

**Government Gazette** 

of the State of New South Wales Number 48 Friday, 5 June 2015

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# PARLIAMENT

# ACT OF PARLIAMENT ASSENTED TO

# Legislative Assembly Office, Sydney 2 June 2015

It is hereby notified, for general information, that His 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 4 — An Act to amend the *Payroll Tax Rebate Scheme (Jobs Action Plan) Act 2011* to extend the period during which rebates may be granted under that Act. **[Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill]** 

# RONDA MILLER

Clerk of the Legislative Assembly

# **GOVERNMENT NOTICES** Planning and Environment Notices

# NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a National Park

I, General The Honourable David Hurley AC DSC, Governor of New South Wales, with the advice of the Executive Council, reserve the lands described in the Schedule 1 below as part of Goulburn River National Park, under the provisions of section 30A (1) of the *National Parks and Wildlife Act 1974*.

Signed and Sealed at Sydney this 3rd day of June 2015.

DAVID HURLEY Governor,

By His Excellency's Command,

MARK SPEAKMAN SC, MP Minister for the Environment

GOD SAVE THE QUEEN

Land District – Mudgee LGA – Mid-Western Regional

## Schedule 1

Counties Bligh and Phillip, Parishes Durridgere and Lennox, 23.35 hectares being those parts of Lot 45 DP 750750 and Lot 30 DP 755439 described as Lots 1, 2 and 3 on the diagram catalogued Misc R 00338 dated 3 March 2015 held by the Office of Environment and Heritage.

Papers OEH EF14/7061.

# **PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2014**

General Approval of the Immobilisation of Contaminants in Waste

Pursuant to the provisions in Part 10 of the *Protection of the Environment Operations (Waste) Regulation 2014*, the New South Wales Environment Protection Authority has authorised the following general approval of the immobilisation of contaminants in waste:

# A) APPROVAL NUMBER

2015/17

This approval specifically applies to metallurgical slag and/or metallurgical furnace flue dust generated from the Pasminco Lead Abatement Strategy (LAS) areas at Cockle Creek, NSW 2284 (Annex A Map).

# **B)** SPECIFICATION OF WASTE STREAM

Metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials or metallurgical furnace flue dust or metallurgical furnace flue dust impacted natural excavated materials or any mixture of the aforementioned materials.

# C) CONTAMINANTS APPROVED AS IMMOBILISED

Arsenic, Beryllium, Chromium (VI), Lead and Nickel.

# D) TYPE OF IMMOBILISATION

Natural

# E) MECHANISM OF IMMOBILISATION

Arsenic, Beryllium, Chromium (VI), Lead or Nickel and inorganic compounds of these elements are encapsulated within the furnace slag during its formation at elevated temperature exceeding 1,000 degrees Celsius. These elements and their compounds and their silicate compounds are bonded within a vitrified solid mass.

# F) CONDITIONS OF APPROVAL

# • Packaging Requirements

Dusty materials (eg ceiling dust) must be bagged or drummed during handling.

Excavated Natural Materials contaminated by metallurgical slag and/or metallurgical furnace flue dust should be handled, packaged and transported with the appropriate health, safety and environmental controls to prevent exposure to lead contaminated dust or cross contamination.

## • Waste Assessment Requirements

The naturally immobilised waste subject to this Approval (Section B) arising from premises or land within the area described in Annex A Map, excluding waste generated from industrial premises, may be disposed of as general solid waste in accordance with this Approval. No further testing and assessment is required.

Waste generated at industrial premises or outside of the area described in Annex A Map must be assessed and classified in accordance with the *EPA Waste Classification Guidelines Part 1: Classifying Waste (November 2014)* (Waste Guidelines). The total concentration (SCC) limits for the contaminant Arsenic, Beryllium, Chromium (VI), Lead and Nickel listed in the Waste Guidelines do not apply to the assessment of the naturally immobilised waste. With respect to Arsenic, Beryllium, Chromium (VI), Lead and Nickel, the naturally immobilised waste can be classified according to their leachable concentration (TCLP) values alone.

The leachant to be used in the TCLP leaching test for the naturally immobilised waste may be Reagent Water in accordance with Table 2, Class 2 Monofilled, 2b Non putrescible material, *AS4439.3-1997: Wastes, Sediments, and Contaminated Soils – Part 3 Preparation of Leachates, Bottle Leaching Procedure* (Standards Australia).

Any contaminants listed in the Waste Guidelines (other than Arsenic, Beryllium, Chromium (VI), Lead and Nickel) that are contained within the metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials or metallurgical furnace flue dust or metallurgical furnace flue dust impacted natural excavated materials must be assessed in accordance with the procedures in the Waste Guidelines, namely that both total concentrations (SCC) and leachable (TCLP) concentrations (where specified) apply.

All laboratory testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities (NATA) to perform the particular test.

The naturally immobilised waste subject to this Approval when emplaced in the monocell must not contain any free liquids as defined in the Waste Guidelines.

# • Disposal Restrictions

The naturally immobilised waste that is or otherwise classified as general solid waste under this Approval may only be disposed of to a monocell constructed within a general solid waste landfill or to a restricted solid waste landfill as follows:

- For disposal to a general solid waste landfill which receives putrescible waste, the entire monocell (on all sides) must be lined with 1 metre of clay which exhibits an in situ permeability coefficient less than 10-9 m/s.
- For disposal to a general solid waste landfill which receives non-putrescible waste only, the entire monocell (on all sides) may be lined with 1 metre of clay which exhibits an in situ permeability coefficient less than 10-7 m/s.
- For disposal to a restricted solid waste landfill, the naturally immobilised waste must be buried in isolation and covered with 500 mm of clean fill on all sides.

The naturally immobilised waste subject to this approval must not be mixed with any other waste streams when transported off site and/or emplaced in the monocell.

Any other potential metallurgical slag waste which may be suitable for co-disposal with this naturally immobilised waste must be assessed on a case by case basis via a separate specific immobilisation approval.

The naturally immobilised waste emplaced in the monocell must be covered daily. Any water present must be removed from the monocell before the final capping is constructed onto the monocell.

Note: The classified metallurgical furnace slag or metallurgical furnace slag contaminated

natural excavated materials or metallurgical furnace flue dust impacted natural excavated materials must be disposed of to waste facilities which can legally receive them.

#### • Record keeping requirements

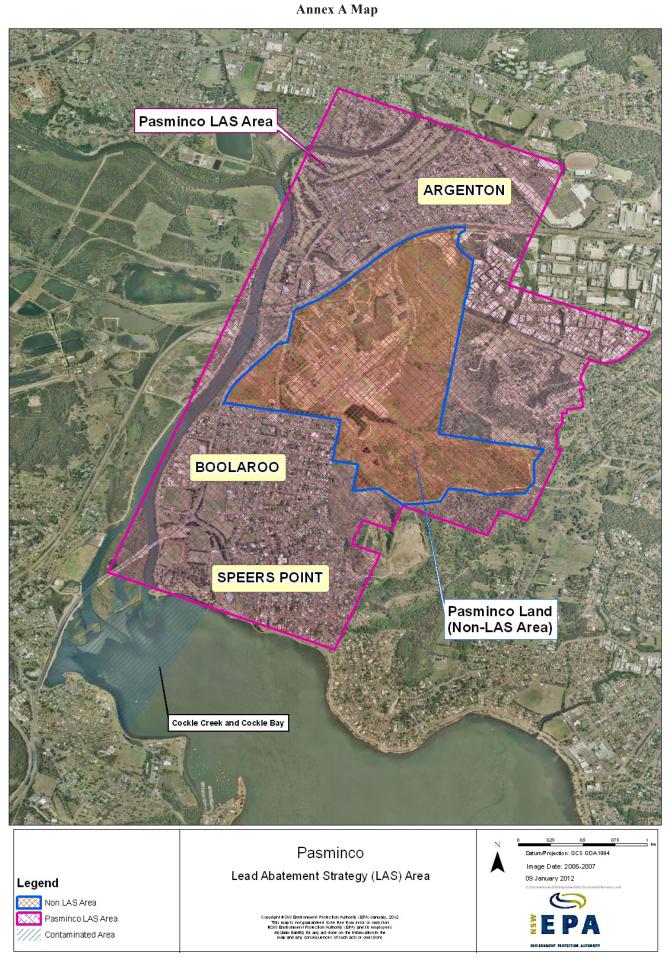
The operator of the landfill to which the waste is disposed of under this Approval is required to keep records for a period of at least 3 years from the date of disposal.

#### • Waste Management Requirements

None.

Date: 20 May 2015

TONY HODGSON Manager Hazardous Materials Chemicals and Radiation Environment Protection Authority By Delegation



Note: The Lot and DP of land within the LAS area are available from the EPA.

# PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2014

## NOTICE OF REVOCATION OF EXEMPTION

Notice of Exemption from Clause 36 (3) (d): Weighing Small Vehicles at Facilities Whose Occupiers Are Required to Install a Weighbridge

- I, Stephen Beaman, Director Waste and Resource Recovery, Environment Protection Authority:
- (1) Revoke the 'Notice of Exemption from clause 36 (3) (d): Weighing small vehicles at facilities whose occupiers are required to install a weighbridge" that is published in the *Government Gazette* No 116 of 5 December 2014 (page 4393).
- (2) Grant an exemption, to any occupier of a scheduled waste facility who is required to install a weighbridge under clause 36 (1) of the *Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation)*, from the requirement to ensure that each vehicle that enters or leaves their facility is weighed under clause 36 (3) (d) of the Waste Regulation, in circumstances where:
  - a) the vehicle entering or leaving the facility is a:
    - (i) motor car (being a motor vehicle constructed primarily for the carriage of persons or that is of the kind known as a utility, station wagon or panel van); or
    - (ii) motor car trailer; and
  - b) the occupier records all information in relation to that entry or departure required under clause 27, 28, 29, 30, 32 or 33 of the Waste Regulation, in accordance with the requirements of the Waste Regulation.

For the avoidance of doubt, this exemption does not exempt an occupier from any requirements to record information under the Waste Regulation.

The revocation is made, and the exemption is granted, under clauses 38 and 91 of the Waste Regulation. Words and expressions used in this notice have the same meaning as they have in the POEO Act and the Waste Regulation.

The revocation and exemption take effect on and from the date that this notice is published in the *Government Gazette* to 31 January 2017 inclusive.

STEPHEN BEAMAN Director, Waste and Resource Recovery Environment Protection Authority (by delegation)

# **Roads and Maritime Notices**

# **ROAD TRANSPORT ACT 2013**

Notice Fixing Fees

I, Peter Duncan, Chief Executive of Roads and Maritime Services, pursuant to section 271 (1) of the *Road Transport Act 2013* and clause 77 of the *Road Transport (Vehicle Registration) Regulation 2007*, fix the fees set out in the Schedule to this Notice in respect of the services shown adjacent to them.

This Notice takes effect on and from 1 July 2015.

PETER DUNCAN Chief Executive Roads and Maritime Services

Note: This Notice replaces the Notice published in NSW Government Gazette No 54 of 20 June 2014 at page 2194.

#### Schedule

	Services	\$
1.	Duplicate certificate of registration	22
2.	Duplicate registration label	22
3.	Issue of an auxiliary number-plate or issue of an auxiliary number-plate in substitution for a surrendered auxiliary number-plate	41
4.	Book of inspection reports for issue at authorised inspection station:	
	a. Book containing 100 reports	105
	b. Book containing 25 reports	28
5.	Copy of rules for authorised inspection station	71
6.	Vehicle to be inspected by Roads and Maritime Services for the purpose of identification prior to the establishment of registration:	
	a. Booking fee for all vehicles	66
	b. Inspection of a vehicle on the national written off vehicle register, as maintained by roads authorities in each jurisdiction	421
7.	Issue of a certificate relating to information from Roads and Maritime Services records	30
8.	Issue of information from Roads and Maritime Services records other than a certificate	22
9.	Packing and Posting – Number-plates	25
10.	Packing and Posting – Inspection Report Books	23
11.	Fee for Cancellation of Registration	28
12.	Permit to use unregistered vehicle	22
13.	Administration fee for Conditional Registration	22
14.	Number-plate Reserve Fee	55
15.	Number-plate Exchange Fee	55
16.	Vehicle Safety Compliance Certificate Scheme fees:	
	a. Licence application fee (including VSCCS J&P)	535
	b. Licence renewal fee (including VSCCS J&P)	535
	c. Issue of compliance certificate fee (including VSCCS J&P)	32
	d. Request to change licence category fee	107
	e. Principal Arranged Insurance fee	2,000
	f. Principal Arranged Insurance run-off fee	800
17.	Issue replacement trader's plate	43
18.	Trader's plate application fee	47

# **ROAD TRANSPORT ACT 2013**

# Notice Fixing Fees

I, Peter Duncan, Chief Executive of Roads and Maritime Services, pursuant to section 271 (1) of the *Road Transport Act 2013* and clause 111 of the *Road Transport (Driver Licensing) Regulation 2008*, fix the fees set out in the Schedule to this Notice in respect of the services shown adjacent to them.

This Notice takes effect on and from 1 July 2015.

PETER DUNCAN Chief Executive Roads and Maritime Services

Note: This Notice replaces the Notice published in NSW Government Gazette No 54 of 20 June 2014 at page 2195.

#### Schedule

	Services	\$
1.	Learner Replacement Logbook	16
2.	Issue of provisional licence passenger restriction exemption letter	30
3.	Issue of provisional licence prohibited motor vehicle restriction exemption letter	30
4.	Issue of a replacement provisional licence passenger restriction exemption letter	13
5.	Issue of a replacement provisional licence prohibited motor vehicle restriction exemption letter	13
6.	Issue of provisional P1 licences - restriction on passengers under 21 exemption letter	30
7.	Issue of replacement provisional P1 licences – restriction on passengers under 21 exemption letter	13

# **ROAD TRANSPORT ACT 2013**

# Order Fixing Fees

I, Peter Duncan, Chief Executive of Roads and Maritime Services, pursuant to clause 102 of the *Road Transport (General) Regulation 2013*, fix the fees set out in the Schedule to this Order in respect of the services shown adjacent to them.

This Order takes effect on and from 1 July 2015.

PETER DUNCAN Chief Executive Roads and Maritime Services

Note: This Order replaces the Order published in NSW Government Gazette No 54 of 20 June 2014 at page 2196.

# Schedule

\$ Services 1. Fee for the issue of an individual or organisational mobility parking scheme authority (except where 40 the applicant is an eligible pensioner) 2. Fee for the issue of a temporary mobility parking scheme authority (except where the applicant is an 13 eligible pensioner) Fee for the issue of a replacement mobility parking scheme authority (except where the applicant is an 3. 13 eligible pensioner in items (a) to (d) below) 4. Fee for the issue of a replacement mobility parking scheme authority where the applicant is an eligible 7 pensioner in items (a) to (d) below

In this Schedule, an eligible pensioner means a person:

- (a) who is entitled to hold any of the following cards issued by the Commonwealth:
  - (i) a card known as a pensioner concession card,
  - (ii) a card known as a gold repatriation health card that is embossed with TPI, EDA, WAR WIDOW or WAR WIDOWER,

Note. TPI refers to totally and permanently incapacitated and EDA refers to extreme disablement adjustment.

(iii) a card prescribed by the regulations as being equivalent to any of those cards, or

- (b) who is entitled to receive, in respect of any injury or disease, a pension, or other amount, approved by the Authority that is payable under the *Veterans' Entitlements Act 1986* of the Commonwealth or the *Military Rehabilitation and Compensation Act 2004* of the Commonwealth, or
- (c) who is a war widow or war widower (within the meaning of section 5E of the *Veterans' Entitlements Act 1986* of the Commonwealth), or
- (d) who is under 16 years of age and named as a dependant on the current New South Wales Pensioner Concession Card in (a) above, or
- (e) who is under 16 years of age and holds a current New South Wales Centrelink Health Care Card.

# TOW TRUCK INDUSTRY ACT 1998

Order Fixing Fees

I, Peter Duncan, Chief Executive of Roads and Maritime Services, pursuant to sections 17, 21, 25 and 30 of the *Tow Truck Industry Act 1998*, fix the fees set out in the Schedule to this Order in respect of the services shown adjacent to them.

This Order takes effect on and from 1 July 2015.

PETER DUNCAN Chief Executive Roads and Maritime Services

Note: This Order replaces the Order published in NSW Government Gazette No 54 of 20 June 2014 at page 2197.

Schedule					
Serv	vices	\$	\$ (3 year)	Notes	
Driv	ers certificate				
1.	Drivers certificate	203	458	Includes \$121 (\$217 – 3 year) non refundable administration fee	
2.	Replacement drivers certificate	31			
3.	Reissue conditional drivers certificate	31			
4.	Re-application for expired conditional drivers certificate (within 5 business days)	111		Expired greater than 5 business days – full re-application will apply	
Ope	rators licence				
5.	Operators licence – metro	1,033	2,637	Includes \$362 (\$651 – 3 year) non refundable administration fee	
6.	Operators licence – country	664	1,542	Includes \$362 (\$651 – 3 year) non refundable administration fee	
7.	Plate – metro – category A	387	1,153	Per tow truck plate – per term	
8.	Plate – metro – category B & C	369	1,098	Per tow truck plate – per term	
9.	Plate – country – category A	154	458	Per tow truck plate – per term	
10.	Plate – country – category B & C	148	437	Per tow truck plate – per term	
11.	Amendment fee	54		Amendment/variation to operators licence	
12.	Replacement operators licence	31			
13.	Reissue conditional operators licence	31			
14.	Stand-By tow truck application fee	350			
15.	Re-application for expired conditional operators licence (within 5 business days)	320		Expired greater than 5 business days -full re-application will apply	
Mut	ual recognition				
16. reco	Drivers certificate – mutual gnition	154	348	Includes \$90 (\$165 – 3 year) non refundable administration fee	

Schedule

# **Government Notices**

17.	Operators licence – mutual recognition	541	1,250	Includes \$302 (\$537 – 3 year) non refundable administration fee
18.	Plate – mutual recognition – category A	154	458	Per tow truck – per term
19.	Plate – mutual recognition – category B & C	148	437	Per tow truck – per term
Exen	nption authority			
20.	Exemption authority – metro	516		Includes \$230 non refundable administration fee
21.	Exemption authority – country	402		Includes \$230 non refundable administration fee
22.	Tow truck fee – metro	86		Per tow truck
23.	Tow truck fee – country	57		Per tow truck
Othe	27			
24.	Investigation fee	At cost		Any further investigation by Roads and Maritime Services to verify suitability, requiring the purchase of information from another agency (eg interstate records)
25.	Towing authorisation forms – 20	483		Book of 20 forms
26.	Towing authorisation forms – 5	121		Book of 5 forms

# ROADS ACT 1993

## LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

#### Notice of Compulsory Acquisition of Land at Leppington and Rossmore in the Camden Council Area

Roads and Maritime Services by its delegate declares, with the approval of His Excellency the Governor, that the land described in Schedule 1 and the interests in land described in Schedules 2 and 3 below are acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Roads Act 1993*.

#### K DURIE

Manager, Compulsory Acquisition & Road Dedication Roads and Maritime Services

#### Schedule 1

All those pieces or parcels of land situated in the Camden Council area, Parish of Cook and County of Cumberland, shown as:

Lot 20 Deposited Plan 1204465, being part of the land in Certificate of Title 127/570561 and said to be in the possession of Joseph Michael Malouf, Odette Malouf, Naaman Graham Malouf and George Mark Malouf;

Lot 23 Deposited Plan 1204465, being part of the land in Certificate of Title 1/575308 and said to be in the possession of Anne Bernadette Violi, Zeljko Papic and Krystyna Maria Papic (registered proprietors) and ING Bank (Australia) Limited (mortgagee);

Lot 13 Deposited Plan 1204097, being part of the land in Certificate of Title 2/511088 and said to be in the possession of Mikhael Hanna and Mariette Hanna (registered proprietors) and National Australia Bank Limited (mortgagee);

Lot 14 Deposited Plan 1204097, being part of the land in Certificate of Title 3/511088 and said to be in the possession of Anthony Hadchiti (registered proprietor) and Bankwest (mortgagee);

Lot 15 Deposited Plan 1204097, being part of the land in Certificate of Title 518/1172207 and said to be in the possession of Karam Hadchiti, Harba Hadchiti, Mirad Samir Chalfa and Mary-Anne Chalfa (registered proprietors) and Bendigo and Adelaide Bank Limited (mortgagee);

Lot 112 Deposited Plan 1204146, being part of the land in Certificate of Title B/377845 and said to be in the possession of the Estate of the Late Domenica Villarosa;

Lot 113 Deposited Plan 1204146, being part of the land in Certificate of Title 100/1051963 and said to be in the possession of George Mourched and Anthony Mourched (registered proprietors), Suncorp-Metway Limited (mortgagee) and Parkview Childcare Centre Pty Limited (lessee);

Lot 114 Deposited Plan 1204146, being part of the land in Certificate of Title 101/1051963 and said to be in the possession of Darrel John Williams (registered proprietor), Commonwealth Bank of Australia (mortgagee) and Leigh Sullivan and Brooke Sullivan (tenants);

Lot 115 Deposited Plan 1204146, being part of the land in Certificate of Title 11/523156 and said to be in the possession of Vincenzo Pirrotta and Anna Pirrotta (registered proprietors), Commonwealth Bank of Australia (mortgagee) and Rocco Pirrotta (occupant); Lot 21 Deposited Plan 1204031, being part of the land in Certificate of Title 2/526036 and said to be in the possession of Paul Manicaro and Lucy Manicaro (registered proprietors) and Shi Wen Su and Hai Min Cai (lessees);

Lot 24 Deposited Plan 1204031, being part of the land in Certificate of Title 7B/302528 and said to be in the possession of David Mario Wiskich (registered proprietor) and Caltex Australia Petroleum Pty Ltd (mortgagee);

Lot 25 Deposited Plan 1204031, being part of the land in Certificate of Title 7A/302528 and said to be in the possession of David Mario Wiskich and Barbara Patricia Wiskich;

Lot 27 Deposited Plan 1204031, being part of the land in Certificate of Title 61/829006 and said to be in the possession of Salvatore Auteri and Guiseppina Auteri (registered proprietors) and Suncorp-Metway Limited (mortgagee);

Lot 35 Deposited Plan 1204031, being part of the land in Certificate of Title 22/1127208 and said to be in the possession of Nazim Fahri and Filiz Fahri (registered proprietors) and Westpac Banking Corporation (mortgagee);

Lot 36 Deposited Plan 1204031, being part of the land in Certificate of Title 21/1127208 and said to be in the possession of Katherine Beryl Fuller;

Lot 37 Deposited Plan 1204031, being part of the land in Certificate of Title 20/1127208 and said to be in the possession of David Robert Bligh (registered proprietor), Commonwealth Bank of Australia (mortgagee) and Barry Evans (occupant);

Lot 38 Deposited Plan 1204031, being part of the land in Certificate of Title 19/1127208 and said to be in the possession of Richard William Bligh (registered proprietor) and Janet Ramsay (occupant); and

Lot 39 Deposited Plan 1204031, being part of the land in Certificate of Title 18/1127208 and said to be in the possession of Richard William Bligh and David Robert Bligh;

excluding any existing easements from the compulsory acquisition of the land listed above.

# Schedule 2

# Interest in Land

Easement in gross to drain water as provided in Schedule 4A of the *Conveyancing Act 1919*, over the land situated in the Camden Council area, Parish of Cook and County of Cumberland, described below:

# Land Burdened

The site designated by the letter (B) on Deposited Plan 1204146 and described thereon as "proposed easement for drainage of water 3 wide (201.2m<sup>2</sup>)", being part of the land in Certificate of Title 100/1051963 and said to be in the possession of George Mourched and Anthony Mourched (registered proprietors), Suncorp-Metway Limited (mortgagee) and Parkview Childcare Centre Pty Limited (lessee).

# and

A right of access in gross as provided in Schedule 4A of the *Conveyancing Act 1919*, over the land situated in the Camden Council area, Parish of Cook and County of Cumberland, described below:

# Land Burdened

The site designated by the letter (A) on Deposited Plan 1204146 and described thereon as "proposed right of access 9.5 wide (49.8m<sup>2</sup>)", being part of the land in Certificate of Title 100/1051963 and said to be in the possession of George Mourched and Anthony Mourched (registered proprietors), Suncorp-Metway Limited (mortgagee) and Parkview Childcare Centre Pty Limited (lessee).

# Schedule 3

## Interest in Land

A lease for a specified period of two years, as described in Memorandum AE293511 recorded at Land and Property Information, of all those pieces or parcels of land situated in the Camden Council area, Parish of Cook and County of Cumberland, shown as:

Lot X in RMS Sketch SR662-CAL, being parts of the land in Certificate of Title 21/618171 and said to be in the possession of Alexander Rudolf Maranik (registered proprietor) and National Australia Bank Limited (mortgagee); and

Lot X in RMS Sketch SR674-CAL, being part of the land in Certificate of Title 100/1051963 and said to be in the possession of George Mourched and Anthony Mourched (registered proprietors), Suncorp-Metway Limited (mortgagee) and Parkview Childcare Centre Pty Limited (lessee).

(RMS Papers: SF2014/154866)

# ROADS ACT 1993

Order – Section 27

Variation of a Road Widening Order Applying to Part of Elizabeth Street at Waterloo in the City of Sydney Council Area Parish of Alexandria and County of Cumberland

Roads and Maritime Services, by its delegate and with the consent of the Minister for Roads, Maritime and Freight, by this order under section 27 of the *Roads Act 1993* varies the road widening order published in the *Government Gazette* No 58 of 10 June 1966 on page 2334 by excluding the land within Lots 1 and 2 Deposited Plan 1194752, being land in Certificates of Tile 1/1194752 and 2/1194752 from the operation of that order.

K DURIE

Manager, Compulsory Acquisition & Road Dedication Roads and Maritime Services

(RMS Papers: SF2014/074459)

# ROADS ACT 1993

# LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Rossmore in the Camden Council Area

Roads and Maritime Services by its delegate declares, with the approval of His Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Roads Act 1993*.

K DURIE

Manager, Compulsory Acquisition & Road Dedication Roads and Maritime Services

# Schedule

All those pieces or parcels of land situated in the Camden Council area, Parish of Cook and County of Cumberland, shown as:

Lot 119 Deposited Plan 1205972, being part of the land in Certificate of Title 70/260492 and said to be in the possession of Joseph Michael Malouf, Odette Malouf, Naaman Graham Malouf and George Mark Malouf;

Lot 117 Deposited Plan 1205972, being part of the land in Certificate of Title 6/243331 and said to be in the possession of Joseph Spiteri and Carmen Spiteri (registered proprietors) and Commonwealth Bank of Australia (mortgagee);

Lot 115 Deposited Plan 1205972, being part of the land in Certificate of Title 4/243331 and said to be in the possession of Teresa Christophers;

Lot 111 Deposited Plan 1205972, being part of the land in Certificate of Title 3/243331 and said to be in the possession of Rhonda Jones, Alan Edward Jones, Peter John Jones, Phillip William Jones and the Estate of the Late Kevin George Jones; and

Lot 110 Deposited Plan 1205972, being part of the land in Certificate of Title 2/243331 and said to be in the possession of Salvatore Furnari (registered proprietor) and Australia and New Zealand Banking Group Limited (mortgagee);

(RMS Papers: SF2015/8836)

# **Mining and Petroleum Notices**

Notice is given that the following applications have been received:

# **EXPLORATION LICENCE APPLICATIONS**

#### (T15-1053)

No 5182, RANGOTT MINERAL EXPLORATION PTY LIMITED (ACN 002 536 825), area of 8 units, for Group 1, dated 26 May 2015. (Cobar Mining Division).

#### (T15-1054)

No 5183, TARONGA MINES PTY LTD (ACN 126 854 288), area of 19 units, for Group 1, dated 27 May 2015. (Inverell Mining Division).

#### (T15-1055)

No 5184, AWATI RESOURCES PTY LTD (ACN 106 020 419), area of 4 units, for Group 1, dated 28 May 2015. (Broken Hill Mining Division).

#### (T15-1056)

No 5185, MARBLECRAFT AND GRANITE SUPPLIES PTY LTD (ACN 167 536 414), area of 6 units, for Group 2, dated 29 May 2015. (Orange Mining Division).

## (T15-1057)

No 5186, SILVER MINES LIMITED (ACN 107 452 942), area of 128 units, for Group 1, dated 2 June 2015. (Orange Mining Division).

#### (T15-1058)

No 5187, SILVER MINES LIMITED (ACN 107 452 942), area of 100 units, for Group 1, dated 2 June 2015. (Orange Mining Division).

The Hon ANTHONY ROBERTS, MP Minister for Industry, Resources and Energy

Notice is given that the following application has been granted:

# MINING LEASE APPLICATION

#### (T11-0001)

Singleton No 397, now Mining Lease No 1705 (Act 1992), COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), Parish of Howick, County of Durham; and Parish of Ravensworth, County of Durham, Map Sheet (9033-2-S), area of 149.2 hectares, to mine for coal, dated 17 December 2014, for a term until 17 December 2035. As a result of the grant of this title, Authorisation No 435 has ceased to have effect and Exploration Licence No 5417 and Exploration Licence No 5418 have partly ceased to have effect.

The Hon ANTHONY ROBERTS, MP Minister for Industry, Resources and Energy Notice is given that the following applications for renewal have been received:

#### (07-3124)

Exploration Licence No 5574, ANGLO AMERICAN EXPLORATION (AUSTRALIA) PTY LTD (ACN 006 195 982) AND ORD INVESTMENTS PTY LTD (ACN 107 735 071), area of 23 units. Application for renewal received 27 May 2015.

### (T09-0077)

Exploration Licence No 7348, TARONGA MINES PTY LTD (ACN 126 854 288), area of 14 units. Application for renewal received 27 May 2015.

# (T12-1229)

Exploration Licence No 8095, CARPENTARIA EXPLORATION LIMITED (ACN 095 117 981), area of 100 units. Application for renewal received 26 May 2015.

The Hon ANTHONY ROBERTS, MP Minister for Industry, Resources and Energy

# **RENEWAL OF CERTAIN AUTHORITIES**

Notice is given that the following authorities have been renewed:

### (15-0603)

Exploration Licence No 7461, PEEL MINING LIMITED (ACN 119 343 734), County of Blaxland, Map Sheet (8033, 8133), area of 27 units, for a further term until 4 March 2018. Renewal effective on and from 28 May 2015.

#### (T10-0246)

Exploration Licence No 7728, PETER WARREN ENGLISH, County of Murchison, Map Sheet (9037), area of 1 units, for a further term until 15 March 2018. Renewal effective on and from 20 May 2015.

#### (08-0406)

Mineral Lease No 5065 (Act 1906), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Dhoon, County of Yancowinna, Map Sheet (7133-4-S), area of 16.19 hectares, for a further term until 27 January 2019. Renewal effective on and from 7 May 2015.

#### (T08-0405)

Mineral Lease No 5106 (Act 1906), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Dhoon, County of Yancowinna, Map Sheet (7133-4-S), area of 16.19 hectares, for a further term until 17 June 2019. Renewal effective on and from 7 May 2015.

#### (08-0564)

Mineral Lease No 6191 (Act 1906), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Dhoon, County of Yancowinna, Map Sheet (7133-4-S), area of 32.37 hectares, for a further term until 17 June 2019. Renewal effective on and from 7 May 2015.

The Hon ANTHONY ROBERTS, MP Minister for Industry, Resources and Energy

# TRANSFER

# (12-3577)

Exploration Licence No 6274, formerly held by TUNGSTEN NSW PTY LTD (ACN 123 370 365) has been transferred to STRATEGIC METALS AUSTRALIA PTY LTD (ACN 167 122 714). The transfer was registered on 30 April 2015.

The Hon ANTHONY ROBERTS, MP Minister for Industry, Resources and Energy

# **Primary Industries Notices**

# **APIARIES ACT 1985**

## Appointment of Inspector

I, Scott Hansen, Director General of the Department of Primary Industries pursuant to section 5 (1) of the *Apiaries Act 1985* ("the Act") hereby appoint Stephen Leonard GREEN as an inspector for the purposes of this Act.

Dated this 27th day of May 2015

SCOTT HANSEN Director General Department of Primary Industries (an office within the Department of Trade and Investment, Regional Infrastructure and Services)

#### EMERGENCY ANIMAL DISEASE OUTBREAK (HENDRA VIRUS) INSTRUMENT OF REVOCATION 2015

#### under the

# ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

I, Scott Hansen, Director-General of the Department of Primary Industries, with the powers the Minister has delegated to me under section 67 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* ("the Act") and pursuant to section 76 of the Act and section 43 of the *Interpretation Act 1987*, make the following Instrument of Revocation.

Dated this 1st day of June 2015

SCOTT HANSEN Director General Department of Primary Industries (an office within the Department of Trade and Investment)

# 1 Name of Instrument

This Instrument is the Emergency Animal Disease Outbreak (Hendra Virus) Instrument of Revocation 2015.

# 2 Commencement

This Instrument commences on the date on which it is signed.

# 3 Revocation

Pursuant to section 76 of the Act, the Order titled "Certification that an Outbreak of the Emergency Animal Disease Hendra Virus exists in part of New South Wales", dated 23 June 2014 and published in *NSW Government Gazette* No 55 on 24 June 2014 at page 2237 is revoked, as is any Order revived as a result of this revocation.

# LOCAL LAND SERVICES REGULATION 2014

Part 4

# Hunter Local Land Services

Determination Concerning Catchment Contributions 1 July 2015 to 30 June 2016

The Hunter Local Land Services in accordance of Part 4 of the *Local Land Services Regulation 2014* does hereby make the following determination in respect of the year commencing 1 July 2015:

- a. It proposes to raise \$4,764,000 by way of catchment contribution.
- b. The catchment contribution is to be levied on all rateable land within the Hunter Catchment Contribution area as delineated by maps held at the HLLS' offices.
- c. The basis of the catchment contribution is a rate based on land values provided by the appropriate local government councils.
- d. The catchment contribution rate for the year commencing 1 July 2015 will be 0.0131 of a cent in the dollar (land value).

Signed and dated, 15 May 2015

# TIM FERRARO

Executive Manager & A/Chair of Chairs

Local Land Services

# **Crown Lands Notices**

1300 886 235 www.crownland.nsw.gov.au

# **DUBBO OFFICE**

# 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Schedule

Column 1 Warrumbungle Shire Council Crown Reserves Reserve Trust **Column 2** Reserve No 81773 Public Purpose: resting place Notified: 10 July 1959 File Reference: 15/01025

### NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve with the declared public purpose specified in Column 2 of the Schedule, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedule.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Schedule

# Column 1

Grazing (Relevant Interest – S34A Licence 543269)

# Reserve No 65797 Public Purpose: water supply Notified: 7 February 1936 File Reference: 14/10099 Reserve No 65799

Column 2

Public Purpose: travelling stock, camping Notified: 7 February 1936 File Reference: 14/10099 Reserve No 754983 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 14/10099

# GOULBURN OFFICE

# ROADS ACT 1993

ORDER

#### Transfer of Crown Road to a Council

In pursuance of the provisions of section 151 of the Act, 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

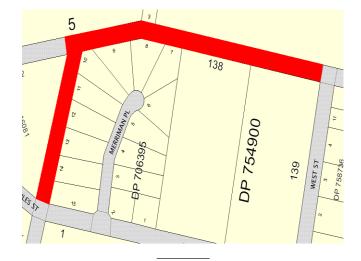
# Schedule 1 Murrumbateman

Village: Parish: County: Land District: LGA: Description:

Nanima Murray Yass Yass Valley Council Crown roads north of Lots 138, 139 DP 754900, 7, 8, 9, 10 DP 706395, east of Lot 2 DP 1046081 (as shown by red colour in diagram below).

# Schedule 2

Roads Authority: Council Reference: Reference: Yass Valley Council RD.1700 15/05792

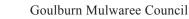


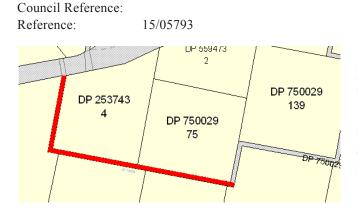
**Schedule 1** 

Parish: County: Land District: LGA: Description:

Marulan Argyle Goulburn Goulburn Mulwaree Council Crown roads west and south of Lot 4 DP 253743, south of Lot 75 DP 750029 (as shown by red colour in diagram below). Roads Authority:

# Schedule 2





# Schedule 1

Parish: County: Land District: LGA: Description: Yarranjerry Bourke Narrandera Coolamon Shire Council Crown road through and north of Lot 95 DP 750870 (as shown by red colour in diagram below).

# Schedule 2

Roads Authority: Council Reference: Reference: Coolamon Shire Council TK:MHP:R.09-12 15/05798



# **GRAFTON OFFICE**

#### NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve with the declared public purpose specified in Column 2 of the Schedule, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedule.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Schedule

**Column 1** Dredging (Relevant Interest – S34A Licence – RI 541965)

Column 1

(Relevant Interest -

S34A Licence -

Grazing

**Column 2** Reserve No 56146 Public Purpose: generally Notified: 11 May 1923 File Reference: 14/09061

Reserve No 1011268 Public Purpose: future public requirements Notified: 3 February 2006 File Reference: 14/09061

# Schedule

Column 2

Reserve No 755727 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 14/10096

# Schedule

# Column 2

Reserve No 1011748 Public Purpose: regional requirements Notified: 18 August 2006 File Reference: 14/09107

Reserve No 56146 Public Purpose: generally Notified: 11 May 1923 File Reference 14/09107 Reserve No 1011268

Public Purpose: future public requirements Notified: 3 February 2006 File Reference: 14/09107

# 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Description

Parish – Dobie; County – Richmond Land District – Casino; LGA – Richmond Valley

Road Closed: Lot 1 DP 1199641 File No: 07/6202

#### Schedule

On closing, the land within Lot 1 DP 1199641 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Lachlan; County – Bourke Land District – Wagga Wagga; LGA – Coolamon

Road Closed: Lot 1 DP 1199640 File No: WA05H411

# Schedule

On closing, the land within Lot 1 DP 1199640 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

## Description

Parish – Butler; County – Sandon Land District – Armidale; LGA – Uralla

Road Closed: Lot 1 DP 1207904 File No: 14/10806

# Schedule

On closing, the land within Lot 1 DP 1207904 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Description

Parish – Riley; County – Richmond Land District – Lismore; LGA – Richmond Valley

Road Closed: Lot 1 DP 1208093 File No: 14/11275

#### Schedule

On closing, the land within Lot 1 DP 1208093 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Lachlan; County – Bourke Land District – Wagga Wagga; LGA – Coolamon

Road Closed: Lot 1 DP 1199642 File No: 10/05689

#### Schedule

On closing, the land within Lot 1 DP 1199642 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Hurley; County – Clarendon Land District – Cootamundra Central; LGA – Junee

Road Closed: Lot 1 DP 1199639 File No: WA07H267

### Schedule

On closing, the land within Lot 1 DP 1199639 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Description

Parishes – Merrywinebone, Gorman, Dewhurst Counties – Denham, Benarba Land District – Walgett; LGA – Walgett

Road Closed: Lot 11 DP 1199215, Lot 12 DP 1199219 File No: 12/03599

#### Schedule

On closing, the land within Lot 11 DP 1199215, Lot 12 DP 1199219 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parishes – Emu, Europambela; County – Vernon Land District – Walcha; LGA – Walcha

Road Closed: Lots 1–2 DP 1208253 File No: 14/10955

#### Schedule

On closing, the land within Lots 1-2 DP 1208253 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Maryvale; County – Clarence Land District – Grafton; LGA – Clarence Valley

Road Closed: Lot 1 DP 1206090 File No: 14/07050

#### Schedule

On closing, the land within Lot 1 DP 1206090 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Mooney Mooney; County – Harden Land District – Gundagai; LGA – Gundagai

Road Closed: Lot 1 DP 1206725 File No: 14/05499

#### Schedule

On closing, the land within Lot 1 DP 1206725 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parishes – Texas, Goonian; County – Arrawatta Land District – Inverell; LGA – Inverell

Road Closed: Lots 1–6 DP 1204635 File No: AE07H96

#### Schedule

On closing, the land within Lots 1–6 DP 1204635 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Gerogery; County – Goulburn Land District – Albury; LGA – Greater Hume

Road Closed: Lot 1 DP 1206694 File No: 10/08335

#### Schedule

On closing, the land within Lot 1 DP 1206694 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Coreinbob; County – Wynyard Land District – Wagga Wagga; LGA – Wagga Wagga

Road Closed: Lots 1–2 DP 1203754 File No: 14/03405

#### Schedule

On closing, the land within Lots 1–2 DP 1203754 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Gorman; County – Benarba Land District – Moree; LGA – Walgett

Road Closed: Lot 7 DP 1199216 File No: 12/03596

#### Schedule

On closing, the land within Lot 7 DP 1199216 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parishes – Currotha, Mallowa, Mungi; County – Benarba Land District – Moree; LGA – Moree Plains

Road Closed: Lot 9 DP 1199225 File No: 12/03603

#### Schedule

On closing, the land within Lot 9 DP 1199225 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Berwick; County – Rous Land District – Murwillumbah; LGA – Tweed

Road Closed: Lot 1 DP 1202066 File No: GF05H882

#### Schedule

On closing, the land within Lot 1 DP 1202066 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Description

Parish – Everett; County – Hardinge Land District – Armidale; LGA – Guyra

Road Closed: Lots 1–2 DP 1204963 File No: 14/06564

#### Schedule

On closing, the land within Lots 1–2 DP 1204963 remains vested in the State of New South Wales as Crown land.

# HAY OFFICE

#### REVOCATION OF RESERVATION OF CROWN LAND

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

The Hon NIALL BLAIR, MLC Minister for Lands and Water

### Schedule

#### Column 1

Land District: Balranald South Local Government Area: Balranald Shire Council Locality: Balranald Reserve No 751203 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 14/06400 **Column 2** The part being Lot 92 DP No 751203 Parish: Mamanga County: Caira

# MAITLAND OFFICE

### NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve with the declared public purpose specified in Column 2 of the Schedule, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedule.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Schedule

**Column 1** Grazing (Relevant Interest – S34A Licence 529586) **Column 2** Reserve No 90575 Public Purpose: future public requirements Notified: 6 December 1974 File Reference: 14/00786

# **NEWCASTLE OFFICE**

#### NOTICE OF PUBLIC 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 1 of the Schedule is to be occupied for the additional purpose specified in Column 2 of the Schedule.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Schedule

#### Column 1

**Column 2** Communication Facilities

Public Purpose: Police Purposes Notified: 24 December 1861 Parish: South Bellingen County: Raleigh

Reserve No 1038569

# 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.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Description

Parish – Ulladulla; County – St Vincent Land District – Nowra; LGA – Shoalhaven

Road Closed: Lot 1 DP 1208320 File No: 13/12164:AD

#### Schedule

On closing, the land within Lot 1 DP 1208320 remains vested in the State of New South Wales as Crown land.

# **NOWRA OFFICE**

### REVOCATION OF RESERVATION OF CROWN LAND

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

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Schedule

Column 2

Land District: Bega Local Government Area: Bega Valley Shire Council Locality: Eden Reserve No 70397 Public Purpose: shire council chambers addition Notified: 5 December 1941 File Reference: 11/12787 Notes: Sale

Column 1

The whole being Lot 2 DP No 1153782 Parish Eden, County Auckland Lot 7032 DP No 1020109 Parish Eden, County Auckland of an area of 1245m<sup>2</sup>

# **ORANGE OFFICE**

# ALTERATION OF PURPOSE & CONDITIONS OF A SPECIAL LEASE

It is hereby notified that in pursuance of the provisions of section 139 *Crown Lands Act 1989*, the purpose and conditions of the undermentioned Special Lease have been altered as shown.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

Land District – Molong Parish – Dulladerry; County – Ashburnham

The purpose of Special Lease 1938/4 Molong, being the land contained within Folio Identifiers 2/37/758643 and 3/37/758643 has been altered to include the purposes of "Community Purposes" and "Rural Services" effective from the date of this notification.

Condition 12 of Regulation 106 annexed to Special Lease 1938/4 Molong is hereby revoked.

File Reference: OE81H459

# **SYDNEY METROPOLITAN OFFICE**

# ERRATUM

In the notification appearing in the *New South Wales Government Gazette* No 46, folio 1509, of 30 March 1979, under the heading "NOTIFICATION OF VESTING OF LANDS IN PURSUANCE OF THE PROVISIONS OF SECTION 37AAA, CROWN LANDS CONSOLIDATION Act, 1913", in the Schedule of vested land 1/254818 at Sydney, the statement "The area of this land is limited to the surface and to a depth of 20 metres below the surface" should be deleted and replaced with "Excepting land to a depth of 20 metres below the surface".

# WAGGA WAGGA OFFICE

## NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve with the declared public purpose specified in Column 2 of the Schedule, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedule.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

## Schedule

Column 1

Access (Relevant Interest – S34A licence – RI 544762)

## **Column 2** Reserve No 753326 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 15/01597 Reserve No 1036788 Public Purpose: public recreation, environmental protection, rural services, future public requirements, tourist facilities and services Notified: 16 November 2012 File Reference: 15/01597

# WESTERN REGION OFFICE

# SURRENDER OF A WESTERN LANDS LEASE

It is hereby notified for public information that in pursuance of section 33A of the *Western Lands Act 1901*, the Western Lands Lease particularised hereunder has been surrendered.

NIALL BLAIR, MLC Minister for Primary Industries Minister for Lands and Water

Western Lands Lease No:	8339
Name of Lessee:	Ivanhoe Golf Club
Description of land surrendered:	Lot 4156 DP 766662
	of 37.74 ha
Date of Surrender:	5 June 2015
Administrative District:	Hillston North
Shire:	Central Darling

# **RESERVATION OF CROWN LAND**

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

The Hon NIALL BLAIR, MLC Minister for Lands and Water

# Schedule

#### **Column 1** Land District: Hillston North Local Government Area: Central Darling Shire Council Locality: Ivanhoe Lot 4156 DP No 766662 Parish Ivanhoe, County: Mossgiel Area: About 37.74ha File Reference: 15/05791

# Column 2

Reserve No 1038588 Public Purpose: community and sporting club facilities

### ESTABLISHMENT OF RESERVE TRUST

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

The Hon NIALL BLAIR, MLC Minister for Lands and Water

#### Schedule

Column 1	Column 2
Ivanhoe Golf Club Reserve	Reserve No 1038588
Trust	Public Purpose: community
	and sporting club facilities
	Notified: This Day
	File Reference: 15/05791

#### APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

The Hon NIALL BLAIR, MLC Minister for Lands and Water

### Schedule

Column 1	Column 2	Column 3
Central Darling	Ivanhoe Golf	Reserve No 1038588
Shire Council	Club Reserve	Public Purpose:
	Trust	community and
		sporting club facilities
		Notified: This Day
		File Reference: 15/05791

For a term commencing the date of this notice

# ALTERATION OF CONDITIONS OF A WESTERN LANDS LEASE

It is hereby notified that in pursuance of the provisions of section 18J *Western Lands Act 1901*, the conditions of the undermentioned Western Lands Leases have been altered as shown.

The Hon NIALL BLAIR, MLC Minister for Lands and Water

Various Administrative Districts and Counties LGA – Cobar

That condition of the Western Lands Leases listed in the Schedule below has been altered effective 20 May 2015 from:

"that the lessee shall not obstruct or interfere with any reserves, roads or tracks or the lawful use thereof by any person" OR "that the lessee shall not obstruct or interfere with any reserves, roads or tracks or the use thereof by any person"

to the following extent:

"that the lessee shall not obstruct or interfere with any reserves or roads or the use thereof by any person"

Schedule

19 2	2201						
	2291	2913	3993	5016	5768	8709	13524
102	2327	3070	4097	5025	6075	9259	13525
363 2	2414	3082	4098	5064	6132	9306	13553
423 2	2443	3213	4099	5083	6147	9537	13717
428	2453	3218	4195	5192	6238	10320	13840
486 2	2456	3221	4196	5193	6239	10391	13844
504 2	2583	3286	4251	5194	6242	10903	13854
517 2	2591	3291	4265	5196	6245	10904	13860
595	2605	3294	4266	5197	6618	11193	13936
730	2613	3330	4267	5198	6619	11196	13950
794	2614	3345	4329	5199	6620	11692	14261
823	2716	3424	4417	5200	6621	11693	14263
916	2729	3450	4442	5209	6622	11964	14358
920	2730	3454	4545	5214	6624	12010	14490
1009	2736	3490	4550	5218	6754	12014	14587
1414	2737	3559	4552	5293	6861	12015	
1476	2784	3624	4553	5315	6863	12043	
1534	2786	3670	4555	5388	6865	12320	
1552	2796	3751	4557	5390	6871	12321	
1600	2800	3808	4560	5391	7100	12322	
1706	2802	3811	4562	5392	7131	12625	
2029	2803	3854	4563	5394	7257	12626	
2098	2808	3863	4739	5395	7313	12627	
2102	2810	3869	4739	5402	7526	12628	
2109	2824	3870	4841	5407	7585	12630	
2159	2830	3874	4865	5408	7631	12861	
2209	2845	3881	4890	5409	7985	12877	
2243	2855	3885	4891	5465	8059	12989	
	2857	3912	4915	5531	8113	13068	
2248	2861	3964	4917	5594	8289	13518	
2252	2863	3986	4921	5597	8303	13519	
2255	2878	3990	4923	5767	8389	13520	

File Reference: 08/2056

# **Other Government Notices**

# **DISAPPEARANCE/DEATH**

# One Hundred Thousand Dollars (\$100,000) Reward

On the 24th of April 1978, Stephen Neville JELFS, aged 21 years, was last seen leaving his home in Paddington, NSW. A Coronial Inquest held in 2009 determined JELFS to be deceased but the cause and manner of death are unable to be undetermined based on current evidence.

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 death/ disappearance of Stephen JELFS.

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

Dated at Sydney, 2 June 2015

The Hon TROY GRANT, MP Minister for Justice and Police

#### MURDER

One Hundred Thousand Dollars (\$100,000) Reward

On the 7th of October 2013, the skeletal remains of Mr Lynn Tasman JONES, aged 73 years, were located in the Royal National Park off Lady Wakehurst Drive, Lilyvale, NSW. Mr JONES was previously a resident of Waverley, NSW and had been missing since the 11th of June 2009.

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 murder of Lynn Tasman JONES.

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

Dated at Sydney, 1 June 2015

The Hon TROY GRANT, MP Minister for Justice and Police

# **ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Incorporation Pursuant to Section 74

Take notice that the incorporation of the following associations is cancelled by this notice pursuant to section 74 of the *Associations Incorporation Act 2009*.

BELLBIRD BOMBERS FOOTBALL CLUB INCORPORATED	Y1809905
BLACKTOWN WORKERS CLUB FISHING CLUB INCORPORATED	INC9880230
BURNS BAY PROBUS CLUB INCORPORATED	Y1250942
BUSINESS LIFE CYCLE CHALLENGE INC	INC9893080
COM.CARE-COMMUNITY REACH INCORPORATED	INC9880439
EMERGENCY MEDICAL SERVICE PROTECTION ASSOCIATION (NSW) INCORPORATED	INC9890823
FORBES RURAL COUNSELLING INC	Y0360302
FROM MOZART TO MADONNA INCORPORATED	INC9888640
GUNNEDAH JUNIOR TENNIS CLUB INC	Y1435043
HOLISTIC HEALTH PROCTITIONERS ASSOCIATION OF AUSTRALIA	INC9892119
INDEPENDENT LIVING FOR THE PHYSICALLY DISABLED INC	Y0302516
LISMORE TENPIN BOWLING ASSOCIATION INCORPORATED	Y1934903
MACQUARIE COMBINED CHURCHES CHRISTIAN EDUCATION BOARD INCORPORATED	INC9879862
MANGO AUCTION COMMITTEE INCORPORATED	INC9892048
MEKANARKY INCORPORATED	INC9884742
NINTIRINGANYI CULTURAL TRAINING CENTRE INCORPORATED	Y2950705
NORTHERN SYDNEY GIRLS CRICKET ASSOCIATION INCORPORATED	INC9878438
OFA MAMAO INC	INC9877410
RAYMOND TERRACE WORKPLACE LEARNING ASSOCIATION INCORPORATED	Y2679734

# **Government Notices**

SOUTHERN LAKES JUNIOR CRICKET CLUB INC	Y0692220
STARTLINE CRUISERS INCORPORATED	INC9895054
TALL TIMBERS ADULT RIDING CLUB INCORPORATED	INC9894986
THE LONG PADDOCK INCORPORATED	INC9892540
THE PAPER MILL INC	INC9893623
THEATRE KANTANKA INCORPORATED	Y2424534
TOURISM INDUSTRY COUNCIL NSW INCORPORATED	INC9875839
ULTIMATE PERFORMANCE CAR CLUB INCORPORATED	INC9897625
WEB INDUSTRY PROFESSIONALS ASSOCIATION INCORPORATED	INC9886334
WORLD WAR II VETERANS 1939- 1945 ASSOCIATION AUSTRALIA INCORPORATED	INC9891120
WYONG SOCIAL TENNIS INCORPORATED	INC9892974
XING SHENG BUDDHIST TEMPLE AUSTRALIA INCORPORATED	INC9889676
YASS VALLEY ROLLERS INCORPORATED	INC1300928
YOUTH NURTURE INCORPORATED	INC9887865

Cancellation is effective as at the date of gazettal.

Dated 3rd day of June 2015.

ROBYNE LUNNEY Delegate of the Commissioner NSW Fair Trading

# **ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Incorporation Pursuant to Section 76

Take notice that the incorporation of the following associations is cancelled by this notice pursuant to section 76 of the *Associations Incorporation Act 2009*.

CROSSMAGLEN VALLEY LANDCARE GROUP INCORPORATED	Y2745900
FULL LIFE CHURCH INTERNATIONAL INCORPORATED	INC9888738
NEWCASTLE BLUES SOCIETY INCORPORATED	INC9889197
REPUBLIC RUNNERS INCORPORATED	INC9888272
SKIP THE CHATTER INCORPORATED	INC9889448

SOCIETY OF ANOMALOUS RESEARCH AUSTRALIA INCORPORATED	INC9889255
SMALL BUSINESS EMPLOYERS ASSOCIATION INCORPORATED	INC9887922
SOUTH ASIAN CULTURAL ASSOCIATION INCORPORATED	INC9889602
SURFERS FOR CETACEANS INCORPORATED	INC9889173
SYDNEY ASSOCIATION OF SOUTH CHINA PAINTING AND CALLIGRAPHY INCORPORATED	INC9888519

Cancellation is effective as at the date of gazettal.

Dated this 5th day of June 2015

CHRISTINE GOWLAND

Delegate of the Commissioner NSW Fair Trading

# AUSTRALIAN MUSIC EXAMINATIONS BOARD (NSW)

Notification of Appointments to the Board

I, Adrian Piccoli, Minister for Education, appoint the following persons as the elected members of the Australian Music Examinations Board (NSW) for the terms of office expiring on the dates shown in brackets beside each person's name:

Ms Christine LEETHAM [30 April 2017] Ms Roslynne MOXHAM [30 April 2017] Ms Janina LONGMAN [30 April 2017] Professor Matthew MARSHALL [30 April 2017]

Dated this 23rd day of April 2015

ADRIAN PICCOLI, MP Minister for Education

# **BOARD OF STUDIES, TEACHING AND EDUCATIONAL STANDARDS ACT 2013**

Notification of an Appointment to the Board of Studies, Teaching and Educational Standards

I, Adrian Piccoli, Minister for Education, in pursuance of section 5 (2) (d) of the *Board of Studies, Teaching and Educational Standards Act 2013*, appoint Dr Timothy WRIGHT as a member of the Board of Studies, Teaching and Educational Standards being a nominee of the Association of Independent Schools, for a term commencing on and from 30 June 2015 until 29 June 2018.

ADRIAN PICCOLI, MP Minister for Education

# **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:

Griffith 10.00am 3 August 2015 (3 weeks) In lieu of 10 August 2015 (2 weeks)

Dated this 29th day of May 2015

D M PRICE Chief Judge

# **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:

Bega	10.00am	8 February 2016 (3 weeks) In lieu of 15 February 2016 (2 weeks)
Goulburn	10.00am	15 February 2016 (3 weeks) In lieu of 22 February 2016 (2 weeks)
Wollongong @ Sutherland	10.00am	20 July 2015 (1 week)
Wollongong @ Sutherland	10.00am	24 August 2015 (1 week)
Wollongong @ Sutherland	10.00am	26 October 2015 (1 week)
Wollongong @ Sutherland	10.00am	23 November 2015 (1 week)

Dated this 3rd day of June 2015

D M PRICE Chief Judge

# **GEOGRAPHICAL NAMES ACT 1966**

#### ERRATUM

In the *NSW Government Gazette* No 77 of 11 July 1997, folio 5476, under the heading "Geographical Names Act 1966—Notice of assignment of geographical names for suburbs in the Greater Lithgow Council area", the suburb assigned as Oaky Park was spelt incorrectly. The correct spelling of the Suburb should have read "Oakey Park". This notice corrects that error.

DES MOONEY Chairman Geographical Names Board

# **GEOGRAPHICAL NAMES ACT 1966**

Pursuant to the provisions of section 8 of the *Geographical* Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the name:

*Hickson Park* for a reserve situated along Hickson Road at the southern end of the suburb of Barangaroo in the Sydney Local Government Area.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can also be viewed and submissions lodged on the Geographical Names Board website at (www.gnb.nsw.gov.au) from 3 June to 3 July 2015, alternatively written submissions may be lodged with the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst NSW 2795.

In accordance with section 9 of the *Geographical Names Act* 1966 all submissions lodged may be subject to a freedom of information application and may be viewed by third party to assist the Board in considering this proposal.

D MOONEY Chairman Geographical Names Board

#### **GEOGRAPHICAL NAMES ACT 1966**

Pursuant to the provisions of section 10 of the *Geographical* Names Act 1966, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

*Washington Park* for an urban place located near Washington Avenue in the suburb of Riverwood.

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

D MOONEY Chairman Geographical Names Board

#### PARENTS AND CITIZENS ASSOCIATIONS INCORPORATION ACT 1976

Section 13 (4)

Notice of Incorporation of Parents and Citizens Associations

#### ERRATUM

The notice published in the *NSW Government Gazette* No 18, dated 24 February 1995, folio 980, was incorrect. Rylestone Public School Parents and Citizens Association should have said Rylstone Public School Parents and Citizens Association. This is a notice that corrects that error. The gazettal date remains 24 February 1995.

Director Legal Services Department of Education and Communities

# **REGISTERED CLUBS REGULATION 2015 AND REGULATORY IMPACT STATEMENT**

Invitation of Public Comment

The *Registered Clubs Regulation 2009* is due to expire on 1 September 2015. It is proposed to replace this regulation with the *Registered Clubs Regulation 2015*.

The primary objective of the proposed Regulation is to effectively support the operation of the *Registered Clubs Act 1976* through regulatory practices that are transparent, consistent and reasonable.

Before the proposed Regulation can be made, a formal process of review must be undertaken in accordance with the requirements of the *Subordinate Legislation Act 1989*.

A Regulatory Impact Statement has been prepared to explain the clauses of the proposed Regulation and their costs and benefits. The Office of Liquor, Gaming and Racing is inviting comment on the proposed Regulation.

The Regulatory Impact Statement and proposed Regulation will be available for public comment until Wednesday 1 July 2015.

Copies can be obtained from the Office of Liquor, Gaming and Racing's website www.olgr.nsw.gov.au, or by email request directed to registered.clubs@olgr.nsw.gov.au, or by contacting the Office on (02) 9995 0615.

Submissions can be emailed to: registered.clubs@olgr.nsw.gov.au

or posted to:

Registered Clubs Regulation Regulatory Impact Statement Office of Liquor, Gaming and Racing NSW Trade & Investment GPO Box 7060 Sydney NSW 2001

Submissions must be received by Wednesday 1 July 2015.

# ROADS ACT 1993 ROADS REGULATION 2008

# Barangaroo Delivery Authority

# Naming of Road

Notice is hereby given that the Barangaroo Delivery Authority, in pursuance of section 162 of the *Roads Act 1993* and Part 2 of the *Roads Regulation 2008* formally names the following roads, paths and steps as described in the Schedule below.

Schedule
----------

Description	Name	
For the waterfront promenade along Barangaroo	Wulugul Walk, Barangaroo	
For a laneway at the southern end of Barangaroo	Mercantile Walk, Barangaroo	
For a set of stairs in the Barangaroo Point Reserve	Baludarri Steps, Barangaroo	

CRAIG VAN DER LAAN A/Chief Executive Officer Barangaroo Delivery Authority

# 1625

# SYDNEY OLYMPIC PARK AUTHORITY ACT 2001

Notice of Proposal to Grant an Agreement under s32 (1)

# Wilson Park

Pursuant to section 32 (1) of the *Sydney Olympic Park Authority Act 2001* (NSW), Sydney Olympic Park Authority, with the approval of the Minister for Sport and Recreation, proposes to grant to Auburn City Council an agreement to use and manage part of Wilson Park, Sydney Olympic Park. Further information may be obtained from http://www.sopa.nsw.gov.au/for\_business/notice\_board.

Submissions are invited from persons who wish to comment on the proposal. Submissions will be duly considered before the agreement is finalised.

# Land:

Parklands Precinct – Wilson Park, Sydney Olympic Park – Lot C DP 421320

# Purposes for which the land will be used under the proposed licences:

The premises will be used for sport and recreation purposes including related facilities

# Term of the proposed licence:

25 years expiring 2039

# How to make submissions:

Interested parties may make written submissions on the proposed licence, addressed to:

Parklands Public Notice Wilson Park – Auburn Council Sydney Olympic Park Authority Level 1, 8 Australia Avenue Sydney Olympic Park NSW 2127

Submissions may also be lodged by email at: enquiries@sopa.nsw.gov.au.

# Closing date for submissions:

Submissions must be received before 5:00pm, Friday 3 July 2015

# **Contact:**

Melinda Byrne, Executive Manager Commercial Services, (02) 9714 7243

# **TRANSPORT ADMINISTRATION ACT 1988**

# LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

# ROADS ACT 1993

#### Notice of Compulsory Acquisition of Land for the Purposes of Transport for NSW

Transport for NSW, with the approval of His Excellency the Governor with the advice of the Executive Council, declares that the land described in Schedule 1 hereto is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* and the *Roads Act 1993* in respect of compensation for the purposes of Transport for NSW, as authorised by the *Transport Administration Act 1988*.

Dated this 29th day of May 2015

BEVAN BROWN Director Transport Projects Delivery Office Transport for NSW

#### Schedule 1

All that piece or parcel of land situated at Auburn, in the Local Government Area of Auburn, Parish of Liberty Plains, County of Cumberland and State of New South Wales being that part of Kerr Parade at Auburn, being also that part of the residue of Land in Conveyance Bk 163 No 595 dated 18/10/1876 shown as Lot 1 in Deposited Plan 1196445 and said to be in the ownership of Auburn City Council.

TfNSW Reference: 3648023 2.DOC



# LOCAL COURT PRACTICE NOTE CRIM 1

ISSUED: 24 April 2012 COMMENCES: 1 May 2012 AMENDED: 16 September 2013, 8 August 2014, 1 December 2014, 5 June 2015

# Case management of criminal proceedings in the Local Court

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ATTACHMENT A	Notice of appearance in summary criminal trials
ATTACHMENT B	Local Court Listing Advice
ATTACHMENT C	Application to Vacate a Hearing Date
ATTACHMENT D	AVL Facilities

# **PART A - INTRODUCTION**

# 1. APPLICATION

This Practice Note applies in relation to matters in the Local Court's criminal jurisdiction, including summary proceedings and proceedings for indictable offences being dealt with summarily.

# 2. OBJECTS

The objects of this Practice note are to ensure that matters in the Local Court's criminal jurisdiction are finalised in a timely and proper fashion in accordance with the Local Court's published time standards, and to set out practices in relation to other procedural or ancillary aspects of such proceedings.

# 3. COMMENCEMENT

This Practice Note commences on 1 May 2012.

# 4. **REVOCATION OF PRACTICE NOTES**

The following Practice Notes are repealed on the commencement of this Practice Note:

(i)	1 of 2001	Vacating hearing dates and applications for adjournment (insofar as it applies to criminal proceedings only)
(ii)	5 of 2002	Magistrates Early Referral Into Treatment (MERIT) programme
(iii)	3 of 2004	Criminal proceedings involving child witnesses
(iv)	4 of 2005	Media access to sexual assault proceedings heard in camera
(v)	4 of 2007	Provision of Psychiatric Reports to Correctional Facilities
(vi)	5 of 2007	Procedures for persons in custody at Courts / Circuits with no AVL facilities
(vii)	7 of 2007	Listing Procedure for Summary Criminal Trials
(viii)	7 of 2008	Use of Audio Visual Link in criminal and civil proceedings (insofar as it applies to criminal proceedings only)
(ix)	2 of 2010	State Debt Recovery Office Annulment Applications
(x)	2 of 2011	Forum Sentencing Program
(xi)	1 of 2012	Procedures to be adopted for Domestic Violence matters

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# PART B – PROCEDURE

# 5. SUMMARY CRIMINAL TRIALS

# 5.1 Application

- (a) Subject to Chapter 10 (Summary hearings for domestic violence offences), this Chapter applies to:
  - Proceedings for summary offences, and
  - Proceedings for offences listed in Table 1 or 2 of Schedule 1 to the *Criminal Procedure Act* 1986 ('CPA') where no election to proceed on indictment has been made ('Table matters').

# 5.2 Objects

- (a) In addition to the objects specified in Part A, this Chapter has the objects of ensuring that:
  - summary criminal trials are heard within the Local Court's published time standards;
  - the unnecessary attendance at Court of prosecution witnesses who are not required for cross-examination is avoided; and
  - the legislative purpose in s 260 CPA in respect of Table matters is applied.
- (b) To achieve these objects, paragraphs 5.3 5.8 apply.

# 5.3 Table matters

- (a) On the first mention, if there is no decision as to whether or not an election is to be made in a Table matter:
  - (i) If the accused enters a plea of not guilty orders will be made for the service of the brief in accordance with paragraph 5.4;
  - (ii) If the accused enters a plea of guilty -
    - the prosecution will be entitled to an adjournment for 2 weeks to consider whether or not to make an election; and
    - the facts are not to be tendered.
- (b) Pursuant to s 263(1) CPA, an election must be made on or by the first return date after an order is made for service of the brief of evidence (ordinarily, the second mention). The proceedings are to be dealt with summarily in accordance with this Chapter unless an election is made.
- (c) If an election is made, the matter is to proceed in accordance with Practice Note Comm 1.

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# 5.4 First mention

- (a) On the first mention, if the accused enters a plea of not guilty, a Magistrate or the Registrar is to:
  - (i) Make orders for service of the prosecution brief of evidence upon the accused in 4 weeks; and
  - (ii) Adjourn the proceedings for mention for reply in 6 weeks.

in all matters other than those mentioned in clause 21 of the Criminal Procedure Regulation 2010, which do not require a brief of evidence.

- (b) Where a plea of not guilty is entered in relation to a matter mentioned in clause 21 of the Criminal Procedure Regulation 2010 as a matter for which a brief of evidence is not required, the matter is to be listed for hearing without requiring the prosecution to serve a brief.
- (c) A brief of evidence must include a Court Listing Advice that:
  - (i) Lists the statements contained within the brief, and
  - (ii) Indicates any witness who is identified by the prosecution as a member of the NSW Police Force who the prosecution intends to call to give evidence in proceedings to corroborate evidence in chief given by another member of the NSW Police Force ('corroborative witness')

in the form set out in Attachment B.

(d) Service is to be effected upon the accused in accordance with the provisions of the Part 5 of the Local Court Rules 2009.

# 5.5 Second mention

On the second mention, unless the accused enters a plea of guilty, the Court will list the matter for hearing at the earliest available opportunity.

# 5.6 Adjournments

- (a) Adjournments or other variations to the above timetable will not be granted unless the Court is satisfied that departure from the timetable is in the interests of justice.
- (b) Failure to finalise a brief in accordance with the above timetable will not, of itself, provide the basis for an adjournment for further time for service of the brief. Unless a plea of guilty is entered or the interests of justice require otherwise, the Court will:
  - (i) List the matter for hearing; and

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- (ii) Order that the balance of the brief be served not less than 14 days prior to the allocated hearing date.
- (c) In the event the Court is informed of a failure to finalise a brief in accordance with the above timetable due to delays in forensic analysis of material, the Court will consider whether to grant an adjournment only if:
  - (i) The party seeking the forensic analysis informs the Court of the date the material was sent for forensic analysis, and
  - (ii) The Court is satisfied the results of the forensic analysis are likely to assist in the determination of the proceedings.

# 5.7 Matters where accused is legally represented

- (a) This paragraph applies only where the accused is represented by a barrister or a solicitor.
- (b) To assist in the prompt and effective service of the brief, the legal representative of the accused at the time of the making of the brief service order is to complete, sign and hand to both the prosecutor and the Court a Notice of Appearance (Attachment A).
- (c) Upon the adjourned date, in the event that a plea of not guilty is adhered to:
  - (i) the legal representative of the accused is to hand to the Court and to the prosecutor a completed Court Listing Advice (Attachment B);
  - (ii) the prosecution is to indicate whether it seeks that any witness identified to the defence as a corroborative witness in accordance with paragraph 5.4(c)(ii) give evidence by audio link or audio visual link in accordance with s 5BAA, *Evidence (Audio and Audio Visual Links) Act 1998*.
- (d) When listing the matter for hearing, notwithstanding sub-paragraph (c)(ii) and without limiting the Court's discretion under s 5BAA, the Court may direct that a witness is to attend to give evidence in person if:
  - (i) The written statement of the witness and/or a list of corroborative witnesses has not been served upon the defence in accordance with paragraph 5.4, such that the Court cannot be satisfied that the witness is a corroborative witness;
  - (ii) The necessary audio link or audio visual link facilities are not available and cannot reasonably be made available on the first available date for listing the matter for hearing.
- (e) Any audio link or audio visual link proposed to be used must be capable of enabling the witness' evidence to be recorded by the court's recording system,

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in accordance with the constitution of the Local Court as a court of record under s 7, *Local Court Act 2007*.

- (f) Nothing in this paragraph precludes the defence from making an application that the court direct a witness to attend to give evidence in person under s 5BAA(3).
- (g) The prosecution is required only to call at the hearing those witnesses nominated for cross-examination on the Court Listing Advice. A notation on the Court Listing Advice by the legal representative of the accused that a witness is not required to be called for cross-examination does not prevent the prosecution calling that witness in the prosecution case if the prosecutor is of the opinion the witness is required. The remainder of the brief of evidence must be tendered by the prosecution in its case.

# 5.8 Costs

Pursuant to s 216 CPA, the court may order that a party to pay such costs as it may determine where it is satisfied that the other party has incurred additional costs because of the unreasonable conduct or delays of the first party.

# 6. VACATING HEARING DATES

# 6.1 General

- (a) When a hearing date has been allocated, it will not be vacated unless the party seeking to vacate shows cogent and compelling reasons.
- (b) Any application to vacate a hearing date must be in writing in the form of Attachment C and must be made not less than 21 days prior to the allocated hearing date, or such other period (whether longer or shorter) as in the opinion of the presiding magistrate will allow time to list other matters for hearing on the date(s) to be vacated.
- (c) In the first instance the application shall be dealt with by a Magistrate in Chambers and shall only be listed in court at the direction of the Magistrate.
- (d) The party bringing the application must give notice to the opposing party or parties of the application.

# 6.2 Urgent applications

- (a) Where urgent and unforseen circumstances arise within the 21 days of the allocated hearing date, an application to vacate a hearing date should be made as soon as practicable after a party has become aware of grounds for such application and, in any event, not later than the next working day.
- (b) Upon an application to vacate a hearing date on the grounds of illness, the party making the application will be required to produce a medical certificate within a period specified by the court.

# 6.3 Change of plea

When instructions are received to enter a plea of guilty in a matter fixed for defended hearing, the prosecution and the court should be advised at the earliest opportunity.

# 7. AUDIO VISUAL LINK (AVL) FACILITIES

# 7.1 Procedures to be adopted for persons in custody at Courts/ Circuits with no AVL facilities

- (a) Courts <u>without</u> AVL facilities: Presiding magistrates at the Local Court locations without AVL facilities ('original courts') will adjourn all matters (other than matters for hearing) where accused persons are in custody, to the nearest or appropriate allocated courthouse with AVL facilities in accordance with the table set out at Attachment D.
- (b) **Courts with AVL facilities:** Presiding Magistrates at Local Court locations with AVL facilities will manage all matters involving persons in custody from surrounding courts including:
  - (i) Hearing of bail applications;
  - (ii) Making of brief orders;
  - (iii) Making of further brief orders;
  - (iv) Listing matters for hearing or sentence at the original Court;
  - (v) Adjournments.
- (c) When a matter from a surrounding court is ready to be listed for hearing or sentence, it will be necessary for the parties through the registrar at the Court with the AVL facility to ascertain a suitable date for the adjournment of the matter to the original court for hearing or sentence.
- (d) This Chapter does not affect arrangements currently in place for Centralised Committals nor the courts at which committal proceedings are dealt with.

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## 8. DEFENDANTS WITH A MENTAL ILLNESS

## 8.1 **Provision of Psychiatric Reports to Correctional Facilities**

- (a) In many cases coming before the Court, psychiatric reports (including those from Justice Health prepared by Court Nurse Clinicians) are tendered during the proceedings. Often it would be of assistance to the Department of Corrective Services and prisoners if these reports were transported back to the prison with the prisoner. The Department of Corrective Services has agreed to facilitate this.
- (b) In cases where it is requested that a report accompany the prisoner, a separate copy of the report should be placed in a sealed envelope and addressed to the Nursing Unit Manager of the correctional centre or a nominated person within Justice Health.

## 8.2 Section 33(1)(a) applications

When making an order for a defendant to be taken to hospital for assessment and possible admission for treatment under section 33(1)(a) of the *Mental Health (Forensic Provisions) Act* 1990, no bail determination is required. A bail determination is not to be made unless and until the person is brought back before the Court after not being admitted for treatment.

## 9. MEDIA RECORDING OF PROCEEDINGS

## 9.1 Object

- (a) This Chapter sets out the procedure for making arrangements pursuant to section 9(2)(a) of the *Court Security Act* 2005 for the recording and dissemination of court proceedings by media representatives.
- (b) The object of this Chapter is to facilitate the fair and accurate reporting of proceedings having regard to the principle of open justice.

## 9.2 Definitions

In this Chapter:

- **media representative** means a person with appropriate professional identification who is engaged in preparing a report of court proceedings for a recognised media organisation;
- *publication* means the publishing, broadcasting, transmitting, printing or disseminating by other means of all or part of a recording, whether on the Internet or otherwise;
- *recording* means the capturing on a medium of audio and/or visual content.

## 9.3 Application

- (a) A media representative seeking to use a recording device in court at the hearing of a proceeding must apply to the presiding Magistrate through the registrar of the court where the proceeding is to be held.
- (b) Wherever possible, the application is to be made prior to the date of hearing and will be dealt with in chambers. This is to ensure that, where an application is approved, suitable arrangements for the placement of recording devices can be made where required prior to the proceeding being held.

## 9.4 Determination

- (a) Determination of whether or not to approve an application to use a recording device in court is at the discretion of, and subject to any reasonable conditions imposed by, the presiding Magistrate.
- (b) In making a determination referred to in sub-paragraph (a), the presiding Magistrate may consider to whether it is in the interests of justice to allow the application, having regard to:
  - (i) The principle of open justice;
  - (ii) The purpose for which the approval to use a recording device in the courtroom is sought;

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- (iii) Any disruption or other adverse effect that use of a recording device in the courtroom may have upon the conduct of the proceeding, or any party or other participant in the proceeding;
- (iv) Any other matter the Magistrate considers relevant.

## 9.5 Conditions upon approved use of recording device

- (a) Without limiting sub-paragraph 9.4(a), the following standard conditions will apply to the use of a recording device in court unless varied by the presiding Magistrate:
  - (i) The use of a recording device must not cause any disruption to the proceeding. The presiding Magistrate may direct a media representative to cease using a recording device in the event that the Magistrate is of the view that a disruption is being caused.
  - (ii) A recording device must not be used to record the private conversations of any person in the courtroom before, during or after the proceeding.
  - (iii) Only one recording device will be permitted in the courtroom. It is a condition of approval that access to any recording made in court is to be shared amongst media organisations if media representatives from more than one media organisation wish to access the recording.
  - (iv) Only sound or images of the presiding Magistrate may be recorded, unless the prior approval of the Magistrate to record sound or images of another person in the courtroom is sought and obtained prior to the hearing.

## 9.6 Costs

Any additional costs incurred in making arrangements for media recording pursuant this Chapter are to be met by the media representative. The presiding Magistrate may require an undertaking to be given by the media representative when making an application to pay any additional costs.

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## PART C – SPECIFIC PROCEEDINGS

## 10. SUMMARY HEARINGS FOR DOMESTIC VIOLENCE OFFENCES

## 10.1 Application

This Chapter applies to all summary proceedings in respect of domestic violence offences, as defined in section 11 of the *Crimes (Domestic and Personal Violence) Act* 2007, that are listed for mention or hearing in the Local Court of New South Wales.

### 10.2 Object

- (a) The object of this Chapter is to ensure that, where appropriate, pleas of guilty are entered at the first available opportunity and if a plea of not guilty is entered that a hearing occurs with expedition.
- (b) The time standard applying to such matters is that the matter will be listed for hearing within 3 months of the charges being laid.

## 10.3 Procedure

To achieve the object set out in paragraph 10.2, the following practice directions apply:

- (a) Where a person is charged with a domestic violence offence, the prosecution shall serve on the defendant at the first available opportunity, and not later than the first mention date in court a copy of the mini brief of evidence upon which the prosecution relies. The mini brief may be served upon the defendant's representative. The mini brief is to include:
  - (i) The alleged facts;
  - (ii) A copy of the victim's statement; and
  - (iii) Any photographs on which the prosecution will rely.
- (b) The court may require the defendant to enter a plea at the first time the matter is mentioned in court. If no plea can be entered at that time, or the defendant has not had a reasonable opportunity to view the recorded statement, the court will allow an adjournment of not more than 14 days for a plea to be entered, or for the recorded statement to be viewed.
- (c) Unless a plea of guilty is entered, that matter shall be adjourned to a hearing date, with a direction that the balance of the brief be served not less than 14 days before the date fixed for hearing, in accordance with s 183 of the *Criminal Procedure Act* 1986.
- (d) Where the defendant is legally represented, within 7 days of the service of the balance of the brief, the prosecutor should be advised of which witnesses are required for cross examination and which if any witnesses statements can be tendered without the need to call them for cross-examination.

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(e) In the event that representations are sought to be made to Police, the making of representation will not delay the listing of a hearing or any other part of these standard directions.

### 10.4 Interpretation

This Chapter does not operate to make any statement admissible in a proceeding for a domestic violence matter if it is not otherwise admissible.

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## 11. SDRO ANNULMENT APPLICATIONS

## 11.1 Application

The procedures outlined in this Practice Note set out the manner in which an appeal against a refusal by the State Debt Recovery Office (SDRO) to grant an annulment of a penalty notice enforcement order pursuant to section 50 of the *Fines Act* 1996 (*an appeal*) and, if the appeal is granted, subsequent proceedings for the offence are to proceed.

## 11.2 Lodging an appeal

An appeal may be lodged at *any* Local Court Registry.

## 11.3 Appearances by the SDRO

- (b) The SDRO may make written submissions on the appeal instead of being legally represented.
- (c) The SDRO's submissions must include a copy of the penalty notice enforcement order, and:
  - (i) The name and address for service of the prosecuting authority, and
  - (ii) The driver licence number, if known, of the person allegedly responsible for the offence.

## **11.4** Annulment granted – Plea of Guilty

If the Court grants the annulment, and the defendant pleads guilty to the offence, the Court will, where appropriate, proceed to determine the offence.

## 11.5 Annulment granted – Plea of Not Guilty

- (a) If the Court grants an annulment, and the defendant pleads not guilty to the offence, the Court will adjourn the matter to for hearing at a Court proximate to where the offence took place.
- (b) Where possible, the matter will be listed for hearing *no less than* two months after the annulment is granted.
- (c) The prosecuting authority may make an application to vacate the hearing if any witnesses will be unavailable on the adjourned date in accordance with Chapter 6 (Vacating Hearing Dates).

## 11.6 Costs

The Court will not consider an order in relation to costs in the appeal proceedings unless the other party has been notified that such an application is to be made.

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## PART D – DIVERSIONARY PROGRAMS

## 12. MERIT

## 12.1 Description, objects and availability

- (a) The MERIT program is a pre plea diversion program for defendants with drug problems conducted in the Local Court of NSW. At selected locations the MERIT program includes Alcohol MERIT for persons charged with offences before the Local Court who have alcohol problems.
- (b) The program provides for the early referral for assessment of arrested persons who are eligible for bail (or do not require bail consideration) and who are motivated and volunteer to engage in treatment and rehabilitation for their drug use problem.
- (c) The program brings together the health, justice and law enforcement systems with the focus on the reduction of criminally offending behaviour associated with drug use.
- (d) The successful engagement in the MERIT program can be taken into account in sentence proceedings.
- (e) The MERIT program is available at over 50 Local Court locations across New South Wales. Additional locations may be added from time to time. Those wishing to make a referral to the program should contact their nearest Local Court registry for information as to whether the MERIT program is available at a particular location.

## 12.2 Referrals to the MERIT program

- (a) Referrals for assessment into the program may come from one of the following sources:
  - (i) on apprehension by the Police who may refer a defendant for assessment into the program;
  - (ii) at the commencement of proceedings, by:
    - the defendant;
    - the defendant's lawyer;
    - the presiding Magistrate; or
    - any other person (such as family/friend, health professional, probation and parole officer).

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## 12.3 Preliminary considerations for entry into the MERIT program

- (a) The MERIT program is designed as a pre-plea scheme to encourage referral for assessment at an early stage of the court process and entry into the program is not dependent on the person's guilt or innocence.
- (b) Notwithstanding paragraph 12.3(a) above, a plea may be entered at any time from the person's first appearance before the court until the conclusion of the program.

### 12.4 Criteria for eligibility to participate in the MERIT program

- (a) To be eligible to participate in the MERIT program the defendant must meet the following criteria:
  - (i) The defendant must be an adult;
  - (ii) The offences should not involve strictly indictable offences or sexual offences and the defendant should not have like offences pending before a Court.
  - (iii) The defendant must be suspected of using drugs or have a history of drug use
  - (iv) The defendant must be eligible for bail and suitable for release on bail or not require bail consideration
  - (v) The defendant must voluntarily agree to participate

### 12.5 General procedure

- (a) If considered eligible to participate, the defendant should be referred to the MERIT assessment team attached to the Court for the relevant assessment to be undertaken to ensure that the defendant is suitable for the program. The Court proceedings should be adjourned for a short period to allow that assessment to occur.
- (b) As part of the assessment, the MERIT case worker will assess the nature of the defendant's drug use and other associated problems.
- (c) The case worker is to assess the defendant against the criteria for suitability for entry to the program and then formulate a proposed treatment plan for the defendant to undertake and prepare a report for the Court.
- (d) If the defendant is considered suitable for the MERIT program, the Magistrate may approve placement of the defendant onto the program.
- (e) If the defendant is considered not suitable for the program, the defendant will be asked to enter a plea and the matter will proceed in the usual way.

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## 12.6 Treatment

- (a) Once the Magistrate formally approves the placement of the defendant on the MERIT program, the treatment plan as devised by the MERIT case worker, if it has not already commenced, will be commenced.
- (b) The determination of an appropriate treatment module is a matter solely within the discretion of the MERIT case worker. Their trained role is to identify the needs, risks, long and short term goals of the participant and then to oversee the provision of available treatment services in the best interests of that participant. Examples of the drug treatment programs available include:
  - (i) medically supervised and home based detoxification;
  - (ii) methadone and other pharmacotherapies such as naltrexone and buprenophine;
  - (iii) residential rehabilitation;
  - (iv) individual and group counselling and psychiatric treatment.
- (c) The MERIT program is generally planned as a 12 week intensive program. It may be extended in special circumstances with the agreement of the Magistrate, the MERIT case worker and the defendant.
- (d) During the treatment phase the Court effectively case manages the process. Once accepted into the MERIT Program, the defendant is required to return to Court at such intervals as determined by the Magistrate usually on the recommendation of the MERIT Team. At each adjournment, an update report is provided and the defendant required to attend unless excused by the Court with the concurrence of the MERIT Team. At the conclusion of the program a final report is provided by the MERIT team.

## 12.7 Breaches

- (a) Should the defendant fail the program despite sufficient opportunities to comply with the directions of the MERIT Team, the MERIT Team must, as soon as possible, notify the Court. The defendant's continuation on the program is a matter for Magisterial discretion. If the defendant is removed from the program by the Magistrate, or withdraws voluntarily at any time, the matter should be relisted as soon as possible for normal judicial management.
- (b) While minor issues of non-compliance with the agreed treatment plan need not necessarily be actioned, reference to such conduct should appear in the interim or final reports.

## 12.8 Conclusion of MERIT program

(a) At the conclusion of the program, the final report will set out the achievements or otherwise of the participant under the program. At that time, the defendant will be asked (if it has not already happened) to enter a plea. The case will then proceed through the normal justice process.

- (b) On sentence, the successful completion of the MERIT program is a matter of some weight to be taken into account in the defendant's favour. At the same time, as the MERIT program is a voluntary opt in program, its unsuccessful completion should not, on sentence, attract any additional penalty.
- (c) The final sentencing outcome should be formally communicated by the Court to the MERIT Team for their recording purposes.

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## 13. FORUM SENTENCING

## 13.1 Description, objects and availability

- (a) The Forum Sentencing Program is an additional sentencing option available at the following Local Court locations across New South Wales:
  - Burwood / Balmain / Newtown
  - Campbelltown / Moss Vale / Picton
  - Liverpool / Fairfield
  - Tweed Heads / Murwillumbah / Byron Bay / Mullumbimby
  - Newcastle / Toronto/ Belmont / Raymond Terrace
  - Gosford / Wyong / Woy Woy
  - Parramatta
  - Bankstown / Sutherland / Kogarah
  - Lismore / Ballina / Casino / Kyogle
  - Coffs Harbour / Grafton / Bellingen / Macksville / Maclean
  - Downing Centre / Central / Waverley
  - Port Macquarie / Foster/ Taree / Kempsey/ Wauchope / Gloucester
  - Maitland / Cessnock / Muswellbrook / Singleton / Dungog / Scone / Murrurundi / Kurri Kurri / East Maitland

Additional court locations may be added from time to time.

- (b) The program provides for the referral of offenders who have pleaded guilty or have been found guilty of offences where the Court considers that the facts of the case and the offender's antecedents indicate it is likely a **conviction** will be recorded and the person will be required to:
  - Serve a sentence of imprisonment, including a suspended sentence or a sentence the subject of an intensive correction order or a home detention order under the *Crimes (Sentencing Procedure) Act 1999*; or
  - Perform community service work in accordance with a community service order; or
  - Enter into a good behaviour bond.

At a conference, the offender and the victim or victims of the offence are brought together with a Forum Facilitator to develop an intervention plan for the offender.

(c) The eligibility criteria along with the aims of the program are set out in Part 7 of the Criminal Procedure Regulation 2010.

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## 13.2 Referrals to Forum Sentencing

- (a) Offenders charged with certain offences are excluded from eligibility to be referred for participation in the Forum Sentencing Program. A list of excluded offences is set out in clause 55(2), Criminal Procedure Regulation 2010.
- (b) The Court may make a referral either on application by the offender or their representative, by a prosecutor, or on its own motion.
- (c) If eligible to participate, court proceedings are to be adjourned for up to 2 weeks for Forum Sentencing staff (the Operations Team and the Forum Facilitator) to conduct a suitability assessment.
- (d) During the adjourned period, an assessment of the appropriateness of the offender's case being dealt with under the program is to be carried out. A locally based Forum Facilitator will assess the offender's suitability while an Operations Team employee will assess the case and contact the victim/s to ascertain their willingness to participate.
- (e) Case suitability takes into account offender suitability, victim participation and the appropriateness of the case being dealt with under the program. A suitability assessment report is to be provided to the Court that indicates whether the case meets the following requirements:
  - (i) The offender's case has been assessed as appropriate for being dealt with under the program; and
  - (ii) The offender has been assessed as being suitable for participation in the program; and
  - (iii) At least one victim wishes to participate or to have his or her nominated representative participate, in a conference.

### **13.3** Conference participation order

- (a) If assessed as suitable, the Magistrate will consider placement of the offender into the program and may make a conference participation order. Both the offender and the prosecutor may be heard. If **not** considered suitable, the matter will proceed through the ordinary court process.
- (b) The Court will adjourn the matter for no longer than 8 weeks in order for the conference to be conducted.
- (c) During the adjournment period, a Forum Facilitator will conduct a conference in respect of the offender to whom the order applies.
- (d) Following initial management of case suitability by an Operations Team employee, a Forum Facilitator is to advise any participating victim/s or offender/s of their right to participate in the conference.
- (e) The Court is to be notified and the offender's case is to be returned to the Court to be dealt with in accordance with the ordinary court process if, before a conference is held:

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- (i) The offender becomes unsuitable to participate in the program;
- (ii) All victim/s withdraw their consent to participate or have their nominated representative participate in a conference; or
- (iii) The offender's case otherwise becomes inappropriate for being dealt with under the program.

### 13.4 Intervention plans

- (a) On the adjournment date, the Court is to receive a draft intervention plan and a supporting forum report.
- (b) A draft intervention plan arising from the conference is based on recommendations made and agreed to by victim/s and offender/s and the majority of other participants at the conference. The draft intervention plan is to include any further action required on behalf of the offender.
- (c) A forum report sets out any recommendations not included in the draft intervention plan, including any recommendation to the Court that a compensation order be made and/or details of financial reparations or a donation that the offender has agreed to make. The report is to advise the Court if participants were unable to agree on an intervention plan or if victim/s and/or offender/s exercised their right to veto recommendations.
- (d) If the Court approves the draft intervention plan, an intervention plan order is made.
- (e) The Forum Facilitator is to establish the offender's commencement of an approved intervention plan, then transfer supervision to an Operations Team employee. Monitoring, supervision and reporting on intervention plans is the responsibility of the Operations Team and may also be shared with Community Corrections. The forum report and draft intervention plan is to make recommendations in relation to supervision where appropriate.
- (f) The Court may refer the intervention plan back to the Operations Team for consultation or amendment. Amendments **must** be approved by the victim/s and offender/s or they will not be made. If approved, the Operations Team will revise the intervention plan and report back to the Court if practicable within seven days.
- (g) No more than one referral to revise the intervention plan will be made. If the plan is not approved and a revised plan is not approved, sentencing will proceed in the ordinary manner.

### 13.5 Sentencing

- (a) Following approval of the Intervention Plan the Court may exercise the following sentencing options:
  - (i) Make a further order adjourning the proceedings pursuant to s 11(1)(b2) of the *Crimes Sentencing Procedure Act* 1999 ('CSP Act'); or

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- (ii) Proceed to sentence pursuant to ss 9, 10, or 12 of the CSP Act. Section 95A of the CSP Act may apply to sentences imposed under these provisions.
- (b) If the Court proceeds to sentence in accordance with paragraph 9(b)(ii) and imposes a good behaviour bond, any recommendation in the forum report and relevant form for the making of financial reparations or a donation by the offender is **not** to be included as a condition of the good behaviour bond.
- (c) The Court may make a compensation order in accordance with any recommendations contained in the forum report.
- (d) Successful completion of the Forum Sentencing program is a matter that may be taken into account by the Court upon sentence.
- (e) Where the Court makes an order in which an approved intervention plan is part of the sentence, the Court will specify where relevant:
  - (i) Any supervision required as part of the sentence other than that undertaken by the Operations Team. An order may be supervised by the Operations Team, Community Corrections, or both; and
  - (ii) The time limits within which parts of the intervention plan are to be completed.

### 13.6 After sentencing

- (a) The Court is to be advised by the supervising Operations Team employee or other supervising party when an offender does not complete, partially completes or satisfactorily completes an intervention plan.
- (b) In the event the Court is advised that the intervention plan has not been satisfactorily completed, the Court may:
  - (i) Take no action;
  - (ii) Issue a notice of call up; or
  - (iii) Issue a warrant.
- (c) If the intervention plan is part of a sentence supervised in part or solely by Community Corrections (for instance, a good behaviour bond), breach action by Community Corrections is to be dealt with in accordance with the usual process for that type of sentence.

Judge Graeme Henson Chief Magistrate

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Attachment A

## NOTICE OF APPEARANCE IN SUMMARY CRIMINAL TRIALS

In the Local Court at:	
l advise I appear on behalf of (name)	
In the matter of Police v	
Police "H" Number reference	
Listed on	
NAME of Legal Representative FIRM OF SOLICITORS	
•	Fax Number

### SERVICE OF BRIEF DIRECTIONS

I hereby consent that the written statements and copies of proposed exhibits be served on the defendant in the above case by:

### MARK BOX

- 1) Facsimile transmission to the legal representative to the above fax number; or
- 2) Emailing it to the legal representative to the above email address; or
- 2) Posting it to the legal representative to the above postal address; or
- 3) Leaving it at the address of the legal representative at the above address.

(Signature of Legal Representative)

## Attachment B

## LOCAL COURT LISTING ADVICE

# (IMPORTANT – Where the defendant is represented by a barrister or solicitor a completed and signed copy of this document must be given to the Court and the prosecutor on the return date)

CASE:	POLICE v						
CHARGE/SUMMONS							
<b>REFERENCE NUMBER:</b>							
FOR MENTION:				LOCAL COUR	Т	/	/
PNG:	CONFIRMED			WITHDRAWI	N		
STATEMENT IN POLICE BRIEF		orative ess*?		orroborative of which other witness?		Required for cross- examination**?	
1.	YES	NO				YES	NO
2.	YES	NO				YES	NO
3.	YES	NO				YES	NO
4.	YES	NO				YES	NO
5.	YES	NO				YES	NO
6.	YES	NO				YES	NO
7.	YES	NO				YES	NO
8.	YES	NO				YES	NO
9.	YES	NO				YES	NO
10.	YES	NO				YES	NO
11.	YES	NO				YES	NO
12.	YES	NO				YES	NO
13.	YES	NO				YES	NO
14.	YES	NO				YES	NO
15.	YES	NO				YES	NO
ESTIMATED DURATION OF HEAR	ING						HOURS
NUMBER OF DEFENCE WITNESSE	S						
IS AN INTERPRETER REQUIRED?				YES		N	0
WHAT LANGUAGE?							
TECHNOLOGY REQUIRED?							
AUDIO VISUAL LINK				YES		N	0
• REMOTE WITNESS (CHILD/VULNERABLE PERSON/DV COMPLAINANT)			PLAINANT)	YES AGE:	SE	EX: M / F	NO
CCTV FOOTAGE/ELECTRONIC EVIDENCE TO BE PLAYED				YES		NO	
NOTICE, cl 25 CRIMINAL PROCEDURE REGULATION 2010 GIVEN?			YES		N	0	
DEFENDANT'S SOLICITOR / COUNSEL SIGNATURE AND NAME						I	
CONTACT PHONE NUMBER							

\* A member of the NSW Police Force called to give evidence in proceedings to corroborate evidence in chief given by another member of the NSW Police Force for the prosecution: s 5BAA, *Evidence (Audio and Audio Visual Links) Act 1998* 

\*\* Where a witness is not required for cross-examination it will prima facie be assumed that the tender of the statement is consented to, subject to the *Evidence Act 1995*.

Attachment C



## Form 1 – APPLICATION TO VACATE A HEARING DATE

### PARTS A & B MUST BE COMPLETED IN FULL PRIOR TO THE APPLICATION BEING LODGED IN PERSON BY THE APPLICANT OR THE APPLICANT'S REPRESENTATIVE

**Note**: This application will be dealt with in Chambers unless there is good reason for it to be listed before a Court. This application, together with all relevant information should be submitted in writing not less than **21 days** before the hearing date **OR**, in the case of urgent circumstances arising after that time, as soon as practicable before the date of hearing.

You will be advised of the outcome of the application and the date on which it is next listed (where applicable).

You must lodge all relevant supporting documentation with this application.

### **PART A** (Applicant to complete)

Name of the matter:....
Date listed for hearing.....Time estimate.....
Place listed for hearing.....Local Court
Offence(s).....
Application lodged on behalf of the.....(Prosecution/defence)
Name of applicant: Signature:
(Informant/Defendant/Representative) Address:
Date:..../....Phone: Fax:
I apply to vacate the hearing date for the following reasons:
(Please provide as much information as possible in support of the application - attach
additional pages if more space required)

If the application has arisen because of the non-availability of any relevant person in the matter, including witnesses, legal representatives or a defendant you must provide answers to the following questions:

1.	When was this person first notified of the hearing date?(date)
2.	Was the event which has caused this person to be unavailable arranged before or after the person became aware of the hearing date?
3.	If before, why was the court advised that this date was a suitable date for hearing?
4.	If after, why did this person arrange another commitment for the day of hearing?
5.	Why is it essential for this person to be present at the hearing?
	ntact address (include telephone number/e-mail)
•	plicant Respondent
····	
	<b>RT B</b> (Other party to complete - a faxed copy is sufficient)
•	nto: Adjournmente will not be granted simply because both partice concept to an
	ote: Adjournments will not be granted simply because both parties consent to an journment)
Ιa	journment) gree with this application. I have notified the applicant of my unavailable dates
Ιa	journment)
l a( l do	journment) gree with this application. I have notified the applicant of my unavailable dates o not agree to this application because:
l a( l do  l do	journment) gree with this application. I have notified the applicant of my unavailable dates o not agree to this application because:
I ag I da  I da Na (Int	journment) gree with this application. I have notified the applicant of my unavailable dates o not agree to this application because:

Date: Phone: Fax:

**PART C** (Court/office use only)

APPLICATION: GRANTED - NEW HEARING DATE IS..... REFUSED - WILL BE HEARD IN COURT (NO: ) ON....../..../...../.

.....

Magistrate

COPY TO: 1. List Office/Registry

2. Police Prosecutors

3. Other (specify)

## Attachment D

## **AVL Facilities**

## Courts without AVL facilities - locations for adjournment

Original Court	AVL Court	Original Court	AVL Court	Original Court	AVL Court
Albion Park	Wollongong	Grenfell	Wagga Wagga	Muswellbrook	Taree
Ballina	Lismore	Gulgong	Bathurst	Narooma	Bateman's Bay
Balmain	Central	Gundagai	Goulburn	Narrabri	Moree
Balranald	Broken Hill	Gunnedah	Tamworth	Narrandera	Wagga Wagga
Bega	Bateman's Bay	Нау	Griffith	Narromine	Wellington
Bellingen	Coffs Harbour	Hillston	Griffith	Newtown	Central
Belmont	Newcastle	Holbrook	Albury	North Sydney	Central
Blayney	Bathurst	Hornsby	Parramatta	Nyngan	Wellington
Boggabilla	Moree	Inverell	Moree	Oberon	Bathurst
Bombala	Goulburn	Junee	Wagga Wagga	Peak Hill	Wellington
Brewarrina	Bourke	Katoomba	Bathurst	Picton	Campbelltown
Byron Bay	Tweed Heads	Kempsey	Port Macquarie	Queanbeyan	Goulburn
Camden	Campbelltown	Kiama	Wollongong	Quirindi	Tamworth
Casino	Lismore	Kogarah	Sutherland	Ryde	Parramatta
Cobar	Wellington	Kurri Kurri	Maitland	Rylstone	Bathurst
Condoblin	Parkes	Kyogle	Lismore	Scone	Cessnock
Cooma	Goulburn	Lake Cargelligo	Parkes	Singleton	Cessnock
Coonabarabran	Tamworth	Leeton	Griffith	Temora	Wagga Wagga
Coonamble	Tamworth	Lightning Ridge	Walgett	Tenterfield	Armidale
Cootamundra	Wagga Wagga	Lithgow	Bathurst	Toronto	Newcastle
Corowa	Albury	Lockhart	Wagga Wagga	Tumbarumba	Albury
Cowra	Griffith/Bathurst/ Orange	Macksville	Coffs Harbour	Tumut	Wagga Wagga
Crookwell	Goulburn	Maclean	Grafton	Walcha	Armidale
Dunedoo	Bathurst	Milton	Nowra	Warialda	Moree
Dungog	Cessnock	Moama	Deniliquin	Warren	Wellington
Eden	Bateman's Bay	Moruya	Bateman's Bay	Wauchope	Port Macquarie
Fairfield	Bankstown	Moss Vale	Goulburn	Wee Waa	Moree
Finley	Albury	Moulamein	Broken Hill	West Wyalong	Griffith
Forbes	Parkes	Mudgee	Bathurst	Wilcannia	Broken Hill
Forster	Taree	Mullumbimby	Tweed Heads	Windsor	Penrith
Gilgandra	Wellington	Mungindi	Moree	Yass	Goulburn
Glen Innes	Armidale	Murrurundi	Tamworth	Young	Wagga Wagga
Gloucester	Taree	Murwillumbah	Tweed Heads		

## Attachment D

## **Courts with AVL facilities**

## Metropolitan

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- Bankstown
- Blacktown
- Burwood •
- Campbelltown •
- Central •
- Downing Centre •
- Liverpool •
- Manly •
- Mount Druitt •
- Parramatta •
- Penrith
- Sutherland
- Waverley

- Regional
- Albury •
- Armidale •
- Bateman's Bay •
- Bathurst •
- Bourke •
- Broken Hill •
- Cessnock •
- Coffs Harbour .
- Deniliquin •
- Dubbo •
- Gosford .
- Goulburn •

- Grafton • Griffith •
- Lismore •
- Maitland •
- Moree
- Newcastle
- Nowra
- Orange
- Port Macquarie ٠
- Port Kembla •
- **Raymond Terrace** •

- Tamworth •
- Taree •
- **Tweed Heads** •
- Wagga Wagga ٠
- Walgett ٠
- Wellington •
- Wentworth •
- Wollongong •
- Woy Woy •
- Wyong •

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- - - Parkes

# **COUNCIL NOTICES**

#### **KU-RING-GAI COUNCIL**

#### LOCAL GOVERNMENT ACT 1993

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

#### Notice of Compulsory Acquisiton of Land

Ku-ring-gai Council declares with the approval of His Excellency the Governor that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for SP2 Infrastructure Local Road.

Dated at Gordon this 26 day of May 2015

JOHN McKEE, General Manager

#### Schedule

Lot 13 DP666504

[7987]

#### NARRANDERA SHIRE COUNCIL

Naming of Public Road

Notice is hereby given that Narrandera Shire Council, in pursuance of section 162 of the *Roads Act 1993* and Part 2, Division 2, clause 9 of the *Roads Regulation 2008*, resolved 16 November 2013 to name for the first time the following roadway described hereunder:

Locality	New Roadway Name
Narrandera	Paterson Place – being the newly created roadway resulting from registered deposited plan of subdivision numbered 1208980. Commencing at the intersection with Driscoll Road, Narrandera then Northerly to the Southern boundary of Lot 1 DP 1159358 where the points of the cul-de-sac arc commence and conclude

Where a submission was received in respect of any proposed road name, the submission was duly considered by Council.

JUDITH CHARLTON, Chief Executive Officer, Narrandera Shire Council, 141 East Street, Narrandera NSW 2700.

[7988]

#### NARRANDERA SHIRE COUNCIL

Naming of Public Roads

Notice is hereby given that Narrandera Shire Council, in pursuance of section 162 of the *Roads Act 1993* and Part 2, Division 2, clause 9 of the *Roads Regulation 2008*, resolved 18 November 2014 to rename the following roadways described hereunder:

Locality	Current Roadway Name	New Roadway Name
Galore & Boree Creek	Kywong Boree Creek Road – that roadway from the intersection with the Sturt Highway then in a South Easterly then Southerly direction to the common boundaries with both Lockhart Shire Council and Urana Shire Council	Boree Creek Road
Galore & Sandigo & Boree Creek	Kywong Faithfull Road – that roadway from the intersection with the Lockhart Road then Easterly to the intersection with Sandigo Road	Kywong Road

Where a submission was received in respect of any proposed road name, the submission was duly considered by Council.

JUDITH CHARLTON, Chief Executive Officer, Narrandera Shire Council, 141 East Street, Narrandera NSW 2700.

[7989]

## NARRANDERA SHIRE COUNCIL

#### Naming of Public Road

Notice is hereby given that Narrandera Shire Council, in pursuance of section 162 of the *Roads Act 1993* and Part 2, Division 2, clause 9 of the *Roads Regulation 2008*, resolved 19 May 2015 to name for the first time the following roadway described hereunder:

Locality	New Roadway Name
Narrandera	Knight Drive – being the entrance roadway to the Narrandera-Leeton Airport commencing at the intersection with Irrigation Way (RMS classified MR80) then Northward from Irrigation Way into Lot 1 DP 187882 then forming a circular roadway in front of the Narrandera-Leeton passenger terminal to rejoin the same roadway

Where a submission was received in respect of any proposed road name, the submission was duly considered by Council.

JUDITH CHARLTON, Chief Executive Officer, Narrandera Shire Council, 141 East Street, Narrandera NSW 2700.

[7990]

#### **ORANGE CITY COUNCIL**

#### ROADS ACT 1993

Notice of Dedication of Land as Public Road at Orange in the Orange City Council area

Orange City Council, by its General Manager, dedicates the land described in the Schedule below as public road under section 10 of the *Roads Act 1993*.

GARRY STYLES, General Manager, Orange City Council

#### Schedule

All that piece or parcel of land situated in the Orange City Council area, Parish of Orange and County of Wellington, described as:

Description of Land	Title Particulars
Lot 100 DP 1185342, Southern Feeder Road, Orange	Folio Identifier 100/1185342
Lot 219 DP 722282, Southern Feeder Road, Orange	Folio Identifier 219/722282
Lot 221 DP722282, Southern Feeder Road, Orange	Folio Identifier 221/722282
Lot 7010 DP 1000831, Southern Feeder Road, Orange	Folio Identifier 7010/1000831
Lot 7018 DP 1020321, Southern Feeder Road, Orange	Folio Identifier 7018/1020321
Lot 223 DP1011881, Southern Feeder Road, Orange	Folio Identifier 223/1011881
Lot 226 DP 1011881, Southern Feeder Road, Orange	Folio Identifier 226/1011881
Lot 229 DP 1011881, Southern Feeder Road, Orange	Folio Identifier 229/1011881

SHOALHAVEN CITY COUNCIL

Naming of Roads

Shoalhaven City Council advises that in accordance with section 162 of the *Roads Act 1993* and Part 2 of the *Roads Regulation 2008* it has named the following roads:

### Road Names

Location

Eyre Crescent, Macquarie Drive, Pedder Drive, Como Avenue, Superior Avenue, Michigan Way, Ontario Way and the extension of Wuru Drive (existing) Subdivision of Lots 2 & 3 DP 1123774, off Wuru Drive, Burrill Lake

RUSS PIGG, General Manager, Shoalhaven City Council, PO Box 42, Nowra NSW 2541. [7992]

#### **CITY OF SYDNEY COUNCIL**

#### ROADS ACT 1993 Section 162 (1)

Road Naming

Notice is hereby given that the Council of the City of Sydney, in accordance with section 162 (1) of the *Roads Act 1993*, has named the unnamed laneway at the rear of 89–109 Pitt Street, Redfern, between Redfern and Turner Streets as "Glover Lane".

File No S102739.

Authorised by Resolution of Council dated 27 April 2015.

MONICA BARONE, Chief Executive Officer, Council of the City of Sydney, 456 Kent Street, Sydney NSW 2000.

[7993]

### WOLLONDILLY SHIRE COUNCIL

#### Naming of Public Roads

Notice is hereby given that Wollondilly Shire Council, in pursuance of section 162 of the *Roads Act 1993* and Part 2 of the *Roads Regulation 2008*, has named the following roads:

[7991]

Location

#### **Road Names**

Subdivision of Lot 7 & 8 DP 247872 – Taylors Road, Silverdale NSW Baldi Drive, Cristina Place, Candido Place and Adelaide Place

The road names have been advertised and notified in accordance with the above Regulation.

LUKE JOHNSON, General Manager, Wollondilly Shire Council, 62–64 Menangle Street, Picton NSW 2571 [7994]