



# *Government Gazette*

OF THE STATE OF

NEW SOUTH WALES

**Week No. 40/2013**

**Friday, 4 October 2013**

*Published under authority by  
Department of Premier and Cabinet  
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*Containing numbers 119, 120, 121, 122, 123 and 124  
Pages 4243 – 4314*

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## DEADLINES

### Attention Advertisers . . .

*Government Gazette inquiry times are:*

*Monday to Friday: 8.30 am to 4.30 pm*

**Phone: (02) 9321 3356 Fax: (02) 9232 4796**

**Email: [nswgazette@pco.nsw.gov.au](mailto:nswgazette@pco.nsw.gov.au)**

## GOVERNMENT GAZETTE DEADLINES

### Close of business every Wednesday

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

### 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 9321 3356.*

## 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 119**

**Friday, 27 September 2013**

Published under authority by the Department of Premier and Cabinet

## SPECIAL SUPPLEMENT

### WORKERS COMPENSATION ACT 1987

#### NOTICE

(Concerning indexation of workcover death benefits)

THE WorkCover Authority of New South Wales, pursuant to section 82 of the Workers Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1 October 2013**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

TABLE

<i>Provision specifying, or providing for, the adjustable amount</i>	<i>Column 1</i>	<i>Column 2</i>
	<i>Adjustable Amount</i>	<i>Adjusted Amount</i>
WORKERS COMPENSATION ACT 1987		
s. 25 (1) (a)	\$425,000.00	\$504,350.00
s. 25 (1) (b)	\$66.60	\$128.20

(Latest Index Number: 251.7)

JULIE NEWMAN,  
Chief Executive Officer,  
Workcover Authority

**WORKERS COMPENSATION ACT 1987****NOTICE**

(Concerning indexation of weekly benefits without regard to amendments to weekly benefits made by the Workers Compensation Legislation Amendment Act 2012)

THE WorkCover Authority of New South Wales, pursuant to section 82 of the Workers Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1 October 2013**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

**TABLE**

<i>Provision specifying, or providing for, the adjustable amount</i>	<i>Column 1</i>	<i>Column 2</i>
	<i>Adjustable Amount</i>	<i>Adjusted Amount</i>
<b>WORKERS COMPENSATION ACT 1987</b> (without regard to amendments to weekly benefits made by the Workers Compensation Legislation Amendment Act 2012)		
s. 35	\$1,000.00	\$1,924.30
s. 37 (1) (a) (i)	\$235.20	\$452.60
s. 37 (1) (a) (ii)	\$187.10	\$360.00
s. 37 (1) (a) (iii)	\$170.00	\$327.10
	\$153.00	\$294.40
s. 37 (1) (b)	\$62.00	\$119.30
s. 37 (1) (c)	\$44.30	\$85.20
	\$99.10	\$190.70
	\$164.16	\$315.90
	\$230.90	\$444.30
	\$66.60	\$128.20
s. 40	\$1,000.00	\$1,924.30
Sched 6, Part 4, Clause 7	\$341.30	\$656.80

(Latest Index Number: 251.7)

**JULIE NEWMAN,**  
Chief Executive Officer,  
Workcover Authority

**WORKERS COMPENSATION ACT 1987****NOTICE**

(Concerning indexation of weekly benefits applying to amendments made by the  
Workers Compensation Legislation Amendment Act 2012)

THE WorkCover Authority of New South Wales, pursuant to section 82 of the Workers Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1 October 2013**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

**TABLE**

<i>Provision specifying, or providing for, the adjustable amount</i>	<i>Column 1</i>	<i>Column 2</i>
	<i>Adjustable Amount</i>	<i>Adjusted Amount</i>
<b>WORKERS COMPENSATION ACT 1987</b>		
s. 34 (1)	\$1,838.70	\$1,924.30
Sched 6, Part 19H, Clause 2 (1)	\$906.25	\$948.50

(Latest Index Number: 251.7)

JULIE NEWMAN,  
Chief Executive Officer,  
Workcover Authority

**WORKERS' COMPENSATION (DUST DISEASES) ACT 1942****NOTICE**

(Concerning indexation of death benefits)

THE WorkCover Authority of New South Wales, pursuant to section 82 of the Workers Compensation Act 1987 as applied by section 8 (3) (d) of the Workers Compensation (Dust Diseases) Act 1942, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1 October 2013**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

**TABLE**

<i>Provision Specifying, or providing for, the adjustable amount</i>	<i>Column 1</i>	<i>Column 2</i>
	<i>Adjustable Amount</i>	<i>Adjusted Amount</i>
<b>WORKERS COMPENSATION (DUST DISEASES) ACT 1942</b>		
s. 8 (2B) (b) (i)	\$311,050.00	\$320,350.00
s. 8 (2B) (b) (ii)	\$137.30	\$264.20
s. 8 (2B) (b) (iii)	\$69.40	\$133.50

(Latest Index Number: 251.7)

JULIE NEWMAN,  
Chief Executive Officer,  
Workcover Authority

**WORKERS COMPENSATION ACT 1987****NOTICE**

(Concerning indexation of benefits covered by Workers Compensation Act 1926)

THE WorkCover Authority of New South Wales, pursuant to Schedule 6 of the Workers Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1 October 2013**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

**TABLE**

<i>Provision Specifying, or providing for, the adjustable amount</i>	<i>Column 1</i>	<i>Column 2</i>
	<i>Adjustable Amount</i>	<i>Adjusted Amount</i>
<b>WORKERS COMPENSATION ACT 1987 (re 1926 Act)</b>		
Sched 6, Part 3, Clause 2 (2)	\$76,700.00	\$147,600.00
Sched 6, Part 3, Clause 2 (3)	\$38.30	\$73.70
Sched 6, Part 4, Clause 4 (1) (b) (i)	\$44.80	\$86.20
Sched 6, Part 4, Clause 4 (1) (b) (ii)	\$22.50	\$43.30
Sched 6, Part 4, Clause 4A (2) (a)	\$196.00	\$377.20
Sched 6, Part 4, Clause 4A (2) (b)	\$155.90	\$300.00
Sched 6, Part 4, Clause 4A (2) (c)	\$141.60	\$272.50
Sched 6, Part 4, Clause 4A (2) (c)	\$127.50	\$245.30

(Latest Index Number: 251.7)

JULIE NEWMAN,  
Chief Executive Officer,  
Workcover Authority

**WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION ACT 1998****NOTICE**

(Concerning indexation of interim payment direction for payment of medical expenses compensation)

THE WorkCover Authority of New South Wales, pursuant to section 82 of the Workers Compensation Act 1987, declares, by this Notice, that the adjustable amount specified in Column 1 of the following Table is, on and from **1 October 2013**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

**TABLE**

<i>Provision Specifying, or providing for, the adjustable amount</i>	<i>Column 1</i>	<i>Column 2</i>
	<i>Adjustable Amount</i>	<i>Adjusted Amount</i>
<b>WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION ACT 1998</b> s. 297 (2)	\$7,500.00	\$8,297.80

(Latest Index Number: 251.7)

JULIE NEWMAN,  
Chief Executive Officer,  
Workcover Authority

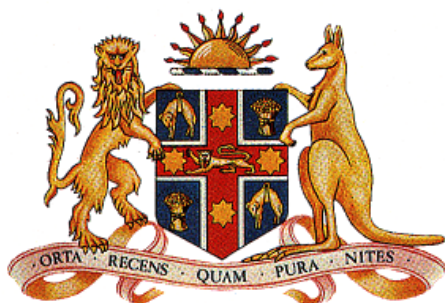
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# Government Gazette

OF THE STATE OF  
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**Number 120**

**Friday, 27 September 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 Saturday, 28 September 2013.

Dated 27 September 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”
Schedule 11	Electric or Gas Barbeques
Schedule 12	Charcoal Production
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.

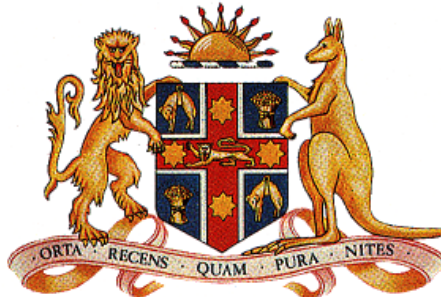
## SCHEDULE A

North Coast  
Greater Hunter  
Greater Sydney Region  
New England  
Northern Slopes

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# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 121**  
**Tuesday, 1 October 2013**

Published under authority by the Department of Premier and Cabinet

## **EXTRAORDINARY SUPPLEMENT**

### **DEATH OF MR GODFREY EUGENE “RUSTY” PRIEST, A.M.**

Sydney, 30 September 2013

HER Excellency the Governor announces with deep regret, the death on wednesday, 25 September 2013 of:

Mr Godfrey Eugene “Rusty” Priest, A.M.

A State Funeral Service will take place on Wednesday 2 October 2013 at St Mary’s Cathedral, Sydney, commencing at 11.00 am.

Her Excellency, with the advice of Ministers and with a desire to show respect to the memory of so notable a citizen, invites the attendance of all Members of the Legislature, Officers of the Government and other citizens who may desire to be present.

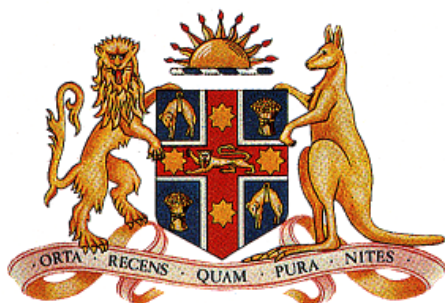
**BARRY O’FARRELL, M.P.,**  
Premier



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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

Number 122

Tuesday, 1 October 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, 1 October 2013.

Dated 1 October 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 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.

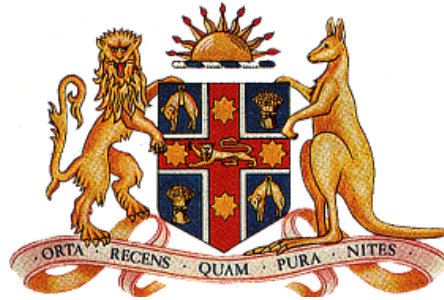
## SCHEDULE A

North Coast  
Greater Hunter  
Northern Slopes  
North Western

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 123**  
**Wednesday, 2 October 2013**

Published under authority by the Department of Premier and Cabinet

## SPECIAL SUPPLEMENT

### ROAD TRANSPORT ACT 2013

#### International Fleet Review Bus Driver Fatigue Management Order 2013

I, Gladys Berejiklian, Acting Minister for Roads and Ports, pursuant to section 19 of the Road Transport Act 2013, make the following Order.

Dated this 2nd day of October 2013.

GLADYS BEREJIKLIAN, M.P.,  
Acting Minister for Roads and Ports

#### 1 Citation

This Order is the International Fleet Review Bus Driver Fatigue Management Order 2013.

#### 2 Commencement

This Order takes effect on and from 12:01 am on Thursday, 3 October 2013.

#### 3 Effect

This Order remains in effect until 11:59 pm on Friday, 11 October 2013.

#### 4 Interpretation

Unless stated otherwise, words and expressions used in this Order have the same meaning as those defined in the Road Transport Act 2013 or other road transport legislation.

#### 5 Definitions

In this Order

**Event Director** means the Executive General Manager of the Transport Management Centre, Transport for NSW.

**International Fleet Review** means the Royal Australian Navy International Fleet Review held on Sydney Harbour from Thursday, 3 October to Friday, 11 October 2013.

**participating driver** means a driver of a regular bus service for the purpose of carrying passengers to and from events conducted as part of the International Fleet Review.

**regular bus service** means, for the purposes of this Order, a bus service in accordance with and subject to a service contract between the operator of the bus service and Transport for NSW, under Part 3 of the Passenger Transport Act 1990.

#### 6 Declaration

Pursuant to section 19 (1) of the Road Transport Act 2013, the following provisions of the Road Transport (Vehicle and Driver Management) Regulation 2005 ('the Regulation'), are declared NOT to apply to a participating driver in the circumstances set out in clause 7, PROVIDED THAT the conditions as set out in clause 8 of this Order are complied with:

- (a) Clause 64 – in the case of a participating driver working under standard hours for a solo driver of a regulated heavy vehicle, the maximum work time and minimum rest time in periods of time of 24 hours or less; and
- (b) Clause 65 – in the case of a participating driver working under the standard hours for the solo driver of a bus, the maximum work time and minimum rest time in periods of time of 24 hours or less; and

- (c) Clauses 71 and 72 – in the case of a participating driver working under “AFM hours” (as defined in the Regulation), the maximum work time and minimum rest time in periods of time of 24 hours or less in the AFM hours of the driver.

**7 Circumstances in which the Declaration may apply**

The Declaration in clause 6 of this Order will apply to a participating driver ONLY if the Event Director has notified the operator of the relevant regular bus service, either verbally or in writing, that due to adverse weather conditions or other exceptional circumstances, the Declaration is to apply, for the period of time specified by the Event Director, to participating drivers working for the operator.

**8 Conditions**

The Declaration in clause 6 of this Order applies subject to the following conditions:

- (a) a participating driver may not exceed 14 hours work time in any period of 24 hours;
- (b) a participating driver must have a minimum of seven continuous hours rest time in any period of 24 hours;
- (c) a participating driver that exceeds 12 hours work time in any period of 24 hours must have a minimum of 10 continuous hours rest time before undertaking any further work.

**9 Breach**

A breach of any of the conditions set out in clause 8 of this Order operates to invalidate the Declaration with respect to the participating driver responsible for the breach, and the provisions of the Regulation will apply in such circumstances.

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# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 124**  
**Friday, 4 October 2013**

Published under authority by the Department of Premier and Cabinet

## LEGISLATION

### Online notification of the making of statutory instruments

Week beginning 23 September 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**

[Protection of the Environment Operations Amendment \(Illegal Waste Disposal\) Act 2013 No 60](#) (2013-553) — published LW 27 September 2013

[Tattoo Parlours Act 2012 No 32](#) (2013-554) — published LW 27 September 2013

#### **Regulations and other statutory instruments**

[Civil Liability \(Non-economic Loss\) Amendment Order 2013](#) (2013-555) — published LW 27 September 2013

[Drug Misuse and Trafficking Amendment \(Prohibited Substances\) Regulation 2013](#) (2013-556) — published LW 27 September 2013

[Motor Accidents \(Determination of Non-Economic Loss\) Amendment Order 2013](#) (2013-571) — published LW 27 September 2013

[Motor Accidents Compensation \(Determination of Loss\) Amendment Order 2013](#) (2013-570) — published LW 27 September 2013

[Police Amendment \(Total and Permanent Disability Scale\) Regulation 2013](#) (2013-557) — published LW 27 September 2013

[Prevention of Cruelty to Animals \(Land Transport of Livestock\) Standards 2013 No 2](#) (2013-559) — published LW 27 September 2013

[Prevention of Cruelty to Animals Amendment \(Livestock Transport Standards\) Regulation 2013](#) (2013-558) — published LW 27 September 2013

[Public Health Amendment \(Middle East Respiratory Syndrome Coronavirus\) Order 2013](#) (2013-560) — published LW 27 September 2013

[Workers Compensation \(Weekly Payments Indexation\) Amendment Order 2013](#) (2013-562) — published LW 27 September 2013

[Workers Compensation Amendment \(Latest Index Number\) Regulation \(No 2\) 2013](#) (2013-561) — published LW 27 September 2013

**Environmental Planning Instruments**

[Ballina Local Environmental Plan 2012 \(Amendment No 3\) \(2013-563\)](#) — published LW 27 September 2013

[Coffs Harbour Local Environmental Plan 2013 \(2013-564\)](#) — published LW 27 September 2013

[Hornsby Local Environmental Plan 2013 \(2013-569\)](#) — published LW 27 September 2013

[Lane Cove Local Environmental Plan 2009 \(Amendment No 11\) \(2013-565\)](#) — published LW 27 September 2013

[Port Macquarie-Hastings Local Environmental Plan 2011 \(Amendment No 22\) \(2013-566\)](#) — published LW 27 September 2013

[State Environmental Planning Policy Amendment \(North Ryde Station Precinct\) 2013 \(2013-552\)](#) — published LW 23 September 2013

[The Hills Local Environmental Plan 2012 \(Amendment No 6\) \(2013-567\)](#) — published LW 27 September 2013

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## Assents to Acts

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### ACT OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 1 October 2013

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the under mentioned Act passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 73 – An Act to provide for the regulation of the entertainment industry; and for other purposes. [**Entertainment Industry Bill**]

RONDA MILLER,  
Clerk of the Legislative Assembly



# OFFICIAL NOTICES

## Appointments

### CONSTITUTION ACT 1902

Department of Premier and Cabinet, Sydney  
2 October 2013

Ministerial Arrangements During the Absence of the  
Minister for Citizenship and Communities and  
Minister for Aboriginal Affairs

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable G. C. UPTON, M.P., Minister for Sport and Recreation to act for and on behalf of the Minister for Citizenship and Communities and Minister for Aboriginal Affairs from 3 October 2013, with a view to her performing the duties of the Honourable V. M. Dominello, M.P., during his absence from duty.

BARRY O'FARRELL, M.P.,  
Premier

### MACQUARIE UNIVERSITY ACT 1989

Notification of Appointment to the Council

I, Adrian Piccoli, Minister for Education, in pursuance of section 9 (1) (b) of the Macquarie University Act 1989, have appointed Dr Kerry SCHOTT as member of the Council of Macquarie University for a term of office commencing on 1 January 2014 and expiring on 31 December 2017.

ADRIAN PICCOLI, M.P.,  
Minister for Education

### OMBUDSMAN ACT 1974

Appointment under Section 6 (1)

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of the Ombudsman Act 1974, has appointed the officer listed below to the position as specified:

*NSW Ombudsman*

Mr Bruce BARBOUR, Ombudsman [6 September 2013 to 30 June 2015].

The Hon B. O'FARRELL, M.P.,  
Premier

### ROYAL BOTANIC GARDENS AND DOMAIN TRUST ACT 1980

Appointment

Royal Botanic Gardens and Domain Trust

HER Excellency the Governor, with the advice of the Executive Council, in pursuance of section 6 of the Royal Botanic Gardens and Domain Trust Act 1980, has approved the appointment of Dr Margaret Robyn McCONCHIE as a member of the Royal Botanic Gardens and Domain Trust, from 1 October 2013 to 30 September 2016.

ROBYN PARKER, M.P.,  
Minister for the Environment

### SYDNEY OPERA HOUSE TRUST ACT 1961

NSW Trade and Investment

Appointment of Chairperson and Trustee to the Sydney  
Opera House Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 10 of the Sydney Opera House Trust Act 1961, the appointment of Mr John SYMOND, A.M., as Chairperson of the Sydney Opera House Trust from 4 October 2013 to 31 December 2014 (inclusive).

Her Excellency the Governor, with the advice of the Executive Council, has also approved, pursuant to section 6 of the Sydney Opera House Trust Act 1961, the appointment of the following person as Trustee of the Sydney Opera House Trust:

- (i) Mr Christopher KNOBLANCHE (appointment pursuant to section 6 (5) from 4 October 2013 to 31 December 2013 (inclusive)); and
- (ii) Mr Christopher KNOBLANCHE (appointment pursuant to section 6 (1) from 1 January 2014 to 31 December 2016 (inclusive)).

The Hon. GEORGE SOURIS, M.P.,  
Minister for Tourism, Major Events,  
Hospitality and Racing and Minister for the Arts



## Roads and Maritime Services

### ROAD TRANSPORT (VEHICLE AND DRIVER MANAGEMENT) ACT 2005

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

PORT STEPHENS COUNCIL, pursuant to Clause 20 of the Road Transport (Vehicle and Driver Management) Act 2005 hereby amend the Class 2 B-Double Notice 2010, as published in the New South Wales Government Gazette No. 108 on 27 August 2010, at pages 4033 to 4284, as set out in the Schedule of this notice.

Date: 25 September 2013

PETER GESLING,  
General Manager,  
Port Stephens Council  
(by delegation from the Minister for Roads)

#### SCHEDULE

**1. Citation**

This Notice may be cited as Port Stephens Council Class 2 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 1 September 2015 unless it is amended or repealed earlier.

**4. Application**

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

**5. Route**

Insert the following routes into the Table at Appendix 1 under the heading Port Stephens Council

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Foresight Avenue, Tomago	Old Punt Road	Entire length	

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

RICHMOND VALLEY 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 19 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Date: 30 September 2013

JOHN WALKER,  
General Manager  
Richmond Valley Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Richmond Valley Council 19 Metre B-Double route Notice No. 01/2013.

**2. Commencement**

This Notice takes effect on 30 September 2013.

**3. Effect**

This Notice remains in force until 1 September 2015 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those 19 metre B-Double vehicles where gross weight exceeds 50 tonnes which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
19B	7275	Bungawalbyn-Whiporie Road	Summerland Way	Hannas Road	

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

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

Date: 30 September 2013

JOHN WALKER,  
General Manager  
Richmond Valley Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Richmond Valley Council 25 Metre B-Double route Notice No. 02/2013.

**2. Commencement**

This Notice takes effect on 30 September 2013.

**3. Effect**

This Notice remains in force until 1 September 2015 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
	25m	Dyraaba Street	West Street	At driveway entrance (81m)	7.00am–5.00pm Mon-Fri

## Department of Trade and Investment, Regional Infrastructure and Services

### MINING ACT 1992

#### Order

I, CHRIS HARTCHER, M.P., Minister for Resources and Energy, pursuant to Clause 13 (1) of the Mining Regulation 2010, do by this my Order, declare that the activities specified in Schedule 1 to this Order on the land specified in Schedule 1 to this Order are not prospecting or mining for the purposes of the Mining Act 1992.

This declaration does not require any royalty to be paid in respect of any opals recovered as a consequence of carrying out the activity specified in Schedule 1.

#### SCHEDULE 1

The extraction of land and other works approved by Walgett Shire Council under DA200812 and subject to construction certificate 252/2013 and associated plans (including the recovery of any opals as a consequence of carrying out the extraction and other works) which takes place at the building site for the Lightning Ridge Opal and Fossil Centre at Lot 1, DP 1103058.

Dated this 23rd day of September 2013.

CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

### MINERALS

NOTICE is given that the following applications have been received:

#### EXPLORATION LICENCE APPLICATIONS

(T13-1145)

No. 4883, SANDFIRE RESOURCES NL (ACN 105154185), area of 46 units, for Group 1, dated 27 September 2013. (Orange Mining Division).

(T13-1146)

No. 4884, BIG ISLAND MINING PTY LTD (ACN 112 787 470), area of 19 units, for Group 1, dated 28 September 2013. (Wagga Wagga Mining Division).

(T13-1147)

No. 4885, BIG ISLAND MINING PTY LTD (ACN 112 787 470), area of 16 units, for Group 1, dated 28 September 2013. (Wagga Wagga Mining Division).

(T13-1148)

No. 4886, NERRIGA RURAL PTY LTD (ACN 163 697 416), area of 2 units, for Group 1, dated 30 September 2013. (Sydney Mining Division).

(T13-1149)

No. 4887, IMPACT MINERALS PTY LTD (ACN 119 062 261), area of 3 units, for Group 1, dated 1 October 2013. (Broken Hill Mining Division).

(T13-1150)

No. 4888, NERRIGA RURAL PTY LTD (ACN 163 697 416), area of 4 units, for Group 1, dated 1 October 2013. (Sydney Mining Division).

(T13-1151)

No. 4889, PMR1 PTY LTD (ACN 145 210 528), area of 2 units, for Group 1, dated 1 October 2013. (Armidale Mining Division).

(T13-1152)

No. 4890, CHRISTOPHER JOHN HUGHES AND WARWICK SAMUEL HUGHES, area of 4 units, for Group 1, dated 1 October 2013. (Sydney Mining Division).

(T13-1153)

No. 4891, OCHRE RESOURCES PTY LTD (ACN 112 833 351), area of 100 units, for Group 1, dated 2 October 2013. (Wagga Wagga Mining Division).

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

NOTICE is given that the following applications have been granted:

#### EXPLORATION LICENCE APPLICATION

(T11-0336)

No. 4420, now Exploration Licence No. 8166, STONEWALL RESOURCES LIMITED (ACN 131 758 177), Counties of Phillip and Wellington, Map Sheet (), area of 24 units, for Group 1, dated 12 September 2013, for a term until 12 September 2015. As a result of the grant of this title, Exploration Licence No. 5991 has ceased to have effect.

#### MINING LEASE APPLICATIONS

(T09-0130)

Inverell No. 363, now Mining Lease No. 1688 (Act 1992), ANTHONY CLAUDE BERGER, Parish of Campbell, County of Gough, Map Sheet (9138-4-S), area of 2.03 hectares, to mine for sapphire, dated 29 August 2013, for a term until 29 August 2018. As a result of the grant of this title, Exploration Licence No. 7301 and Exploration Licence No. 7562 have partly ceased to have effect.

(T12-1223)

Orange No. 439, now Mining Lease No. 1689 (Act 1992), CADIA HOLDINGS PTY LIMITED (ACN 062 648 006), Parish of Blake, County of Bathurst; and Parish of Waldegrave, County of Bathurst, Map Sheet (8731-3-S), area of 153.57 hectares, for the purpose of all purposes, dated 11 September 2013, for a term until 11 September, 2034.

(T12-1224)

Orange No. 440, now Mining Lease No. 1690 (Act 1992), CADIA HOLDINGS PTY LIMITED (ACN 062 648 006), Parish of Blake, County of Bathurst, Map Sheet (8730-4-N), area of 70.615 hectares, for the purpose of all purposes, dated 10 September 2013, for a term until 10 September, 2034.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

NOTICE is given that the following application has been refused:

#### EXPLORATION LICENCE APPLICATION

(T13-1063)

No. 4803, ROBUST OPERATIONS PTY LIMITED (ACN 106 964 881), County of Bland and County of Harden, Map Sheet (8428). Refusal took effect on 25 September 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

NOTICE is given that the following applications have been withdrawn:

#### EXPLORATION LICENCE APPLICATIONS

(T12-1256)

No. 4701, OCHRE RESOURCES PTY LTD (ACN 112 833 351), County of Clarendon, Map Sheet (8527). Withdrawal took effect on 25 September 2013.

(T13-1037)

No. 4776, OCHRE RESOURCES PTY LTD (ACN 112 833 351), County of Clarendon, Map Sheet (8427, 8527). Withdrawal took effect on 25 September 2013.

(T13-1057)

No. 4797, OCHRE RESOURCES PTY LTD (ACN 112 833 351), County of Wynyard, Map Sheet (8527). Withdrawal took effect on 25 September 2013.

(T13-1081)

No. 4821, CHRISTOPHER JOHN HUGHES AND WARWICK SAMUEL HUGHES, County of Harden, Map Sheet (8528). Withdrawal took effect on 3 September 2013.

(T13-1148)

No. 4886, NERRIGA RURAL PTY LTD (ACN 163 697 416), County of St Vincent, Map Sheet (8927). Withdrawal took effect on 1 October 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

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

(T00-0056)

Exploration Licence No. 5785, COBAR OPERATIONS PTY LTD (ACN 103 555 853), area of 264 units. Application for renewal received 27 September 2013.

(13-3367)

Exploration Licence No. 6309, STONEWALL RESOURCES LIMITED (ACN 131 758 177) AND AUGUR RESOURCES LTD (ACN 106 879 690), area of 50 units. Application for renewal received 26 September 2013.

(T13-3369)

Exploration Licence No. 6907, ACTWAY PTY LIMITED (ACN 090 165 174), area of 46 units. Application for renewal received 26 September 2013.

(07-0308)

Exploration Licence No. 6922, COMMISSIONERS GOLD LIMITED (ACN 115 845 942), area of 15 units. Application for renewal received 24 September 2013.

(T11-0027)

Exploration Licence No. 7846, COBAR OPERATIONS PTY LTD (ACN 103 555 853), area of 6 units. Application for renewal received 25 September 2013.

(13-3317)

Mining Lease No. 1558 (Act 1992), JANETTE HELEN BRYAN AND WILLIAM JOHN FRANCIS BRYAN, area of 23.48 hectares. Application for renewal received 1 October 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

#### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(07-3124)

Exploration Licence No. 5574, ORD INVESTMENTS PTY LTD (ACN 107 735 071), Counties of Georgiana and Westmoreland, Map Sheet (8830), area of 23 units, for a further term until 3 June 2015. Renewal effective on and from 30 September 2013.

(06-4186)

Exploration Licence No. 6799, ST BARBARA LIMITED (ACN 009 165 066), County of Oxley, Map Sheet (8434), area of 10 units, for a further term until 7 June 2015. Renewal effective on and from 1 October 2013.

(T10-0054)

Exploration Licence No. 7669, PARNOSA PTY LTD (ACN 089 489 618), Counties of Arrawatta, Gough and Hardinge, Map Sheet (9137, 9138, 9237, 9238), area of 58 units, for a further term until 16 December 2014. Renewal effective on and from 27 September 2013.

(T11-0082)

Exploration Licence No. 7746, PLATSEARCH NL (ACN 003 254 395), Counties of Blaxland and Dowling, Map Sheet (8131), area of 45 units, for a further term until 23 May 2016. Renewal effective on and from 1 October 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

#### REFUSAL OF APPLICATIONS FOR RENEWAL

NOTICE is given that the applications for renewal in respect of the following authorities have been refused:

(05-0268)

Exploration Licence No. 6529, GUM RIDGE MINING PTY LIMITED (ACN 108 530 650), County of Ashburnham, Map Sheet (8631), area of 3 units. The authority ceased to have effect on 27 September 2013.

(06-0238)

Exploration Licence No. 6749, IRONBARK ZINC LIMITED (ACN 118 751 027), Counties of Bligh, Lincoln and Wellington, Map Sheet (8733), area of 16 units. The authority ceased to have effect on 23 September 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

**PART CANCELLATIONS**

NOTICE is given that the following authorities have been cancelled in part:

(T09-0205)

Exploration Licence No. 7548, NEO RESOURCES LIMITED (ACN 007 708 429).

Description of area cancelled:

An area of 16 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 1 October 2013.

The authority now embraces an area of 38 units.

(T09-0206)

Exploration Licence No. 7549, NEO RESOURCES LIMITED (ACN 007 708 429).

Description of area cancelled:

An area of 29 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 1 October 2013.

The authority now embraces an area of 49 units.

(T09-0207)

Exploration Licence No. 7550, NEO RESOURCES LIMITED (ACN 007 708 429).

Description of area cancelled:

An area of 22 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 1 October 2013.

The authority now embraces an area of 43 units.

(T09-0208)

Exploration Licence No. 7551, NEO RESOURCES LIMITED (ACN 007 708 429).

Description of area cancelled:

An area of 22 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 1 October 2013.

The authority now embraces an area of 50 units.

(T09-0210)

Exploration Licence No. 7552, NEO RESOURCES LIMITED (ACN 007 708 429).

Description of area cancelled:

An area of 18 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 1 October 2013.

The authority now embraces an area of 36 units.

(T09-0264)

Exploration Licence No. 7553, NEO RESOURCES LIMITED (ACN 007 708 429).

Description of area cancelled:

An area of 34 units has been cancelled. For further information contact Titles Branch.

Part cancellation took effect on 1 October 2013.

The authority now embraces an area of 50 units.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

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**EXPIRY**

Mining Purposes Lease No. 152 (Act 1973), JOHN WILLIAM MCFADDEN, Parish of Mebea, County of Finch; and Parish of Mebea, County of Finch. This title expired on 26 September 2013.

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy

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NOTICE is given that the following application has been received:

**REQUEST FOR CANCELLATION OF AUTHORITY**

(T12-1042)

Exploration Licence No 7966, ALLOY RESOURCES LIMITED, (ACN 109 361 195), Counties of Bland & Harden, (Map Sheet 8528) area of 61 units. Application for Cancellation was received on 24 September 2013

The Hon. CHRIS HARTCHER, M.P.,  
Minister for Resources and Energy



## PRIMARY INDUSTRIES

**ANIMAL DISEASES AND ANIMAL PESTS  
(EMERGENCY OUTBREAKS) INSTRUMENT OF  
DELEGATION 2013**

under the

Animal Diseases and Animal Pests  
(Emergency Outbreaks) Act 1991

I, KATRINA ANN HODGKINSON, M.P., the Minister for Primary Industries, in pursuance of section 67 (1) of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 ("the Act"), make the following Instrument of Delegation.

Dated this 30th day of September 2013.

KATRINA ANN HODGKINSON, M.P.,  
Minister for Primary Industries

**Animal Diseases and Animal Pests  
(Emergency Outbreaks) Instrument of  
Delegation 2013**

under the

Animal Diseases and Animal Pests  
(Emergency Outbreaks) Act 1991

**1 Name of Instrument**

This Instrument is the Animal Diseases and Animal Pests (Emergency Outbreaks) Instrument of Delegation 2013.

**2 Commencement**

This Instrument commences on the day on which it is signed and will remain in force until it is revoked, whether in whole or in part.

**3 Interpretation**

(1) In this Instrument, the Act means the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991.

(2) Unless otherwise defined in this Instrument, words and expressions that are defined in the Act have the same meaning in this Instrument.

(3) The summary of function delegated in Column 2 of the Schedule is only for general explanation and does not limit the delegation of functions under the section identified in Column 1 of the Schedule.

**4 Revocation of previous Instrument of Delegation**

Pursuant to section 67 (1) of the Act, the Instrument of Delegation titled "Delegation by the Minister" published in *NSW Government Gazette* No. 117 of 24 September 2010 at page 4643 is revoked, as is any instrument of delegation revived as a result of this revocation.

**5 Delegation of functions**

Pursuant to section 67 (1) of the Act, the functions conferred or imposed on the Minister under the section of the Act specified in Column 1 of the Schedule are delegated to the person who from time to time holds, occupies or performs the duties of:

(a) the Director General, Department of Trade and Investment, Regional Infrastructure and Services;  
and

(b) the position in the Department of Primary Industries (being an office within the Department of Trade and Investment, Regional Infrastructure and Services) described opposite in Column 3 of the Schedule.

**SCHEDULE**

Delegation of Minister's functions under the Act

(Clause 5 (b))

<i>Column 1 Section</i>	<i>Column 2 Summary of function delegated</i>	<i>Column 3 Position</i>
<b>Part 1 Preliminary</b>		
6A	Meaning of "emergency animal disease"	Director General, Department of Primary Industries
6B	Meaning of "emergency animal pest"	Director General, Department of Primary Industries
<b>Part 3 Declared areas (in respect of emergency animal diseases)</b>		
10	Declaration of infected place if reasonable to suspect premises, place or area to be infected with an emergency animal disease	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Biosecurity Operations
11	Declaration of infected vehicle if reasonable to suspect vehicle to be infected with an emergency animal disease	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Biosecurity Operations
15	Declaration of restricted area if possibility that premises, place or area may be or become infected with an emergency animal disease	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Biosecurity Operations

<i>Column 1 Section</i>	<i>Column 2 Summary of function delegated</i>	<i>Column 3 Position</i>
20	Area restriction order may direct persons within a restricted area to take measures for the purpose of controlling, eradicating or preventing the spread of an emergency animal disease	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Biosecurity Operations
21	Declaration of control area if reasonably necessary for the purpose of preventing the spread of an emergency animal disease	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Biosecurity Operations
22	Control order may: – prohibit, regulate or control the holding of markets, sales, shows, race meetings or the movement of animals into, out of or within the control area, or – order persons within a control area to take measures to contain or eradicate the emergency animal disease, or – authorise inspectors to take measures within the control area for the purpose of controlling, eradicating or preventing the spread of an emergency animal disease	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Biosecurity Operations

<i>Column 1 Section</i>	<i>Column 2 Summary of function delegated</i>	<i>Column 3 Position</i>
Part 3A Control of emergency animal pests		
27C	Declaration of infested place if reasonable to suspect premises, place or area to be infested with an emergency animal pest	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
27F	Declaration of restricted area if possibility that premises, place or area may be or become infested with an emergency animal pest	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
27J	Area restriction order may direct persons within a restricted area to take measures for the purpose of controlling, eradicating or preventing the spread of an emergency animal pest	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
27K	Declaration of control area if reasonably necessary for the purpose of preventing the spread of an emergency animal pest	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations



<i>Column 1 Section</i>	<i>Column 2 Summary of function delegated</i>	<i>Column 3 Position</i>
27L	Control order may: – prohibit, regulate or control the movement of animals or things into, out of or within the control area, or – order persons within a control area to take measures to contain or eradicate the emergency animal pests, or – authorise inspectors to take measures within the control area for the purpose of controlling, eradicating or preventing the spread of emergency animal pests	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
Part 4 Other powers of the Minister		
28	Importation order may prohibit or restrict the importation of animals or other things into NSW if reasonable to suspect any place outside NSW to be infected with an emergency animal disease or infested with an emergency animal pest	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
29	Duration of importation order may be extended	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations

<i>Column 1 Section</i>	<i>Column 2 Summary of function delegated</i>	<i>Column 3 Position</i>
32	Destruction order may require the destruction of: – any animal infected, or reasonably suspected to be infected, with an emergency animal disease, – any emergency animal pest, – premises (other than a dwelling) or other things that are reasonably suspected of being infected with an emergency animal disease or of being infested with an emergency animal pest and which cannot be disinfected, or – any animal in a declared area if reasonably necessary to prevent the spread of an emergency animal disease	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
33	Copy of destruction order must be given to owner or person in charge unless owner or person in charge cannot be located and it is considered the order must be carried out without prior notice	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
Part 7 Compensation		
59 (2)	In default of agreement on market value of a domestic animal or other property, the market value may be determined by a competent and impartial person nominated for the purpose	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer  Director, Invasive Plants and Animals

<i>Column 1 Section</i>	<i>Column 2 Summary of function delegated</i>	<i>Column 3 Position</i>
61 (b)	Claim for compensation in respect of any domestic animal or other property which has been destroyed or has been certified as having died of an emergency animal disease must be lodged within 90 days or such further time as may be allowed in a particular case	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations
63	Amount claimed for compensation may be reduced if claimant convicted of certain offences	Director General, Department of Primary Industries
64	If dispute arises as to right of person to receive compensation, an amount may be retained until entitlement of person is established	Director General, Department of Primary Industries
Part 9 Miscellaneous		
76	Certification that an outbreak of an emergency animal disease or an incursion of an emergency animal pest exists in NSW or in any other part of Australia and it is necessary to take action to prevent the spread of the disease or pest to NSW	Director General, Department of Primary Industries
77 (1)	Approval of form of signs to be posted at any place at or near the boundary of a declared area, at any border of NSW, or along roadways to indicate traffic should stop	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Invasive Plants and Animals Director, Biosecurity Operations

<i>Column 1 Section</i>	<i>Column 2 Summary of function delegated</i>	<i>Column 3 Position</i>
Dictionary		
<i>“animal product”</i> Para. (h)	Article, substance or thing declared to be an animal product for the purposes of the Act	Director General, Department of Primary Industries Executive Director, Biosecurity NSW Chief Veterinary Officer Deputy Chief Veterinary Officer Director, Biosecurity Operations

## HEMP INDUSTRY ACT 2008

### Section 16

#### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 (“the Act”), and pursuant to section 16 of the Act and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

In this Notice:

**licence** means licence No. HIA17 dated 14 September 2010 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

**licensee** means Graham Berry of 100 Trefolly Road, Wylies Flat, Singleton NSW 2330.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services)

## HEMP INDUSTRY ACT 2008

### Section 16

#### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 (“the Act”), and pursuant to section 16 of the Act and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

In this Notice:

**licence** means licence No. HIA02 dated 22 January 2009 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

*licensee* means Keith Bolton of 43 Ewing Street,  
Lismore NSW 2480.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services)

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#### HEMP INDUSTRY ACT 2008

##### Section 16

##### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 ("the Act"), and pursuant to section 16 of the Act and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

##### In this Notice:

*licence* means licence No. HIA20 dated 14 September 2010 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

*licensee* means John Heuston of 48 Maitland Road, Singleton NSW 2330.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services)

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#### HEMP INDUSTRY ACT 2008

##### Section 16

##### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 ("the Act"), and pursuant to section 16 of the Act and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

##### In this Notice:

*licence* means licence No. HIA25 dated 14 October 2010 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

*licensee* means Duncan MacIntyre of 'Tinagroo', 48 Thompsons Creek Road, Scone NSW 2337.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services)

#### HEMP INDUSTRY ACT 2008

##### Section 16

##### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 ("the Act"), and pursuant to section 16 of the Act and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

##### In this Notice:

*licence* means licence No. HIA12 dated 14 September 2010 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

*licensee* means Roger Osborn of 10b Raworth Avenue, Raworth NSW 2321.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services)

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#### HEMP INDUSTRY ACT 2008

##### Section 16

##### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 ("the Act"), and pursuant to section 16 of the Act and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

##### In this Notice:

*licence* means licence No. HIA19 dated 14 September 2010 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

*licensee* means Colin Pike of 3998 New England Highway, Singleton NSW 2330.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services)

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#### HEMP INDUSTRY ACT 2008

##### Section 16

##### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 ("the Act"), and pursuant to section 16 of the Act

and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

In this Notice:

*licence* means licence No. HIA14 dated 14 September 2010 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

*licensee* means Lloyd Standen of 'Standen Farm', 382 Standen Drive, Branxton NSW 2335.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services

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### HEMP INDUSTRY ACT 2008

#### Section 16

##### Notice of Revocation of Licence

I, GLEN SAUNDERS, Director, Invasive Plants and Animals, with the delegated authority of Director General of Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 41 of the Hemp Industry Act 2008 ("the Act"), and pursuant to section 16 of the Act and clause 8 of the Hemp Industry Regulation 2008, at your request hereby revoke the licence from the date that this notice is given to the licensee.

In this Notice:

*licence* means licence No. HIA30 dated 17 August 2011 issued under the Act to the licensee to cultivate low-THC hemp and to supply low-THC hemp.

*licensee* means Douglas Thrift of PO Box 26, Denman NSW 2328.

Dated this 24th day of July 2013.

GLEN SAUNDERS,  
Director, Invasive Plants and Animals,  
Department of Primary Industries  
(an office within the Department of Trade and  
Investment, Regional Infrastructure and Services

**LANDS**

**ARMIDALE CROWN LANDS OFFICE**  
**108 Faulkner Street (PO Box 199A), Armidale NSW 2350**  
**Phone: (02) 6770 3100 Fax (02) 6771 5348**

**NOTICE OF ADDITIONAL PURPOSE PURSUANT  
TO SECTION 34A (2) (B) OF THE  
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve specified in Column 2 of the Schedule is to be occupied for the additional purpose specified in Column 1 of the Schedule.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

*Column 1*

PUMP AND PIPELINE  
(RELEVANT INTEREST  
– Section 34A Licence  
– RI 516766)

*Column 2*

Reserve No. 56146  
Public Purpose: generally  
Notified: 11 May 1923  
File Reference: 13/11259  
Reserve No. 1011268  
Public Purpose: future  
public requirements  
Notified: 3 February 2006  
File Reference: 13/11259

**ERRATUM**

THE notification appearing in the Government Gazette of 13 September 2013, Folio 4008, under the heading Appointment of Trust Board Members to NSW Angler Access Reserves Reserve Trust.

The Term of Office should read “For a term commencing the date of this notice and expiring 17 November 2016.

**DUBBO CROWN LANDS OFFICE**  
**45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830**  
**Phone: (02) 6883 3300      Fax: (02) 6884 2067**

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Marcia Therese HUMMEL (re-appointment)	Dubbo Small Bore Rifle Club Trust	Reserve No. 97620 Public Purpose: non-profit making organisations Notified: 14 December 1984 File Ref.: DB83R170
Edwin Thompson MORTIMER (re-appointment)		
John Hubert BALL (re-appointment)		
Christopher George DAVIS (re-appointment)		
Terrence Matthew GREER (re-appointment)		
Raymond Alfred JOHNSON (re-appointment)		
For a term commencing the date of this notice and expiring 3 October 2018.		

**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>
Coonabarabran Racecourse (R47760) Reserve Trust	Reserve No. 46646 Public Purpose: addition racecourse Notified: 31 May 1911 Reserve No. 96929 Public Purpose: public recreation Notified: 26 August 1983 File Reference: DB81R32

**DISSOLUTION OF RESERVE TRUST**

PURSUANT to section 92 (3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Coonabarabran Racecourse (R46646) Reserve Trust	Reserve No. 46646 Public Purpose: addition racecourse Notified: 31 May 1911 File Reference: DB81R32

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Coonabarabran Recreation (R96929) Reserve Trust	Reserve No. 96929 Public Purpose: public recreation Notified: 26 August 1983 File Reference: DB81R32

**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>
Mendooran Night Soil Deposit (R69283) Reserve Trust	Reserve No. 69283 Public Purpose: rubbish depot, night soil Notified: 5 July 1940 File Reference: 12/04905



**GOULBURN OFFICE**  
**159 Auburn Street, Goulburn NSW 2580**  
**(PO Box 2215, Dangar NSW 2309)**  
**Phone: (02) 4824 3700      Fax: (02) 4822 4287**

**NOTICE OF ADDITIONAL PURPOSE PURSUANT  
TO SECTION 34A (2) (B) OF THE  
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve specified in Column 2 of the Schedule is to be occupied for the additional purpose specified in Column 1 of the Schedule.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
ENVIRONMENTAL PROTECTION AND SUSTAINABLE GRAZING (RELEVANT INTEREST – S34A Licence 494191)	Reserve No. 93433 Public Purpose: future public requirements Notified: 15 August 1980 File Reference: 11/12593

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
ENVIRONMENTAL PROTECTION AND SUSTAINABLE GRAZING AND ACCESS (RELEVANT INTEREST – S34A Licence – RI 507748)	Reserve No. 93577 Public Purpose: future public requirements Notified: 12 September 1980 File Reference: 13/03264 Reserve No. 756686 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 13/03264

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
GRAZING (RELEVANT INTEREST – S34A Licence 508122)	Dedication No. 1019248 Public Purpose: public school site (addition) Notified: 1 October 1954 File Reference: 12/07886

**GRAFTON OFFICE**  
**49-51 Victoria Street, Grafton NSW 2460**  
**(PO Box 2185, Dangar NSW 2309)**  
**Phone: 1300 886 235 Fax: (02) 6642 5375**

**NOTICE OF INTENTION TO GRANT A  
 LICENCE OVER RESERVED LAND**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, it is notified that the Minister for Regional Infrastructure and Services intends to create a relevant interest by way of a licence for the purposes specified in Column 1 of the Schedule to the party specified in Column 2 of the Schedule in respect of the Reserve specified in Column 3 of the Schedule.

ANDREW STONER, M.P.,  
 Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Access	Kevin Raymond	Reserve 755536 for
Landscaping	GOOD	Future Public
	Lina Fitzherbert	Requirements
	GOOD	Notified: 29 June 2007
		Land District:
		Bellingen
		Local Government
		Area: Coffs Harbour
		City Council
		Parish: Bonville
		County: Raleigh
		Locality: Boambee
		File Ref: 13/03448

**NOTICE OF ADDITIONAL PURPOSE PURSUANT  
 TO SECTION 34A (2) (B) OF THE  
 CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve specified in Column 2 of the Schedule is to be occupied for the additional purpose specified in Column 1 of the Schedule.

ANDREW STONER, M.P.,  
 Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
SITE INVESTIGATION	Dedication No. 1002205
(RELEVANT INTEREST	Public Purpose: water
– S34A Licence 513041)	supply
	Notified: 14 December 1886
	File Reference: 13/04145

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
BUSINESS PURPOSES	Reserve No. 10026
(RELEVANT INTEREST	Public Purpose: quarry
– Section 34A Licence	tramway
– RI 515975)	Notified: 2 November 1889
	File Reference: 13/10253
	Reserve No. 1011268
	Public Purpose: future

public requirements  
 Notified: 3 February 2006  
 File Reference: 13/10253  
 Reserve No. 1012188  
 Public Purpose: access and  
 public requirements, tourism  
 purposes and environmental  
 and heritage conservation  
 Notified: 18 August 2006  
 File Reference: 13/10253

Notes: Existing reservations under the Crown Lands Act are not revoked.

**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 – Shelving; County – Vernon*  
*Land District – Walcha; LGA – Walcha*

Road Closed: Lot 1, DP 1188118

File No.: 07/2459

**Schedule**

On closing, the land within Lot 1, DP 1188118 remains vested in the State of New South Wales as Crown land.

**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 – Loadstone; County – Rous*  
*Land District – Casino; LGA – Kyogle*

Road Closed: Lot 2, DP 1187930

File No.: 07/3229

**Schedule**

On closing, the land within Lot 2, DP 1187930 remains vested in the State of New South Wales as Crown land.



**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 – Donaldson; County – Richmond  
Land District – Lismore; LGA – Richmond Valley*

Road Closed: Lot 1, DP 1187929

File No.: GF05H297

**Schedule**

On closing, the land within Lot 1, DP 1187929 remains vested in the State of New South Wales as Crown land.

**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 – Woorooloolgan; County – Richmond  
Land District – Casino; LGA – Richmond Valley*

Road Closed: Lot 1, DP 1188978

File No.: 11/03441

**Schedule**

On closing, the land within Lot 1, DP 1188978 remains vested in the State of New South Wales as Crown land.

**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 – Bookookoorara; County – Buller  
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 1, DP 1186454

File No.: AE05H156

**Schedule**

On closing, the land within Lot 1, DP 1186454 remains vested in the State of New South Wales as Crown land.

**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 – Mate, Courabyra; Counties – Selwyn, Wynyard  
Land District – Tumbarumba; LGA – Tumbarumba*

Road Closed: Lot 4, DP 1188495.

File No.: WA07H204

**Schedule**

On closing, the land within Lot 4, DP 1188495 remains vested in the State of New South Wales as Crown land.

**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 – Gill; County – Vernon  
Land District – Walcha; LGA – Walcha*

Road Closed: Lot 1, DP 1187920 (subject to easement/right of carriageway created by Deposited Plan 1187920).

File No.: AE06H66

**Schedule**

On closing, the land within Lot 1, DP 1187920 remains vested in the State of New South Wales as Crown land.

**ROADS ACT 1993****ORDER****Correction of Defective Instrument**

AS per the notification of Notification of Closing of a Road which appeared in Government Gazette dated 27 September, 2013, Folio 4218, part of the description is hereby amended. Under heading of "Description" the words "and Lot 2, DP 1188611" are deleted. Ref: AE06H3

**HAY OFFICE**  
**126 Lachlan Street (PO Box 182), Hay NSW 2711**  
**Phone: (02) 6990 1800      Fax: (02) 6993 1135**

**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 – East Waradgery; County – Waradgery*  
*Land District – Hay; LGA – Hay*

Road Closed: Lot 10, DP 1187997.  
File No.: 11/08660

Schedule

On closing, the land within Lot 10, DP 1187997 remains vested in the State of New South Wales as Crown land.

**MAITLAND OFFICE**  
**141 Newcastle Road, East Maitland NSW 2323**  
**(PO Box 2215, Dangar NSW 2309)**  
**Phone: (02) 1300 886 235      Fax: (02) 4934 2252**

**ROADS ACT 1993**

Order

Transfer of a Crown Road to a Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2, hereunder, as from the date of publication of this notice and as from that date, the road specified in Schedule 1 ceases to be a Crown road.

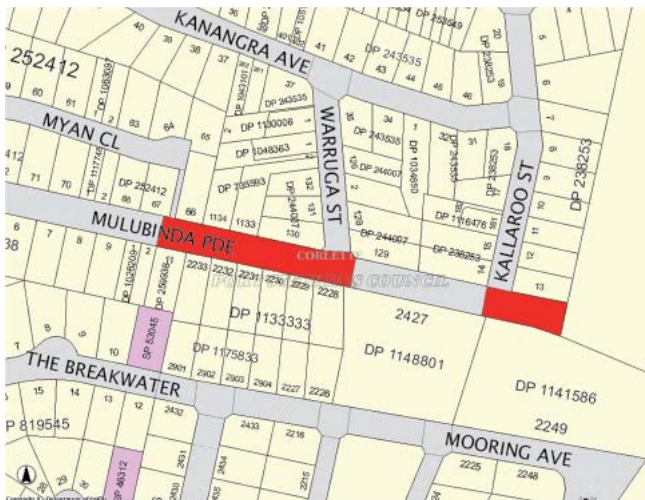
ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

SCHEDULE 1

*Parish – Tomaree; County – Gloucester*  
*Land District – Newcastle*  
*Local Government Area – Port Stephens Council*

The two Crown sections of Mulubinda Parade, Corlette, 20.115m wide and approximately 129m and 37m in length, as highlighted in the diagram below.

SCHEDULE 2



Roads Authority: Port Stephens Council  
Council's Reference: PSC2011-01860  
Lands File Reference: 12/01461

**NEWCASTLE OFFICE**  
**437 Hunter Street, Newcastle NSW 2300**  
**(PO Box 2215, Dangar NSW 2309)**  
**Phone: (02) 1300 886 235      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 – Macquarie; County – Lincoln  
Land District – Dubbo; LGA – Wellington*

Road Closed: Lot 1, DP 1178659 (subject to right of carriageway created by Deposited Plan 1178659)

File No.: 10/16857

Schedule

On closing, the land within Lot 1, DP 1178659 remains vested in the State of New South Wales as Crown land.

**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 – Corridgery; County – Cunningham  
Land District – Forbes; LGA – Forbes*

Road Closed: Lot 1, DP 1188591

File No.: CL/00474

Schedule

On closing, the land within Lot 1, DP 1188591 remains vested in the State of New South Wales as Crown land.

**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 – Julandery; County – Cunningham  
Land District – Condobolin; LGA – Lachlan*

Road Closed: Lot 1, DP 1188272

File No: 13/10900

Schedule

On closing, the land within Lot 1, DP 1188272 remains vested in the State of New South Wales as Crown land.

**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 – Crackenback; County – Wallace  
Land District – Cooma; LGA – Snowy River*

Road Closed: Lot 1, DP 1180760 (subject to easement/right of carriageway created by Deposited Plan 1180760)

File No.: GB03H157 : BA

Schedule

On closing, the land within Lot 1, DP 1180760 remains vested in the State of New South Wales as Crown land.

Description

*Parishes – Cunnindroo, Tywong; County – Wynyard  
Land District – Wagga Wagga; LGA – Wagga Wagga*

Road Closed: Lot 1, DP 1129830

File No.: 08/3334 : BA

Schedule

On closing, the land within Lot 1, DP 1129830 remains vested in the State of New South Wales as Crown land.

Description

*Parishes – Young, Murringo; County – Monteagle  
Land District – Young; LGA – Young*

Road Closed: Lot 1, DP 1177787, Lot 2, DP 1177795

File No.: 07/3832 : BA

Schedule

On closing, the land within Lot 1, DP 1177787, Lot 2, DP 1177795 remains vested in the State of New South Wales as Crown land.

## Description

*Parish – St John; County – Cumberland  
Land District – Metropolitan; LGA – Holroyd*

Road Closed: Lot 1, DP 1189038

File No.: 08/1722 : BA

## Schedule

On closing, the land within Lot 1, DP 1189038 remains vested in the State of New South Wales as Crown land.

## Description

*Parish – Cudgymaguntry; County – Monteagle  
Land District – Grenfell; LGA – Weddin*

Road Closed: Lot 4, DP 1188364

File No.: 13/10819 : BA

## Schedule

On closing, the land within Lot 4, DP 1188364 becomes vested in the State of New South Wales as Crown Land.

Council's reference: WT:NB:R2.1.4

## 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 – Warrangunia; County – Roxburgh  
Land District – Rylstone; LGA – Mid-Western Regional*

Road Closed: Lot 1, DP 1189210

File No: CL/00719

## Schedule

On closing, the land within Lot 1, DP 1189210 remains vested in the State of New South Wales as Crown land.

## 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 – Cargo; County – Ashburnham  
Land District – Molong; LGA – Cabonne*

Road Closed: Lot 1, DP 1188151

File No.: 12/00767

## Schedule

On closing, the land within Lot 1, DP 1188151 remains vested in the State of New South Wales as Crown land.

**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 – Durran Durra; County – St Vincent*  
*Land District – Braidwood; LGA – Palerang*

Road Closed: Lot 2, DP 1181851.  
File No.: GB07H184

Schedule

On closing, the land within Lot 2, DP 1181851 remains vested in the State of New South Wales as Crown land.

Description

*Parishes – Kiamma, Crookwell;*  
*Counties – Georgiana, King*  
*Land District – Crookwell; LGA – Upper Lachlan Shire*

Road Closed: Lots 4-6, DP 1186206.  
File No.: 13/00099

Schedule

On closing, the land within Lots 4-6, DP 1186206 remains vested in the State of New South Wales as Crown land.

Description

*Parishes – Kiamma, Crookwell;*  
*Counties – Georgiana, King*  
*Land District – Crookwell; LGA – Upper Lachlan Shire*

Road Closed: Lots 1-3, DP 1186206.  
File No.: 07/5472

Schedule

On closing, the land within Lots 1-3, DP 1186206 remains vested in the State of New South Wales as Crown land.

**ORDER – AUTHORISATION OF ADDITIONAL  
PURPOSE UNDER SECTION 121A**

PURSUANT to section 121A 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

*Column 1*

COMMUNITY AND  
SPORTING CLUB  
FACILITIES  
(PART – Being Lot 7004,  
DP 1057339)

*Column 2*

Reserve No. 96902  
Public Purpose: parking  
Notified: 5 August 1983  
File Reference: NA83R108



**ORANGE OFFICE**  
**92 Kite Street (PO Box 2146), Orange NSW 2800**  
**Phone: (02) 6391 4300      Fax: (02) 6362 3896**

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Kaye JENKINS (re-appointment)	Sodwalls Tennis Courts Reserve	Reserve No. 95883 Public Purpose: tennis courts
Geoffrey Arthur JOBLIN (re-appointment)	Trust	Notified: 2 April 1982 File Reference: OE80R44-002
Ian Maxwell HAY (new member)		
Julie Ann GRANT (re-appointment)		
Kirsty JENKINS (re-appointment)		
Sharon Maree RUSHWORTH (new member)		
Daryl Robert JENKINS (re-appointment)		
For a term commencing the date of this notice and expiring 3 October 2018.		

**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 Schedules hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedules.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE 1**

<i>Column 1</i>	<i>Column 2</i>
Land District: Lithgow Local Government Area: Lithgow Locality: Marrangaroo Reserve No. 751651 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 12/01775	Lots: 7314 & 7315 DP No. 1149370, Lot 6, DP 250927, Parish: Lidsdale, County: Cook

**SCHEDULE 2**

<i>Column 1</i>	<i>Column 2</i>
Land District: Lithgow Local Government Area: Lithgow Locality: Marrangaroo Reserve No. 94579 Public Purpose: Future Public Requirements Notified: 6 April 1981 File Reference: 12/01775	Lot: 422, DP 751651, Parish: Lidsdale, County: Cook

**NOTICE OF ADDITIONAL PURPOSE PURSUANT  
TO SECTION 34A (2) (B) OF THE  
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve specified in Column 2 of the Schedule is to be occupied for the additional purpose specified in Column 1 of the Schedule.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
ENVIRONMENTAL PROTECTION AND SUSTAINABLE GRAZING (RELEVANT INTEREST – S34A Licence 505770)	Reserve No. 190027 Public Purpose: public recreation Notified: 30 January 1987 File Reference: OE80H2641-002



**TAMWORTH OFFICE****25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340****Phone: (02) 6764 5100      Fax: (02) 6766 3805****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 – Walla Walla; County – Pottinger*

*Land District – Gunnedah; LGA – Narrabri*

Road Closed: Lot 1, DP 1185808.

File No.: 08/2759

\_\_\_\_\_  
SCHEDULE

On closing, the land within Lot 1, DP 1185808 remains vested in the State of New South Wales as Crown land.

**WAGGA WAGGA OFFICE****Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650****Phone: (02) 6937 2700      Fax: (02) 6921 1851****NOTICE OF ADDITIONAL PURPOSE PURSUANT  
TO SECTION 34A (2) (B) OF THE  
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve specified in Column 2 of the Schedule is to be occupied for the additional purpose specified in Column 1 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>
BORE, ENVIRONMENTAL PROTECTION AND SUSTAINABLE GRAZING, STRUCTURES, RECREATION & WELL (RELEVANT INTEREST – S34A Licence – RI 503985)	Reserve No. 92479 Public Purpose: future public requirements Notified: 6 June 1980 File Reference: 12/05266

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**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
ENVIRONMENTAL PROTECTION AND SUSTAINABLE GRAZING (RELEVANT INTEREST – Section 34A Licence – RI 506131)	Reserve No. 751415 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 12/06644

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**WESTERN REGION OFFICE**  
**45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830**  
**Phone: (02) 6883 5400      Fax: (02) 6884 2067**

**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 conditions of the undermentioned Western Lands Lease have been altered as shown.

ANDREW STONER, M.P.,

Minister for Regional Infrastructure and Services

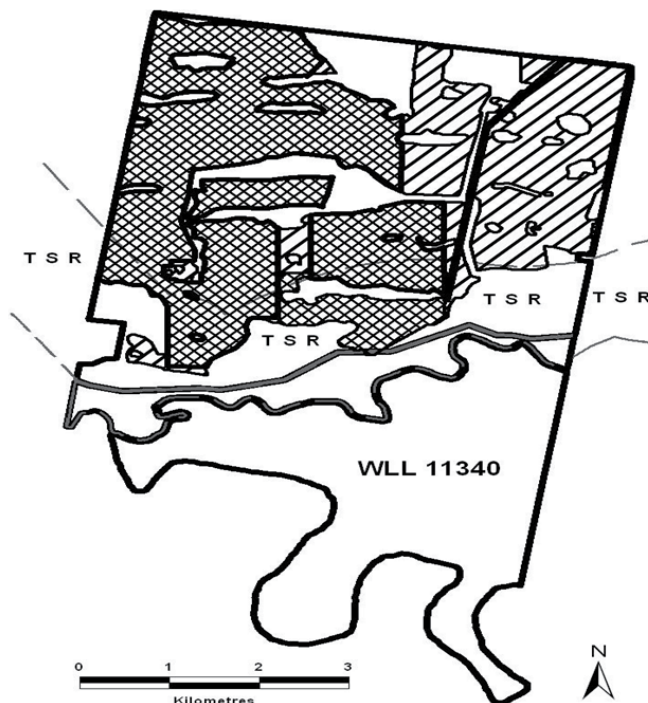
*Administrative District – Balranald; Shire – Balranald  
Parish of Maniette; County of Taila*

The conditions of Western Lands Lease 11340, being the land contained within Folio Identifier 2/1072071 have been altered effective from 26 September 2013 by the inclusion of the following special conditions.

**SPECIAL CONDITIONS TO BE ANNEXED TO  
WESTERN LANDS LEASE 11340**

1. The lessee must ensure that sandhills and other soils with a surface texture of loamy sand or coarser are left uncultivated unless specifically approved by the Commissioner.
2. The lessee shall ensure land within 60 metres of any texture contrast or duplex soil area remains uncultivated except in accordance with a plan approved by the Commissioner. Texture contrast (or duplex) soils are soil types which have a sandy to loamy topsoil abruptly overlying a clay subsoil and are prone to scalding (producing clay pans and hummocks).
3. The lessee shall ensure areas with a slope greater than 2% remains uncultivated until any soil conservation measures documented in a plan approved by the Commissioner have been implemented at the lessee's expense.
4. The lessee shall ensure incised drainage lines, other than man-made structures, which carry water after storms are left uncultivated in the channels and for a distance of at least 20 metres on either side of the banks of the channels except when the Commissioner specifies otherwise.
5. The lessee shall ensure the monitoring regime of piezometers is established, in consultation with a suitably qualified engineer, to detect water logging of soils, rising salt levels in the soil and/or rising groundwater levels.
6. The lessee shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
7. The lessee shall establish windbreaks at his/her own expense as may be ordered by the Commissioner to provide adequate protection of the soil.
8. The lessee shall ensure that cultivation and cropping do not alter the natural flood regime. Crops are not to be protected by levees.
9. The lessee shall ensure no tail water or drainage water run-off will escape onto adjoining lands.

10. The area authorised for cultivation partly covers Travelling Stock Reserve 358 and suitable arrangements must be made with the relevant Livestock Pest & Health Authority (LHPA) prior to commencement of any development. If suitable arrangements cannot be made with LHPA, the matter will be determined by the Commissioner.
11. The lessee is authorised to cultivate an area of 1193 hectares for Irrigation shown cross hatched and 629 hectares of Dryland Cultivation shown hatched on the diagram below.
12. Cultivation is permitted over the whole of the areas mentioned in condition 11 (above) unless the commissioner has required specific areas remain uncultivated.



**GRANTING OF A WESTERN LANDS LEASE**

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Leases of the lands specified in the following Schedule have been granted to the undermentioned persons.

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder. The land is to be used only for the purpose of Residence.

Initial rent will be \$100.00 per annum and re-assessed thereafter annually on 1 April of each year.

The Conditions and Reservations annexed to such leases are those Conditions published in the New South Wales Government Gazette of 20 March, 2009, Folios 1416-1418.

All amounts due and payable to the Crown must be paid to the Department of Trade & Investment, Crown Lands Division by the due date.

ANDREW STONER, M.P.,  
Minister for Regional Infrastructure and Services

*Administrative District – Walgett North; Shire – Walgett  
Parish – Wallangulla/Mebea; County – Finch*

WLL No.	Name of Lessee	File No.	Folio identifier	Area m <sup>2</sup>	Term of Lease	
					From	To
15194	Stephen BAYLISS	13/04318	45/1063047 100/1057617	1953	26 September 2013	25 September 2033

**WATER****WATER ACT 1912**

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

PETER ALLAN CULLEN & JENNIFER MARY SUTTON for a pump on Lake Eucumbene being Part Lot 3, DP 547398, Parish of Wallgrove, County of Wallace, for water supply for domestic purposes (Exempt from the 2007 South Coast Rivers embargo.) (Ref.: 10SL057226).

Any inquiries should be directed to (02) 4429 4442. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the NSW Office of Water, PO Box 309, Nowra NSW 2541, within 28 days of this publication.

WAYNE RYAN,  
Water Regulation Officer

## Other Notices

### ANTI-DISCRIMINATION ACT 1977 NSW

#### Exemption Order

UNDER section 126 of the Anti-Discrimination Act 1977, an exemption is granted from sections 25 and 51 of the Anti-Discrimination Act 1977 NSW, to Blue Mountains City Council, to advertise, recruit and provide an 18 month full-time pre-apprenticeship, with one day per week required for the individual to attend TAFE to achieve a Certificate 2 qualification.

This exemption will remain in force for a period of 18 months from the date given.

Dated this 17th day of September 2013.

STEPAN KERKYASHARIAN, A.O.,  
President,  
Anti-Discrimination Board of NSW

### ASSOCIATIONS INCORPORATION ACT 2009

#### Reinstatement of Cancelled Association Pursuant to Section 84

TAKE notice that the incorporation of THE FOREST CLAY TARGET CLUB INC (Y1174633) cancelled on 5 September 2008 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated this 2nd day October of 2013.

CHRISTINE GOWLAND,  
Delegate of the Commissioner,  
NSW Fair Trading

### ASSOCIATIONS INCORPORATION ACT 2009

#### Reinstatement of Cancelled Association Pursuant to Section 84

TAKE notice that the incorporation of COWRA & DISTRICT JUNIOR RUGBY LEAGUE INC (Y1507436) cancelled on 18 March 2011 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated this 25th day of September 2013

CHRISTINE GOWLAND,  
Delegate of the Commissioner,  
NSW Fair Trading

### ASSOCIATIONS INCORPORATION ACT 2009

#### Cancellation of Incorporation Pursuant to Section 72

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 72 of the Associations Incorporation Act 2009.

Cancellation is effective as at the date of gazettal.

Coffs Communicators Incorporated – Inc9887069  
Forbes Friends Incorporated – Inc9897217  
Lower Colo River Landcare Group Incorporated – Inc9877703  
Sunraysia Campdraft Club Incorporated – Y2535718

Kogarah Meals On Wheels Service Inc – Y0370004  
South West Enviro Centre Incorporated – Y2882202  
Snowy River Festival Incorporated – Inc9886772  
Southern Riverina Field Naturalists Club Inc – Y0630348  
Southern Highlands Botanic Gardens Incorporated – Inc9879536  
Lions Club of Menai Inc – Y0543242  
Grenfell and District Health Group Incorporated – Inc9896635  
Moorebank Sports Fishing Club Incorporated – Inc9891302  
Trinity Ministries Incorporated – Inc9890467

Dated 2nd day of October 2013.

ROBYNE LUNNEY  
Delegate of the Commissioner  
NSW Fair Trading

### 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:

Coffs Harbour 10.00am 5 November 2013 (2 days)

Dated this 26th day of September 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:-

Kempsey 10.00am 7 November 2013 (2 days)

Dated this 26th day of September 2013.

R. O. BLANCH,  
Chief Judge

### ELECTRICITY (CONSUMER SAFETY) ACT 2004

#### Prohibition Notice

#### Section 21

I, John Tansey, Assistant Commissioner, Home Building Service, as delegate on behalf of the Director-General NSW Fair Trading pursuant to section 21 (1) of the Electricity (Consumer Safety) Act 2004 ("the Act"):

1. prohibit the sale of the electrical articles as described in Schedule 1 from the date of publication of this notice in the *NSW Government Gazette*; and

2. issue this Notice believing on reasonable grounds as specified in Schedule 2 that:
  - (a) the electrical articles as described in Schedule 1 are, or are likely to become by reason of their design or construction, unsafe to use, and
  - (b) prohibiting the sale of the electrical articles as described in Schedule 1 is warranted by reason of the potential risk of death or injury to any person or damage to any property arising out of the use of those electrical articles.

Dated this 2nd day of October 2013.

JOHN TANSEY,  
Assistant Commissioner,  
Home Building Service,  
NSW Fair Trading,

## INTERPRETATION

**“Director-General”** has the same meaning as it has in the Fair Trading Act 1987: See section 3 (1) of the Act. Under section 4 (1) of the Fair Trading Act 1987, “Director-General” relevantly refers to “the Commissioner for Fair Trading, Department of Commerce”.

## SCHEDULE 1

All Infinity branded cable or cables imported, sold or distributed by Infinity Cable Co Pty Ltd, of all sizes, configurations and models of ‘Polymeric Insulated Electrical Cable’ which is PVC Sheathed, PVC Insulated, Flat and Flexible Low Voltage Electrical Cable also commonly known as ‘TPS’,

All Infinity branded cable or cables imported, sold or distributed by Infinity Cable Co Pty Ltd, of all sizes, configurations and models of ‘Polymeric Insulated Electrical Cable and which is PVC Sheathed, PVC Insulated, Round and Flexible Low Voltage Electrical Cable’ also commonly known as ‘Orange Round’

## SCHEDULE 2

The electrical cable is unsafe to use because of its design, construction or manufacture can result in the electrical cable potentially catching fire and/or electrical shock risk while in use.

This type of cable is found in all electrical installations, it is found in roof spaces, wall cavities and may, at times, be exposed on the surface of dwellings, commercial and retail premises. It is a fundamental component of conveyance of electricity in electrical installations.

Prohibition of the electrical cable is warranted by reason of the potential risk of death or injury to persons and damage to property arising out of the use of the electrical cables established by accredited testing that found the following:

A sample of the electrical cable was tested at TUV Rheinland, National Association of Testing Authorities (NATA) accredited laboratory. The results of the test revealed that the sample was non-compliant with AS/NZS 5000.2:2006 Electric Cables – Polymetric Insulated, for working voltages up to 450/700V.

The non-compliance related to the failure of the ageing tests where the insulation becomes brittle when exposed to high temperatures over varying lengths of time. The safety of

the insulation is compromised resulting in a high probability of exposed wires when the insulation breaks away from the cable either by physical interference or disturbance.

A consultant, Dr Jorg-Dieter Klamann, engaged by the Australian Cablemakers Association Ltd was interviewed and the test results interpreted by him. In a signed statement, Dr Klamann indicated that the failure was amongst the worst results he had seen with a high potential for failure of both layers of insulation arising out of disturbance, animal activity and construction activity on or near the failed installed cable.

A comparative ‘Congo Red Test’ was under taken against both the Infinity brand and another known brand of cable. Further “blind” testing was conducted against the Infinity brand and a number of other brands of similar type of electrical cable. This is a valid test within AS/NZS 1660, a complementary test to the cable standard.

The test involves stripping insulation from the cable and placing a determined, identical quantity in a test tube. The test tube is then sealed with cotton wool impregnated with Congo Red acid indicator. All test tubes are heated to 200deg C and acidic gases are given off the heated samples. These gases then change the colour of the cotton wool from red to blue. The resultant colour change is timed in minutes.

The Australian industry “standard” time is to resist colour change for a minimum of 40 minutes. During the conduct of both test regimes, the Infinity brand cable changed the colour between 14 and 25 minutes for the first test, and between 14 and 18 minutes during the conduct of the second “blind” test.

The results of these tests indicate that there is a general failure of thermo-stability properties of the infinity brand manufactured cable. In view of the potential for harm arising out of the break down of insulation, a further reel of the subject cable was purchased on 4 June 2013 and conveyed to TUV Rheinland the following day for testing. The cable was tested and found to fail in an identical way to the previously tested sample.

NSW Fair Trading seized a variety of both flat TPS and Orange Round cable from various points of sales. These samples were then supplied for a ‘blind’ Congo Red test. The results of these test indicated a failure in both the outer sheath and all inner insulation of the flat TPS cables.

Testing of the Orange Round cable demonstrated a failure of the inner core insulation. Overall these tests have further highlighted an overall failure of the thermo stability properties of the Infinity branded manufactured cable.

Infinity Cable Co Pty Ltd ACN 135 069 402  
C/o Appointed Liquidator  
Crouch Amirbeaggi Pty Ltd

## ELECTRICITY SUPPLY ACT 1995

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

Notice of Compulsory Acquisition of Interest in Land for the Purposes of TransGrid

TRANSGRID, by its delegate Michael Gatt, declares, with the approval of Her Excellency the Governor, that the interest in land described in the Schedule below is acquired by compulsory process under the Land Acquisition (Just Terms



Compensation) Act 1991, for the purposes of TransGrid, as authorised by the Electricity Supply Act 1995.

Dated at Sydney this 29th day of August 2013.

MICHAEL GATT,  
Executive General Manager,  
People, Strategy & Corporate Services

**SCHEDULE**  
(Interest in land)

Easement rights as described under the heading "Memorandum of Energy Transmission Easement" in Memorandum No. AE891814C filed in the Land and Property Information NSW pursuant to section 80A of the Real Property Act 1900 over the site described as:

All that piece or parcel of land situated in the Local Government Area of Fairfield, Parish of Melville, County of Cumberland and State of New South Wales, being that part of Folio Identifier 1/843901 comprised within the site of the "Proposed Easement for Transmission Line 60 wide and variable" and designated (P1) as shown in Deposited Plan 1175731 and said to be in the possession of Austral Brick Company Proprietary Limited.

Easement rights as described under the heading "Terms of Easement for Overhead Powerline" in Memorandum No. 9262884 filed in the Land and Property Information NSW pursuant to section 80A of the Real Property Act 1900 over the site described as:

All that piece or parcel of land situated in the Local Government Area of Fairfield, Parish of Melville, County of Cumberland and State of New South Wales, being that part of Folio Identifier 1/843901 comprised within the site of the "Proposed Easement for Transmission Line 45 wide and variable" and designated (P2) as shown in Deposited Plan 1175731 and said to be in the possession of Austral Brick Company Proprietary Limited.

All that piece or parcel of land situated in the Local Government Area of Fairfield, Parish of Melville, County of Cumberland and State of New South Wales, being that part of Folio Identifier 1/843901 comprised within the site of the "Proposed Easement for Transmission Line 45 wide and variable" and designated (P3) as shown in Deposited Plan 1175731 and said to be in the possession of Austral Brick Company Proprietary Limited.

Office of the Minister for Police  
Sydney, NSW

**MURDER**

**ONE HUNDRED AND THOUSAND DOLLARS  
(\$100,000) REWARD**

ON the 15th May 1986, the body of Charles FAUL, age 40 years old, was located in his vehicle in Woodburn Street, Redfern with five gun shoot wounds to the head and body.

Notice is hereby given that a reward of up to one hundred dollars (\$100,000) will be paid by the Government of New South Wales for information leading to the arrest and conviction of the person or persons responsible for the death of Charles FAUL.

The allocation of this reward will be at the sole discretion of the Commissioner of Police.

The urgent assistance and co-operation of the public is especially sought in the matter. Any information, which will be treated as confidential, may be given at any time of the day or night at any Police Station or by telephone –

Police Headquarters telephone (02) 9281 0000  
or Crime Stoppers on 1800 333 000

The Hon. MICHAEL GALLACHER, M.L.C.,  
Minister for Police and Emergency Services  
and Minister for the Hunter

Office of the Minister for Police  
Sydney, NSW

**MISSING PERSON**

**ONE HUNDRED THOUSAND DOLLARS (\$100,000)  
REWARD**

ON the 27th of December 2008, Sylvia PAJUCZOK, aged 53 years, went missing from Rockton NSW and has not been seen or heard from since. It is suspected that PAJUCZOK may have met with foul play.

Notice is hereby given that a reward of up to one hundred thousand dollars (\$100,000) will be paid by the Government of New South Wales for information leading to the arrest and conviction of the person or persons responsible for the disappearance and suspected death of Sylvia PAJUCZOK.

The allocation of this reward will be at the sole discretion of the Commissioner of Police.

The urgent assistance and co-operation of the public is especially sought in the matter. Any information, which will be treated as confidential, may be given at any time of the day or night at any Police Station or by telephone –

Police Headquarters telephone (02) 9281 0000  
or Crime Stoppers on 1800 333 000

The Hon. MICHAEL GALLACHER, M.L.C.,  
Minister for Police and Emergency Services  
and Minister for the Hunter

**POISONS AND THERAPEUTIC GOODS ACT 1966**

Order Under Clause 175 (1),  
Poisons and Therapeutic Goods Regulation 2008

**Withdrawal of Drug Authority**

IN accordance with the provisions of clause 175 (1) of the Poisons and Therapeutic Goods Regulation 2008 an Order has been made on Timothy Charles COLLINS (NMW0001793262) of 44/21-25 Coulson Street, Erskineville NSW 2043, prohibiting him, until further notice, as a nurse from having possession of and supplying drugs of addiction as authorised by Clauses 101 and 103 of the Regulation.

This Order is to take effect on and from 8 October 2013.

Dated at Sydney, 1 October 2013.

Dr MARY FOLEY,  
Director General,  
Ministry of Health, New South Wales

## PRACTICE NOTE SC GEN 18

Production of and access to subpoenaed material and returning exhibits and subpoenaed material in civil proceedings

### Commencement

1. This Practice Note was issued on 30 September 2013 and commences on 7 October 2013.

### Application

2. This Practice Note applies to production of documents in compliance with a subpoena issued in regard to civil proceedings in this Court and the return of subpoena documents and exhibits after proceedings have been determined.
3. This Practice Note is subject to Practice Note SC Eq 11.

### Definitions

4. In this Practice Note:
  - (a) UCPR means Uniform Civil Procedure Rules 2005;
  - (b) Issuing party means the party requesting the issue of a subpoena for production; and
  - (c) Producing person means the person to whom a subpoena for production is addressed

### Introduction

5. The purpose of this Practice Note is to inform:
  - (a) the parties of:
    - (i) their ability to nominate on the subpoena document before filing a convenient return date for the subpoena;
    - (ii) the Court's preferred practice in relation to the format of documents being produced in response to a subpoena; and
    - (iii) the Court's practice in relation to accessing subpoenaed material produced in an electronic format, and
  - (b) Producing persons and parties of the Court's practice in relation to:
    - (i) the production of bulky material; and
    - (ii) returning exhibits and subpoenaed material.

### Serving the subpoena

6. The forms of subpoena to produce, and to attend and give evidence and produce, have been amended to include the Producing person's declaration (in relation to whether the documents produced are originals and whether they need to be returned). See new UCPR forms 26A and 27A. The Issuing party should provide a copy of the subpoena when it is served so that the Producing person can retain the original subpoena and forward the copy with the completed declaration to the Registry.
7. The Issuing party can nominate a convenient return date for the subpoena on the document filed at the Registry, provided that sufficient time is allowed to serve the Producing person. The Court has a subpoena list Monday to Friday at 9:00 am during the Court term. If the subpoena does not include a nominated return date, the Registry will allocate a date.

### Production of subpoenaed material

8. The UCPR was updated in 2011 in relation to how to comply with a subpoena to produce. Specific attention is drawn to UCPR rule 33.6 (6) & (7).

9. UCPR rule 33.6 (6) allows the Producing person to produce a copy of documents, unless the subpoena specifically requires the original documents to be produced. The Issuing party should only specify that the original document is required in those special circumstances where the original document may need to be tendered.
10. UCPR rule 33.6 (7) allows the Issuing party to permit the production of documents in a format that is acceptable to that party. Most Producing persons who have access to a photocopier will now also have access to a document scanner. Where documents would otherwise be photocopied to respond to a subpoena it will normally be as convenient, and less costly for the Producing person to scan those documents and save them in an electronic format. If a document already exists in an electronic format it will also be more convenient and less costly to copy that document in an electronic format rather than print it out on paper. It will also normally be more convenient for the Issuing party and the other parties to access subpoenaed documents in an electronic format.
11. To facilitate the production of subpoenaed documents electronically (rather than paper copies), the Issuing party should indicate to the Producing person that production in an electronic format is acceptable. This should particularly be done where a large volume of material is being subpoenaed. This information for the Producing person can be included on the subpoena in the schedule describing the documents to be produced. It can also be included in a covering letter.
12. If a document has been scanned, is a word processing document, a photograph or image, a copy of the document should be saved as, or converted to, a PDF file. Generally it will be sufficient for emails to be provided in a PDF file.
13. If the material is in an electronic format that cannot be conveniently saved as a PDF file, such as a database, a sound or video recording, it is appropriate for a copy of the document to be provided in the original electronic format. If the original format is not a current or common format then the Issuing party should also consider whether a copy in some other electronic format should also be asked for, so that it can be readily accessed by the parties and the Court.
14. Electronic subpoena documents can be provided on a DVD, a CD or a USB device.
15. Electronic subpoena documents can also be emailed to the Registry at [supreme\\_court@courts.nsw.gov.au](mailto:supreme_court@courts.nsw.gov.au) provided that a scanned copy of the subpoena is also attached to the email. The subject line of the email should state "Producing subpoenaed documents" and include the case name and number.

### Production of bulky or hazardous material

16. The party issuing subpoenas should limit the scope of each subpoena to material relevant to the proceedings. There will nevertheless be circumstances where a party legitimately issues a subpoena that will require the production of a large volume of material that cannot conveniently or inexpensively be produced in an electronic format.
17. Except in circumstances where the Court has made specific directions and prior arrangements have been

made (through [supremecourt.subpoenaaccess@courts.nsw.gov.au](mailto:supremecourt.subpoenaaccess@courts.nsw.gov.au)), the Registry will decline to accept subpoenaed material that is:

- (a) not packed in standard document boxes;
  - (b) exceeds more than three standard size (Type 3) or six archive sized (Type 1) boxes in volume (or more than one upright trolley load); or
  - (c) in any way hazardous
18. If a Producing person or their agent attends the Registry to produce bulky or hazardous material without prior arrangements, that person will be directed to retain the material until the return date of the subpoena. Specific directions as to the custody of and access to the material will be made at the return date of the subpoena. In general, access will be given at the Producing person's place of business or wherever the material is normally stored. If the issuing party requires that the Producing person does not retain custody of the material or that the material should be stored at some alternate location this should be specified in the proposed access orders appearing on the issued subpoena or in any draft access orders submitted for consideration.
19. A Producing person producing bulky or hazardous material may comply with a subpoena by sending a letter to the Registry and providing a copy to the issuing party listing the material that they are producing and confirming that the Producing person will comply with any directions of the Court in relations to that material.
20. If an issuing party knows or expects that the material being subpoenaed will be bulky or hazardous they must bring these provisions of this Practice Note to the attention of the Producing person.

#### **Accessing subpoenaed material produced in an electronic format**

21. If an unrestricted order for access is made in relation to subpoena material that has been produced in an electronic format, then on application by a party entitled to access that material, an electronic copy of the material will be made and provided by the Registry.
22. The party applying for access should provide a blank DVD, CD or USB device onto which the copy can be made. In the alternative, upon request, the Registry may provide access to the material by sending an email attaching the material to the party applying for access.

#### **Accessing subpoenaed documents produced in hard copy format**

23. Access to documents produced under subpoena in a non-electronic format will continue to be provided under the procedure set out in Practice Note SC Gen 3.

#### **Tendering subpoenaed material originally produced in an electronic format**

24. If directions have not been made to allow the tendering of documents at the hearing in an electronic format, then it is the responsibility of the party intending to tender a document that was originally provided to the Registry in an electronic format to provide a printed copy of the document to the Court at the hearing, or to make arrangements for the relevant technology to be available so that the document can be viewed. This requirement may be achieved by including the document in a tender bundle.

#### **Returning exhibits and produced documents**

25. The UCPR (rules 31.16A and 33.10) require the Court to retain exhibits and subpoenaed material for specified time frames after the determination of the proceedings, unless the Court makes a specific order for the return of this material at an early date.
26. The Court's usual practice in relation to exhibits and subpoenaed material will now be an order when the proceedings are determined that the exhibits and subpoenaed material be returned forthwith. The Court will not retain this material, unless there is an order by the trial judge that it remains on the Court file.
27. When a subpoena is served, the Producing person is asked to complete a declaration stating whether the documents being produced are copies, and if so, acknowledging that they may be destroyed by the Court when they are no longer required. Subpoenaed documents in an electronic format (produced on a DVD, a CD or a USB device) that have been identified as copies, will not be returned to the Producing person and will be destroyed (or deleted) by the Registry unless the Producing person has specifically requested that they be returned.
28. In relation to any exhibits that are returned, those exhibits must be retained intact by the party, or person, that produced the material until the expiry of the time to file an appeal, or until any appeal has been determined. Solicitors should notify their clients of their obligations in relation to this material if it is returned to the clients. If an appeal is filed, the party or persons may be asked to produce the material to the Court of Appeal Registry for the purposes of the appeal, however, generally copies held by the appellant can be used for preparing the appeal books.

Dated 30 September 2013.

T. F. BATHURST,  
Chief Justice of New South Wales

#### **Amendment History:**

- 30 September 2013: This Practice Note replaced former Practice Note SC Gen 18, which was issued and commenced on 3 January 2012
- 1 December 2011: Practice Note SC Gen 18 was issued with a commencement date of 3 January 2012.

#### **Related Information**

Uniform Civil Procedure Rules 2005  
SC Gen 3 – Supreme Court – Copying of court documents  
SC Gen 7 – Supreme Court – Use of technology

### **PRACTICE NOTE SC CCA 1**

Court of Criminal Appeal – General

#### **Commencement**

1. This Practice Note was issued on 30 September 2013 and commences on 7 October 2013.

#### **Application**

2. This Practice Note applies to new and existing matters in the Court of Criminal Appeal.

**Definitions**

3. In this Practice Note:

**CCA** means the Court of Criminal Appeal.

**Rules** means the Criminal Appeal Rules.

**Introduction**

4. The purpose of this Practice Note is to explain the administrative and case management procedures followed in the CCA.

**Lodging Notices of Intention to Appeal against a Conviction or Sentence**

5. Any person intending to appeal against a conviction or sentence may lodge, email (courtofcriminalappeal@courts.nsw.gov.au) or send by post or facsimile a Notice of Intention to Appeal (Form IVA in the Rules) to the Registrar. The Registrar will acknowledge receipt of every Notice lodged. The Registrar will require the intending appellant to provide information as to legal representation and an address to which a copy of the transcript and exhibits from the proceedings in the Court of Trial may be forwarded.
6. The Court of Trial, upon the request of an intending appellant, or the solicitor acting for the intending appellant, will arrange for the supply of a copy of the transcript and exhibits from the trial and/or sentence proceedings.
7. Contact details of the relevant Courts of Trial are:

**Supreme Court**

- For copies of transcripts and exhibits:  
The Registrar, Common Law Division  
Supreme Court of New South Wales  
Law Courts Building  
Queens Square  
SYDNEY NSW 2000  
(DX 829 SYDNEY)

**Land and Environment Court**

- For copies of transcripts and exhibits:  
The Registrar  
Land and Environment Court  
225 Macquarie Street  
SYDNEY NSW 2000  
(DX 264 SYDNEY)

**District Court**

- For copies of exhibits:  
The Registrar  
District Court Criminal Registry  
Level 3 Downing Centre  
143-147 Liverpool Street  
SYDNEY NSW 2000  
(DX 11518 SYDNEY DOWNTOWN)
- For copies of transcripts, Remarks on Sentence, Judgments, and any Summing Up to the Jury:  
The Manager  
Reporting Services Branch, Department of Attorney General and Justice  
Client Services, NIA Section  
Reporting Services Branch, Department of Attorney General and Justice  
Level 6 Downing Centre  
143-147 Liverpool Street  
SYDNEY NSW 2000

**Drug Court**

- For copies of transcripts and exhibits:  
The Registrar  
Drug Court of New South Wales  
Court House  
PARRAMATTA NSW 2150  
(PO Box 92, PARRAMATTA NSW 2124)

8. Following receipt of a copy of the transcript and exhibits, the solicitor for an intending appellant should promptly arrange for a determination of merit to be obtained and then seek instructions as to whether an appeal is to proceed.

**Extension of the effect of a Notice of Intention to Appeal**

9. A Notice of Intention to Appeal has effect for six months from the date of lodgement. An Application for Extension of Time to Appeal may be lodged or sent by post or facsimile to the Registrar (Form VF in the Rules). Such Application should set out the reasons for extension, and identify any difficulties in the receipt or preparation of documents for the purposes of the intended appeal.

**Lodging a Notice of Appeal or Notice of Application for Leave to Appeal**

10. If an appeal or an application for leave to appeal is to proceed, the original and at least three copies of the Notice of Appeal or the Notice of Application for Leave to Appeal (as the case may be) must be lodged at the Registry or sent by post to the Registrar. Either notice must be accompanied by the documents specified in Rule 23C of the Rules, namely, a Statement Nominating Legal Representation, the Grounds of Appeal, the Submissions in support of the Appeal, and a Certificate stating that all transcripts and exhibits are available from the Trial Court.
11. Where the effect of a Notice of Intention to Appeal has expired, an Application for Extension of Time to Appeal (Form V in the Rules) must be lodged with the Notice of Appeal or Notice of Application for Leave to Appeal.
12. The Notice of Appeal or the Notice of Application for Leave to Appeal will be listed for callover before the Registrar at the earliest possible time with a view to fixing the first available hearing date.
13. In the case of urgent appeals, the Registrar may waive or adjust the requirements of Rule 23C.
14. If a decision is taken not to pursue an appeal or to seek leave to appeal after a Notice of Intention to Appeal has been lodged, no further documents need be sent to the Registrar; the effect of the Notice of Intention to Appeal will lapse after six months (or if the effect of a notice has been extended, after that further extension).
15. The overall effect of the giving of a Notice of Intention to Appeal is to facilitate the obtaining of necessary transcripts, exhibits and other documents so that a decision may be taken as to whether an Appeal or Application for Leave to Appeal should be instituted, and to ensure that, when instituted, all material is available to enable the expeditious listing and determination of the appeal or application.



**Direction to file written submissions**

16. The Registrar, when fixing a date for the hearing of an Appeal or an Application for Leave to Appeal, will direct the parties to file and serve written submissions on or before particular dates prior to the hearing. In appeals against conviction, or applications for leave to appeal against sentence, ordinarily the appellant's or applicant's submissions will have been filed with the Notice of Appeal or Notice of Application for Leave to Appeal, pursuant to clause 23C of the Rules.
17. The party filing written submissions shall lodge at least four copies of the submissions with the Registrar.

**Email filing of written submissions**

18. An electronic copy of submissions should be sent to the email address of the CCA (courtofcriminalappeal@courts.nsw.gov.au) three days before the hearing. This is in addition to the hard copy of the submissions that will have been previously filed at the Registry in accordance with the directions made by the Registrar at the callover.

**Written submissions in an Appeal or Application for Leave to Appeal against Conviction**

19. In an appeal against conviction, the submissions of both parties shall contain:
  - (a) a brief statement in narrative form of the Crown case and of the case raised or put forward by the appellant at the trial;
  - (b) an outline of the argument to be put in relation to each ground of appeal with;
  - (c) the terms of that ground of appeal set out in full;
  - (d) page references to the transcript relating to any evidence referred to; and
  - (e) appropriate citations of authority relied upon for the propositions of law stated (including, where appropriate, page references); and
  - (f) a separate list of any authorities to which it is expected that the members of the Court may be referred during the argument.
20. In an appeal against conviction, the Crown shall file an index to the material evidence, a statement in summary form of the evidence of the material witnesses and a list of exhibits.

**Written submissions in applications for Leave to Appeal against Sentence**

21. In an application for leave to appeal against sentence, the applicant's submissions shall contain:
  - (a) a brief statement in narrative form of the Crown case which led to the conviction, but only where such case is not sufficiently apparent from the sentencing judge's remarks on sentence;
  - (b) a statement of the particular objections to the sentence and to the reasons of the sentencing judge which are to be argued;
  - (c) a brief statement of the argument as to why leave to appeal should be granted; and
  - (d) a separate list of any authorities to which it is expected that the members of the Court may be referred during the argument.
22. The Crown need not file written submissions in relation to applications for leave to appeal against sentence, but it may do so, and it should do so if it is suggested that

there is some significant error of fact or principle in the applicant's submissions.

**Written submissions in a Crown appeal against Sentence**

23. In a Crown appeal against sentence, the Crown's submissions shall contain:
  - (a) a brief statement in narrative form of the Crown case which led to the conviction, but only where such case is not sufficiently apparent from the sentencing judge's remarks on sentence;
  - (b) a statement of the particular objections to the sentence and to the reasons of the sentencing judge which are to be argued;
  - (c) a brief statement of the argument as to why the Court should interfere with the sentence imposed (including, if appropriate, details of the range of sentences imposed in other relevant cases);
  - (d) details of when and how the respondent was notified of the Crown's intention to appeal; and
  - (e) a separate list of any authorities to which it is expected that the members of the Court may be referred during the argument.
24. The respondent need not file written submissions in relation to Crown appeals, but may do so, and should do so if it is suggested that there is some significant error of fact or principle in the Crown's submissions.

**Other Appeals which are not Rehearings**

25. In cases stated for the determination of the Court and other proceedings in the nature of an appeal that is not a rehearing, the submissions of both parties are to contain:
  - (a) a brief statement in narrative form of the factual background against which the questions are raised for the determination of the Court, but only where that background is not sufficiently apparent from the stated case or from some other document already filed;
  - (b) an outline of the argument to be put in support of each question for determination with;
  - (c) the terms of that question set out in full;
  - (d) page references to any transcript relating to any evidence referred to, and appropriate citations of authority relied upon for the propositions of law stated (including, where appropriate, page references); and
  - (e) a separate list of any authorities to which it is expected that the members of the Court may be referred during the argument.

**Appeals by way of Rehearing**

26. In appeals that are to be heard by way of rehearing, the submissions of the appellant are to contain:
  - (a) a brief statement in narrative form of the prosecution case and of the case raised or put forward by the appellant at the trial;
  - (b) a brief statement in narrative form of the facts which the appellant contends should have been found at first instance;
  - (c) an outline of the argument to be put in relation to each ground of appeal with;
  - (d) the terms of that ground of appeal set out in full;

- (e) page references to the transcript relating to any evidence referred to, and appropriate citations of authority relied upon for the propositions of law stated (including, where appropriate, page references);
  - (f) an index to the material evidence and a list of exhibits; and
  - (g) a separate list of any authorities to which it is expected that the members of the Court may be referred during the argument.
27. The submissions of the respondent are to contain:
- (a) a brief statement in narrative form of the prosecution case and of the case raised or put forward by the appellant at the trial;
  - (b) an outline of the argument to be put in opposition to the appeal, with page references to the transcript relating to any evidence referred to and with appropriate citations of authority for the propositions of law stated (including, where appropriate, page references); and
  - (c) a separate list of any authorities to which it is expected that the members of the Court may be referred during the argument.

#### Other Applications

28. In other applications, the submissions of the applicant shall contain:
- (a) a brief statement in narrative form of the factual background against which the application is to be determined by the Court, in sufficient detail as to permit the application to be heard by the Court without the need to read any other material;
  - (b) a statement as to the orders sought and (if expected that it will be of assistance to the Court) a brief outline of the argument to be put relating to each such order; and
  - (c) a separate list of any authorities to which it is expected that the members of the Court may be referred during the argument.
29. The respondent need not file written submissions in relation to such applications, but should do so where it is expected that they will be of assistance to the Court.

#### List of Authorities

30. Authorities cited in submissions that are not likely to be needed in Court should not be included in a list of authorities. The list should only include authorities to which it is expected the Court will be referred during the argument.
31. Where reliance is to be placed on an authority that is unreported, the party citing that authority shall attach a copy of the unreported judgment to the list of authorities. An authority published on Caselaw with a case neutral citation is not considered by the Court to be a reported judgment.
32. Lists of authorities need not be filed at the same time as the written submissions but must be filed not later than one full working day before the hearing.

#### Email filing of List of Authorities

33. Lists of authorities and unreported judgments may be sent to the email address of the CCA ([courttofcriminalappeal@courts.nsw.gov.au](mailto:courttofcriminalappeal@courts.nsw.gov.au)) by no later than 10:00 am on the day

before the hearing. The parties are not required to file a hard copy of that material if it has been sent by email.

#### Drop off box for non-urgent CCA filings

34. A drop off box is available in the Supreme Court Registry, Level 5, for non-urgent CCA filings, for use as follows:
- (a) the material is to be placed in a sealed envelope so that it is secure and cannot be mingled with other possible loose material in the box;
  - (b) at least four copies of any document to be filed are to be provided;
  - (c) the envelope must be clearly marked with the matter name, the CCA file number, and the contact name and telephone number of the filing party;
  - (d) the material is in regard to matters that are not listed before the Court within two clear working days of the lodgement of the material in the box – eg, if a case is listed before the Court on a Monday, the last day for lodgement of any material is close of business Wednesday;
  - (e) applications for interlocutory appeals and bail review must be filed at the counter, and not by way of the drop off box;
  - (f) material for the commencement of new matters must not be lodged in the drop off box, it must be filed at the counter; and
  - (g) sealed copies of the filed material will be placed in each filer's satchel or in an envelope for collection upon request by 10:00 am the following day.

#### Interlocutory Appeals

35. Interlocutory appeals will be heard by the Court as expeditiously as possible. Appellants at the first callover must be ready to take a date for hearing, particularly where a pending appeal may have an effect on a trial pending or due to start. The parties will be expected to supply written submissions within a short timeframe.
36. Appeals will not be adjourned on the basis of the appellant obtaining a "merits advice" from the Legal Aid Commission of New South Wales.
37. Where an interlocutory appeal is urgent, the appellant should contact the Registrar and inform the Registrar of a realistic time estimate, together with the availability of counsel for all parties. The Registrar will determine the urgency of the matter and will make suitable arrangements for the listing of the interlocutory appeal. Counsel's availability will not be a factor in determining the hearing date.

#### Interlocutory appeals against the discharge of a jury

38. Where a trial judge proposes to discharge a jury, a party may ask the judge to delay the making of the order pending the filing of an Application for Leave to Appeal.
39. The Court will hear any application against a decision to discharge a jury on an urgent basis. Counsel's availability will not be a factor in determining the hearing date.

Dated 30 September 2013.

T. F. BATHURST,  
Chief Justice of New South Wales

**Amendment History:**

- 30 September 2013: This Practice Note replaces former Practice Note SC CCA 1 which was issued and commenced on 14 October 2005.
- 14 October 2005: This Practice Note replaced former Practice Note SC CCA 1 that was issued and commenced on 17 August 2005.
- 17 August 2005: Practice Note SC CCA 1 was issued and commenced. It replaced former Practice Notes numbered 57, 98 and 112.

**Related Information:**

Criminal Appeal Rules

**PRACTICE NOTE SC GEN 3**

Copying of court documents

**Commencement**

1. This Practice Note was issued on 30 September 2013 and commences on 7 October 2013.

**Application**

2. This Practice Note applies to the Court of Appeal, Court of Criminal Appeal, and the Common Law and Equity Divisions of the Supreme Court.

**Definitions**

3. In this Practice Note:
- (a) Approved firm means a firm approved by the CEO & Principal Registrar (CEO) under this Practice Note or former Practice Note 107;
  - (b) Documents means documents on a court file or documents produced in answer to a subpoena, notice to produce, order to produce, or tendered as an exhibit in the proceedings; and
  - (c) Person means a party or other person who is entitled to access documents or who is granted access to documents.

**Introduction**

4. The purpose of this Practice Note is to facilitate access to documents by:
- (a) providing a scheme for their uplift and photocopy by approved firms on behalf of a person, and
  - (b) permitting portable scanning in the registry, subject to conditions.

**Procedure for use of approved firm**

5. Where a person has access to documents and has not used a portable scanner, unless the Court otherwise orders, this access will be taken to:
- (a) authorise the person to appoint an approved firm;
  - (b) authorise the appointed approved firm to uplift the documents from the Registry (upon producing proof of appointment);
  - (c) to make copies and to provide them to the person; and
  - (d) require the firm to return the documents to the Registry within 2 working days of uplifting them.
6. An approved firm may be appointed to act on behalf of more than one person.
7. Where a person is granted photocopy access but the Court declines to allow uplifting of documents, the person may

ask the Registry to copy the documents. A fee per page will be payable for this service.

8. Inspection of the original documents may only be undertaken at the registry. A person may not inspect the original documents whilst they are in the possession of the approved firm except with approval of a registrar.

**Applying to become an approved firm**

9. The CEO may, on the Court's behalf, issue a certificate approving a legal copier firm, where satisfied that the firm has:
- (a) completed the approved legal copier firm agreement (Schedule 1);
  - (b) reliable systems for speedy, confidential and secure processing of documents entrusted to it; and
  - (c) holds satisfactory insurance coverage, lodges a bond or provides other satisfactory means of meeting claims arising from loss, damage or misuse of documents entrusted to it.
10. The CEO may revoke a certificate by written notice to the approved firm. Seven days' notice of revocation will be given.
11. The names and contact details of each approved firm are available and will be displayed on the "Practice and Procedure" page on the Court's website: [www.supremecourt.lawlink.nsw.gov.au](http://www.supremecourt.lawlink.nsw.gov.au)

**Scanning of documents**

12. Personal scanners and notebook computers may be used in the registry by persons granted access to documents, subject to the availability of space and power supply.

Dated 30 September 2013.

T. F. BATHURST,  
Chief Justice of New South Wales

**Amendment History:**

- 30 September 2013: This Practice Note replaces the previous version of SC Gen 3 that was issued and on 16 June 2010.
- 16 June 2010: This Practice Note replaced the previous version of SC Gen 3 that was issued and on 17 August 2005.
- 17 August 2005: Practice Note SC Gen 3 replaced Former Practice Note No.107.

**Schedule 1****Approved Legal Copier Firm Agreement**

<b>Organisation name:</b>	
<b>Organisation ACN:</b>	
<b>Organisation ABN:</b>	
<b>Signatory name</b> (the agreement signatory accepts responsibility for all copier firm & staff actions):	
<b>Signatory title:</b>	
<b>Signatory email address:</b>	
<b>Signatory telephone number:</b>	
<b>Signatory address:</b>	



**Obligations of an approved legal copier firm:**

The legal copier firm agrees to:

- (a) ensure that all staff are trained and kept up-to-date confidentiality requirements and any policy and procedural changes issued by the Court, including that staff must not use information obtained from court documents for any purpose;
- (b) that secure disposal is used for any discarded photocopies;
- (c) ensure that no access is given to documents at the copying firm's premises;
- (d) maintain satisfactory insurance coverage, or other satisfactory means of meeting claims arising from loss, damage or misuse of documents entrusted to it;
- (e) ensure that the Supreme Court CEO is informed if the copier firm's contact details change; and
- (f) advise the Supreme Court CEO at the earliest opportunity of any breach or potential breach of this agreement or any policy governing access to, and use of, court information.

**NSW courts reserve the right to:**

- (a) change the policies and procedures governing access to court documents (including this agreement) without notice;
- (b) terminate a copying firm's status as an approved firm by a notice in writing if the firm or one of its staff members has been responsible for a breach of this agreement; and
- (c) refuse or cancel approval if any information provided in this application (or subsequently) is false or misleading.

	<b>Supreme Court</b>		<b>Applicant copying firm</b>
Name:		Name:	
Signature:		Signature:	
Title	CEO & Principal Registrar	Title:	
Date:		Date:	

**PROFESSIONAL STANDARDS ACT 1994**

Notification Pursuant to Section 13

PURSUANT to section 13 of the Professional Standards Act 1994, I authorise the publication of the CPA Australia Ltd Professional Standards Scheme. The Scheme will commence on 8 October 2013.

GREG SMITH,  
Attorney General

**THE CPA AUSTRALIA LIMITED PROFESSIONAL STANDARDS SCHEME**

Professional Standards Act 1994 (NSW)

**PREAMBLE**

- A. CPA Australia Limited ("CPA Australia") is a national occupational association.
- B. CPA Australia has made an application to the Professional Standards Council, appointed under the Professional Standards Act 1994 (NSW) ("the Act") for a scheme under the Act.

- C. The Scheme is prepared by CPA Australia for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The Scheme propounded by CPA Australia is to apply to all participating members referred to in clauses 2 of the Scheme.
- E. CPA Australia has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- F. The Scheme is intended to remain in force for a period of three (3) years from its commencement unless it is revoked, extended or ceases in accordance with section 32 of the Act.

**THE CPA AUSTRALIA LIMITED PROFESSIONAL STANDARDS SCHEME****1. Occupational Association**

- 1.1. The CPA Australia Limited Professional Standards Scheme (the "Scheme") is a scheme under "the Act" of CPA Australia, Level 20, 28 Freshwater Place, Southbank Vic 3006.
- 1.2. Definitions of terms used in the Scheme appear in the Scheme, including in Part 4.

**2. Persons to Whom the Scheme Applies**

- 2.1. This Scheme applies to:
  - (a) all CPA Australia members who hold a current Public Practice Certificate issued by CPA Australia;
  - (b) all Approved Practice Entities<sup>1</sup> owned, managed or controlled by member/s who hold a current Public Practice Certificate issued by CPA Australia; and
  - (c) all persons to whom the scheme applies, by virtue of the Act<sup>2</sup>;

Each such participating member and person is referred to in the Scheme as a "participant".

- 2.2. No participant to whom the Scheme applies may choose not to be subject to the Scheme, however CPA Australia may, on application by a participant referred to in clause 2.1 (a), exempt the participant from the Scheme if CPA Australia is satisfied that he or she would suffer financial hardship in obtaining professional indemnity insurance to the levels set out in clause 3.1 below.

<sup>1</sup> An Approved Practice Entity is a practice entity which has been approved by the Board of CPA Australia pursuant to the CPA Australia By-laws. Approved Practice Entities are not members of CPA Australia but are, for the purposes of section 17 (1) of the Act, "persons within an occupational association being CPA Australia. Application of the Scheme to Approved Practice Entities is limited to civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a member of CPA Australia.

<sup>2</sup> Sections 18 and 19 of the Act provide that if the Scheme applies to a body corporate, the Scheme also applies to each officer of the body corporate and if the Scheme applies to a person, the Scheme also applies to each partner of a person, and if the Scheme applies to a person, the Scheme also applies to each employee of that person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. Section 20 provides that the Scheme may also apply to other persons as specified in that section. Section 20A extends the limitation of liability of persons whom the scheme applies by virtue of sections 18 to 20.

### 3. Limitation of Liability

3.1. This Scheme only affects the Occupational liability of a participant for damages<sup>3</sup> arising from a cause of action to the extent to which the liability results in damages exceeding \$2 million.

3.2. Where a participant against whom a proceeding is brought relating to occupational liability in connection with Category 1 services is able to satisfy the court of (a), (b) or (c) below, the participant is not liable in damages in relation to that cause of action above the Category 1 monetary ceiling specified in clause 3.3:

(a) the participant has the benefit of an insurance policy insuring the participant against the occupational liability and the amount payable under the insurance policy in respect of the occupational liability relating to the cause of action (including any amount payable by the person by way of excess under or in relation to the policy) is not less than the Category 1 monetary ceiling determined in accordance with the table in clause 3.3;

OR

(b) the participant has business assets the net current market value of which is not less than the Category 1 monetary ceiling determined in accordance with the table in clause 3.3;

OR

(c) the participant has business assets and the benefit of an insurance policy insuring the participant against that occupational liability, and the net current market value of the business assets and the amount payable under the insurance policy in respect of that occupational liability relating to that cause of action (including any amount payable by the participant by way of excess under or in relation to the policy), if combined, is not less than the Category 1 monetary ceiling determined in accordance with the table in clause 3.3.

3.3. The Category 1 monetary ceiling is an amount specified in the table below.

<i>Groups</i>	<i>Monetary ceiling</i>
1. Participants who at the Relevant Time were in an Accounting Practice that as at the 30 June immediately preceding the Relevant Time: (a) consisting of less than 20 principals; AND (b) which generated total annual fee income for the financial year	\$2 million

<i>Groups</i>	<i>Monetary ceiling</i>
ended on 30 June immediately preceding the Relevant Time less than \$10 million.	
Participants other than those in Groups 1 and 3 below.	\$10 million
3. Participants who at the Relevant Time were in an Accounting Practice that as at the 30 June immediately preceding the Relevant Time: (a) consisting of greater than 60 principals; or (b) which generated total annual fee income for the financial year ended on 30 June immediately preceding the Relevant Time greater than \$20 million.	\$75 million

3.4. Where a participant against whom a proceeding is brought relating to occupational liability in connection with Category 2 services is able to satisfy the court of (a), (b) or (c) below, the participant is not liable in damages in relation to that cause of action above the Category 2 monetary ceiling specified in clause 3.5:

(a) the participant has the benefit of an insurance policy insuring the participant against the occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that cause of action (including any amount payable by the person by way of excess under or in relation to the policy) is not less than the Category 2 monetary ceiling determined in accordance with the table in clause 3.5;

OR

(b) the participant has business assets the net current market value of which is not less than the Category 2 monetary ceiling determined in accordance with the table in clause 3.5;

OR

(c) the participant has business assets and the benefit of an insurance policy insuring the participant against that occupational liability, and the net current market value of the business assets and the amount payable under the insurance policy in respect of that occupational liability relating to that cause of action (including any amount payable by the participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the Category 2 monetary ceiling determined in accordance with the table in clause 3.5.

<sup>3</sup> Damages as defined in section 4 of the Act means:

- (a) damages awarded in respect of a claim or counter-claim or by way of set-off; and
- (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant); and
- (c) any interest payable on the amount of those damages or costs.

- 3.5. The Category 2 monetary ceiling is the amount specified the table below.

<i>Groups</i>	<i>Monetary ceiling</i>
1. Participants who at the Relevant Time were in an Accounting Practice that as at the 30 June immediately preceding the Relevant Time: (a) consisting of less than 20 principals; AND (b) which generated total annual fee income for the financial year ended on 30 June immediately preceding the Relevant Time up to \$10 million.	\$2 million
2. Participants other than those in Groups 1 and 3 below.	\$10 million
3. Participants who at the Relevant Time were in an Accounting Practice that as at the 30 June immediately preceding the Relevant Time: (a) consisting of greater than 60 principals; or (b) which generated total annual fee income for the financial year ended on 30 June immediately preceding the Relevant Time greater than \$20 million.	\$20 million

- 3.6. Where a participant against whom a proceeding is brought relating to occupational liability in connection with Category 3 services is able to satisfy the court of (a), (b) or (c) below, the participant is not liable in damages in relation to that cause of action above the Category 3 monetary ceiling specified in clause 3.7:

- (a) the participant has the benefit of an insurance policy insuring the participant against the occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that cause of action (including any amount payable by the person by way of excess under or in relation to the policy) is not less than the amount of the Category 3 monetary ceiling determined in accordance with the table in clause 3.7;

OR

- (b) the participant has business assets the net current market value of which is not less than the amount of the Category 3 monetary ceiling

amount determined in accordance with the table in clause 3.7;

OR

- (c) the participant has business assets and the benefit of an insurance policy insuring the participant against that occupational liability, and the net current market value of the business assets and the amount payable under the insurance policy in respect of that occupational liability relating to that cause of action (including any amount payable by the participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the Category 3 monetary ceiling amount determined in accordance with the table in clause 3.5.

- 3.7. The Category 3 monetary ceiling is the amount specified in the table below.

<i>Groups</i>	<i>Monetary ceiling</i>
1. Participants who at the Relevant Time were in an Accounting Practice that as at the 30 June immediately preceding the Relevant Time: (a) consisting of less than 20 principals; AND (b) which generated total annual fee income for the financial year ended on 30 June immediately preceding the Relevant Time less than \$10 million.	\$2 million
2. Participants other than those in Groups 1 and 3.	\$10 million
3. Participants who at the Relevant Time were in an Accounting Practice that as at the 30 June immediately preceding the Relevant Time: (a) consisting of greater than 60 principals; or (b) which generated total annual fee income for the financial year ended on 30 June immediately preceding the Relevant Time greater than \$20 million.	\$20 million

- 3.8. Pursuant to section 24 of the Act, this Scheme confers on CPA Australia a discretionary authority to specify, on application by a participant member, a higher maximum amount of liability not exceeding \$75 million than would otherwise apply under the Scheme in respect of any specified case or class of case of Category 2 services or Category 3

services. The higher maximum amount of liability will apply if CPA Australia exercises its discretion and approves the higher maximum amount of liability prior to the participant member beginning to provide the relevant services.

3.9. In circumstances where the services provided by a participant comprise a combination of Category 1 services and any of:

- (a) Category 2 services;
- (b) Category 3 services;
- (c) Category 2 services and Category 3 services, the participant's liability under this Scheme for damages in respect of a proceeding in relation to occupational liability in excess of the applicable amount specified in clause 3.1 brought against it will be determined in accordance with those provisions of the Scheme relating to Category 1 services only, that is, clauses 3.2 to 3.4.

3.10. In circumstances where the services provided by a participant comprise a combination of Category 2 services and Category 3 services, the participant's liability under this Scheme for damages in respect of a proceeding in relation to occupational liability in excess of the applicable amount specified in clause 3.1 brought against it will be determined (subject to clause 3.10) in accordance with those provisions of the Scheme relating to Category 2 services only, that is clauses 3.5 and 3.6.

3.11. Nothing in this scheme is intended to increase, or has the effect of increasing, a participant's liability for damages to a person beyond the amount that, other than for the existence of this Scheme, the participant would be liable in law.

3.12. This Scheme only limits the amount of damages for which a participant is liable if and to the extent that the damages exceed the applicable amount specified in clause 3.1. Where the amount of damages in relation to a cause of action exceeds the applicable amount specified in clause 3.1 but the damages which may be awarded as determined by this Scheme are equal to or less than the applicable amount specified in clause 3.1, liability for those damages will instead be limited to the applicable amount specified in clause 3.1.

3.13. Notwithstanding anything to the contrary contained in this scheme, if in particular circumstances giving rise to Occupational liability, the liability of any person who is subject to this scheme should be capped both by this scheme and also by any other scheme under Professional Standards legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

#### 4. Definitions

4.1. In this Scheme, the following words and phrases have the following meanings:

**"Category 1 services"** means:

- (a) all services required by Australian law to be provided only by a registered company auditor;

- (b) all other services provided by a registered company auditor in his or her capacity as auditor;
- (c) all services the deliverables from which:
  - (i) will be used in determining the nature, timing and extent of audit procedures in the context of an audit of a financial report; or
  - (ii) will be incorporated into the financial report of an entity; or
  - (iii) are required by law or regulation to be filed with a regulator (excluding returns signed by a registered tax agent).

**"Category 2 services"** means:

- (a) services to which Chapter 5 or Chapter 5A of the Corporations Act 2001 (Cth) applies;
- (b) services provided pursuant to section 233 (2) of the Corporations Act 2001 (Cth);
- (c) services to which the Bankruptcy Act 1966 (Cth) applies; or
- (d) services arising out of any court appointed liquidation or receivership.

**"Category 3 services"** means any services provided by a participant in the performance of his, her or its occupation, which are not Category 1, Category 2 or financial planning services, other than such financial planning services provided pursuant to a Limited Australian Financial Services Licence or pursuant to regulation 7.1.29A of the Corporations Regulations.

**"Occupation liability"** has the same meaning as is ascribed to that term in the Act.<sup>4</sup>

**"Relevant Time"** means, in respect of a liability potentially limited by the Scheme, the time(s) of the act(s) or omission(s) giving rise to the liability;

**"Accounting Practice"** means a member or an approved practice entity (that meets the requirements of By-Law 9.3 of CPA Australia's By-Laws) which provides public accounting services.

**"Cause of action"** means and includes all causes of action founded on the same act or omission.

**"principal(s)"** for the purposes of clauses 3.3, 3.4 and 3.5 means a person(s) in an Accounting Practice who is affiliated with the Controlled Person within the meaning of By-Law 1.2 (c) of CPA Australia's By-Laws.

**"Public Practice Certificate"** means a Public Practice Certificate issued pursuant to By-Law 9.4 of CPA Australia's By-Laws permitting a Member to provide Public Accounting Services as described in By-Law 1.1 of CPA Australia's By-Laws.

<sup>4</sup> Occupational liability is defined in the Act as meaning "civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a member of an occupational association acting in the performance of his or her occupation".



**5. Commencement date and duration**

- 5.1. This Scheme will commence on 8 October 2013 ("the commencement date").
- 5.2. This Scheme will operate for three (3) years from commencement.

**PROFESSIONAL STANDARDS ACT 1994**

Notification Pursuant to Section 13

PURSUANT to section 13 of the Professional Standards Act 1994, I authorise the publication of the Institute of Chartered Accountants in Australia (NSW) Scheme. The Scheme will commence on 8 October 2013.

GREG SMITH,  
Attorney General

**THE INSTITUTE OF CHARTERED ACCOUNTANTS IN AUSTRALIA (NSW) SCHEME**

Professional Standards Act 1994 (NSW)

**PREAMBLE**

- A. The Institute of Chartered Accountants in Australia ("the Institute") is a national occupational association.
- B. The Institute has applied to the Professional Standards Council, appointed under the Professional Standards Act 1994 (NSW) ("the Act"), for approval of a scheme under the Act, as set out in this document (the Scheme).
- C. The Scheme has been prepared by the Institute for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The Scheme is to apply to all participating members referred to in clauses 2.1 and 2.2 below.
- E. The Institute has provided the Professional Standards Council with a detailed list of risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- F. All participating members referred to in clauses 2.2 and 2.3 of the scheme are subject to disciplinary measures under the By-laws of the Institute, and are also subject to the professional indemnity insurance requirements of Regulation R4A of the Institute's regulations.
- G. The Scheme is intended to commence on 8 October 2013 and remain in force for a period of 12 months (unless it is revoked, extended or ceases in accordance with section 32 of the Act).

**THE INSTITUTE OF CHARTERED ACCOUNTANTS IN AUSTRALIA (NSW) SCHEME****1. OCCUPATIONAL ASSOCIATION**

- 1.1 This Scheme is a scheme under the Act prepared by the Institute, whose business address is 33 Erskine Street, Sydney NSW 2000.
- 1.2 Terms used in the Scheme are defined in the Scheme, including in clause 4.

**2. PERSONS TO WHOM THE SCHEME APPLIES**

- 2.1 The Scheme applies to:
- (a) all Institute members who hold a current Certificate of Public Practice, and affiliate members of the Institute, other than Australian Financial Services Licensees; and

- (b) those Institute members referred to in clause 2.2; and
- (c) all persons to whom clause 2.1 (a) applied at the time of the relevant act or omission on which a claim for damages for occupational liability is founded, but no longer applies; and
- (d) all persons to whom clause 2.1 (b) applied at the time of the relevant act or omission on which a claim for damages for occupational liability is founded, but no longer applies; and
- (e) all other persons to whom the Scheme applied at the time of the relevant act or omission on which a cause of action for damages for occupational liability is founded<sup>1</sup>.
- (collectively, "Participants", and each, a "Participant")

2.2 All practice entity members of the Institute, other than Australian Financial Services Licensees.

2.3 No Participant to whom the Scheme applies may choose not to be subject to the Scheme, provided that the Institute may, on application by a Participant, exempt the Participant from the Scheme if the Institute is satisfied that he or she would suffer financial hardship in obtaining professional indemnity insurance to the levels set out in clause 3.1 below.

**3. LIMITATION OF LIABILITY**

- 3.1 The Scheme only limits the liability of a Participant for damages arising from a claim to the extent to which the liability results in damages exceeding:
- (a) \$2 million where the Participant is a Participant referred to in Schedule A ("Schedule A Participant"); or
- (b) \$1 million where the Participant is a Participant referred to in Schedule B ("Schedule B Participant").

**LIMITATION OF LIABILITY FOR CATEGORY 1 SERVICES****SCHEDULE A PARTICIPANTS**

- 3.2 Where a Schedule A Participant against whom a proceeding is brought relating to occupational liability in connection with Category 1 services is able to satisfy the court of (a), (b) or (c) below, the Schedule A Participant is not liable in damages in relation to that claim above the monetary ceiling specified in clause 3.3:
- a) the Schedule A Participant has the benefit of an insurance policy insuring the Schedule A Participant against that occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule A Participant by way of excess under or in relation to the policy) is not less than the amount of the Category 1 monetary ceiling specified in clause 3.3 below;

<sup>1</sup> Sections 18 and 19 of the Act provide that if the scheme applies to a body corporate or a person, it also applies to each officer of the body corporate and to each partner and employee of the person, provided that if the officer, partner or employee is entitled to be a member of the same occupational association as the body corporate or person, but is not a member, the scheme does not apply to that officer, partner or employee. Section 20 provides that the scheme will also apply to any associated persons who are prescribed by regulations.

OR

- b) the Schedule A Participant has business assets the net current market value of which is not less than the amount of the Category 1 monetary ceiling;

OR

- c) the Schedule A Participant has business assets and the benefit of an insurance policy insuring the Schedule A Participant against that occupational liability, and the net current market value of the assets and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule A Participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the amount of the Category 1 monetary ceiling.

3.3 The Category 1 monetary ceiling is \$75 million.

#### SCHEDULE B PARTICIPANTS

3.4 Where a Schedule B Participant against whom a proceeding is brought relating to occupational liability in connection with Category 1 services is able to satisfy the court of (a), (b) or (c) below, the Schedule B Participant is not liable in damages in relation to that claim above the lesser of the Category 1 limitation amount determined under clause 3.5 and the Category 1 monetary ceiling specified in clause 3.3:

- a) the Schedule B Participant has the benefit of an insurance policy insuring the Schedule B Participant against that occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule B Participant by way of excess under or in relation to the policy) is not less than the amount of the Category 1 monetary ceiling or the Category 1 limitation amount;

OR

- b) the Schedule B Participant has business assets the net current market value of which is not less than the amount of the Category 1 monetary ceiling or Category 1 limitation amount;

OR

- c) the Schedule B Participant has business assets and the benefit of an insurance policy insuring the Schedule B Participant against that occupational liability, and the net current market value of the assets and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule B Participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the amount of the Category 1 monetary ceiling or Category 1 limitation amount.

3.5 The Category 1 limitation amount applicable is an amount equal to a reasonable charge for the Category 1 services provided by the Schedule B Participant or which the Schedule B Participant

failed to provide and to which the claim relates, multiplied by the multiplier specified in clause 3.7 below.

3.6 In determining the amount of a reasonable charge a court is to have regard to any amount actually charged and to:

- a) the amount that would ordinarily be charged in accordance with a scale of charges prescribed or accepted by the Institute; or
- b) if there is no such scale, the amount that a competent person of the same qualifications and experience as the Schedule B Participant would be likely to charge in the same circumstances.

3.7 The multiplier is 10.

#### LIMITATION OF LIABILITY FOR CATEGORY 2 SERVICES

##### SCHEDULE A PARTICIPANTS

3.8 Where a Schedule A Participant against whom a proceeding is brought relating to occupational liability in connection with Category 2 services is able to satisfy the court of (a), (b), or (c) below, the Schedule A Participant is not liable in damages in relation to that claim above the monetary ceiling specified in clause 3.9:

- a) the Schedule A Participant has the benefit of an insurance policy insuring the Schedule A Participant against that occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule A Participant by way of excess under or in relation to the policy) is not less than the amount of the Category 2 monetary ceiling specified in clause 3.9;

OR

- b) the Schedule A Participant has business assets the net current market value of which is not less than the amount of the Category 2 monetary ceiling specified in clause 3.9;

OR

- c) the Schedule A Participant has business assets and the benefit of an insurance policy insuring the Schedule A Participant against that occupational liability, and the net current market value of the assets and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule A Participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the amount of the Category 2 monetary ceiling specified in clause 3.9.

3.9 The Category 2 monetary ceiling applicable to Schedule A Participants is:

- (a) \$2 million, where the claim arises from a service in respect of which the fee is \$150,000 or less

OR

- (b) \$20 million, where the claim arises from a service in respect of which the fee is greater than \$150,000.

## SCHEDULE B PARTICIPANTS

3.10 Where a Schedule B Participant against whom a proceeding is brought relating to occupational liability in connection with Category 2 services is able to satisfy the court of (a), (b), or (c) below, the Schedule B Participant is not liable in damages in relation to that claim above the monetary ceiling specified in clause 3.11:

- a) the Schedule B Participant has the benefit of an insurance policy insuring the Schedule B Participant against that occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule B Participant by way of excess under or in relation to the policy) is not less than the amount of the Category 2 monetary ceiling specified in clause 3.11;

OR

- b) the Schedule B Participant has business assets the net current market value of which is not less than the amount of the Category 2 monetary ceiling specified in clause 3.11;

OR

- c) the Schedule B Participant has business assets and the benefit of an insurance policy insuring the Schedule B Participant against that occupational liability, and the net current market value of the assets and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule B Participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the amount of the Category 2 monetary ceiling specified in clause 3.11.

3.11 The Category 2 monetary ceiling applicable to Schedule B Participants is the lesser of:

- (a) \$20 million; and
- (b) the highest fee (or the highest total of fees) billed by a Schedule B Participant (or if the Schedule B Participant is a member of a practice entity [whether a practice entity member of the Institute or not] by all Schedule B Participants who are members of or a part of the practice entity) in a single financial year for a Category 2 engagement:
  - (i) over the three full financial years immediately prior to the financial year in which the Schedule B Participant commences to provide the Category 2 services which are the subject of the claim against the Schedule B Participant, or
  - (ii) if the Schedule B Participant has less than three full financial years' Category 2 services fee history immediately prior to the financial year in which the Schedule B Participant commences to provide the Category 2 services which are the subject of the claim against the Schedule B Participant, over the two full financial years or (if the Schedule B Participant has less than two years' but one year's or more than one year's such fee history)

that full financial year immediately prior to the financial year in which the Schedule B Participant commences to provide the Category 2 services which are the subject of the claim,

multiplied by 10

OR

- (c) if the Schedule B Participant has no, or less than one full financial year's, Category 2 services fee history immediately prior to the financial year in which the Schedule B Participant commences to provide the Category 2 services which are the subject of the claim against the Schedule B Participant, the amount specified in clause 3.1(b).

## LIMITATION OF LIABILITY FOR CATEGORY 3 SERVICES

## SCHEDULE A PARTICIPANTS

3.12 Where a Schedule A Participant against whom a proceeding is brought relating to occupational liability in connection with Category 3 services is able to satisfy the court of (a), (b), or (c) below, the Schedule A Participant is not liable in damages in relation to that claim above the Category 3 monetary ceiling specified in clause 3.13:

- (a) the Schedule A Participant has the benefit of an insurance policy insuring the Schedule A Participant against that occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule A Participant by way of excess under or in relation to the policy) is not less than the amount of the Category 3 monetary ceiling specified in clause 3.13;

OR

- (b) the Schedule A Participant has business assets the net current market value of which is not less than the amount of the Category 3 monetary ceiling specified in clause 3.13;

OR

- (c) the Schedule A Participant has business assets and the benefit of an insurance policy insuring the Schedule A Participant against that occupational liability, and the net current market value of the assets and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule A Participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the amount of the Category 3 monetary ceiling specified in clause 3.13.

3.13 The Category 3 monetary ceiling applicable to Schedule A Participants is:

- (a) \$2 million, where the claim arises from a service in respect of which the fee is \$150,000 or less

OR

- (b) \$20 million where the claim arises from a service in respect of which the fee is greater than \$150,000.



## SCHEDULE B PARTICIPANTS

3.14 Where a Schedule B Participant against whom a proceeding is brought relating to occupational liability in connection with Category 3 services is able to satisfy the court of (a), (b), or (c) below, the Schedule B Participant is not liable in damages in relation to that claim above the lesser of the Category 3 limitation amount determined under clause 3.16 and the amount of the Category 3 monetary ceiling specified in clause 3.15:

- (a) the Schedule B Participant has the benefit of an insurance policy insuring the Schedule B Participant against that occupational liability, and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule B Participant by way of excess under or in relation to the policy) is not less than the amount of the Category 3 monetary ceiling or the Category 3 limitation amount;

OR

- b) the Schedule B Participant has business assets the net current market value of which is not less than the amount of the Category 3 monetary ceiling or Category 3 limitation amount;

OR

- c) the Schedule B Participant has business assets and the benefit of an insurance policy insuring the Schedule B Participant against that occupational liability, and the net current market value of the assets and the amount payable under the insurance policy in respect of the occupational liability relating to that claim (including any amount payable by the Schedule B Participant by way of excess under or in relation to the policy), if combined, would total an amount that is not less than the amount of the Category 3 monetary ceiling or Category 3 limitation amount.

3.15 The Category 3 monetary ceiling applicable to Schedule B Participants is \$20 million.

3.16 The Category 3 limitation amount is an amount equal to a reasonable charge for the Category 3 services provided by the Schedule B Participant or which the Schedule B Participant failed to provide and to which the claim relates, multiplied by the multiplier specified in sub-clause 3.16 (b) below.

- (a) In determining the amount of a reasonable charge a court is to have regard to any amount actually charged and to:
  - (i) the amount that would ordinarily be charged in accordance with a scale of charges prescribed or accepted by the Institute; or
  - (ii) if there is no such scale, the amount that a competent person of the same qualifications and experience as the Schedule B Participant would be likely to charge in the same circumstances.

- (b) The multiplier is 10.

## GENERAL

3.17 Pursuant to section 24 (1) (b) of the Act, this Scheme confers on the Institute a discretionary authority to specify, on application by a Participant, a higher maximum amount of liability not exceeding \$75 million than would otherwise apply under the scheme in respect of any specified case or class of case of Category 2 services or Category 3 services, where the fee for the service or services is, or is reasonably expected to be, \$2 million or greater. The higher maximum amount of liability will apply if the Institute exercises its discretion and approves the higher maximum amount of liability prior to the Participant beginning to provide the relevant services.

3.18 Nothing in this Scheme is intended to increase, or has the effect of increasing, a Participant's liability for damages to a person beyond the amount that, other than for the existence of this Scheme, the Participant would be liable in law.

3.19 This Scheme only limits the amount of damages for which a Participant is liable if and to the extent that the damages exceed the applicable amount specified in clause 3.1. Where the amount of damages in relation to a claim exceeds the applicable amount specified in clause 3.1 but the damages which may be awarded as determined by this Scheme are equal to or less than the applicable amount specified in clause 3.1, liability for those damages will instead be limited to the applicable amount specified in clause 3.1.

## 4. DEFINITIONS

4.1 In this Scheme, the following words and phrases have the following meanings:

*“associated entities”* has the meaning given in section 50AAA of the Corporations Act 2001

*“Category 1 services”* means:

- all services required by Australian law to be provided only by a registered company auditor;
- all other services provided by a registered company auditor in his or her capacity as auditor;
- all services the deliverables from which:
  - (i) will be used in determining the nature, timing and extent of audit procedures in the context of an audit of a financial report; or
  - (ii) will be incorporated into the financial report of an entity; or
  - (iii) are required by law or regulation to be filed with a regulator (excluding returns signed by a registered tax agent);

*“Category 2 services”* means:

- services to which Chapter 5 or Chapter 5A of the Corporations Act 2001 applies;
- services provided pursuant to s.233(2) of the Corporations Act 2001;
- services to which the Bankruptcy Act 1966 applies;
- services arising out of any court appointed liquidation or receivership

**“Category 3 services”** means any services provided by a Participant in the performance of his, her or its occupation, which are not Category 1 or Category 2 services.

**“occupational liability”** has the meaning given in the Act.

#### SCHEDULE A

Participants who are partners, officers or employees of:

- (a) Deloitte Touche Tohmatsu in Australia and/or its associated entities;
- (b) Ernst & Young in Australia and/or its associated entities;
- (c) KPMG in Australia and/or its associated entities;
- (d) PricewaterhouseCoopers in Australia and/or its associated entities

#### SCHEDULE B

All Participants other than those listed in Schedule A

### SURVEYING AND SPATIAL INFORMATION ACT 2002

Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying and Spatial Information Act 2002, section 10A (3), the undermentioned Land Surveyors has been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
BROCK John Francis	25 September 1981	1 September 2013	17 September 2013
BRUHN Norman John	20 March 1992	1 September 2013	19 September 2013
ELLERTON Graeme John	30 March 1990	1 September 2013	20 September 2013
EVANS John Leslie	21 March 1978	1 September 2013	19 September 2013
GREEN Barrie Richard	1 April 1974	1 September 2013	10 September 2013
HARRISON Michael Robert	15 September 1989	1 September 2013	12 September 2013
HARRISON Wendy Ann Shepherd	20 March 1992	1 September 2013	12 September 2013
HOWIE Peter Robert	8 July 2002	1 September 2013	13 September 2013
HUGHES John Charles	13 September 1991	1 September 2013	16 September 2013
JOHNSON Peter James	13 March 1981	1 September 2013	12 September 2013
KIRKWOOD Michael Manus	21 March 1978	1 September 2013	11 September 2013
LINTON Paul William	30 September 2008	1 September 2013	12 September 2013

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
PEASLEY Ross Andrew	17 November 2000	1 September 2013	19 September 2013
PRITCHARD Kevin Bradley	7 December 2007	1 September 2013	11 September 2013
SENG Mony Chan	15 October 2003	1 September 2013	18 September 2013
TRUDGEON Blake	17 May 2013	1 September 2013	16 September 2013
WALSH Patrick John	25 March 1994	1 September 2013	11 September 2013
WARD Larry Dean	18 September 1992	1 September 2013	13 September 2013
WHELAN Michael Christopher	5 October 1965	1 September 2013	18 September 2013
WHITE Craig John	23 July 1999	1 September 2013	20 September 2013
WILSON Shannon	13 May 2005	1 September 2013	25 September 2013

D. J. MOONEY,  
President  
M. C. SPITERI,  
Registrar

### SURVEYING AND SPATIAL INFORMATION ACT 2002

Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying and Spatial Information Act 2002, section 10A (3), the undermentioned Mining Surveyors (Unrestricted) have been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
BUCHAN Andrew James	23 October 2003	1 September 2013	19 September 2013
McNAUGHTON Callum James	30 July 2003	1 September 2013	25 September 2013

D. J. MOONEY,  
President  
M. C. SPITERI,  
Registrar

### SURVEYING AND SPATIAL INFORMATION REGULATION 2006

Certificate of Meritorious Service

PURSUANT to the provisions of Clause 83 of the Surveying and Spatial Information Regulation 2006, the undermentioned Surveyors have been awarded a Certificate of Meritorious Service in recognition of their long service and contribution to the surveying profession in New South Wales with effect 1 September 2013.

<i>Name</i>	<i>Date of Removal</i>	<i>Date of Registration</i>
TAYLOR Michael Anthony	1 September 2013	21 March 1978
		D. J. MOONEY, President
		M. C. SPITERI, Registrar

### **SURVEYING AND SPATIAL INFORMATION ACT 2002**

#### **Registration of Surveyors**

PURSUANT to the provisions of the Surveying and Spatial Information Act 2002, section 10 (1) (a), the undermentioned persons have been Registered as a Land Surveyor in New South Wales under the Mutual Recognition Act 1993 from the dates shown.

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
GLUIS Joel Mark	33 Euro Avenue, Eden Hills South Australia	24 September 2013
		D. J. MOONEY, President
		M. C. SPITERI, Registrar

### **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 18th day of September 2013.

TERRY BRADY,  
General Manager, Country Rail Contracts,  
Transport Services Division

#### **SCHEDULE**

All those pieces or parcels of land situated in the localities of Branxton and Greta in the Local Government Area of Cessnock, Parish of Branxton, County of Northumberland

and State of New South Wales, being identified as Lot 601 in Deposited Plan 1141526, Lot 603 in Deposited Plan 1141526, Lot 914 in Deposited Plan 1141529, Lot 917 in Deposited Plan 1141529 and Lot 801 in Deposited Plan 1141528 and having an area of 3,291.8 square metres and said to be in the ownership of Cessnock City Council.

### **TRANSPORT ADMINISTRATION ACT 1988 LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991**

#### **Notice of Compulsory Acquisition of Land in the Local Government Area of The Hills Shire**

TRANSPORT for NSW declares, with the approval of Her Excellency the Governor, that the land described in Schedule 1 below, excepting the interests in land described in Schedule 2 below, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 as authorised by and for the purposes of the Transport Administration Act 1988.

Dated at Sydney this 4th day of October 2013.

RODD STAPLES,  
Project Director,  
North West Rail Link,  
Transport for NSW

#### **SCHEDULE 1**

All those pieces of land situated in the Local Government Area of the Hills Shire, Parish of Castle Hill, County of Cumberland comprising:

Part Lot 1 in DP 270106, Property 34-46 Brookhollow Avenue, Baulkham Hills NSW 2153 said to be in the ownership of COMMUNITY ASSOCIATION DP270106, as affected by Lot 187 in DP 1180966.

The Land listed in this Schedule 1, above, is excluded from Community Scheme DP270106. An application has been made to the Supreme Court of New South Wales to restructure Community Scheme DP270106 as a consequence of a separate acquisition of land formerly within DP 270106, and the plaint number for that application is 2012/391633.

#### **SCHEDULE 2**

- (a) DP 816340 Restriction(s) on the use of land.
- (b) I900774 Restriction(s) on the use of land.
- (c) I900775 Positive covenant.

### **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 10 October to 13 October 2013, both dates inclusive.

GABRIELLE UPTON, M.P.,  
Minister for Sport and Recreation



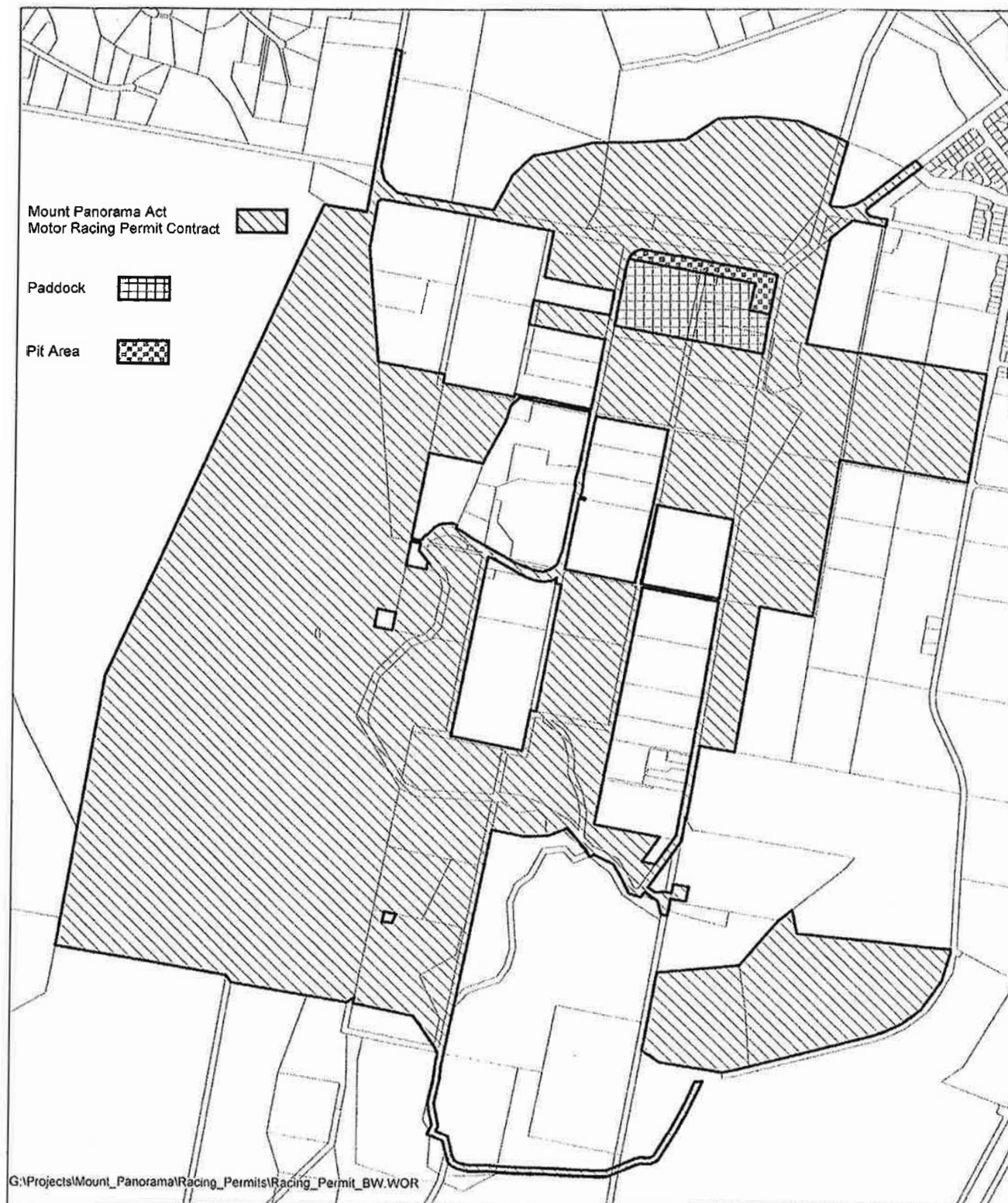
# BATHURST REGIONAL COUNCIL

## Mount Panorama Motor Racing Act Permit

### V8 Supercars Bathurst 1000 Event

### 10-13 October 2013

E



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 19/06/2013

Note: The colours on this Plan do not indicate zones under the Bathurst Local Environmental Plan 1997.

Department of Land

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### BEGA VALLEY SHIRE COUNCIL

Roads Act 1993, Section 10

NOTICE is hereby given that Bega Valley Shire Council, by resolution of the Council dated 27 February 2013, has resolved to dedicate the land described hereunder as public road pursuant to section 10 of the Roads Act 1993. LEANNE BARNES, Acting General Manager, Bega Valley Shire Council, PO Box 492, Bega NSW 2550.

#### SCHEDULE

Lot 3, DP 1187016. [7212]

### BLACKTOWN CITY COUNCIL

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

BLACKTOWN CITY COUNCIL declares with the approval of Her Excellency the Governor that the lands described in the Schedule below, excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for public recreation. Dated at Blacktown this 18th day of September 2013. KERRY ROBINSON, General Manager, Blacktown City Council, PO Box 63, Blacktown NSW 2148.

#### SCHEDULE

Lot 1, DP 783759  
Lot 7, DP 521959  
Lot 7, DP 1167471 [7213]

### CAMPBELLTOWN CITY COUNCIL

Roads Act 1993, Section 162

Roads Regulation 2008

Notification of the Naming of a Road

NOTICE is hereby given in accordance with Clause 9 of the Roads Regulation 2008, that the new cul-de-sac located off Eucalyptus Drive in Macquarie Fields has been named Lilly Pilly Way.

PAUL TOSI, General Manager, Campbelltown City Council, PO Box 57, Campbelltown NSW 2560. [7214]

### MAITLAND CITY COUNCIL

Naming of Public Roads

NOTICE is hereby given that Maitland City Council, in pursuance of section 162 of the Roads Act 1993 and Part 2 of the Roads Regulation 2008, has approved the following new road name/s for gazettal:

*Deposited Plan*

DP 1042964

*Location*

Off Bolwarra Park Drive, Bolwarra Heights

*Road Name*

Riverside Street

The above road names have been advertised & notified. No objections to the proposed name/s have been received during the prescribed 28 day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220) Maitland NSW 2320. [7215]

### NARRABRI SHIRE COUNCIL

Gazettal of Street Names

NOTICE is hereby given that the Narrabri Shire Council (NSC), in pursuance of Division 4 -Section 162 of the Roads Act 1993, is proceeding to name street corridors falling under its local jurisdiction.

A locality description is provided hereunder:

1. Street Name – Queen Elizabeth II Avenue – approx. 250m in length; Location – Shannon Estate in Narrabri, a street proceeding in a South-Easterly direction off the end of Ningadhun Circuit and past Regent Street. This street will be extended through to Arnold Street in Stage 2 of the Shannon Estate development.
2. Street Name – Miller Close – approx. 100m in length; Location – Shannon Estate in Narrabri, a street proceeding in a South-Westerly direction off the proposed Queen Elizabeth II Avenue.
3. Street Name – Illingworth Street – approx. 250m in length; Location – Rocky Creek Estate in Narrabri, a street proceeding in a South-Easterly direction off McKenzie Street through to join Riverside Drive.

Authorised by Council resolution on 18 December 2012. P. WHITE, General Manager, Narrabri Shire Council, PO Box 261, Narrabri NSW 2390. [7216]

### NORTH SYDNEY COUNCIL

Roads Act 1993, Section 162

Renaming of Road

NOTICE is hereby given that North Sydney Council, in pursuance of section 162 of the Roads Act 1993, has renamed a portion of a road in the vicinity of North Sydney.

*Current Road Name*

*New Road Name*

Mount Street Plaza

Brett Whiteley Place

*Location*

Located within the Mount Street road corridor between Miller and Denison Streets, North Sydney

Authorised by Resolution of Council on 24 September 2012 by the General Manager, North Sydney Council, PO Box 12, North Sydney NSW 2059. [7217]

### NORTH SYDNEY COUNCIL

Roads Act 1993, Section 16

Dedication of Land as Public Road

NOTICE is hereby given pursuant to section 16 of the Roads Act 1993 that the Council of North Sydney intends to dedicate the land described in the Schedule hereunder and shown hatched on the Plan below, as public road.

**SCHEDULE**

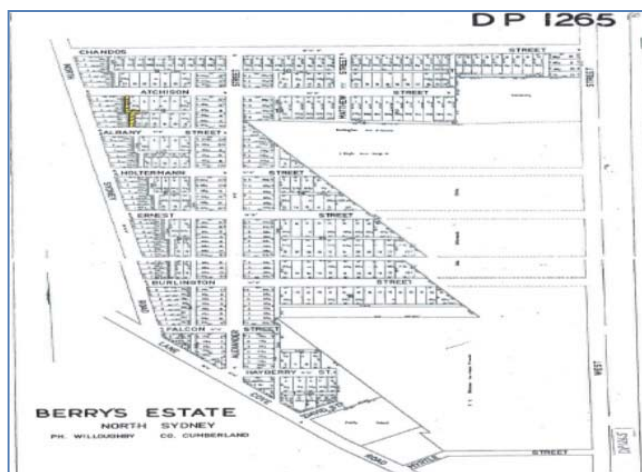
All that piece or parcel of land shown hatched, and that lies north of Albany Street and south of Atchison Street, Crows Nest, presently known as Zig Zag Lane.

**DESCRIPTIONS**

The portion of land is provided for in a private subdivision within DP 1265, circa 1884.

The residue of Land remains comprised in Certificate of Title Volume 940, Folio 51, standing in the name of David Berry.

Note: On dedication, title for the land will vest in North Sydney Council as operational land.

**PLAN**

PENNY HOLLOWAY, General Manager, North Sydney Council, PO Box 12, North Sydney NSW, 2060. [7218]

**WARRINGAH COUNCIL**

Roads Act 1993

**Notice of Road Name Change**

IN pursuance of the provisions of section 162 of the Roads Act 1993 the road specified in Schedule 1 has been renamed.

**SCHEDULE 1**

That part of Joalah Road Duffys Forest extending from its intersection with Bibbenlule Avenue Duffys Forest in a northerly direction for a distance of 387 metres has been renamed Guwara Road Duffys Forest.

**SCHEDULE 2**

Roads Authority: Warringah Council.

Councils' Reference: Mr. S. Watson.

Mr RIK HART, General Manager, Warringah Council, Civic Centre, 725 Pittwater Road, Dee Why NSW 2099.

[7219]

**WOOLLAHRA MUNICIPAL COUNCIL****Notification of Dedication as a Public Road**

ON 16 April 2012, Woollahra Municipal Council resolved to dedicate the land as a public road in accordance with section 16 of the Roads Act 1993.

Lot 100 in Deposited Plan 1187995 comprising Vacluse Road, Vacluse Parish of Alexandria and County of Cumberland.

Note: (1) On dedication, title for the land will remain vested in Woollahra Municipal Council as a public road.

Dated 1 October 2013. GARY LEONARD JAMES, General Manager, Woollahra Municipal Council, PO Box 61, Double Bay NSW 1360

[7220]

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