aware of the provisions of the National Parks and Wildlife Act 1974 relating to the protection of interference with or the damaging or destruction of aboriginal sites or relics.
  - (e) If an Aboriginal site is discovered the lessee should contact the Manager, Cultural heritage Unit, National Parks and Wildlife Service, Western Directorate, Dubbo.
- (43) (a) The lessee must not use any vehicle for the purpose of “recreational hunting” (and shall take all reasonable steps to prevent any other person from using any vehicle for the purpose of “recreational hunting”) on any part of the lease identified under the provisions of the Soil Conservation Act 1938 as protected land or as being environmentally sensitive.
- (b) The lessee must ensure that any access tracks must be arranged in such a manner as to minimise the disturbance of any land surface.
- (44) The lessee must not destroy populations or any endangered or threatened species, damage the critical habitat of endangered species, populations and ecological communities or damage the habitat of any threatened species, populations or ecological communities scheduled in the Threatened Species Conservation Act 1995 on any part of the lease whilst using the lands for the purpose of “recreational hunting” and shall prevent any other person from doing the same.
- (45) The lessee will not without the written consent of the Minister by any act matter or deed or by failure or omission cause or permit to be imposed on the Minister any liability of the Holder under or by virtue of this Lease in the use of the land for the purpose of recreational hunting.
- (46) (a) For the purposes of this clause the term Minister shall include Her Majesty the Queen Her Heirs and Successors the State of New South Wales the Minister and the agents servants employees and contractors of Her Majesty Her Majesty’s Heirs and Successors the State of New South Wales and the Minister.
- (b) The lessee agrees that the lessee will indemnify and keep indemnified the Minister from and against all actions suits claims and demands of whatsoever nature and all costs charges and expenses in respect of any accident or injury to any person or property which may arise out of the use of the subject land for the purpose of recreational hunting.
- (c) The lessee expressly agrees that the obligations of the lessee under this clause shall continue after the expiration or other determination of this Lease in respect of any act deed matter or thing happening before such expiration or determination.
- (47) (a) The lessee will forthwith take out and thereafter during the Term keep current a public risk insurance policy for the amount of \$10 000 000 for any one claim (or such other reasonable amount as the Minister may from time to time specify in writing to the Holder) in respect of the use of the land for recreational hunting whereby the Minister shall during the continuance of the Lease be indemnified against all actions suits claims demands proceedings losses damages compensation costs charges and expenses.
- (b) The following provisions apply to all policies of insurance required to be effected by the lessee:
- (i) Where the Minister serves a notice on the Holder directing the Holder to enter into a policy with an insurer approved by the Minister the policy is to be entered into with an insurer approved by the Minister. The Minister shall specify a list of approved insurers in any notice served under this paragraph. Where the Minister does not serve a notice as provided for in this paragraph policies of insurance shall be entered into with an insurer carrying on business in Australia.
  - (ii) All policies are to contain conditions and exclusions commonly effected in relation to the type of activity undertaken on the Premises and the nature of the Premises provided that the Minister may by notice served on the Holder direct the Holder to enter into a policy containing specified provisions or which does not contain specified provisions or exclusions and the Holder shall use his best endeavours to comply with the direction.
  - (iii) All policies are to be taken out in the names of the Minister and the Holder for their respective rights and interests and in the name of such other parties having an insurable interest as the Minister may require.
  - (iv) Duplicate or certified copies of the policies and all renewal certificates and endorsement slips are to be lodged by the Holder with the Minister if required by the Minister.
  - (v) All premiums payable in respect of policies and renewals of policies are to be paid punctually by the Holder and the receipt of each premium payable in respect of each policy (or other proof of payment to the Minister’s satisfaction) is to be produced by the Holder to the Minister at the request of the Minister.
  - (vi) Where the Minister has served notice on the Holder under paragraph (i) the Holder will use all reasonable endeavours to ensure that the insurer which issues a policy advises the Minister of any failure by the Holder to renew any policy or pay any premium in respect thereof.

- (vii) The Holder will not at any time during the Term do or bring upon the Premises anything whereby any insurance relating to the Premises against damage by fire and other risks may be rendered void or voidable. If the Holder does or brings anything upon the Premises whereby the premium on the insurance shall be liable to be increased the Holder will obtain insurance cover for the increased risk and pay all additional premiums (if any) required to be paid.
- (viii) The Holder will use all reasonable endeavours to ensure that full true and particular information is given to the insurer with which the insurances are effected of all matters and things the non-disclosure of which might in any way prejudice or affect any policy of insurance or the payment of all or any moneys thereunder.
- (c) The Minister in his own name or as the attorney of the Holder in the name of the Holder shall be entitled to institute all proceedings against any insurer which issues a policy of insurance required by the Lease to recover from it any amount for loss damage or injury or other money payable under any indemnity in favour of the Minister. The Holder hereby appoints the Minister the attorney of the Holder for the purpose as aforesaid.
- (d) The Holder expressly agrees that the provisions of sub clause (b) continue in force after the Termination Date.
- (48) The lessee may grant a licence to a person to use the subject land for recreational hunting provided:-
  - (a) the licence is in writing; and
  - (b) contains conditions in or to the effect of the following:
    - (i) the licence does not confer on the licensee any right to the exclusive possession of the subject land;
    - (ii) the licensee must not excavate or clear the subject land;
    - (iii) the licensee must not construct or place on the subject land by building, structure or other thing being a fixture (other than a fence or gate);
    - (iv) the licensee must not deposit or store on the subject land any garbage or poisonous toxic or hazardous substances;
    - (v) (a) The licensee must ensure that before any operations on the subject land commences and during such operations of the subject land, steps are taken to protect any aboriginal sites or relics on the subject land from damage, interference or destruction.
    - (b) The licensee must ensure that all persons using the subject land for recreational hunting are made aware of the provisions of the National Parks and Wildlife Act 1974 relating to the protection of, interference with and the damaging and destruction of aboriginal sites and relics.
- (vi) (a) The licensee must not use the subject land for recreational hunting on more than 100 days in any one calendar year.
- (b) The licensee must in using the subject land for recreational hunting take all reasonable precautions to ensure that persons exercising any native title rights and interests on the subject land are not put at risk or interfered with in the exercise of their rights and interests by reason of the use of the subject land for that purpose.
- (c) The licensee will place at the perimeter of the subject land appropriate warning signs stating that the subject land is being used for recreational hunting.
- (vii) the licence will expire upon an approved determination of native title [within the meaning of section 13 of the Native Title Act 1993 (C'wealth)] in relation to any part of the land where the determination is that native title exists.
- (49) The variation of the purpose of this lease by the addition of the purpose of recreational hunting will lapse upon an approved determination of native title [within the meaning of section 13 of the Native Title Act 1993 (C'wealth)] in relation to the subject land where the determination is that native title exists.
- (50) The lessee must ensure that all traffic is contained to the designated tracks in order to reduce the impact on soil and vegetation including potential wind and water erosion on those tracks.

### ERRATUM

IN the notification appearing in the *New South Wales Government Gazette* of 23 November 2012, Folios 4842-4845 appearing under the heading Alteration of Purpose / Conditions of a Western Lands Lease, (being Western Lands Lease 2796) condition No 40 should have read:

- (40) The Lessee must only Dryland cultivate an area of **2325 ha** as indicated by the hatched area on the diagram hereunder.



## Other Notices

### ASSOCIATIONS INCORPORATION ACT 2009

Reinstatement of Cancelled Association Pursuant to  
Section 84

TAKE notice that the incorporation of BOMBALA CAMPDRAFT COMMITTEE INCORPORATED (Y2034942) cancelled on 4 December 2009 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated this 4th day of February 2013.

ROBYNE LUNNEY,  
Manager, Case Management,  
Registry Services,  
NSW Fair Trading,  
Department of Finance & Services

### ASSOCIATIONS INCORPORATION ACT 2009

Reinstatement of Cancelled Association Pursuant to  
Section 84

TAKE notice that the incorporation of MAROUBRA RUGBY LEAGUE FOOTBALL CLUB INCORPORATED (Y2003320) cancelled on 21 August 2009 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated this 4th day of February 2013.

ROBYNE LUNNEY,  
Manager, Case Management,  
Registry Services,  
NSW Fair Trading,  
Department of Finance & Services

### CO-OPERATIVES ACT 1992

Notice under Section 601AC 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 three months have passed since the publication of this notice:

Greengold Nurseries Co-operative Limited –  
NSWC28325

Dated this 1st day of February 2013 at Bathurst.

R. LUNNEY,  
Delegate of the Registrar,  
Registry Services

### DISTRICT COURT ACT 1973

District Court of New South Wales  
Direction

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Parkes 10.00am 23 September 2013 (2 weeks)  
In lieu of 11 November 2013  
(2 weeks)

Parkes at Forbes 10.00am 20 May 2013 (2 weeks)  
**These sittings will now be  
held at Orange**

Dated this 5th day of February 2013.

R. O. BLANCH,  
Chief Judge

### DISTRICT COURT ACT 1973

District Court of New South Wales  
Direction

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

Newcastle 10.00am 25 February 2013 (1 week)  
Sittings Cancelled

Dated this 31st day of January 2013.

R. O. BLANCH,  
Chief Judge

### ELECTRICITY (CONSUMER SAFETY) ACT 2004

Section 15

Order

I, ANTHONY ROBERTS, Minister for Fair Trading, declare pursuant to section 15 of the Electricity (Consumer Safety) Act 2004 that the scheme for the approval or certification of models of declared electrical articles respectively conducted by the person specified in Schedule One to this Order is:

- (a) from 10th August 2012 to 10th August 2017 (five years), a recognised external approval scheme for the purposes of Part 2 of the Act;
- (b) subject to the conditions specified in Schedule Two to this Order; and
- (c) authorised, pursuant to clause 15 of the conditions specified in Schedule Two, to use the accepted mark specified in Schedule Three to this Order.

ANTHONY ROBERTS,  
Minister for Fair Trading

### Interpretation

In this Order, “*Commissioner*” means the Commissioner for NSW Fair Trading, a division of the Department of Finance and Services.

### SCHEDULE ONE

SAI GLOBAL CERTIFICATION SERVICES PTY LTD  
(ABN: 59 108 716 669)

SGS AUSTRALIA – ELECTRICAL PRODUCT  
CERTIFICATION SERVICES PTY LTD (ABN: 44 000  
964 278)

THE AUSTRALIAN GAS ASSOCIATION (ABN: 98 004  
206 044)

## SCHEDULE TWO

These conditions apply to the approval of declared articles only.

- (1) The scheme shall notify the Commissioner of any changes to personnel conducting the assessment of approval applications, to signatories to approvals, and to management and directors within two weeks of any such change.
- (2) The scheme shall not authorise or otherwise permit other persons to approve an article on behalf of the scheme.
- (3) The scheme shall not approve an article (including a modification to an approved article and any renewal to that article) unless the scheme is satisfied the article complies with –
  - (a) the class specification nominated for the article (including any modifications) to that specification by order in the *NSW Government Gazette*; and
  - (b) any model specification nominated by the Commissioner in writing to the scheme.
 applicable at the time of approval.

Note 1: In the case of a modified article, the complete article must comply with the nominated specification. This compliance is not limited to requirements associated with the modification.

Note 2: A modified article is an article that is not of the same design, materials and construction as the originally approved article. Minor modifications as detailed by an exemption issued under the Electricity (Consumer Safety) Act 2004 are exempt.

- (4) The scheme shall, where an approval has been granted, provide the applicant, by written notice, with the following particulars –
  - (a) the name of the approval holder;
  - (b) a description of the model (including marked brand or trade name);
  - (c) the fact that the scheme has approved the article;
  - (d) the date of the approval;
  - (e) the duration of the approval;
  - (f) the mark to be applied to the article to evidence that approval;
  - (g) the model reference code; and
  - (h) the declared class
- (5) The scheme shall, where an approval of a modified article has been granted, provide the applicant for that approval with written notice of the granting of that approval and of the details of the modification.
- (6) The scheme shall, where an approval has been renewed, provide the applicant for that renewal with written notice of that renewal.
- (7) The scheme shall maintain a computerised record of all approvals (including modifications and renewals). The record shall contain –
  - (a) the approval particulars listed in clause 4 above;
  - (b) details of any modified or renewed approval; and
  - (c) details of any changes in the name of the approval holder, in the model reference code or in the description of an approved article.

- (8) The scheme shall provide to the Commissioner and other relevant authorities as directed, the computerised records described in item 7 above.
- (9) The scheme shall not grant an approval period (including any renewal period) of longer than five years. A modified approval shall not alter the date of expiry of the approval.
- (10) The scheme may extend an approval but only where the Commissioner's written authorisation has been provided. The extension period is determined by the Commissioner.
- (11) The scheme shall cancel or suspend an approval within five working days of written advice from the Commissioner to cancel or suspend an approval. The scheme shall advise the approval holder and other relevant authorities as directed, in a form acceptable to the Commissioner, within five working days of a cancellation or suspension.
- (12) The scheme shall advise the Commissioner and other relevant authorities as directed, in the form acceptable to the Commissioner, within five working days, of the details where it becomes aware that an article, marked with the scheme's mark, has been sold or is on sale without the approval of the scheme.
- (13) The scheme shall advise the Commissioner and other relevant authorities as directed, in the form acceptable to the Commissioner, within 5 working days, of the details of any cancellation of an approval.
- (14) The scheme shall allow the Commissioner to make an assessment of the scheme, which may include an inspection of the premises and examination of documentation in relation to the schemes approval processes and issued approvals, as determined by the Commissioner.
- (15) The scheme shall only authorise the use of the mark accepted by the Minister or the Regulatory Compliance Mark, where the requirements of all the relevant parts of AS/NZS 4417 are fulfilled, to evidence an approval of a declared article.
- (16) The scheme shall on request provide the Commissioner with all records, including test reports and photographs, submitted to the scheme associated with an approval granted by the scheme. These records shall be maintained for at least 10 years from the date of expiry of the approval or any subsequent renewal.
- (17) The scheme agrees to pay the Commissioner in accordance with the attached "Schedule of Payment".

## RECOGNISED EXTERNAL APPROVAL SCHEMES

## Schedule of Payment

- |  |        |
|--|--------|
| 1. Initial application fee                                       | \$3500 |
| 2. Annual fee payable on the anniversary of the schemes approval | \$2000 |
| 3. Annual assessment fee at \$152 per hour (See clause 14)       |        |



## SCHEDULE THREE

- (1) Accepted marks for SAI Global Certification Services Pty Ltd:  
SAI TE EA number is valid until (# + 5 years)  
SAI SMK EA number is valid until (# + 5 years)  
SAI-xxxxxx-EA is valid from #  
# = date of publication of this notice in *NSW Government Gazette*
- (2) Accepted mark for SGS Australia – Electrical Product Certification Services Pty Ltd:  
SGSEA number is valid until (01/01/2013 + 5 years)  
SGS-xxxxxx-EA is valid from 01/01/2013
- (3) Accepted marks for The Australian Gas Association:  
AGA number EA (see note 2 below)  
AGA number G EA (see note 2 below)

## Notes:

- (1) Approval marks for Recognised External Approval Schemes are to comply with a standard format of – ABC-xxxxxx-EA, where ABC are any capital letters to identify the entity, xxxxxx are any six digits to identify individual certificates and EA cannot be changed. All six digits for the certificate number must be displayed. eg. 000234. A dash must separate the number from the prefix (entity) and the suffix (EA).
- (2) The Gazettal of the use of the standard format mark by The Australian Gas Association is expected to occur in mid 2013.

ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979

## Ministerial Order

I, GREGORY EUGENE SMITH, S.C., M.P., Attorney General and Minister for Justice, pursuant to section 109R (3) (b) of the Environmental Planning and Assessment Act 1979, order that where a building is erected by or on behalf of the Department of the Attorney General and Justice for the purpose of a detention centre at Riverina Juvenile Justice Centre and Cobham Juvenile Justice Centre, the technical provisions of the State's building laws are modified so that the relevant building is not required to comply with Parts A2.3, D3, F5.3, F5.5 and J3.4 of the Building Code of Australia (Volume One).

## Definitions

In this Order, the following definitions apply:

**building** has the same meaning as in section 4 of the Environmental Planning and Assessment Act 1979.

**detention centre** has the same meaning as it has in the Children (Detention Centres) Act 1987.

**technical provisions of the State's building laws** has the same meaning as in section 109R (1) of the Environmental Planning and Assessment Act 1979.

Dated the 21st day of December 2012.

GREG SMITH, M.P.,  
Attorney General and Minister for Justice

## GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Amend Address Locality Boundaries within the Inverell Local Government Area

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to amend address locality boundaries in the Inverell Local Government Area. The proposal will amend the boundaries of 'Yetman' and 'Coolatai' as well as amending the locality of 'Matheson' to create a new locality named 'Kingsland'.

A copy of map GNB3654-1-A showing the Yetman/Coolatai amendment and map GNB3654-1-B which shows the proposed new locality of 'Kingsland' may be viewed at the Inverell Shire Administration Centre, 144 Otho Street, Inverell from Friday, 8 February 2013 until Friday, 8 March 2013.

A copy of both maps will also be on display at the office of the Geographical Names Board, 346 Panorama Avenue, Bathurst NSW 2795 during the above dates. This proposal may also be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

Any person wishing to make comment upon this proposal may prior to Saturday, 9 March 2013 write to the Secretary of the Board with that comment. All submissions lodged in accordance with section 9 of the Geographical Names Act 1966 may be subject to a freedom of information application and may be viewed by a third party to assist the Board in considering this proposal.

K. RICHARDS,  
Secretary

Geographical Names Board  
PO Box 143  
Bathurst NSW 2795

## LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

## Notice of Compulsory Acquisition of Land

SHOALHAVEN CITY COUNCIL declares with the approval of His Excellency the Lieutenant-Governor that the lands and easements described in the Schedule below, excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for sewerage purposes.

Dated at Nowra this 15th day of October 2012.

RUSSELL DESMOND PIGG,  
General Manager

## SCHEDULE

Lot 1 in DP 1121863

Lot 2 in DP 1121990

Easement rights as described under the heading Access in Memorandum E780099 filed in the Office of Land and Property Information NSW over the site shown in:

DP 1121863 as '(A) PROPOSED EASEMENT  
FOR SEWER PIPELINE AND ACCESS 7 WIDE  
& VARIABLE'



Easement rights as described under the heading Sewer Pipeline in the terms set out hereunder over the site shown in:

DP 1120003 as '(A) PROPOSED SEWERAGE EASEMENT 7 WIDE AND 10.06 WIDE' within Crown road 10.06 wide between Lot 1, DP 1120003 and Lot 11, DP 1104298 of Parish CONJOLA and Crown road 20.115 wide within Lot 175, DP 755923 of Parish CONJOLA

DP 1121845 as '(A) PROPOSED EASEMENT FOR SEWER PIPELINE 9 WIDE and VARIABLE'

DP 1121902 as '(C) PROPOSED EASEMENT FOR SEWER PIPELINE 7 WIDE' within Lake Conjola Entrance (Bed of Lake Conjola) of Parish CONJOLA

DP 1121990 as '(A) PROPOSED EASEMENT FOR SEWER PIPELINE 3 WIDE & VARIABLE' within Lot 7011 in DP 1029403

'(B) PROPOSED EASEMENT FOR SEWER PIPELINE 7 WIDE & VARIABLE'

'(C) PROPOSED EASEMENT FOR SEWER OVERFLOW 5 WIDE'

DP 1125806 as '(A) PROPOSED EASEMENT FOR SEWER PIPELINE 7 WIDE' within Lot 2 in DP 777956

'(D) PROPOSED EASEMENT FOR SEWER PIPELINE 7 WIDE & VARIABLE' within Drainage Reserve 6.095 wide shown as (E) and adjacent to Lot 2 in DP 834886

Easement rights as described under the heading Water Pipeline in the terms set out hereunder over the site shown in:

DP 1110933 as '(A) PROPOSED EASEMENT FOR SEWER PIPELINE & WATER PIPELINE 7 WIDE'

Rights to be Acquired:

Easement for Access

FULL AND FREE right for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it from time to time and at all times to go, pass and repass for all purposes with or without materials, tools, implements, plant, machinery, or vehicles upon and over the surface of the servient tenement TOGETHER WITH the right to enter upon the servient tenement from time to time and at all times with any materials, tools, implements, plant machinery, or vehicles and to remain there for any reasonable time for the purpose of laying upon the surface of the servient tenement, rock, stone, gravel, bitumen, concrete or other material, or for the purpose of removing the surface and undersurface of the servient tenement and substituting therefor either in whole or part, rock, stone, gravel, bitumen, concrete or other material and of forming and maintaining a road thereon to such standards as may from time to time be determined by the Body having the benefit of this easement.

Easement for Drainage of Sewage

1 The Body having the benefit of this easement (being a public or local authority) and every person authorised by it from time to time and at all times may:

- (a) drain sewage, sullage and other fluid wastes in pipes through each lot burdened, but only within the site of this easement, and
- (b) do anything reasonably necessary for that purpose, including:
  - entering the lot burdened, and
  - taking anything on to the lot burdened, and
  - using any existing line of pipes, and

- using any existing line of pipes, and carrying out works, such as constructing, placing, repairing or maintaining pipes and equipment.

2 In exercising those powers, the body having the benefit of this easement must:

- (a) ensure all work is done properly, and
- (b) cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened, and
- (c) cause as little damage as is practicable to the lot burdened and any improvement on it, and
- (d) restore the lot burdened as nearly as is practicable to its former condition, and
- (e) make good any collateral damage.

Easement for Water Pipeline

FULL AND FREE RIGHT AND LIBERTY for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it from time to time and at all times to lay down pipes and necessary surface valves for water supply purposes and use and maintain such pipes and valves through and under the easement TOGETHER WITH FULL AND FREE RIGHT AND LIBERTY from time to time and at all times to inspect the condition of the pipes and to cleanse maintain mend repair and relay such pipes or valves or any part thereof and for such purposes or any of them at all reasonable times with or without surveyors workmen materials machinery implements and other persons and things to pass and re-pass and with or without vehicles to enter into and upon the servient tenement and to bring and place and have thereon to remove therefrom carry away use and leave any of the clay, sand, gravel, stones and earth which shall be taken out of the land comprising the servient tenement and to do all such acts and things which may be deemed necessary for the above purpose by the Body having the benefit of this easement (being a public or local authority) PROVIDED THAT in carrying out or performing any such inspection, cleansing, maintenance, mending, renewing, repairing, relaying or replacing of such lines of pipes and valves and excavating, taking up, renewing, repairing, relaying or replacing the surface of the servient tenement the Body having the benefit of this easement (being a public or local authority) shall make as little disturbance on or do as little damage as possible to the servient tenement and shall with all practicable speed restore and make good all or any such damage or disturbance and as far as practicable and with all reasonable speed restore the surface of the servient tenement to its former state and condition as existed prior to the undertaking of any works on the servient tenement.

## PESTICIDES ACT 1999

Environment Protection Authority NSW

Notice under Section 48 (4)

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

SEAN NUNAN,  
Team Leader, Chemicals and Radiation Licensing,  
Hazardous Materials, Chemicals and Radiation Section,  
Environment Protection Authority  
by delegation

## SCHEDULE

## Pilot (Pesticide Rating) Licence

<i>Name and address of licensee</i>	<i>Date of granting of licence</i>
Hamish JACOB, PO Box 797, Karama NT 0813	5 February 2013

**RACING ADMINISTRATION ACT 1998  
(NEW SOUTH WALES)**

**Bookmaker Declared Betting Events Betting Rules**

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## ANNEXURE

Schedule of Declared Betting Events and Approved Forms of Betting

**1 PRELIMINARY**

- 1.1 These rules are made under section 23 of the Racing Administration Act 1998 and apply to declared betting event bets made with any authorised betting event bookmaker in New South Wales.
- 1.2 All customers of authorised betting event bookmakers shall be deemed to be acquainted with these rules and to have agreed to be bound thereby. An authorised betting event bookmaker shall promptly make available a copy of these rules to a customer upon request.
- 1.3 In the case of all declared betting event bets the location of the contract between authorised betting event bookmaker and customers is deemed to be New South Wales and the laws of New South Wales are deemed to apply.
- 1.4 If so desired, an individual authorised betting event bookmaker may introduce additional terms which relate to areas covered by part 3 of these rules governing transactions between the authorised betting event bookmaker and customers. These are to be clearly identified as "Additional Terms Applicable to Declared Betting Event Bets with (name of authorised betting event bookmaker)". Any such additional terms are not to conflict with any clauses in these rules and are not to relate to areas covered by parts 4 to 7 of these rules.

It is the responsibility of the authorised betting event bookmaker to ensure customers have constructive knowledge of these additional terms, where applicable.

- 1.5 If the recognised governing body of a declared betting event requests the disclosure of personal information pertaining to accounts or transactions relating to bets on that declared betting event, the customer shall be deemed for the purposes of the Act to have consented to the bookmaker providing such personal information to the recognised governing body.

- 1.6 These rules commence on (insert date here) and replace those previously gazetted.

**2 DEFINITIONS**

**"Act"** refers to the Racing Administration Act 1998 (New South Wales) as amended.

**"All-in"** means that regardless of whether or not a particular competitor or team or member of a team starts or completes the declared betting event on which a declared betting event bet is placed, all declared betting events bets stand and no refunds shall be payable.

**"Approved Forms of Betting"** means the approved forms of betting as listed in the Schedule of Declared Betting Events and Approved Forms of Betting made in accordance with sections 18 and 20 of the Act, a copy of which is attached to these Rules.

**"Authorised Betting Event Bookmaker"** means a bookmaker licensed in New South Wales who is authorised by the Minister to take bets on declared betting events under section 19 of the Act.

**"Declared Betting Event"** means an event or class of event declared by the Minister to be a declared betting event or class of declared betting events under section 18 of the Act.

**“Declared Betting Event Bet”** means any declared betting event bet made at a fixed price with an authorised betting event bookmaker.

**“Declared Betting Event Betting Ticket”** means a ticket issued in accordance with Part 3 (Transactions) of these rules and includes any form of electronic record approved by the Department.

**“Department”** means the New South Wales Office of Liquor, Gaming and Racing (OLGR).

**“Extra Time”** means any additional periods that are played beyond the normal time scheduled for the match or game, to resolve any tie, draw or dead heat.

**“Group”** betting means any form of betting involving the relative performances of any two or more nominated competitors.

**“Normal Time”** means the period for which the relevant match or game is scheduled to be played, including any additional time provided by match officials for stoppages, but not including any further time to resolve any tie, draw or dead heat.

**“Outcomes Not Quoted”** means a number of outcomes (eg players, competitors) within a particular bet form which are bracketed together as a single selection.

**“Payout”** means the amount payable including any stake, on a successful declared betting event bet.

**“Price”** means either:

- when expressed in monetary terms, the return for an outlay of a certain monetary unit, inclusive of the unit of outlay, or
- when expressed in fractional terms, the ratio of win to stake agreed to by the authorised betting event bookmaker and the customer at the time the declared betting event bet is made.

**“Proposition”** means a result or combination of results on offer which may occur in any event upon which an authorised betting event bookmaker operates.

**“Rules”** means the Bookmaker Declared Betting Events Betting Rules contained herein, as amended from time to time.

**“Stake”** means the monetary outlay by the customer in placing a declared betting event bet.

**“Win”** means the profit portion of a payout. That is, the payout less the stake outlaid by the customer.

### 3 TRANSACTIONS

#### 3.1 GENERAL

##### 3.1.1 Amount of declared betting event bets

The amount of a declared betting event bet shall be as agreed between the authorised betting event bookmaker and customer. No minimum or maximum bet amount is fixed by these Rules.

##### 3.1.2 Discretion of authorised betting event bookmaker

An authorised betting event bookmaker is under no obligation to:

- (a) open an account on behalf of any prospective customer,
- (b) provide credit to any customer or prospective customer, nor
- (c) accept any bet from any customer or prospective customer.

##### 3.1.3 Limit as to scheduled determination date

No declared betting event bet shall be made on a declared betting event which has a scheduled outcome more than thirteen (13) calendar months from the date of the declared betting event bet.

##### 3.1.4 Subsequent calling off of a declared betting event bet

A declared betting event bet may only be called off by one of the parties if an agreement was made between the authorised betting event bookmaker and customer at any time up until the close of betting of the relevant declared betting event betting option.

##### 3.1.5 Approved forms of betting

All declared betting event bets shall be in accordance with the Approved Forms of Betting, set out in the Schedule annexed to these Rules and imposed by the Minister as a general condition under section 20 of the Act. A multiple declared betting event bet may involve two or more Approved Forms of Betting.

##### 3.1.6 Price setting and fluctuations

An authorised betting event bookmaker may at the bookmaker's sole and absolute discretion set prices for any declared betting event. The prices are to be offered without prejudice and are subject to change by the authorised betting event bookmaker without notice.

##### 3.1.7 Currency of prices displays

Authorised betting event bookmakers will use their best endeavours to ensure the currency of all:

- (a) markets on which they are conducting declared betting events betting, and
  - (b) prices quoted on outcomes or contingencies in those markets on which they are conducting declared betting events betting,
- but are not liable for any errors or omissions or the exercise of a discretion under 4.3.

##### 3.1.8 Refusal of bets

Authorised betting event bookmakers may refuse or decline to accept any declared betting event bet at their sole and absolute discretion and for any reason whatsoever. Authorised betting event bookmakers are not required to state or provide any reasons for refusing or declining to accept any declared betting event bet.

##### 3.1.9 Refunds

Except as specifically and expressly provided in these rules or required by law, no customer is entitled to any refund of or in respect of any amount of any declared betting event bet. This clause does not prevent authorised betting event bookmakers, in their sole and absolute discretion, refunding in whole or in part the amount of any declared betting event bet but any such refund or other payment which authorised betting event bookmakers, in their sole and absolute discretion, elect to make will be without prejudice and will not be binding on

the authorised betting event bookmaker or create any precedent or entitlement in any other person or entitlement in respect of the same customer in respect of any other bet.

#### 3.1.10 Price setting by authorised employees and agents

An authorised betting event bookmaker may delegate to duly authorised employees his or her power in respect to the setting of prices, acceptance or refusal of individual declared betting event bets and the recording of such bets and as to such other matters as the authorised betting event bookmaker may from time to time determine.

#### 3.1.11 Postponement of payment of payouts

An authorised betting event bookmaker shall at all times retain the right to postpone the payment of payouts for reasons including verification of results, systems hardware or software malfunction, or in circumstances where fraudulent activity is suspected.

### 3.2 CASH BETS

#### 3.2.1 Issue of tickets

An authorised betting event bookmaker shall issue a declared betting event betting ticket to a customer in the case of any declared betting event bet transacted by cash.

#### 3.2.2 Betting ticket details

The declared betting event betting ticket shall include details of:

- (a) the amount of the declared betting event bet;
- (b) the selected outcome and the declared betting event to which the bet relates, and
- (c) the eligible payout due upon redemption of the declared betting event betting ticket should the selected outcome be declared a winner.

#### 3.2.3 Betting tickets as a customer receipt

The declared betting event betting ticket represents acknowledgment by the authorised betting event bookmaker of receipt of the declared betting event bet in relation to which the declared betting event betting ticket is issued.

#### 3.2.4 Cancellation of bets when no money tendered

The declared betting event betting ticket may be cancelled if the amount of the declared betting event bet is not paid for immediately after the declared betting event betting ticket is issued.

#### 3.2.5 Betting ticket details as official record

The details of the amount of a declared betting event bet, the selected outcome, and the declared betting event to which the declared betting event bet relates recorded on a declared betting event betting ticket issued by the authorised betting event bookmaker are taken to be the details of the declared betting event bet for which the declared betting event betting ticket is issued, even if those details differ in any respect from the details given by the customer making the declared betting event bet.

#### 3.2.6 Cancellation of bets by customers

A customer who is issued with a declared betting event betting ticket that the customer claims is incorrect because it does not correctly reflect the details given by the customer when the declared betting event bet was made, is entitled to have that declared betting event bet cancelled but only if the authorised betting event bookmaker who issued the declared betting event betting ticket is satisfied that it is incorrect on the grounds so claimed. Having satisfied the authorised betting event bookmaker in these terms, the customer is entitled to:

- (a) have the declared betting event betting ticket re-issued by the authorised betting event bookmaker in accordance with the details so given, or
- (b) have the declared betting event betting ticket cancelled and the amount of the declared betting event bet refunded by the authorised betting event bookmaker.

#### 3.2.7 Authorised betting event bookmaker cancellation periods

Any entitlement under clause 3.2.6 may only be exercised within the period of time applicable, prior to the close of betting on the relevant declared betting event, determined by the authorised betting event bookmaker from time to time.

### 3.3 TELEPHONE BETS

#### 3.3.1 Recording of telephone bets

All transactions made by telephone are to be recorded by the authorised betting event bookmaker using a means approved by the Department. The details in the recording represent the primary evidence of the terms of the declared betting event bet.

#### 3.3.2 Incomplete telephone conversations

In the event a telephone conversation between an authorised betting event bookmaker and a customer in which a declared betting event bet is being placed is interrupted for any reason (including a mobile telephone dropping out) prior to the conclusion of the conversation and hence is terminated prematurely, any declared betting event bets not confirmed are deemed not to have been entered into.

In such circumstances, it is the responsibility of the customer to contact the authorised betting event bookmaker promptly to ascertain the status of the transaction(s).

### 3.4 BETTING ACCOUNTS

#### 3.4.1 Use of betting accounts

Except in the case of face-to-face betting on the day of a race meeting or at an approved auditorium, all declared betting event bets shall be transacted through a customer account maintained by an authorised betting event bookmaker and shall be properly recorded by the authorised betting event bookmaker using a means approved by the Department.



## 3.4.2 Provision of betting account balance

Prior to or at the conclusion of a declared betting event betting transaction, or a series of declared betting event betting transactions, an authorised betting event bookmaker shall state the current balance of the customer's account.

A customer may dispense with this requirement, either in general terms or with respect to a particular transaction. It is the responsibility of the customer to query the account balance promptly if there are grounds to believe that the balance may be incorrect.

## 3.4.2 Betting account statements

Upon receipt of a request from a customer, an authorised betting event bookmaker shall forward promptly a statement relating to a betting account held by the customer.

In the event a customer requests a statement with greater frequency than once per week with respect to a single betting account, an authorised betting event bookmaker is entitled to charge a nominal fee for the additional statements.

## 3.4.3 Overdrawn betting accounts

Where an amount has been incorrectly credited to a betting account or an incorrect amount has been credited to a betting account, an authorised betting event bookmaker:

- (a) may adjust the account to the extent necessary to rectify the amount incorrectly credited; and
- (b) if, as a result of such adjustment, the account is in debit, may recover as a debt the amount of the deficiency in the account.

## 3.4.4 Security over betting accounts

Authorised betting event bookmakers are to maintain sufficient security measures (eg. password, PIN) over betting accounts to minimise the risk of unauthorised use. However, it is the responsibility of individual customers to ensure confidentiality with respect to security measures and to notify the authorised betting event bookmaker in the event of concerns regarding a breach of security.

## 3.5 INTERNET BETTING

## 3.5.1 Customer to confirm declared betting event bet details

An approved Internet authorised betting event bookmaker may accept a declared betting event bet over the Internet provided the customer complies with the following:

- (a) A customer shall satisfy himself or herself that all details recorded on the Internet betting confirmation screen, including but not limited to the details in the declared betting event bet request, are correct.
- (b) A customer shall confirm the declared betting event bet request contained in the Internet betting confirmation screen by selecting the appropriate button on that screen.

## 3.5.2 Confirmation of declared betting event bet

- (a) Upon confirmation of the declared betting event bet by the customer in accordance with clause 3.5.1(b), the customer may not cancel, amend or replace the declared betting event bet.
- (b) The declared betting event bets contained in the request shall be accepted and confirmed by the authorised betting event bookmaker upon allocation by the authorised betting event bookmaker of a serial number to the declared betting event bets.
- (c) The authorised betting event bookmaker will take all reasonable endeavours to notify the customer of confirmation of the declared betting event bet by issuing to the customer an Internet betting receipt.
- (d) If the customer does not receive an Internet betting receipt in respect of a declared betting event bet, the customer may request a receipt by telephone or in writing and the authorised betting event bookmaker shall provide confirmation of the declared betting event bet.
- (e) If the customer receives an Internet betting receipt that does not match the declared betting event bet request confirmed by the customer, the customer may make a claim in relation to the declared betting event bet, provided such claim is rendered to the authorised betting event bookmaker within fourteen (14) days of the date of placing the declared betting event bet by the customer.

## 3.5.3 Customer to keep identity verification information confidential

The customer is responsible for ensuring that the customer's password, PIN and other pieces of personal information the authorised betting event bookmaker may use to verify the customers identity remain confidential.

## 3.5.4 Customer responsible for transactions relating to their accounts

The customer is responsible for transactions relating to his or her account. The authorised betting event bookmaker accepts no responsibility for disputed transactions made by the customer on his or her account.

## 3.5.5 Records of declared betting event bets

The records of the authorised betting event bookmaker shall be conclusive evidence of and deemed to be a true and correct record of all declared betting event bets made via the Internet. Computer printouts and other records provided by the customer shall not be accepted as evidence of declared betting event bets placed.

## 3.5.6 Internet betting access may be denied without notice

The authorised betting event bookmaker may cease to provide access to a customer to the web site of the authorised betting event bookmaker to place declared betting event bets via the Internet at anytime. This may be done without notice to the customer.



- 3.5.7 Customer to notify authorised betting event bookmaker of any changes to personal information

The customer warrants that all information provided by him or her on the web site of the authorised betting event bookmaker shall be true and correct and that he or she will immediately notify the authorised betting event bookmaker of any change to the information previously supplied.

- 3.5.8 Customer information supplied via the web site may be used by the authorised betting event bookmaker

The customer agrees to the use by the authorised betting event bookmaker of the information provided by the customer on the web site for any purpose relating to the opening of an account, the activation of Internet access, the placement of declared betting event bets by the customer, for marketing purposes or as required by law.

- 3.5.9 Web site information may change without notice

The authorised betting event bookmaker may change the information or the format of the information on the web site of the authorised betting event bookmaker at any time without notice to the customer.

#### 4 DECLARED BETTING EVENTS

- 4.1 Declared betting events

Authorised betting event bookmakers shall only accept declared betting event bets on declared betting events.

- 4.2 All-up and multiple declared betting event bets

All-up bets or bets involving two or more contingencies may be made across different declared betting events.

- 4.3 No requirement to quote on all potential outcomes or contingencies

- 4.3.1 Authorised betting event bookmakers may, in their sole and absolute discretion, determine the outcome or contingencies within a declared betting event or a form of betting on a declared betting event on which authorised betting event bookmakers will accept declared betting event bets or quote prices (including without limitation, whether an Outcome Not Quoted selection is offered).

- 4.3.2 Authorised betting event bookmakers are not required to accept declared betting event bets or quote prices on all potential outcomes or contingencies within a declared betting event or a form of betting on a declared betting event.

- 4.3.3 Authorised betting event bookmakers may, in their sole and absolute discretion, elect to accept declared betting event bets or quote prices on only some of the potential outcomes or contingencies within a declared betting event or a form of betting on a declared betting event. All declared betting event bets stand regardless of whether or not, at the time the relevant declared betting event bet was made or at any time prior or subsequent time, the authorised betting event bookmaker accepted, or was prepared to

accept, bets or quoted prices on the outcome or contingency which ultimately occurred.

- 4.3.4 If an authorised betting event bookmaker elects not to list all potential outcomes or contingencies within a form of betting on a declared betting event, the authorised betting event bookmaker must clearly state that quotes are available on request for the remaining potential outcomes. Authorised betting event bookmakers must clearly and specifically state on price display screens that outcomes not listed may be successful.

- 4.3.5 Authorised betting event bookmakers may, in their absolute and sole discretion, at any time prior to the close of betting and without notification or reason:

- (a) elect not to accept declared betting event bets or cease to quote, or suspend quotation of, prices on a particular outcome or contingency in a declared betting event or a form of betting on a declared betting event;
- (b) commence or resume accepting declared betting event bets or quoting prices on a particular outcome or contingency in a declared betting event or a form of betting on a declared betting event; and
- (c) accept a declared betting event bet on a particular outcome or contingency in a declared betting event or a form of betting on a declared betting event notwithstanding that the authorised betting event bookmaker was not at the relevant time quoting prices on that outcome or contingency.

#### 5. DETERMINATION OF RESULTS

- 5.1 General

Where the phrase “unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet” appears in part 5 herein, the term “authorised betting event bookmaker” vicariously includes staff or agents of the authorised betting event bookmaker held out as being duly authorised.

- 5.1.1 All-in Basis

All declared betting event bets are made on an All-in basis except where:

- (a) some other basis is expressly and specifically agreed between a duly authorised officer of the authorised betting event bookmaker and the customer at the time of making the relevant declared betting event bet; or
- (b) an additional proviso applied by an Authorised betting event bookmakers to the relevant declared betting event bet in accordance with clause 1.4 expressly and specifically that the declared betting event bet is not made on an All-in Basis.

- 5.1.2 Determination of result

Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, the final result shall take into account any

extra time periods or match replay or any other contingency necessary to determine the winner. This clause is subject to clause 5.1.7 herein.

#### 5.1.3 Line betting (points start)

Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, where betting on the outcome of a declared betting event involves a points start (eg line betting on a particular match) such points start shall be set to half a point.

For the purposes of this clause, in the case of declared betting event bets involving a points start, the outcome of each declared betting event shall be determined including any extra time, replay or other contingency necessary to determine the official result, unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet. This clause is subject to clause 5.1.6 and any declared betting event specific clauses in part 5.2 herein, where applicable.

#### 5.1.4 Right of bookmaker to cease betting

An authorised betting event bookmaker may, at his or her sole and absolute discretion, cease or suspend betting on any declared betting event without reason or notification. All declared betting event bets accepted prior to the cessation or suspension of betting will be treated in accordance with these Rules.

#### 5.1.5 Amount of Payout

The payout payable on any declared betting event bet shall be as agreed between an authorised betting event bookmaker and customer at the time of making the declared betting event bet. The payout quoted in telephone or electronic communications between the authorised betting event bookmaker and customer shall be deemed to be the payout agreed between the authorised betting event bookmaker and the customer, except in the case of error resulting from computer or other technical malfunction or where there is evidence of fraud.

If an authorised betting event bookmaker or customer becomes aware of such an error (or other event contemplated in this clause) prior to the conclusion of the relevant declared betting event(s), the authorised betting event bookmaker or customer is to use their best endeavours to notify the other party immediately and seek to have the matter resolved.

#### 5.1.6 Postponement of a declared betting event

Where a declared betting event is postponed or is listed for replay and is not officially scheduled to be replayed or conducted within three (3) calendar days of the original scheduled completion date, the declared betting event shall be treated as abandoned and all declared betting event bets shall be refunded. This clause is subject to any declared betting event specific clauses in part 5.2 herein, where applicable.

#### 5.1.7 Prices offered for tie, etc

This clause applies where a declared betting event results in a tie, draw or dead heat and prices are offered (within the relevant declared betting event betting market) on that declared betting event for a tie, draw or dead heat by the authorised betting event bookmaker with whom the declared betting event bet was made. In these circumstances, the outcome of the declared betting event shall be determined excluding any extra time, replay or other contingency necessary to determine an official result and any declared betting event bet for a result other than a tie, draw or dead heat will be deemed to have lost.

#### 5.1.8 Prices not offered for tie, etc

Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, if the result of a declared betting event is determined with joint winners or placegetters and a tie, draw or dead heat is not a form of betting offered (within the relevant declared betting event betting market) on that declared betting event by the authorised betting event bookmaker with whom the declared betting event bet was made, the revised payout payable shall be calculated by the following method:

- (i) divide the face value of the declared betting event betting ticket (the original payout) by the number of competitors involved in the tie, draw or dead heat, then
- (ii) multiply the figure obtained in 5.1.8 (i) by the number of official placings to be filled by the competitors figuring in the tie, draw or dead heat.

#### 5.1.9 Multiple bets and tie, etc

Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, and subject to clauses 5.1.7 and 5.1.8, in declared betting event bets involving more than one contingency or declared betting event:

- (a) if the selection in any of the contingencies or declared betting events loses, or is deemed to have lost, the whole of the declared betting event bet is lost;
- (b) if one or more of the contingencies or declared betting events results in a tie, draw or dead heat, the revised return for each leg shall be calculated by applying the method set out in clause 5.1.8 herein and the revised payout payable shall be the amount obtained as the product of the cumulative price applicable and the original stake;
- (c) where the declared betting event bet covers two or more declared betting events and one or more declared betting events is decided in the customer's favour but any remaining declared betting event is subsequently postponed and not officially scheduled to be replayed or conducted within three (3) calendar days of the original scheduled date, or any remaining declared betting event

is abandoned, the revised payout shall be the amount obtained as the product of the cumulative price applicable (at the time the declared betting event bet was made) to the declared betting events decided in the customer's favour and the original stake.

**5.1.10 Cancellation of declared betting event prior to commencement**

Subject to clause 5.1.9 (c), if any declared betting event is cancelled prior to its commencement, or abandoned, all declared betting event bets relating to that declared betting event shall be refunded.

**5.1.11 Reliance on official or podium positions**

Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, all declared betting event bets will be settled on the official or podium positions as per the adjudication of the relevant recognised governing body. Subsequent disqualification, promotion of competitors, or any other change is irrelevant for the purposes of determining the result of a declared betting event bet.

**5.1.12 Scratchings where declared betting event subsequently postponed**

Where a declared betting event bet is made on a competitor or team in a declared betting event and that competitor or team is scratched, withdrawn or disqualified from that event, and notwithstanding that event is subsequently postponed and unable to be replayed or conducted within three (3) calendar days, the bet shall stand and no refund will be payable.

**5.1.13 Declared betting event bets placed after completion of relevant declared betting event**

Any declared betting event bet placed after the completion of the declared betting event to which it relates is deemed void and is to be refunded to the customer. If this circumstance arises in the context of one or more legs of a multiple declared betting event bet, only the effected leg(s) of the declared betting event bet are deemed void.

**5.1.14 Change of venue of declared betting event**

Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, in the event of a change to the venue of a declared betting event involving named competitors, all declared betting event bets relating to that event are deemed void and are to be refunded. If this circumstance arises in the context of one or more legs of a multiple declared betting event bet, only the affected leg(s) of the declared betting event bet is deemed void.

**5.1.15 Payment of payouts for "outcomes not quoted"**

For the payment of payouts, the "outcomes not quoted" selection is considered to be a single competitor, and accordingly can only be paid the equivalent of one payout, irrespective of the number of "outcomes not quoted" that would

have achieved a payout if they were players that had prices quoted.

**5.2 DECLARED EVENTS SPECIFIC**

Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, the clauses below apply to all declared betting event bets on the relevant sport or event. In determining the result of a declared betting event bet, if any inconsistency arises between a clause in part 5.2 relating to the sport or event on which the declared betting event bet was placed and a clause elsewhere in these Rules, the sport or event specific clause in part 5.2 prevails to the extent of any inconsistency.

**5.2.1 Boxing**

**5.2.1.1** Where a contest is postponed (to the calendar day following or later) or a contestant is replaced by a substitute, such contest is deemed to be abandoned and all declared betting event bets are to be refunded.

**5.2.1.2** Where, for any reason, the scheduled number of rounds in a contest is altered, all declared betting event bets on that contest are deemed void and are to be refunded.

**5.2.1.3** Where, for any reason, a points decision is awarded before the full number of rounds is completed, declared betting event bets will be settled on the round in which the fight was stopped.

**5.2.1.4** If a boxer fails to "answer the bell" signalling the commencement of the next round, the contest is deemed to have ended in the previous round.

**5.2.2 Cricket**

**5.2.2.1** In the case of all types of cricket matches,

(a) Unless at least one ball is bowled, all declared betting event bets on the match are deemed void and are to be refunded.

(b) A player who officially retires for any reason other than injury is deemed to be out.

(c) In the case of 'next batsman out' betting, declared betting event bets on a member of a batting partnership which remains intact at the end of an innings are deemed void and are to be refunded.

(d) In the case of 'next batsman out' betting, a batsman who officially retires injured during the course of an innings is not considered out for declared betting event betting purposes. In such instances, declared betting event bets relating to the relevant batsman or pairing are deemed void and are to be refunded.

- (e) In the case of 'head-to-head' betting on the number of runs scored, unless both the relevant batsmen are at the wicket when at least one ball is bowled (but not necessarily at the same time) the relevant declared betting event bets are deemed void and are to be refunded.
  - (f) A "Mankad" dismissal of a batsman is of similar effect to a dismissal by other means.
  - (g) This clause is subject to any specific rulings by the relevant recognised governing body. In the case of betting on player, team or other type of performance over a series of matches (eg most wickets, most catches, most runs or number of catches) any runs, wickets or catches accumulated in matches that were abandoned shall count toward the relevant tallies at the end of the series.
- 5.2.2.2 A one-day cricket match means a cricket match so classified by the authorised betting event bookmaker with whom the declared betting event bet is made.
- 5.2.2.3 In the case of one-day and Twenty20 cricket matches only,
- (a) If a match is shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the result is that determined by the relevant recognised governing body under the relevant competition rules.
    - (i) In the case of one-day cricket a minimum of 20 overs must be completed otherwise all bets not determined at the time the match is concluded are deemed void and are to be refunded.
    - (ii) In the case of Twenty20 matches a minimum of 5 overs must be completed otherwise all bets not determined at the time the match is concluded are deemed void and are to be refunded.
  - (b) In the case of declared betting event betting on the highest scoring batsman (across both teams).
    - The successful outcome will be the batsman scoring the most runs, regardless of whether or not all batsmen for either team have faced a ball.
    - In the case of either or both innings being shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the batsman from either team scoring the most runs across the revised number of overs provided an official result is declared.
    - where a match is abandoned and/or no official result is declared, all declared betting event bets are deemed void and are to be refunded.
  - (c) In the case of declared betting event betting on the highest scoring batsman in one team's innings:
    - The successful outcome will be the batsman scoring the most runs, regardless of whether or not all batsmen for that team have faced a ball.
    - In the case of an innings shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the batsman scoring the most runs across the revised number of overs provided an official result is declared.
    - If an official result is not declared, declared betting event bets are deemed void and will be refunded.
  - (d) In the case of declared betting event betting on the highest wicket taking bowler for one team in an innings:
    - The successful outcome will be the bowler taking the most wickets, regardless of whether or not all the opposing team's wickets have fallen.
    - Unless at least one wicket is taken by a bowler during the relevant innings all declared betting event bets are deemed void and are to be refunded.
    - In the case of an innings shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the bowler taking the most wickets across the revised number of overs provided an official result is declared.
    - If an official result is not declared, declared betting event bets are deemed void and will be refunded.



- (e) In the case of declared betting event betting on the highest wicket taking bowler across both teams in a one-day match:
- The successful outcome will be the bowler taking the most wickets, regardless of whether or not all wickets for either or both teams have fallen.
  - Unless at least one wicket is taken by a bowler during the match all declared betting event bets are deemed void and are to be refunded.
  - In the case of either or both innings being shortened by the relevant recognised governing body (due to weather, poor light or any other reason) the successful outcome will be the bowler from either team taking the most wickets across the revised number of overs provided an official result is declared.
  - If an official result is not declared declared betting event bets are deemed void and will be refunded.
- (f) If play is postponed to a reserve day, any bets not decided – including (but not limited to) bets on the outcome of the match and declared betting event bets relating to any incomplete innings – are to be carried forward to the reserve day and determined in accordance with these rules.
- (g) In the case of declared betting event betting on the total number of runs scored by a team in an innings:
- The successful outcome will be the number of runs scored in that innings regardless of whether or not the innings is shortened by the relevant recognised governing body (due to weather, poor light or any other reason).
  - Where the innings is shortened by the relevant recognised governing body (due to weather, poor light or any other reason) to the extent that the match is abandoned with no official result declared, all declared betting event bets are deemed void and are to be refunded.
- (h) In the case of Twenty20 matches the outcome of any betting option, including match betting, excludes the super over unless otherwise stated.
- 5.2.2.4 In the case of cricket matches other than one-day matches,
- (a) In the case of declared betting event betting on the highest scoring batsman for one team in an innings match or series:
- the successful outcome will be the batsman scoring the most runs, regardless of whether or not all batsmen for that team have faced a ball,
  - unless at least one run is scored 'off the bat' by a batsman for that team during the relevant innings, match or series all declared betting event bets are deemed void and are to be refunded.
- (b) In the case of declared betting event betting on the highest scoring batsman across both teams in an innings match or series:
- the successful outcome will be the batsman scoring the most runs, irrespective of whether or not all batsmen for both teams have faced a ball,
  - unless at least one run is scored 'off the bat' by a batsman for either team during the relevant innings, match or series all declared betting event bets are deemed void and are to be refunded.
- (c) In the case of declared betting event betting on the highest wicket-taking bowler for one team in an innings, match or series:
- the successful outcome will be the bowler taking the most wickets, irrespective of whether or not all the opposing team's wickets have fallen,
  - unless at least one wicket is taken by a bowler during the relevant innings, match or series all declared betting event bets are deemed void and are to be refunded.
- (d) In the case of declared betting event betting on the highest wicket-taking bowler across both teams in an innings, match or series:
- the successful outcome will be the bowler taking the most wickets, regardless of whether or not all wickets have fallen,
  - unless at least one wicket is taken by any bowler during the relevant innings, match or series all declared betting



- event bets are deemed void and are to be refunded.
- (e) In the case of declared betting event betting on the total number of runs scored in an innings:
- the successful outcome will be the number of runs scored in that innings regardless of whether or not the innings is completed,
  - unless at least one ball is bowled in the innings all declared betting event bets are deemed void and are to be refunded.
- (f) In the case of test (and other non-limited overs) cricket:
- if the match is declared a “tie”, all declared betting event bets to win on either team will be paid at half face value while declared betting event bets on the draw will be losers.
- 5.2.3 Golf
- 5.2.3.1 (a) Where a tournament which is scheduled for seventy-two (72) holes is abandoned for any reason, if less than thirty-six (36) holes have been completed, all declared betting event bets on the outcome of the tournament are void and are to be refunded. If thirty-six (36) or more holes have been completed and an official result is declared by the relevant recognised governing body, all declared betting event bets stand and are to be determined in accordance with that official result. This clause is subject to clause 5.2.3.6.
- (b) Where a tournament which is scheduled for ninety (90) holes is abandoned for any reason, if less than fifty-four (54) holes have been completed, all declared betting event bets on the outcome of the tournament are void and are to be refunded. If fifty-four (54) or more holes have been completed and an official result is declared by the relevant recognised governing body, all declared betting event bets stand and are to be determined in accordance with that official result. This clause is subject to clause 5.2.3.6.
- 5.2.3.2 Where a tournament which is scheduled for fewer than seventy-two (72) holes is abandoned, declared betting event bets on the outcome of the tournament are to be determined in accordance with the official result declared by the relevant recognized governing body.
- 5.2.3.3 Any play-off holes will be taken into account in determining the winner of a tournament. However, in the case of declared betting event bets for a place, clauses 5.1.8 and 5.1.9 herein will apply where there is a tie after completion of the set number of holes (subject to clauses 5.2.3.1 and 5.2.3.2 herein).
- 5.2.3.4 In the case of “group” betting:
- (a) Where all players in a group fail to complete the scheduled number of holes in an event, the winner of that group shall be the player who completes the most number of holes.
- (b) Where some of the players in a group fail to complete the scheduled number of holes in an event, the winner of that group shall be the player(s) among those who complete the most number of holes with the lowest score.
- (c) Where all players in a group complete the same number of holes, the winner will be the player with the lowest score (subject to clauses 5.2.3.1 and 5.2.3.2 herein).
- 5.2.3.5 This clause applies where a tournament is suspended on the direction of the relevant recognized governing body and no official result is declared under circumstances where the balance of the tournament is intended to be rescheduled. In such cases, all declared betting event bets not yet determined upon suspension of play are to be held in trust by the authorised betting event bookmaker until a result is declared by the relevant recognized governing body. In these circumstances, if a result is not declared within one month of the original scheduled commencement date, all declared betting event bets not yet determined are deemed void and are to be refunded. This clause is subject to clause 5.1.12.
- 5.2.3.6 In the event that a tournament is abandoned prior to completion of the scheduled number of holes any declared betting event bets placed after the point in the tournament where no further play occurred are deemed void and are to be refunded.
- 5.2.3.7 In the case of 2 or 3 ball (player) group betting over 18 holes, the winner will be the player with the lowest score after completion of the relevant 18 holes. Unless all players in the group complete the relevant 18

- holes, declared betting event bets are deemed void and are to be refunded.
- 5.2.4 Motor Racing
- 5.2.4.1 In the case of individual races, in accordance with clause 5.1.11 herein, results will be determined based on the initial declaration of the official result of the race by the relevant recognised governing body.  
The result will not be affected by any subsequent protests, processes or amendments to placings.
- 5.2.4.2 In the case of championships, in accordance with clause 5.1.11 herein, results will be determined based on the official points standings upon the initial declaration of the official result by the relevant recognised governing body of the final event for championship purposes. The championship result will not be affected by any subsequent protests, processes or amendments to placings.
- 5.2.4.3 In the case of individual races where the drivers for individual cars are not known 48 hours prior to the scheduled commencement time of the race, betting will be conducted on the winning car rather than the winning driver.
- 5.2.4.4 In the case of 'head-to-head' betting between two cars or two drivers, if either of the relevant cars or drivers fail to finish, the successful outcome will be determined in accordance with which car or driver completes the most laps. In the event that both cars or drivers are credited with completing the same number of laps dead heat rules apply (refer clauses 5.1.7 and 5.1.9 herein).
- 5.2.5 Rugby League
- 5.2.5.1 In the case of declared betting event bets on the first or next try scorer:
- (a) except in cases where the authorised betting event bookmaker with whom the declared betting event bet is placed offers prices for a penalty try within the relevant market, in the event that the first or next try awarded is a penalty try, relevant declared betting event bets will be determined on the basis of the try following; and
  - (b) relevant declared betting event bets stand regardless of whether the player who is the subject of the declared betting event bet or any other player takes or leaves the field or is dismissed from the game.
- 5.2.5.2 In the case of declared betting event bets on the next scoring play:
- (a) except in cases where the authorised betting event bookmaker offers prices for a penalty try within the relevant market, in the event that the next scoring play is a penalty try the relevant declared betting event bet will be determined on the basis of the next scoring play; and
  - (b) relevant declared betting event bets stand regardless of whether the player who is the subject of the declared betting event bet or any other player takes or leaves the field or is dismissed from the game.
- 5.2.6 Rugby Union
- 5.2.6.1 In the case of declared betting event bets on the first or next try scorer:
- (a) except in cases where the authorised betting event bookmaker with whom the declared betting event is placed offers prices for a penalty try within the relevant market, in the event that the first or next try awarded is a penalty try, relevant declared betting event bets will be determined on the basis of the try following; and
  - (b) relevant declared betting event bets stand regardless of whether the player who is the subject of the declared events bet or any other player takes or leaves the field or is dismissed from the game.
- 5.2.6.2 In the case of declared betting event bets on the next scoring play:
- (a) except in cases where the authorised betting event bookmaker offers prices for a penalty try within the relevant market, in the event that the next scoring play is a penalty try the relevant declared betting event bet will be determined on the basis of the next scoring play; and
  - (b) relevant declared betting event bets stand regardless of whether the player who is the subject of the declared events bet or any other player takes or leaves the field or is dismissed from the game.
- 5.2.7 Soccer
- 5.2.7.1 If a soccer match is officially called-off prior to its scheduled completion and an official match result is not declared by the relevant recognized governing body, declared betting event bets not determined at the time

- the match is concluded are deemed void and are to be refunded. This does not apply to declared betting event bets already determined at the conclusion of the match, eg first goal scorer.
- 5.2.7.2 If a soccer match is officially called-off prior to its scheduled conclusion and an official match result is declared by the relevant recognized governing body, relevant declared betting event bets will be determined on that result. However, in these circumstances, declared betting event bets which are dependent upon the number of goals scored (including handicap bets) are void and are to be refunded.
- 5.2.7.3 Unless agreed otherwise by the authorised betting event bookmaker and customer at the time of making the declared betting event bet, the outcome of soccer matches is determined at the end of "normal time" (in most circumstances, ninety minutes plus injury time). Except in cases where an authorised betting event bookmaker offers prices for an own goal within the relevant market, if the first or next goal scorer is awarded an "own goal", relevant declared betting event bets will be determined on the basis of the goal following.
- 5.2.8 Tennis
- 5.2.8.1 A tennis match is deemed to have commenced with the first serve.
- 5.2.8.2 If, for any reason, the scheduled number of sets is not completed, declared betting event bets not determined when the match is concluded are deemed void and are to be refunded. This is subject to clause 5.2.8.3 herein.
- 5.2.8.3 If, for any reason, a competitor or a doubles team withdraws, is disqualified or fails to complete a match after it has commenced, all single declared betting event bets on the match are deemed void and are to be refunded, while affected multiple declared betting event bets will be recalculated on the same basis as applying to the calculation of payouts in the case of postponed or abandoned declared betting events under Rule 5.1.9 (c).
- 5.2.8.4 Where, for any reason, the venue for a tennis match is changed but does not involve a change in the type of playing surface then Rule 5.1.14 does not apply.
- 5.2.9 Yachting
- 5.2.9.1 Where betting is conducted on 'line honours' or 'quinella', in accordance with clause 5.1.11, results will be determined based on the placings of the yachts as they cross the finish line. The result will not be affected by any subsequent protests, processes or amendments to placings.
- 5.2.9.2 Where betting is conducted on the handicap winner, results will be determined in accordance with clause 5.1.11.
- 5.2.10 Jockey Challenge
- 5.2.10.1 "Jockey Challenge" is betting on a jockey achieving the highest aggregate points scored in accordance with these rules for achieving a place in races conducted at a particular race meeting or over a racing carnival. A racing carnival shall include a series of race meetings as approved by Racing NSW.
- 5.2.10.2 Prior to commencement of declared betting event betting on this contingency, authorised betting event bookmakers will prepare a list of jockeys and opening prices. Other than when conducting group betting, the list will include an "any other" price option to cover any jockey who is not included in the original list. At all times the "any other" option shall be treated as one entity.
- 5.2.10.3 Authorised betting event bookmakers accepting bets on the Jockey Challenge at all times must display appropriate signage as approved by Racing NSW Stewards.
- 5.2.10.4 In the event of a race meeting being abandoned or postponed all declared betting event bets are void and moneys are to be refunded except as provided by 5.2.10.5 and 5.2.10.6.
- 5.2.10.5 In the event of a race meeting not being completed as originally programmed all declared betting event bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing NSW stewards that a jockey has an unassailable lead, in which case all declared betting event bets stand.
- 5.2.10.6 In the case of Jockey Challenge betting on a racing carnival should any of the programmed carnival race meetings not be completed in their entirety, all declared betting event bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing NSW stewards that a jockey has an unassailable lead, in which case all declared betting event bets stand.
- 5.2.10.7 No points shall be allocated in relation to a race scheduled to be conducted at a race meeting if that race is postponed to another race meeting,

abandoned or declared a no race by the Stewards on the day of the race meeting.

- 5.2.10.8 The winner will be the jockey who has the most points accumulated at the end of the competition. Points will be accrued per race and calculated as follows:

3 points for a winning ride

2 points for a second placed ride

1 point for a third placed ride

Points will only be allocated to the jockey(s) who actually ride the winning or placed horse(s) in a race. Points will not be allocated to any rider who may have been engaged to ride a horse but was subsequently replaced by permission or direction of the Stewards. There will be no refunds of declared betting event bets should a jockey be replaced by another rider.

- 5.2.10.9 In the event of a dead heat for any or all of the placings, jockey points will be allocated on a proportionate fractional basis i.e.

<i>Dead Heat for a Win</i>	<i>Dead Heat for Second</i>	<i>Dead Heat for Third</i>
<i>Points</i>	<i>Points</i>	<i>Points</i>
1st – 2.5, 2.5	1st – 3	1st – 3
2nd – 0	2nd – 1.5, 1.5	2nd – 2
3rd – 1	3rd – 0	3rd – 0.5, 0.5

In the event of a triple dead heat for any or all of the placings, points will be allocated on a proportionate fractional basis i.e.:

<i>Triple Dead Heat for Win</i>	<i>Triple Dead Heat for Second</i>	<i>Triple Dead Heat for Third</i>
<i>Points</i>	<i>Points</i>	<i>Points</i>
1st – 2, 2, 2	1st – 3	1st – 3
2nd – 0	2nd – 1, 1, 1	2nd – 2
3rd – 0	3rd – 0	3rd – 0.3, 0.3, 0.3

- 5.2.10.10 In the event of two or more jockeys being tied on the same number of points at the completion of the competition all successful declared betting event bets will be paid according to Bookmaker Declared events Betting Rule 5.1.8.

- 5.2.10.11 Allocated points will not be subject to change in the case of any future disqualification. Any dispute regarding the declared winner will be adjudicated by Racing NSW stewards whose decision shall be final.

- 5.2.10.12 Payment will be declared at the end of each race meeting or carnival, unless otherwise directed by the Stewards.

- 5.2.10.13 Any matter in respect to a Jockey challenge at a race meeting or a racing carnival not provided for in this Rule shall be determined by the Chairman of Racing NSW stewards.

## 5.2.11 Baseball

Where a nominated starting pitcher does not start a game, all declared betting event bets on that game are deemed void and are to be refunded unless agreed otherwise by the authorised betting event bookmaker and the customer at the time of placing the declared betting event bet.

## 5.2.12 Trainers Challenge

- 5.2.12.1 “Trainers Challenge” is betting on a trainer achieving the highest aggregate points scored in accordance with these rules for achieving a place in races conducted at a particular race meeting or over a racing carnival. A racing carnival shall include a series of race meetings as approved by Racing NSW.

- 5.2.12.2 Prior to commencement of declared betting event betting, an authorised betting event bookmaker will prepare a list of trainers and opening prices. Other than when conducting group betting, the list will include an “any other” price option to cover any trainer who is not included in the original list. At all times the “any other” option shall be treated as one entity.

- 5.2.12.3 In the event of a race meeting being abandoned or postponed all declared betting event bets are void and moneys are to be refunded except as provided by 5.2.12.4 and 5.2.12.5.

- 5.2.12.4 In the event of a race meeting not being completed as originally programmed all declared betting event bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing NSW stewards that a trainer has an unassailable lead, in which case all bets stand.

- 5.2.12.5 In the case of Trainers Challenge betting on a racing carnival should any of the programmed carnival race meetings not be completed in their entirety, all declared betting event bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing NSW stewards



that a trainer has an unassailable lead, in which case all bets stand.

- 5.2.12.6 No points shall be allocated in relation to a race scheduled to be conducted at a race meeting if that race is postponed to another race meeting, abandoned or declared a no race by the Stewards on the day of the race meeting.

- 5.2.12.7 The winner will be the trainer who has the most points accumulated at the end of the competition. Points will be accrued per race and calculated as follows:

3 points for training the winning runner

2 points for training the 2nd placed runner

1 point for training the 3rd placed runner

Points will only be allocated to the trainer who is officially listed as the trainer of the horse.

- 5.2.12.8 In the event of a dead heat for any or all of the placings points will be allocated on a proportionate fractional basis i.e.

<i>Dead Heat for a Win</i>	<i>Dead Heat for Second</i>	<i>Dead Heat for Third</i>
<i>Points</i>	<i>Points</i>	<i>Points</i>
1st – 2.5, 2.5	1st – 3	1st – 3
2nd – 0	2nd – 1.5, 1.5	2nd – 2
3rd – 1	3rd – 0	3rd – 0.5, 0.5

In the event of a triple dead heat for any or all of the placings, points will be allocated on a proportionate fractional basis i.e.

<i>Triple Dead Heat for Win</i>	<i>Triple Dead Heat for Second</i>	<i>Triple Dead Heat for Third</i>
<i>Points</i>	<i>Points</i>	<i>Points</i>
1st – 2, 2, 2	1st – 3	1st – 3
2nd – 0	2nd – 1, 1, 1	2nd – 2
3rd – 0	3rd – 0	3rd – 0.3, 0.3, 0.3

- 5.2.12.9 In the event of two or more trainers being tied on the same number of points at the completion of the competition all successful bets will be paid according to Bookmaker Declared Betting Events Betting Rule 5.1.8.

- 5.2.12.10 Allocated points will not be subject to change in the case of any future disqualification. Any dispute regarding the declared winner will be adjudicated by Racing NSW stewards whose decision shall be final.

- 5.2.12.11 Payment will be declared at the end of each race meeting or carnival, unless otherwise directed by the Stewards.

- 5.2.12.12 Any matter in respect to a Trainers Challenge at a race meeting or a racing carnival not provided for in these Rules shall be determined by the Chairman of Racing NSW stewards.

## 6 MISCELLANEOUS

### 6.1 BETTING BY MINORS

#### 6.1.1 Acceptance of bets

In accordance with section 16 of the Unlawful Gambling Act 1998, an authorised betting event bookmaker shall not:

- open an account for or accept a declared betting event bet from any person whom he or she knows to be under the age of eighteen years, or
- knowingly accept a declared betting event bet from any person on behalf of a minor.

#### 6.1.2 Placement of bets

Any person under the age of eighteen (18) years shall not be entitled to place a declared betting event bet with an authorised betting event bookmaker.

### 6.2 DISCLAIMER

An authorised betting event bookmaker is not, except as otherwise expressly and specifically provided in these rules or required by law, liable to any person (including without limitation for any loss or damage suffered or claimed to have been suffered by a person) as a result of, or in any way arising out of or as a consequence of any of the following:

- Inability to place or cancel a declared betting event bet on any declared betting event or form of betting on a declared betting event.
- Inability to place or cancel a declared betting event bet on a particular outcome or contingency on any declared betting event or form of betting on a declared betting event.
- The loss of a declared betting event betting ticket.
- Any payment made to the bearer of a declared betting event betting ticket where a customer alleges that such payment was made to the wrong person.
- Reliance upon any omission, inaccurate information or statement whether made by employees of the authorised betting event bookmaker, or by the electronic or print media, concerning any matter whatsoever relating to the customer or to the authorised betting event bookmaker or to any event, competitor, withdrawal or other matter whatsoever.
- Any decision of the recognised governing body of the event or any referee or other official appointed to administer, supervise, referee or control a declared betting event (including without limitation any



decision to impose, or not to impose, penalties or sanctions and the nature and extent of any such sanctions).

- (g) Any subsequent change to the result of a declared betting event after a result has been declared by the recognised governing body of that event in accordance with clause 5.1.11.
- (h) Unauthorised use of the customers account.
- (i) In the case of a cash declared betting event bet, failure by the customer to correct inaccurate or omitted declared betting event bet details recorded on a declared betting event betting ticket immediately upon issue of the declared betting event betting ticket.
- (j) In the case of a telephone declared betting event, failure by a customer to correct inaccurate or omitted declared betting event bet details when such details are called back to the customer by the authorised betting event bookmaker.
- (k) In case of an Internet declared betting event bet, where the customer has confirmed the declared betting event bet request in accordance with Rule 3.5.1(b).
- (l) In the case of an Internet declared betting event bet, use of, participation in or inability to obtain access to the web site for the purpose of making a declared betting event bet.
- (m) In the case of an Internet declared betting event, any loss or damage caused in the event that the computer of the customer becomes infected with a virus as a result of connecting to the web site of the authorised betting event bookmaker or by any technology failure whatsoever.
- (n) Access by the customer to web sites of any person via links from the web site of the authorised betting event bookmaker.
- (o) Any prices quoted by any source other than authorised staff of the authorised betting event bookmaker or any quoted prices which are no longer valid for betting purposes.
- (p) The failure, exclusion or refusal of any competitor, team or member of a team to start or complete a declared betting event.
- (q) The refusal or inability of the authorised betting event bookmaker, or authorised staff of the authorised betting event bookmaker to accept all or part of a declared betting event bet or to accept declared betting event bets on a particular outcome or contingency on any declared betting event or form of betting on a declared betting event.
- (r) The exercise by the authorised betting event bookmaker of any discretion conferred on the authorised betting event bookmaker under these Rules or the manner in which that discretion is exercised either generally or in particular circumstances.

### 6.3 LOST OR DESTROYED TICKETS

Claims for lost or destroyed declared betting event betting tickets are to be treated on the same basis as that applying to lost or destroyed tickets on racing events.

## 7 DISPUTES

### 7.1 COMPLAINTS

#### 7.1.1 Complaints concerning records of telephone declared betting event bets

Within 14 days after making a telephone declared betting event bet or within such further time as the authorised betting event bookmaker may allow, a customer may lodge a written complaint with the authorised betting event bookmaker to the effect:

- (a) that the details of the declared betting event bet given by the customer when making the declared betting event bet were incorrectly recorded; and
- (b) that the customer has suffered loss as a result of the error.

If, after investigating the complaint, the authorised betting event bookmaker is satisfied:

- (i) that the complaint is justified; and
- (ii) that the error complained of was due to the negligence or wilful default of any authorised betting event bookmaker, the authorised betting event bookmaker must make any appropriate alteration to the record and must refund such amount or pay such payout to the complainant as the authorised betting event bookmaker considers to be just and reasonable.

### 7.2 ENFORCEABILITY

#### 7.2.1 Enforceability of authorised betting event bookmaker decisions

The decision of an authorised betting event bookmaker upon:

- (a) any question or dispute as to the amount of payout calculated in respect of any declared betting event betting ticket or declared betting event bet, or
- (b) any question as to the validity of any declared betting event betting ticket as to any forgery or alteration thereof, or tampering therewith,

subject to part 7.3 shall be final and conclusive.

### 7.3 RESOLUTION OF DISPUTES

#### 7.3.1 Declared Betting Events Betting Disputes Panel

There shall be a Declared Betting Events Betting Disputes Panel, the members of which are to be appointed by the Minister.

#### 7.3.2 Matters referable to Declared Betting Events Betting Disputes Panel

In the event of:

- (b) any circumstance arising which is not provided for in the Act or by these Rules, or
- (c) a dispute between an authorised betting event bookmaker and a customer as to the interpretation of these Rules,

which relates to the outcome of a declared betting event, a customer or an authorised betting event bookmaker may refer the matter to the Declared Betting Events Betting Disputes Panel.

## 7.3.3. Prior attempt at resolution

Prior to referring any matter to the Declared Betting Events Betting Disputes Panel, a customer shall endeavour to resolve the matter directly with the relevant authorised betting event bookmaker.

## 7.3.4 Time frame for references to Declared Betting Events Betting Dispute Panel

References to the Declared Betting Events Betting Disputes Panel shall be within twenty-eight (28) days of the date of completion of the declared betting event to which the disputed declared betting event bet relates.

## 7.3.5 Contact point for Declared Betting Events Betting Disputes Panel

References to the Declared Betting Events Betting Disputes Panel shall be directed to the Secretary of the Panel, by contacting:

Secretary  
Declared Betting Events Betting Disputes Panel  
Office of Liquor, Gaming and Racing  
GPO Box 7060  
Sydney NSW 2001  
Telephone: (02) 9995 0487  
Facsimile: (02) 9995 0876  
Email: complaints@olgr.nsw.gov.au

when there are stationary vehicles immediately adjacent to the Rider in both marked lanes.

**Rider** means a person who is riding a motor bike.

**Trial Area** means the network of roads in the Sydney CBD:

- bound by, and including, Sussex Street, Market Street, St James Road, Macquarie Street, Alfred Street and Hickson Road; but
- excluding Cahill Expressway, Bradfield Highway, and Western Distributor Freeway.

## 5 Application

This Order applies to a Rider who is Lane Filtering.

## 6 Exemption

A Rider to whom this Order applies is exempt from the following provisions of the Road Rules 2008:

- Rule 146 – "Driving within a single marked lane or line of traffic"; and
- Rule 147 – "Moving from one marked lane to another marked lane across a continuous line separating the lanes".

## Explanatory Notes:

The purpose of the Order is to enable a trial of the practice of Lane Filtering to evaluate the impact on traffic movement and safety.

The project will include using video to monitor Lane Filtering behaviour at intersections, and to detect whether traffic movement improves in the Trial Area.

The Order does not exempt riders from any other provisions of the Road Rules 2008. Riders must comply with all other Rules and take all necessary care when Lane Filtering.

Riders should take extra care when Lane Filtering near buses, cyclists, and pedestrians, or when Lane Filtering adjacent to dedicated turning lanes.

## ROAD TRANSPORT (GENERAL) ACT 2005

## Ministerial Declaration (Motor Bike Lane Filtering Trial) Order 2013

I, Duncan Gay, M.L.C., Minister for Roads and Ports, pursuant to section 16 of the Road Transport (General) Act 2005, make the following Order.

Dated this 29th day of January 2013.

DUNCAN GAY, M.L.C.,  
Minister for Roads and Ports

## 1 Citation

This Order is the Ministerial Declaration (Motor Bike Lane Filtering Trial) Order 2013.

## 2 Commencement

This Order takes effect on 1 March 2013, or the date that it is published in the *NSW Government Gazette*, whichever is later.

## 3 Effect

This Order remains in force for a period from 1 March 2013 to 30 April 2013, unless revoked earlier.

## 4 Definitions

Unless stated otherwise, words and expressions used in this Order have the same meaning as in the Road Rules 2008.

In this Order:

**Lane Filtering** means the following manoeuvre executed by a Rider in the Trial Area when safe to do so:

- Riding on a road between two marked lanes with the same direction of travel as the Rider,

## RURAL FIRES ACT 1997

## ERRATUM

THE Special Supplement No. 129 to the *New South Wales Government Gazette* published on 21 December 2012 on pages 5081 to 5084 was published with the wrong date. The dates in this supplement were Thursday, 20 November 2012, which were incorrect, the actual date of the total fire ban for the Greater Hunter was Thursday 20 December 2012. This notice corrects that error and the publication date remains 20 December 2012.

## TOTALIZATOR ACT 1997

## ORDER

Totalizator Act 1997, Section 71

Participating Jurisdiction Declaration

- (a) I, GEORGE SOURIS, being the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts in the State of New South Wales, hereby declare that Germany is taken to be a participating jurisdiction for the purposes of section 71 of the Totalizator Act 1997 with effect from the

date of publication of this Order in the *New South Wales Government Gazette*, subject to the other provisions of this Order.

- (b) The limitation in (a) above does not exclude the making of a further order or orders in similar terms to this Order, at the discretion of the Minister.
2. I also declare that Germany is taken to be a participating jurisdiction for the purposes of section 71 of the Totalizator Act 1997, while all of the following circumstances apply:
- 2.1 Rules of betting
- All bets processed by Sportech Racing GmbH and related transactions in respect of totalizators pooled with TAB Limited New South Wales pools are subject to the Totalizator Rules of betting as apply to TAB Limited totalizator betting in New South Wales at the time the bet has been placed by a third party and received by Sportech Racing GmbH at that time.
- 2.2 Automated Totalizator Monitoring System (ATMS) and compliance with requests
- (a) All totalizator pools pooled by Sportech Racing GmbH with TAB Limited New South Wales pools are subject to the operation of the Automated Totalizator Monitoring System, for the time being operating in New South Wales (or an approved equivalent similar system), only as follows:
- (1) in respect of collatable totalizator pools: final collations and pool totals; and
  - (2) in respect of non-collatable totalizator pools: pool totals.
- (b) That Sportech Racing GmbH complies with all reasonable requests from the NSW Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts or the NSW Office of Liquor Gaming and Racing for information relating to any totalizator bets or cancelled totalizator bets processed by Sportech Racing GmbH or any related transactions, without unreasonable delay.
3. I also declare that should I form the view that any of the circumstances specified in paragraphs 2.1 and 2.2 above have ceased to apply, and I notify Sportech Racing GmbH that a 30 day review period will apply to this Order, Germany will cease to be taken to be a participating jurisdiction within 30 days of the date of the notification, unless I form the view that the circumstances once again apply and I notify Sportech Racing GmbH of that view before the expiry of the 30 day review period.

This Order replaces the Order published in the *New South Wales Government Gazette* on 4 February 2011.

Dated this 25th day of January 2013.

GEORGE SOURIS, M.P.,  
Minister for Tourism, Major Events,  
Hospitality and Racing  
and Minister for the Arts

## TRANSPORT ADMINISTRATION ACT 1988

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

#### Notice of Compulsory Acquisition of Land for the Purposes of Transport for NSW

TRANSPORT FOR NSW, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Transport for NSW, as authorised by the Transport Administration Act 1988.

Dated this 1st day of February 2013.

TERRY BRADY,  
General Manager, Country Rail Contracts,  
Transport Services Division

#### SCHEDULE

All that piece or parcel of land situated in the Locality of Camira Creek in the Local Government Area of Richmond Valley, Parish of Powerpa, County of Richmond and State of New South Wales, being identified as Lot 1, Deposited Plan 1173408 and having an area of 1,243 square metres.

## TRANSPORT ADMINISTRATION ACT 1988

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

#### Transport for NSW

#### Erratum

THE Notice of Compulsory Acquisition of Land published in the *New South Wales Government Gazette* No. 6 of 25 January 2013, Folio 198 and 199, contained errors. The following corrects those errors and the Gazettal date remains 25 January 2013.

#### SCHEDULE 2

The Deposited Plan number “Deposited Plan 573049” should have read “Deposited Plan 573047”.

#### SCHEDULE 3

The Deposited Plan number “Deposited Plan 573049” should have read “Deposited Plan 573047”.

#### SCHEDULE 4

The Deposited Plan number “Deposited Plan 573049” should have read “Deposited Plan 573047”.

Dated this 4th day of February 2013.

CHRIS LOCK,  
Deputy Director General,  
Transport Projects Division,  
Transport for NSW



**MOUNT PANORAMA MOTOR RACING ACT 1989**

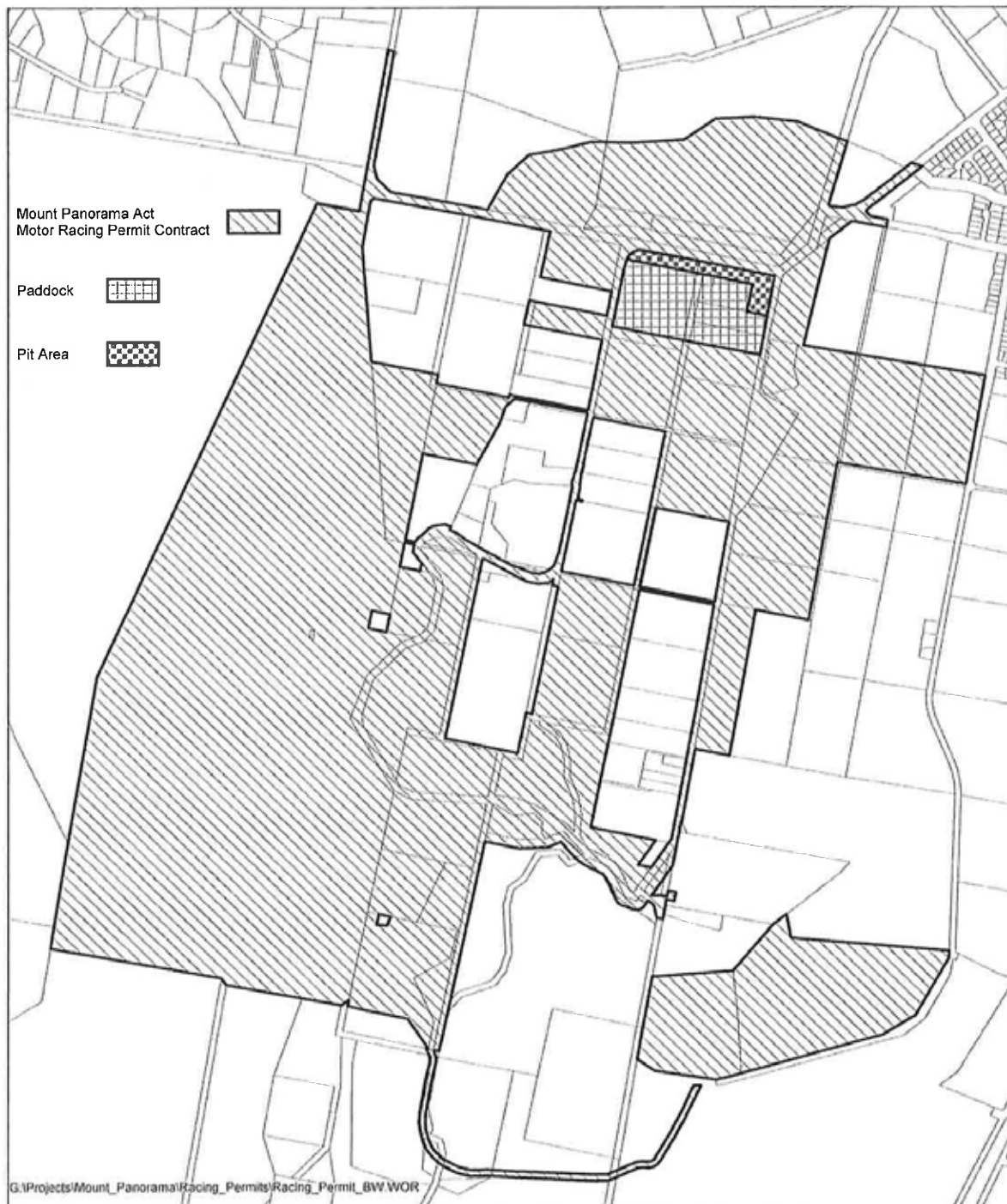
Conduct of Motor Racing and Associated Events

Mount Panorama

IN pursuance of the provisions of section 4 of the Mount Panorama Motor Racing Act 1989, I declare that the lands, as shown by hatching on the diagram hereunder, shall constitute the Mount Panorama Circuit for the purpose of motor racing, practice and associated events during the period 8 February to 12 February 2013, both dates inclusive.

GRAHAM ANNESLEY, M.P.,  
Minister for Sport and Recreation

**BATHURST REGIONAL COUNCIL**  
Mt Panorama Circuit  
Bathurst 12 Hour  
8-12 February 2013



Bathurst Regional Council expressly disclaims all liability for errors or omissions of any kind whatsoever, or any loss, damage or of consequence which may arise from any person relying on information in this Plan.

Date 10/10/2012

Note: The colours on this Plan do not indicate zones under the Bathurst Local Environmental Plan 1997.

Department of Lands

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### HAWKESBURY CITY COUNCIL

Section 162, Roads Act 1993

Naming of Newly Created Public Road

NOTICE is hereby given that Hawkesbury City Council in accordance with section 162 of the Roads Act 1993, has named the newly created public road contained within DP 1165082 and described as "18 wide and variable width" and which extends in a northerly direction from Stannix Park Road for an approximate distance of 345 metres, as Hadden Ridge Road, Wilberforce.



PETER JACKSON, General Manager, Hawkesbury City Council, PO Box 146, Windsor NSW 2756. [6876]

### HOLROYD CITY COUNCIL

Roads Regulation 2008

Naming of Roads

PURSUANT to Clause 9 of the Roads Regulation 2008, notice is hereby given of the naming of the following road within the Southern Employment Lands Precinct of Pemulwuy:

*New Name:*

Litton Close.

Dated at Merrylands, this 5th day of February 2013. MERV ISMAY, General Manager, Holroyd City Council, Memorial Avenue, Merrylands NSW 2160. [6877]

### PALERANG COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

PALERANG COUNCIL declares with the approval of His Excellency the Lieutenant-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 a rural fire service station. Dated at Bungendore, this 1st day of February 2012.

PETER BASCOMB, General Manager, Palerang Council, PO Box 348, Bungendore NSW 2621.

#### SCHEDULE

Lot 1, DP 1096374.

[6878]

### PALERANG COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

PALERANG COUNCIL declares with the approval of His Excellency the Lieutenant-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 a rural fire service station. Dated at Bungendore, this 1st day of February 2012. PETER BASCOMB, General Manager, Palerang Council, PO Box 348, Bungendore NSW 2621.

#### SCHEDULE

Lot 1, DP 1166327.

[6879]

### SINGLETON COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that Singleton Council, in accordance with section 162 of the Roads Act 1993, has named the following roads:

<i>Location</i>	<i>Name</i>
Lane leaving the New England Highway 1.5km north of the intersection with Mitchell Line of Road in a easterly direction.	New Freugh Lane.
New road on north side of Masion Dieu Road, McDougalls Hill.	Andorra Close.

No objections to the proposed new names were received within the prescribed period of time. LINDY HYAM, General Manager, Singleton Council, PO Box 314, Singleton NSW 2330. [6880]

### SINGLETON COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that Singleton Council, in accordance with section 162 of the Roads Act 1993, has made the following road name changes:

<i>Current Road Name/Location</i>	<i>New Road Name</i>
Inlet Road, Bulga.	The Inlet Road.
Noses Peak Road, Bulga.	Wollemi Peak Road.

Authorised by Singleton Council on 4 February 2013. LINDY HYAM, General Manager, Singleton Council, PO Box 314, Singleton NSW 2330. [6881]



**TEMORA SHIRE COUNCIL**

Roads Act 1993, Section 162

## Roads Renaming

NOTICE is hereby given that Temora Shire Council, pursuant to the abovementioned Act, has renamed the following roads within Temora Shire Council:

*Current Road Name:*

Bectric Road.

*New Road Name:*

Mannings Lane.

*Location:*

Road south of Lots 1 and 2, DP 718503; Lots 30 and 31, DP 1147354 and Lot 29, DP 665426, running east west Old Wagga Road to Rannock Road.

*Current Road Name:*

Bectric Hall West Road.

*New Road Name:*

Bectric Hall Road.

*Location:*

Road east of Rannock Road, north and west Lot 70, DP 750864 and north Lot 66, DP 750864.

*Current Road Name:*

Austral Street (Part).

*New Road Name:*

Ashleford Street.

*Location:*

Part of street running west from railway land Ashelford Street to Vesper Street.

*Current Road Name:*

Macgregor Street (Part).

*New Road Name:*

Polaris Street.

*Location:*

Part of street separating Lot 54 DP, 750587 and Lots 591-592. Street from Burley Griffin Way to Polaris Street.

*Current Road Name:*

Butts Road.

*New Road Name:*

Bishops Lane.

*Location:*

Road east of Combaning Road separating Lot 117, DP 751410 from Lot 118, DP 751410, ending at boundary Lot 119, DP 751410.

*Current Road Name:*

Deakin Street, Curtin Street and Forrest Street.

*New Road Name:*

Forrest Street.

*Location:*

Street east Trungley Hall Road to Watson Street, separating Lots 1134, DP 750587; Lots 8,7 and 9/A/DP 7293 and Lot 4/B/DP 7293, from Lot 1135, DP 750587; Lots 1 and 2/M/DP 7293 and Lots 8 and 6/M/DP 7293.

G. C. LAVELLE, General Manager, Temora Shire Council, PO Box 262, Temora NSW 2666. [6882]

**TEMORA SHIRE COUNCIL**

Roads Act 1993, Section 162

## Naming of Roads

NOTICE is hereby given that Temora Shire Council, pursuant to the abovementioned Act has named the following roads:

*Location**Name*

Road east of Trungley Road, separating Lots 1086 and 1083, DP 750587, from Lots 1085, 715 and 1084, DP 750587, ending at Bundawarra Road.

Ron Martin's Road.

Road east of Cemetery Road, separating Lots 170 and 169, DP 750582, from Lots 115 and 168, DP 750852, ending at Common Road.

Robinson Road.

Road south commencing intersection Rifle Range Road west of Lot 2896, DP 750587, ending Lot 1205, DP 750587.

Woodlands Road.

G. C. LAVELLE, General Manager, Temora Shire Council, PO Box 262, Temora NSW 2666. [6883]

**ESTATE NOTICES**

NOTICE of intended distribution of estate.—Estate of MARJORIE ETHEL FLOWER, New South Wales grant made 31 January 2013.—Any person having any claim upon the estate of MARJORIE ETHEL FLOWER, late of Mosman, in the State of New South Wales, retired, who died on 14 October 2012, must send particulars of the claim to the executors care of Mervyn Finlay, Thorburn & Marshall, Solicitors, PO Box A276, Sydney NSW 1235, within 30 days from publication of this notice. After that time (and after 6 months from the date of death of the deceased) the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 21 August 2010. Probate was granted in NSW on 31 January 2013. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney NSW 2000, tel.: (02) 9223 6544. [6884]

NOTICE of intended distribution of estate.—Estate of MARY JULIANNE WEARIN, New South Wales Grant made 25 January 2013.—Any person having any claim upon the estate of MARY JULIANNE WEARIN, late of Bellevue Hill, in the State of New South Wales, who died on 16 September 2012, must send particulars of the claim to the legal representative for the estate, c.o. M. Duncan & Associates, Lawyers, 39/61-89 Buckingham Street, Surry Hills NSW 2012, within 30 days from publication of this notice. After that time the legal representative intends to distribute the property in the estate having regard only to the claims of which the legal representative had notice at the time of distribution. M. DUNCAN & ASSOCIATES, Lawyers, 39/61-89 Buckingham Street, Surry Hills NSW 2012, tel.: (02) 9699 9877. Reference: MD:12/00133. [6885]

### COMPANY NOTICES

NOTICE of members' final meeting.—BARANOA PTY LIMITED (In Liquidation).—Notice is hereby given that in the terms of section 509 of the Corporations Law a final general meeting of the Company will be held at the offices of the Liquidator, 154 Elizabeth Street, Sydney NSW 2000, on 8 March 2013, at 9:00 a.m., for the purpose of having laid before it by the Liquidator an account showing how the winding-up has been conducted and the property of the Company was disposed. COLIN J. WILSON – Wilson Porter Services Pty, Liquidators, c.o. Wilson Porter, Chartered Accountants, Level 2, 154 Elizabeth Street, Sydney NSW 2000, tel.: (02) 9283 4333. [6886]

NOTICE of members' final meeting.—MALBEN PASTORAL CO PTY LTD (In Liquidation).—Notice is hereby given that in the terms of section 509 of the Corporations Law a final general meeting of the Company will be held at the offices of the Liquidator, 154 Elizabeth Street, Sydney NSW 2000, on 8 March 2013, at 9:00 a.m., for the purpose of having laid before it by the Liquidator an account showing how the winding-up has been conducted and the property of the Company was disposed. COLIN J. WILSON – Wilson Porter Services Pty, Liquidators, c.o. Wilson Porter, Chartered Accountants, Level 2, 154 Elizabeth Street, Sydney NSW 2000, tel.: (02) 9283 4333. [6887]

NOTICE of members' final meeting.—AMBERLEA PTY LIMITED.—Notice is hereby given that in the terms of section 509 of the Corporations Law a final general meeting of the Company will be held at the offices of the Liquidator, 154 Elizabeth Street, Sydney NSW 2000, on 11 March 2013, at 9:00 a.m., for the purpose of having laid before it by the Liquidator an account showing how the winding-up has been conducted and the property of the Company was disposed. COLIN J. WILSON – Wilson Porter Services Pty, Liquidators, c.o. Wilson Porter, Chartered Accountants, Level 2, 154 Elizabeth Street, Sydney NSW 2000, tel.: (02) 9283 4333. [6888]

### OTHER NOTICES

NOTICE of dissolution of partnership.—Notice is hereby given in accordance with section 32 of the Partnership Act New South Wales 1892, that the partnership existing between The Trustee for the Chamberlain Trust & The Trustee for the Warlow Family Trust trading as Mae of 224 Stokers Road, Stokers Siding NSW 2484, is dissolved as of 31 December 2012. MELISSA HILL, c.o. Oracle Business Accountants, Suite 2806, Level 8, Southport Central Tower Two, 5 Lawson Street, Southport Queensland 4215, tel.: (07) 5607 0820. [6889]

### SHOALHAVEN CITY COUNCIL

#### Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named below that Shoalhaven City Council has resolved in pursuance of section 715 (1) (b) of the Local Government Act 1993, to sell the land described below in which the persons named in each occasion appear to be the owners of or in which they appear to have an interest in and also included is the amount of rates outstanding including the 2012/2013 rates and charges.

In default of full payment to the Council of the amount stated in column (e) below and any rates (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for the sale, the said land will be offered for sale at public auction by Ray White Real Estate, Nowra, at the Shoalhaven Entertainment Centre, Foyer Meeting Room, Bridge Road, Nowra, on Thursday, 13 June 2013 at 11.00am. For further information relating to rates and charges, please contact Shoalhaven City Council, Bridge Road, Nowra NSW, Telephone (02) 4429 3469, attention Michelle – Revenue Section.

Selling under Section 713 (2) (a) of the NSW LGA 1993

<i>Owner or person having interest in the land</i>	<i>Description of land</i>	<i>Amount of rates (including extra charges) overdue for more than five years</i>	<i>Amount of all other rates (including extra charges) due and in arrears</i>	<i>Total</i>
(a)	(b)	(c)	(d)	(e)
G. SCAVERA	Lot 125, DP 8772, Currana Avenue, Worroving Heights	\$12,636.04	\$3,934.04	\$16,570.08
A. POLITIS	Lot 361, DP 8590, Eerebeene Grange, Worroving Heights	\$11,562.95	\$3,812.71	\$15,375.66
A. HARES	Lot 259, DP 8591, Elouera Drive, Worroving Heights	\$494.51	\$1,470.90	\$1,965.41
E. & E. SIKALLOS	Lot 199, DP 8590, Eumina Place, Worroving Heights	\$982.66	\$1,626.82	\$2,609.48
S. BARDOUH	Lot 111, DP 8591, Kinkuna Crescent, Worroving Heights	\$1,419.34	\$1,233.29	\$2,652.63

<i>Owner or person having interest in the land</i> (a)	<i>Description of land</i> (b)	<i>Amount of rates (including extra charges) overdue for more than five years</i> (c)	<i>Amount of all other rates (including extra charges) due and in arrears</i> (d)	<i>Total</i> (e)
M. & N. FAROOK	Lot 318, DP 8591, Naval College Road, Worworing Heights	\$896.65	\$1,297.39	\$2,194.04
N. POLITIS	Lot 58, DP 8590, Nerreman Street, Worworing Heights	\$6,096.13	\$4,036.15	\$10,132.28
T. & T. GERASKLIS	Lot 97, DP 8770, Ooranye Garden, Worworing Heights	\$1,299.91	\$1,271.98	\$2,571.89
D. & M. CHIABRERA	Lot 2, DP 8770, The Bindaree, Worworing Heights	\$381.93	\$924.65	\$1,306.58
K. NAIDU	Lot 18, DP 8770, The Bindaree, Worworing Heights	\$381.93	\$1,235.57	\$1,617.50
Z., S. & D. OJUROVIC & D. ZAHARIJA	Lot 268, DP 8772, The Bindaree, Worworing Heights	\$1,195.05	\$1,682.43	\$2,877.48
EST A. DUGGAN & A. SCHAUHANN	Lot 225, DP 8772, Wyebooo Place, Worworing Heights	\$1,262.90	\$1,194.85	\$2,457.75
A. E. KOCER	Lot 319, DP 8591, Yellagaga Place, Worworing Heights	\$1,263.75	\$1,054.60	\$2,318.35

## Selling under Section 713 (2) (b) of the NSW LGA 1993

<i>Owner or person having interest in the land</i> (a)	<i>Description of land</i> (b)	<i>Amount of rates (including extra charges) overdue for more than one year</i> (c)	<i>Amount of all other rates (including extra charges) due and in arrears</i> (d)	<i>Total</i> (e)
L. IVANOVSKA	Lot 93, DP 8772, Currana Avenue, Worworing Heights	\$787.33	\$81.62	\$868.95
A. & A. DJAHIT	Lot 137, DP 8772, Currana Avenue, Worworing Heights	\$1,377.98	\$113.11	\$1,491.09
R. B. HERCEG	Lot 45, DP 8772, Elouera Drive, Worworing Heights	\$433.18	\$546.66	\$979.84
H. P. H. & M. M. TRAN	Lot 142, DP 8591, Kinkuna Crescent, Worworing Heights	\$1,412.94	\$145.07	\$1,558.01
S. M. GASKELL & C. SCOTT	Lot 107, DP 8772, St George Avenue, Worworing Heights	\$2166.09	\$418.85	\$2,584.94
M. A. RIDGE	Lot 62, DP 8770, Terrara Parade West, Worworing Heights	\$1,391.18	\$119.44	\$1,510.62
E. E. DAHLEN	Lot 13, DP 8590, Wanawong Boulevard, Worworing Heights	\$850.53	\$122.11	\$972.64
S. & L. ROKOMAQISA	Lot 22, DP 8590, Wanawong Boulevard, Worworing Heights	\$2395.78	\$157.48	\$2,553.26

[6890]

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