



Government Gazette

of the State of
New South Wales

Number 64
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The *New South Wales Government Gazette* is the permanent public record of official notices issued by the New South Wales Government. It also contains local council and other notices and private advertisements.

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GOVERNMENT NOTICES

Miscellaneous Instruments

THREATENED SPECIES CONSERVATION ACT 1995

NOTICE OF PRELIMINARY DETERMINATIONS

The Scientific Committee has made Preliminary Determinations proposing that the following be listed in the relevant Schedule of the *Threatened Species Conservation Act 1995*.

Vulnerable Species (Part 1 of Schedule 2)

Caladenia montana G. W. Carr, a terrestrial orchid

Pterostylis alpina R. S. Rogers, a terrestrial orchid

Any person may make a written submission regarding these Preliminary Determinations. Send submissions to Suzanne Chate, PO Box 1967, Hurstville BC 1481. Submissions close 25th September 2015.

Copies of these Determinations, which contain the reasons for the determinations, may be obtained free of charge on the Internet www.environment.nsw.gov.au, by contacting the Scientific Committee Unit, PO Box 1967 Hurstville BC 1481. Tel: (02) 9585 6940 or Fax (02) 9585 6606 or in person at the Office of Environment and Heritage Information Centre, Level 14, 59–61 Goulburn Street, Sydney. Copies of the determinations may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

Dr Mark Eldridge
Chairperson
NSW Scientific Committee

Appointments

CONSTITUTION ACT 1902

Ministerial Arrangements for the Minister for Ageing,
Minister for Disability Services, and Minister for
Multiculturalism

Pursuant to section 36 of the *Constitution Act 1902*, His Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable B R Hazzard MP to act for and on behalf of the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism for the period from 1 August to 9 August 2015, inclusive.

Dated 29 July 2015

MIKE BAIRD MP
Premier

Planning and Environment Notices

HERITAGE ACT 1977

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

St Leonards Park
283A Miller Street, North Sydney

SHR No 1941

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule “A” has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 23 July 2015 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule “B”.

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule “A”

The item known as the St Leonards Park, situated on the land described in Schedule “B”.

Schedule “B”

All those pieces or parcels of land known as Lot 7321 DP 1149783, Lot 1108 DP 48839, Lots 1104–1107 DP 46990 and Lot 1 DP 560566 in Parish of Willoughby, County of Cumberland shown on the plan catalogued HC 2637 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

ERRATUM

The notice published in the *Government Gazette* No 64 of 31 July 2015, relating to St Leonards Park should have read:

Schedule “A”

The item known as the St Leonards Park, situated on the land described in Schedule “B”.

Schedule “B”

All those pieces or parcels of land known as Lot 7321 DP 1149783, Lot 1108 DP 48839, Lots 1104–1107 DP 46990 and Lot 1 DP 560566 in Parish of Willoughby, County of Cumberland shown on the plan catalogued HC 2627 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Order under Section 57 (2) to Grant Site Specific
Exemptions from Approval

St Leonards Park
283A Miller Street, North Sydney

SHR No 1941

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the *Heritage Act 1977* (NSW), do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule “C” by the owner, mortgagee or lessee

of the land described in Schedule “B” on the item described in Schedule “A”.

Dated at Sydney, 23rd Day of July 2015

The Hon MARK SPEAKMAN SC, MP
Minister for Heritage

Schedule “A”

The item known as the St Leonards Park, situated on the land described in Schedule “B”.

Schedule “B”

All those pieces or parcels of land known as Lot 7321 DP 1149783, Lot 1108 DP 48839, Lots 1104–1107 DP 46990 and Lot 1 DP 560566 in Parish of Willoughby, County of Cumberland shown on the plan catalogued HC 2627 in the office of the Heritage Council of New South Wales.

Schedule “C”

1. Works and activities to allow general maintenance and repair.

- (i) Suppression of fire in vegetation.
- (ii) Tree surgery or tree removal where considered necessary for the health of a tree, or the safety of the public or staff, provided a concurrent proposal for a replacement species is submitted.
- (iii) Pruning of less than 30% of the canopy of trees within a 2 year period as recommended by a qualified arborist and approved by Council’s Tree Management Officer for the tree’s health or public safety reasons.
- (iv) Routine horticultural maintenance, including lawn mowing, cultivation and pruning.
- (v) Repair of damage caused by erosion and implementation of erosion control measures.
- (vi) Maintenance, repair and resurfacing of existing roads, paths, fences and gates.
- (vii) Maintenance and repair of any building, structure, monument or work, including temporary relocation for conservation or protection.
- (viii) Maintenance, repair and resurfacing of sports fields and other sports courts.

2. Works and activities to allow for the maintenance of services and utilities.

- (i) Maintenance and repair of services and public utilities including communications, gas, electricity, water supply, waste disposal, sewerage, irrigation and drainage.
- (ii) Upgrade of services and public utilities where the Council is satisfied that the activity will not materially affect the heritage significance of the Park as a whole or the area in which they are to be undertaken.
- (iii) Maintenance and upgrade works to buildings undertaken to improve public safety and/or the suppression of fire which in the opinion of the Director of City Strategy (CS) do not impact on the heritage significance of the building or work.

- (iv) Installation, maintenance and removal of waste bins to implement the Council's waste management policies.
 - (v) Extension of irrigation system as necessary to areas currently without this infrastructure
- 3. Works and activities to allow for the implementation of the St Leonards Park Conservation Management Plan, the St Leonards Park Plan of Management and North Sydney Oval Plan of Management.**
- (i) Removal of existing trees and planting of new trees where necessary to implement the St Leonards Conservation Management Plan, St Leonards Park Plan of Management and North Sydney Oval Plan of Management.
 - (ii) Removal, construction or alteration of garden beds, hard landscaping and plantings to implement the St Leonards Park Conservation Management Plan, St Leonards Park Plan of Management and North Sydney Oval Plan of Management.
- 4. Works and activities to allow the alteration of roads, pathways and fences.**
- (i) Closure, removal, alteration or construction of roads and pathways to implement the St Leonards Park Conservation Management Plan, St Leonards Park Plan of Management and North Sydney Oval Plan of Management.
 - (ii) Repair, alteration, removal and installation of fences to implement the Council's policies.
 - (iii) Parking management measures to implement the Council's parking policies.
- 5. Works and activities to allow for the management of lawns, sports fields, garden beds, hard landscaping and living collections**
- (i) Removal, construction or alteration of garden beds, hard landscaping and plantings to implement the St Leonards Park Conservation Management Plan, St Leonards Park Plan of Management and North Sydney Oval Plan of Management where the Director City Strategy (CS) is satisfied that the activity will not materially affect the heritage significance of the Park as a whole or the area in which they are to be undertaken.
 - (ii) Alteration of sports fields and other facilities for organised sports within the areas currently used for such activities to meet changing needs and demands, including the erection of goal posts and line marking, erection of a picket fence, score boards, cricket pitches, lighting and perimeter fencing in the vicinity of the oval.
 - (iii) Routine horticultural curation, including development and management of displays.
- 6. Management of interpretive, information and directional signage.**
- Installation, removal and alteration of interpretive, information and directional signage and labels in accordance with signage policies adopted by the Council and/or the North Sydney Council Traffic Committee and/or the Roads and Maritime Services of NSW.
- 7. Management of artworks, statues and directional signage.**
- (i) Installation, relocation and removal of artworks, statues and monuments to implement the St Leonards Park Conservation Management Plan, St Leonards Park Plan of Management and North Sydney Oval Plan of Management.
 - (ii) Minor maintenance and minor repair of any artwork, monument, pool, fountain or work within the park where the Director CS is satisfied that the works will not materially affect the heritage significance of the area in which they are to be undertaken.
- 8. Furniture and fixtures.**
- Installation, relocation, removal and maintenance of park furniture, BBQs, play equipment, light poles, bollards and fixtures where the Director CS is satisfied that the proposal is consistent with the St Leonards Park Plan of Management, Conservation Management Plan and North Sydney Oval Plan of Management and will not materially affect the heritage significance of the Park as a whole or any buildings or area in which they are to be undertaken.
- 9. Works and activities allowing for the management of temporary events.**
- (i) Temporary use of a section of the Park temporary road closures and the installation of temporary buildings, structures, fencing, facilities, crowd control barriers, stages, lighting, sound and public address equipment and signage for a period not exceeding six months in total or for one day per month, where the Director CS is satisfied that the activity will not materially affect the heritage significance of the Park as a whole or the area in which they are to be undertaken.
 - (ii) Temporary installation of exhibitions, artworks, statues and monuments for temporary exhibitions or events for a period of less than six months.
- 10. Works and activities allowing for the management of temporary events—North Sydney Bowling Club.**
- Works and activities enabling the use of the North Sydney Bowling Club for temporary uses including road closures and the installation of temporary buildings, structures fencing, facilities and crowd control barriers, stages lighting, sound and public address equipment and signage for a period not exceeding six months in total or one day per month.
- 11. Alterations to buildings and/or works.**
- (i) Minor alteration to buildings and/or works (including alterations to provide disabled access) which do not increase the area of a building by more than 5% and where the Director CS is satisfied that the activity will not materially affect the heritage significance of the Park as a whole or the area in which they are to be undertaken.
 - (ii) Replacement of asbestos products with new materials where the Director CS is satisfied that the activity will not materially affect the heritage significance of the building and/or works.

12. Capital Works Program.

Activities related to Council’s Capital Works Program where in accordance with the St Leonards Park Plan of Management, Conservation Management Plan and North Sydney Oval Plan of Management and where the Director CS is satisfied that the activity will not materially affect the heritage significance of the Park as a whole or the area in which they are to be undertaken.

13. Existing approved development.

All works and activities in accordance with a current and valid development consent in force at the date of gazettal for listing on the NSW State Heritage Register, including, but not limited to:

DA 199/00 Refurbishment of the Music Shell as Planet X Youth Centre

DA321104 Starlight Cinema

DA 48112 Works to the Cunningham Pavilion

DA 81/12 Alterations and Additions to the Bowling Club

DA 35114 Refurbishment of the Duncan Thompson Stand, North Sydney Oval

14. Works and activities allowing alterations to existing recent development.

All works and activities for minor alterations and additions to current and valid development consents in force at the date of gazettal for listing on the State Heritage Register for St Leonards Park where the Heritage Council or its Delegate is satisfied that:

- (i) The proposed works are substantially the same as the development for which consent was originally granted, before any modifications to that consent, for the purpose of this exemption only;
- (ii) The proposed works will not incrementally or materially increase the impact of the original development consent on significant elements or characteristics of St Leonards Park, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance; and
- (iii) The Heritage Council has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, including details of the works and their location, and the Executive Director has provided written confirmation that the works and their location, and the Heritage Council or its delegate has provided written confirmation that the works are exempt.

15. Change of Use—St Leonards Park

The change of use of a building or an item located in St Leonards Park where the Director of CS is satisfied that the use will not materially affect the heritage significance of the listed area as a whole or the area and where otherwise permitted by relevant legislation.

16. Change of Use—North Sydney Bowling Club

The development or use of part of the North Sydney Bowling Club which is in accordance with a Heritage

Council endorsed Conservation Management Plan or Conservation Management Strategy.

17. Any activities, work, and uses identified as exempt in a Conservation Management Plan endorsed by the Heritage Council of NSW.

18. Development carried out in accordance with the recommendations of a Heritage Council Conservation Management Plan or Conservation Management Strategy for the North Sydney Bowling Club.

19. Works and activities related to the maintenance and upgrading of the bowling greens.

HERITAGE ACT 1977

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

Cox’s Road and Early Deviations—
Linden, Linden Precinct

SHR No 1953

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule “A” has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 23 July 2015 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule “B”.

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule “A”

The item known as Cox’s Road and Early Deviations—Linden, Linden Precinct situated on the land described in Schedule “B”.

Schedule “B”

All those pieces or parcels of land known as Crown Land, Part Lot 68 DP 12697 and Part Lot B DP 411810 in Parish of Woodford, County of Cook shown on the plan catalogued HC 2639 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Order under Section 57 (2) to Grant Site Specific Exemptions from Approval

Cox’s Road and Early Deviations—
Linden, Linden Precinct

SHR No 1953

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the *Heritage Act 1977*, do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule “C” by the owner, mortgagee or lessee of the land described in Schedule “B” on the item described in Schedule “A”.

Dated at Sydney, 23 Day of July 2015

The Hon MARK SPEAKMAN SC, MP
Minister for Heritage

Schedule “A”

The item known as Cox’s Road and Early Deviations—Linden, Linden Precinct, situated on the land described in Schedule “B”.

Schedule “B”

All those pieces or parcels of land known as Crown Land, Part Lot 68 DP 12697 and Part Lot B DP 411810 in Parish of Woodford, County of Cook shown on the plan catalogued HC 2639 in the office of the Heritage Council of New South Wales.

Schedule “C”

1. Maintenance and Restoration

The maintenance of Cox’s Road and Early Deviations to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of incompatible new materials.

- a. Restoration of Cox’s Road and Early Deviations by returning significant fabric to a known earlier location without the introduction of new material.
- b. Restoration of Cox’s Road and Early Deviations without the introduction of new material to reveal a known earlier configuration by removing accretions or reassembling existing components which does not adversely affect the heritage significance of the item.
- c. Maintenance and minor repairs necessary to preserve and maintain the functioning of Cox’s Road and Early Deviations, especially where it remains in use as a local road or access corridor, including pavement resurfacing (using existing or compatible replacement materials, but not new modern materials); maintenance of historic roadside kerbing; maintenance and repair of historic roadside walling; traffic management; relocation and maintenance of existing signage.

Note: Maintenance means ‘the continuous protective care of the fabric and setting of a place’

2. Repairs, including to services

- a. Repairs and activities associated with the maintenance and repair of existing services and public utilities including communications, gas, electricity, water supply, waste disposal, sewerage, irrigation and drainage that are situated within Cox’s Road and Early Deviations precincts. This includes replacement of poles, stay poles, wires and associated items where the same locations and fixing points will be reused.
- b. The repair (such as refixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing or installation and does not involve damage to or the removal of significant fabric.

3. Works

- a. The carrying out of road work or traffic control work, within the meaning of the *Roads Act 1993*, within the road corridor and surrounding land that is required for associated works and infrastructure.
- b. Ongoing current operational works and maintenance activities along Cox’s Road and Early Deviations

precincts currently carried out by Local Government or other authorities, such as:

- road side vegetation management including vegetation trimming, tree trimming and/or removal (if required for road safety/traffic hazard);
- stormwater drainage works such as shoulder and pit clearing;
- road repairs such as pot hole patching and road sweeping;
- provision of necessary delineation such as guide posts and traffic signage;
- access controls, drainage and erosion control;
- vegetation and bushfire management;

where such works cause little or no impact on existing heritage fabric.

- c. Temporary works, not exceeding 12 months, including containment areas, or scaffolding, other works and enclosures necessary for the carrying out of maintenance or enhancement works for Cox’s Road and Early Deviations.
- d. Minor works that do not alter the overall form or appearance of the Cox’s Road and Early Deviations.
- e. Installation of new access points such as property driveway openings, where made in accordance with the *Roads Act 1993* and where such works including new access construction, driveway design and levels would not require the removal of historic Cox’s Road and Early Deviations pavement or other historic road fabric.

4. Signage

- a. Installation of new way finding or interpretative signage or relocation of existing signs, except where these are commercial signs, modular sign structures, cantilever sign structures, or signage over 2 square metres in size.
- b. Display of any notice on the land for the purpose of site interpretation and/or public information where disturbance of land associated with this activity would not adversely affect any significant archaeology including (but not limited to) original road fabric, historic infrastructure or services and ‘relics’ within the meaning of the *Heritage Act 1977*.

5. Excavation

- a. The excavation or disturbance of land that will have a nil or minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them, where:
 - i. an archaeological assessment, zoning plan or management plan has been prepared in accordance with Guidelines endorsed by the Heritage Council of NSW which indicates that the land is unlikely to contain relics or deposits (of State or local heritage significance) and/or
 - ii. evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.
- b. The excavation or disturbance of land is for the purpose of exposing underground utility services or communications infrastructure which occurs within an existing service trench and will not affect any relics.

- c. The excavation or disturbance of land is to expose survey marks for use in conducting a land survey.

Note: Should archaeological relics or deposits be uncovered all work must cease in the immediate area. A suitably qualified and experienced archaeologist must be contacted to assess the archaeology and the Heritage Council should be informed immediately.

6. Landscape Maintenance

- a. All landscaping, gardening and fencing works associated with the ongoing use of the land for domestic, pastoral and agricultural purposes, excluding any works that may materially affect the significance of the item or disturb archaeological relics.
- b. Weeding, watering, mowing, top-dressing, pest control and fertilizing necessary for the continued health of plants, without damage or major alterations to layout, contours, plant species or other significant landscape features.
- c. Pruning (to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material) between 10% and 30% of the canopy of a tree within a period of 2 years.
- d. Removal of dead or dying trees which are to be replaced by trees of the same species in the same location.
- e. Tree surgery by a qualified arborist, horticulturist or tree surgeon necessary for the health of those plants.

7. Farming

All activities associated with the ongoing use of the land for domestic, pastoral and agricultural purposes, including road maintenance and fencing but excluding any new development or construction that would materially affect the significance of the item.

8. Safety and Security

- a. The erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the Cox's Road and Early Deviations including landscape or archaeological features of its curtilage.
- b. Emergency stabilisation, erosion control, hazard reduction or bushfire prevention works, necessary to secure safety where Cox's Road and Early Deviations precincts have been damaged or destabilised and there exists a safety risk to users or the public.

9. Bushfire Prevention

To permit the undertaking of fire prevention works in accordance with a Local Council, NPWS or Rural Fire Services approved Fire Management Plan for any Cox's Road and Early Deviations precinct. This includes works relating to hazard reduction, reduce vulnerability, maintain defensible space and protect, maintain and enhance the biodiversity and ecological values of any relevant Cox's Road and Early Deviations precincts or adjoining land Reserves.

10. Minor Development Endorsed by the Heritage Council of NSW

Minor development specifically identified as exempt development by a conservation policy or strategy within a conservation management plan or a conservation management strategy which has been endorsed by the Heritage Council of NSW, where such work would not materially impact on heritage significance.

HERITAGE ACT 1977

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

Cox's Road and Early Deviations—
Woodford, Old Bathurst Road Precinct

SHR No 1954

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 23 July 2015 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Cox's Road and Early Deviations—Woodford, Old Bathurst Road Precinct, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Crown Land, Part Lot 2 DP 1083452, Part Lot 2 DP 562051 and Part Lot 1 DP 133947 in Parish of Linden, County of Cook shown on the plan catalogued HC 2640 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Order Under Section 57 (2) To Grant Site Specific Exemptions from Approval

Cox's Road and Early Deviations—
Woodford, Old Bathurst Road Precinct

SHR No 1954

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the *Heritage Act 1977*, do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the owner, mortgagee or lessee of the land described in Schedule "B" on the item described in Schedule "A".

Dated at Sydney, 23 Day of July 2015

The Hon MARK SPEAKMAN SC, MP
Minister for Heritage

Schedule "A"

The item known as Cox's Road and Early Deviations—Woodford, Old Bathurst Road Precinct, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Crown Land, Part Lot 2 DP 1083452, Part Lot 2 DP 562051 and Part Lot 1 DP 133947 in Parish of Linden, County of Cook shown on the plan catalogued HC 2640 in the office of the Heritage Council of New South Wales.

Schedule “C”

1. Maintenance and Restoration

The maintenance of Cox’s Road and Early Deviations to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of incompatible new materials.

- a. Restoration of Cox’s Road and Early Deviations by returning significant fabric to a known earlier location without the introduction of new material.
- b. Restoration of Cox’s Road and Early Deviations without the introduction of new material to reveal a known earlier configuration by removing accretions or reassembling existing components which does not adversely affect the heritage significance of the item.
- c. Maintenance and minor repairs necessary to preserve and maintain the functioning of Cox’s Road and Early Deviations, especially where it remains in use as a local road or access corridor, including pavement resurfacing (using existing or compatible replacement materials, but not new modern materials); maintenance of historic roadside kerbing; maintenance and repair of historic roadside walling; traffic management; relocation and maintenance of existing signage.

Note: Maintenance means ‘the continuous protective care of the fabric and setting of a place’

2. Repairs, including to services

- a. Repairs and activities associated with the maintenance and repair of existing services and public utilities including communications, gas, electricity, water supply, waste disposal, sewerage, irrigation and drainage that are situated within Cox’s Road and Early Deviations precincts. This includes replacement of poles, stay poles, wires and associated items where the same locations and fixing points will be reused.
- b. The repair (such as refixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing or installation and does not involve damage to or the removal of significant fabric.

3. Works

- a. The carrying out of road work or traffic control work, within the meaning of the *Roads Act 1993*, within the road corridor and surrounding land that is required for associated works and infrastructure.
- b. Ongoing current operational works and maintenance activities along Cox’s Road and Early Deviations precincts currently carried out by Local Government or other authorities, such as:
 - road side vegetation management including vegetation trimming, tree trimming and/or removal (if required for road safety/traffic hazard);
 - stormwater drainage works such as shoulder and pit clearing;
 - road repairs such as pot hole patching and road sweeping;
 - provision of necessary delineation such as guide posts and traffic signage;
 - access controls, drainage and erosion control;

- vegetation and bushfire management; where such works cause little or no impact on existing heritage fabric.

- c. Temporary works, not exceeding 12 months, including containment areas, or scaffolding, other works and enclosures necessary for the carrying out of maintenance or enhancement works for Cox’s Road and Early Deviations.
- d. Minor works that do not alter the overall form or appearance of the Cox’s Road and Early Deviations.
- e. Installation of new access points such as property driveway openings, where made in accordance with the *Roads Act 1993* and where such works including new access construction, driveway design and levels would not require the removal of historic Cox’s Road and Early Deviations pavement or other historic road fabric.

4. Signage

- a. Installation of new way finding or interpretative signage or relocation of existing signs, except where these are commercial signs, modular sign structures, cantilever sign structures, or signage over 2 square metres in size.
- b. Display of any notice on the land for the purpose of site interpretation and/or public information where disturbance of land associated with this activity would not adversely affect any significant archaeology including (but not limited to) original road fabric, historic infrastructure or services and ‘relics’ within the meaning of the *Heritage Act 1977*.

5. Excavation

- a. The excavation or disturbance of land that will have a nil or minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them, where:
 - i. an archaeological assessment, zoning plan or management plan has been prepared in accordance with Guidelines endorsed by the Heritage Council of NSW which indicates that the land is unlikely to contain relics or deposits (of State or local heritage significance) and/or
 - ii. evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.
- b. The excavation or disturbance of land is for the purpose of exposing underground utility services or communications infrastructure which occurs within an existing service trench and will not affect any relics.
- c. The excavation or disturbance of land is to expose survey marks for use in conducting a land survey.

Note: Should archaeological relics or deposits be uncovered all work must cease in the immediate area. A suitably qualified and experienced archaeologist must be contacted to assess the archaeology and the Heritage Council should be informed immediately.

6. Landscape Maintenance

- a. All landscaping, gardening and fencing works associated with the ongoing use of the land for domestic, pastoral and agricultural purposes, excluding any works that may materially affect the significance of the item or disturb archaeological relics.

- b. Weeding, watering, mowing, top-dressing, pest control and fertilizing necessary for the continued health of plants, without damage or major alterations to layout, contours, plant species or other significant landscape features.
- c. Pruning (to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material) between 10% and 30% of the canopy of a tree within a period of 2 years.
- d. Removal of dead or dying trees which are to be replaced by trees of the same species in the same location.
- e. Tree surgery by a qualified arborist, horticulturist or tree surgeon necessary for the health of those plants.

7. Farming

All activities associated with the ongoing use of the land for domestic, pastoral and agricultural purposes, including road maintenance and fencing but excluding any new development or construction that would materially affect the significance of the item.

8. Safety and Security

- a. The erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the Cox's Road and Early Deviations including landscape or archaeological features of its curtilage.
- b. Emergency stabilisation, erosion control, hazard reduction or bushfire prevention works, necessary to secure safety where Cox's Road and Early Deviations precincts have been damaged or destabilised and there exists a safety risk to users or the public.

9. Bushfire Prevention

To permit the undertaking of fire prevention works in accordance with a Local Council, NPWS or Rural Fire Services approved Fire Management Plan for any Cox's Road and Early Deviations precinct. This includes works relating to hazard reduction, reduce vulnerability, maintain defensible space and protect, maintain and enhance the biodiversity and ecological values of any relevant Cox's Road and Early Deviations precincts or adjoining land Reserves.

10. Minor Development Endorsed by the Heritage Council of NSW

Minor development specifically identified as exempt development by a conservation policy or strategy within a conservation management plan or a conservation management strategy which has been endorsed by the Heritage Council of NSW, where such work would not materially impact on heritage significance.

11. Works on Private Land

The listing of Cox's Road and Early Deviations includes some small areas within private freehold land holdings as shown on the Heritage Council Plans prepared for the listing. The Heritage Council's interest for Cox's Road and Early Deviations—Woodford, Old Bathurst Road Precinct is confined to the area within the listing boundary as shown on HC Plan 2640.

Affected land parcels are:
Part Lot 2/1083452
Part Lot 2/562051
Part Lot 1/133947

The Heritage Council's interest is confined to works which directly affect the area of the Cox's Road and Early Deviations identified by the listing and specifically, to works which would affect the historic fabric of the road.

All other works within these allotments (not in the listed area) are exempt from the need to seek approval under the *Heritage Act 1977*.

HERITAGE ACT 1977

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

Baiame Cave
Welshs Road, Milbrodale

SHR No 1942

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 23 July 2015 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as Baiame Cave, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Part Lot 13 DP 1114589 in Parish of Milbrodale, County of Northumberland shown on the plan catalogued HC 2611 in the office of the Heritage Council of New South Wales.

PESTICIDE ACT 1999 – PESTICIDE CONTROL ORDER UNDER SECTION 38

Name

1. This Order is to be known as the Pesticide Control (1080 Ejector Capsules) Order 2015.

Commencement

2. This Order commences on publication in the NSW Government Gazette.

Authority for Order

3. This Order is made by the Environment Protection Authority with the approval of the Minister for the Environment under Part 4 of the *Pesticides Act 1999*.

Revocation of Previous Order

4. Pesticide Control (1080 Ejector Capsules) Order 2011 is revoked.

Relationship to other Orders

5. When using 1080 Ejector capsules together with 1080 baits this Order is to be read in conjunction with the Order known as Pesticide Control (1080 Liquid Concentrate and Bait Products) Order 2010, gazetted on 6 August 2010 or an Order that subsequently replaces Pesticide Control (1080 Liquid Concentrate and Bait Products) Order 2010.

Objects

6. The objects of this Order are to:
 - (a) Authorise those persons described in clause 10(1) to use 1080 liquid concentrate products for the purpose of preparing 1080 ejector capsules.
 - (b) Authorise those persons described in clause 10(2) to use 1080 ejector capsules.
 - (c) Specify the manner in which 1080 ejector capsules may be used in NSW.
 - (d) Revoke and replace Pesticide Control (1080 Ejector Capsules) Order 2011.

Background

7. A chemical product that contains sodium fluoroacetate (1080) has been declared to be a “restricted chemical product” as set out in Regulation 45 of the *Agricultural and Veterinary Chemicals Code Regulations 1995* of the Commonwealth.

Section 94 of the AgVet Code provides that “A person must not, without reasonable excuse, supply a restricted chemical product, or cause or permit a restricted chemical product to be supplied, to a person who is not authorised to use the product under another law of this jurisdiction”.

In NSW section 4 of the *Pesticides Act 1999* provides that a “restricted pesticide” means a pesticide that is a restricted chemical product within the meaning of the Agvet Code. Section 17 of the *Pesticides Act 1999* provides that a person must not use or possess a restricted pesticide unless authorised to do so by a certificate of competency or a pesticide control order.

Application

8. This Order applies to:
 - (a) 1080 liquid concentrate products being used to prepare 1080 ejector capsules; and
 - (b) 1080 ejector capsules being used for the control of wild dogs or foxes as in clause 11 of this Order and used in accordance with conditions stated in either schedule 1 or schedule 2 of this order.

Definitions and interpretation

9. In this Order (including the Schedules to this Order) –

1080 ejector means any M-44 ejector or another similar ejector device that the NSW Pest Animal Council has determined to be appropriate to use.

1080 ejector capsule means a capsule containing 3 or 6 milligrams of 1080 derived from 1080 liquid concentrate products that is either a registered product (e.g. Canid Pest Ejector 1080 Fox Capsules and Canid Pest Ejector 1080 Wild Dog Capsules) or has been allowed to be produced for use in NSW under an APVMA permit.

1080 fox baits means any material that has been injected with 1080 in accordance with the directions on an approved label of a 1080 liquid concentrate product that has been registered by the APVMA and approved for use in NSW and that can be used to control foxes. It also includes all other APVMA registered bait products that contain 1080 as their only active constituent and that have been approved for use in NSW to control foxes.

1080 fox capsule product means a capsule containing 3 milligrams of 1080 derived from 1080 liquid concentrate products that is either a registered product (e.g. Canid Pest Ejector 1080 Fox Capsules) or has been allowed to be produced for use in NSW under an APVMA permit.

1080 wild dog capsule product means a capsule containing 6 milligrams of 1080 derived from 1080 liquid concentrate products that is either a registered product (e.g. Canid Pest Ejector 1080 Wild Dog Capsules) or has been allowed to be produced for use in NSW under an APVMA permit.

1080 liquid concentrate product means any liquid concentrate product that contains 1080 as its only active constituent, has been registered by the APVMA and approved, by way of label instruction, for use in NSW. It specifically includes the “ACTA 1080 Concentrate” and “PAKS 1080 Concentrate” products.

1080 wild dog baits means any material that has been injected with 1080 in accordance with the directions on an approved label of a 1080 liquid concentrate product that has been registered by the APVMA and approved for use in NSW and that can be used to control wild dogs. It also includes all other APVMA registered bait products that contain 1080 as their only active constituent and that have been approved for use in NSW to control wild dogs.

ACTA 1080 Concentrate means the registered agricultural chemical product ACTA 1080 Concentrate (APVMA Product Registration Number 57956) that has an active constituent comprising 30 grams of 1080 per litre of product.

Agvet Code means the Code applying because of section 5 of the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*.

Apply a pesticide means apply or disperse the pesticide.

APVMA means the Agricultural Pesticides and Veterinary Medicines Authority established by the *Agricultural and Veterinary Chemicals (Administration) Act 1992* of the Commonwealth.

Australian Qualifications Framework has the same meaning as in section 7 of the *Higher Education Act 2001*.

Authorised Control Officer means a person who: –

- (a) holds a current certificate of completion or statement of attainment issued by NSW DPI's Registered Training Organisation or another Registered Training Organisation on completion of the training and assessment components of the Vertebrate Pest Management course¹ delivered by NSW DPI or a Registered Training Organisation; and

¹ This includes completion of the NSW Agriculture / NSW Department of Primary Industries Vertebrate Pest Management course prior to the establishment of nationally recognised competencies.

- (b) holds a current certificate of completion or statement of attainment issued by SMARTtrain, in the previous 5 years for completion of the Vertebrate Pesticide accreditation course; and
- (c) holds a current certificate of completion or statement of attainment on completion of the training and assessment components of a Chemical Accreditation training program assessed at Australian Qualifications Framework levels 3 and 4 and that has been issued by a Registered Training Organisation in the previous 5 years in recognition of the person's satisfactory achievement of the level 3 training competencies covered by the program; and
- (d) is a person who:
 - (i) is a member of staff of an LLS, a Wild Dog Destruction Board, NSW DPI, OEH, or other NSW public authority and is currently employed under Chapter 1A of the *Government Sector Employment Act 2013* by the Government Service to enable that NSW public authority to exercise its functions; or
 - (ii) has obtained approval to operate as an Authorised Control Officer from any person who has been delegated the power of the EPA under section 38 of the *Pesticides Act 1999* to make a pesticide control order prior to completing the training requirements in (a) to (c) above.

Baiting location means:

- (a) in the case of private land, or private holdings, where the property area is less than 100 hectares – the whole of the property where 1080 ejector capsules are being applied;
- (b) in the case of:
 - (i) private land, or private holdings, where the property area is 100 hectares or more; or
 - (ii) State Forests; or
 - (iii) land reserved under Part 4 of the *National Parks and Wildlife Act 1974*;
– the area of the private land or private holding, State Forest, or reserved land where 1080 ejector capsules are being applied;
- (c) in the case of public places within the meaning of the *Local Government Act 1993* – the whole of the property where 1080 ejector capsules are being applied.

Canid Pest Ejector 1080 Fox Capsules means the registered agricultural chemical product Canid Pest Ejector 1080 Fox Capsules (APVMA Product Registration Number 69616) that has an active constituent comprising 3 milligrams of 1080 per capsule.

Canid Pest Ejector 1080 Wild Dog Capsules means the registered agricultural chemical product Canid Pest Ejector 1080 Wild Dog Capsules (APVMA Product Registration Number 69620) that has an active constituent comprising 6 milligrams of 1080 per capsule.

Domestic Water Supply or Water Draw Point means the point where farm water supply originates and includes tanks, bores, dams and waterholes with structures and infrastructure such as pumps that supply domestic water. It only includes the water draw point and does not include the entire length of active streams.

Ejector training course means the OEH 1080 Ejector training course or Ejector training that has been approved by the EPA and delivered to landholders by specially trained ACO staff from the LLS and/or OEH.

EPA means the Environment Protection Authority (NSW).

Group means 2 or more.

Habitation means a dwelling house or some other accommodation that is occupied by people and is located on private, crown or public land. It includes but is not limited to domestic dwelling houses, hospitals, shops, schools, pre-schools, kindergartens, childcare and community health care centres, factories, nursing homes, public halls, caravan parks and designated camping areas on private, crown or public land. It does not include any caravan, mobile home, vehicle, tent or other structure that is used for the purpose of camping outside a designated camping area. A designated camping area means any council regulated or privately operated camping and/or caravan area, or any area that is signposted as a camping area on land reserved under Part 4 of the *National Parks and Wildlife Act 1974*.

Landholder means an owner, occupier or manager of land.

LLS means the Local Land Services as constituted under the *Local Land Services Act 2013*.

NPWS RPMS program means a Regional Pest Management Strategy of the National Parks and Wildlife Service of OEH.

NSW DPI means the Department of Primary Industries (NSW).

NSW Pest Animal Council means this group as stated in the NSW DPI publication - Vertebrate Pest Control Manual.

OEH means the Office of Environment and Heritage (NSW).

Ongoing baiting means a baiting program that is planned to continue indefinitely and as part of which:

- (a) 1080 ejector capsules are available continuously to wild dogs or foxes; and
- (b) 1080 ejectors are checked at intervals of no more than 2 months where vehicle access is available or at intervals of no more than 4 months in remote areas where vehicle access is not available; and
- (c) taken 1080 ejector capsules are replaced (if necessary) each time 1080 ejectors are checked.

Notes:

- The interval between checking and replacing 1080 ejector capsules may vary according to the anticipated rate of wild dog or fox immigration into the target area (e.g. daily, weekly, monthly) provided that it is no longer than 2 months where vehicle access is available or 4 months in remote areas where vehicle access is not available.
- 1080 ejector capsules may be removed during periods of high risk (e.g. school holidays) or periods of high non-target interference (e.g. from goannas), provided the 1080 ejector capsules are not removed for longer than 2 months where vehicle access is available or 4 months in remote areas where vehicle access is not available.

PAKS 1080 Concentrate means the registered agricultural chemical product PAKS 1080 Concentrate (APVMA Product Registration Number 61299) that has an active constituent comprising 30 grams of 1080 per litre of product.

Property means the area within any lot in a deposited plan (whether on private land, a private holding, State Forest, land reserved under Part 4 of the *National Parks and Wildlife Act 1974* or public places within the meaning of the *Local Government Act 1993*).

Public authority has the same meaning as in the *Pesticides Act 1999*.

Registered Training Organisation has the same meaning as in the *Vocational Education and Training Act 2005*.

Statement of attainment has the same meaning as in the *Vocational Education and Training Act 2005*.

Thoroughfare means a road or track maintained for lawful public use for travel to or transportation through private, crown or public land. It excludes formed tracks, trails and similar access routes on public lands (e.g. national parks, State Forests) which are not intended for lawful use by the general public e.g. formed fire trails used for fighting fires.

Unused 1080 capsule is a 1080 ejector capsule that has been safely stored and has at no time been placed in a set 1080 ejector in the environment for any period to control wild dogs or foxes.

Use of a pesticide means “use” and “possession” as each of those terms is defined in the *Pesticides Act 1999*.

Persons authorised

10. (1) The following persons are authorised to use, subject to clause 11, 1080 liquid concentrate products for the purpose of preparing 1080 ejector capsules:

- (a) Authorised Control Officers.
- (2) Only the following persons are authorised to use, subject to clause 11, 1080 ejector capsules:
 - (a) Authorised Control Officers who hold a statement of attendance, issued by OEH or LLS, on completion of training in the use of 1080 Ejectors; or
 - (b) Any person who holds as a minimum:
 - (i) a current certificate of completion or statement of attainment on completion of the training and assessment components of a Chemical Accreditation training program assessed at Australian Qualifications Framework level 3 and that has been issued by a Registered Training Organisation in the previous 5 years in recognition of the person's satisfactory achievement of the level 3 training competencies covered by the program; or
 - (ii) a current certificate of completion issued by the LLS for the 1080 and pindone course developed for the EPA, delivered by the LLS and that requires reaccreditation every 5 years; and
 - (iii) holds a statement of attendance issued by LLS or OEH, on completion of an approved Ejector training course; and
 - (iv) is either:
 - (A) a member of staff of the OEH, NSW DPI or the LLS, or any other person who is contracted or employed by OEH, NSW DPI or the LLS to use 1080 ejector capsules; or
 - (B) a landholder of the land on which the 1080 ejector capsules are to be used, or their authorised agent.²

Conditions of use

11. A person authorised to use 1080 liquid concentrate products and 1080 ejector capsules under clause 10 above must only use the 1080 ejector capsules for the control of wild dogs or foxes in accordance with the conditions stated in:
- (a) Schedule 1 to this Order – in the case of the control of wild dogs.
 - (b) Schedule 2 to this Order – in the case of the control of foxes.

Notes

Words used in an Order have the same meaning as in the Pesticides Act 1999, unless otherwise defined in this Order.

A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.

This pesticide control order will remain in force until it is revoked.

***Note for users of 1080 liquid concentrate and 1080 ejector capsules** – Approved labels of these products do not contain all of the conditions that exist for use of 1080 products in NSW. All persons using 1080 liquid concentrate and 1080 ejector capsules must also follow the instructions in the relevant Schedule to this Order, in order to comply with section 39 of the Pesticides Act 1999. Where a Schedule to this Order gives no instruction on information that is required under the Agvet Code to be placed on the label of a 1080 product, then the instructions on the label must be complied with. This is specifically in relation to label instructions in sections that deal with Safety Directions, First Aid, Storage and Disposal and Protection statements. However, where **any** instructions on the label are inconsistent with instructions in the relevant Schedule to this Order, the conditions in the Schedule to this Order prevail.*

BARRY BUFFIER AM
Chair and CEO
Environment Protection Authority

MARK SPEAKMAN MP
Minister for the Environment

² OEH or LLS staff who are involved in delivering 1080 Ejector training will determine in all instances whether a landholder or agent will be given approval to undertake and complete that training course. In making this determination, they will consider (among other things) whether it is appropriate for the landholder or agent to use 1080 ejector capsules on their land.

Schedule 1

USE OF 1080 LIQUID CONCENTRATE AND 1080 EJECTOR CAPSULES FOR CONTROL OF WILD DOGS

1. PRODUCTION OF 1080 EJECTOR CAPSULES FOR WILD DOGS

An Authorised Control Officer may prepare 1080 ejector capsules for the purpose of controlling wild dogs, but only in accordance with the following conditions:

- 1.1 An Authorised Control Officer may use 1080 liquid concentrate products to prepare 1080 ejector capsules. Where an Authorised Control Officer uses material to prepare 1080 ejector capsules, the Authorised Control Officer must only use capsules filled with 0.5ml of inert carrier. When using the ACTA 1080 Concentrate product or PAKS 1080 Concentrate product all capsules must be injected with 0.2ml of the product per capsule.

2. USE OF 1080 EJECTOR CAPSULES ON WILD DOGS

A person authorised to use 1080 ejector capsules under clause 10 of this Order must, when using 1080 ejector capsules for the purpose of controlling wild dogs, only do so in accordance with the following conditions:

- 2.1 A person must only use 1080 ejector capsules supplied by an Authorised Control Officer.
- 2.2 1080 ejector capsules must be placed in the hollow head of a 1080 ejector, except when they are being transported, prepared or stored.

1080 ejector capsules will be referred to in the rest of this Schedule as "1080 wild dog capsules".

3. POSSESSION OF 1080 WILD DOG CAPSULES

A person authorised to possess 1080 wild dog capsules under clause 10 of this Order must only do so in accordance with the following conditions:

- 3.1 An Authorised Control Officer may supply 1080 wild dog capsules to a person authorised to possess 1080 wild dog capsules. An Authorised Control Officer may conduct a risk assessment to determine if it is appropriate to supply 1080 wild dog capsules to a person. Risk assessment guidelines can be found in the NSW DPI publication "Vertebrate Pest Control Manual". If the Authorised Control Officer makes a determination that it is not appropriate to supply a person with 1080 wild dog capsules then the Authorised Control Officer must not give any 1080 wild dog capsules to that person. The Authorised Control Officer may withhold 1080 wild dog capsules, if, in the opinion of the Authorised Control Officer, they are not satisfied that the 1080 wild dog capsules will be used safely or effectively by a person.
- 3.2 If an Authorised Control Officer withholds 1080 wild dog capsules from a person, the officer must record in a logbook or diary, the date, time and specific reasons for refusing to supply 1080 wild dog capsules to a particular person.
- 3.3 An Authorised Control Officer must only supply 1080 wild dog capsules in a plastic bag or container that complies with the requirements of section 18(1) of the Agricultural and Veterinary Chemicals Code Regulations and has a label which is identical in content and format to the label in **Attachment 1 of this Schedule or an APVMA approved label of a registered 1080 wild dog capsule product.**
- 3.4 Authorised Control Officers are required to determine the appropriate number of 1080 wild dog capsules that can be used on a property.
- 3.5 A person taking possession of 1080 wild dog capsules must first complete and sign an indemnity form for each property or NPWS RPMS program on which 1080 wild dog capsules are intended to be used. An Authorised Control Officer or an employee of an LLS must give a copy of the indemnity form to any person taking possession of 1080 wild dog capsules.

- 3.6 A person taking possession of 1080 wild dog capsules and laying 1080 wild dog capsules on behalf of another landholder as their authorised agent, must provide evidence to the Authorised Control Officer of the consent given by the landholder whose property will use 1080 wild dog capsules. The consent must not cover a period of time greater than 12 months.
- 3.7 An Authorised Control Officer must issue 1080 wild dog capsules only to the landholder of the land on which the 1080 wild dog capsules are to be used, their authorised agent or a member of staff of OEH, NSW DPI or the LLS or any other person whose services OEH, NSW DPI or the LLS makes use of.
- 3.8 An Authorised Control Officer or an employee of an LLS issuing 1080 wild dog capsules must give a copy of this pesticide control order with this Schedule to any person receiving 1080 wild dog capsules from them unless a current copy of this pesticide control order with this schedule has been provided to them electronically.
- 3.9 An Authorised Control Officer issuing 1080 wild dog capsules must establish that the intended end-user for the 1080 wild dog capsules holds a qualification that meets the requirements of this Order before handing over 1080 wild dog capsules. Where this cannot be established then 1080 wild dog capsules must not be supplied.
- 3.10 All persons receiving 1080 wild dog capsules from an Authorised Control Officer must only temporarily possess and store 1080 wild dog capsules. All 1080 wild dog capsules must be stored in a lockable storage area away from children, animal food, foodstuffs, seed and fertiliser. All unused 1080 wild dog capsules must be returned to the issuing Authorised Control Officer within two (2) months of completion of the baiting program. Destruction of used 1080 wild dog capsules must be done in accordance with condition 4.8 below.
- 3.11 Where NSW public authorities are coordinating baiting programs they must ensure that all persons involved in the baiting program return all remaining 1080 wild dog capsules to an Authorised Control Officer within two (2) months of completion of the baiting program.
- 3.12 All persons receiving 1080 wild dog capsules from an Authorised Control Officer must store 1080 wild dog capsules in either the labelled plastic bag or container supplied by the Authorised Control Officer (labelled in accordance with **Attachment 1 of this Schedule or an APVMA approved label of a registered 1080 wild dog capsule product**).

4. DIRECTIONS FOR USE – GENERAL RESTRICTIONS

A person authorised to use 1080 wild dog capsules under clause 10 of this Order must only do so in accordance with the following general conditions:

- 4.1 A person in possession of 1080 wild dog capsules must transport and store the 1080 wild dog capsules in such a way that other persons cannot access the 1080 wild dog capsules. A person transporting 1080 wild dog capsules must store the 1080 wild dog capsules in a secure location of their vehicle when transporting 1080 wild dog capsules.
- 4.2 A person must not place the 1080 wild dog capsules in a position accessible to children, livestock, domestic animals or pets.
- 4.3 A person must not feed 1080 wild dog capsules to non-target species.
- 4.4 A person must not apply 1080 wild dog capsules to, or in, crops which are in mid to late developmental stages. A person must not apply 1080 wild dog capsules to, or in, crops if application of 1080 wild dog capsules is likely to lead to contamination of the crops.
- 4.5 A person must ensure that 1080 wild dog capsules do not contaminate foodstuffs, or feed, for human or non-target animal consumption.
- 4.6 A person must not use plastic bags or containers which have been used to contain 1080 wild dog capsules for any other purpose and must dispose of such plastic bags or containers by burial or burning as follows:

4.6.1 Burial

Plastic bags or containers must be buried as follows:

- (a) Plastic bags or containers must be triple rinsed or pressure rinsed;
- (b) Empty rinsed plastic bags or containers must be broken, crushed or punctured, and disposed of either at the property where the 1080 wild dog capsules were used, or at a site approved by the Authorised Control Officer or in a local authority landfill that can lawfully dispose of them;
- (c) Plastic bags or containers and rinsate must be buried in a pit and covered with at least five hundred (500) mm of soil;
- (d) The disposal pit must be specifically marked and set up for this purpose and clear of waterways (permanent or ephemeral).

4.6.2 Burning

Empty plastic bags that have contained 1080 can be burnt by open fire in accordance with an approval issued under the *Protection of the Environment Operations (Clean Air) Regulation 2010*. A person that disposes of plastic bags by way of burning must also comply with the following conditions:

- (a) The amount of plastic bags burnt at any premises on any single day must not exceed one hundred (100) bags or equivalent without the prior written approval of the EPA.
- (b) The burning of plastic bags must be carried out at least five hundred (500) metres from any habitation.
- (c) The burning of 1080 packaging must be carried out in accordance with any requirement of the *Rural Fires Act 1997* and the *Fire Brigades Act 1989*, as administered by the relevant local authority and Fire and Rescue NSW.
- (d) The open fire burning must not be carried out on a day subject to an order prohibiting the burning of fires in the open published by the EPA pursuant to section 133(2) of the *Protection of the Environment Operations Act 1997*.
- (e) The open fire burning must only be carried out in dry weather using such practicable means as may be necessary to minimise visible smoke emissions causing air pollution.

4.7 A person must not pollute dams, rivers, streams, waterways or drains with 1080 wild dog capsules or plastic bags or containers that have contained them. Pollution of waters is an offence under s 120 of the *Protection of the Environment Operations Act 1997*.

4.8 At the end of any ground baiting program conducted in accordance with this Schedule, a person using 1080 wild dog capsules must ensure that all untaken 1080 wild dog capsules are collected and removed from baiting locations. All collected used 1080 wild dog capsules may be disposed of in a landfill that can lawfully dispose of them if the capsules are punctured and triple rinsed. All used 1080 wild dog capsules need to be punctured and triple rinsed and along with collected rinsate must be buried in a disposal pit under at least five hundred (500) mm of soil on the property where they were used or another location identified and agreed to by the Authorised Control Officer coordinating the program. The disposal pit must be clear of waterways (permanent or ephemeral) so as to not cause pollution of water under Part 5.3 of the *Protection of the Environment Operations Act 1997*.

4.9 At the end of any baiting program coordinated by an Authorised Control Officer, an Authorised Control Officer or a person under their supervision may dispose of 1080 wild dog capsules on a property or location identified for disposal by burying the 1080 wild dog capsules at a depth of less than 500mm of soil but only if the Authorised Control Officer has done a risk assessment and implements control measures that are appropriate to minimise the risk to non-target animals and the environment.

4.10 Ongoing baiting may be necessary in some instances to reduce the impacts of wild dogs on native fauna and domestic livestock. Such programs may be undertaken only if the risk to non-target species is low (see also condition 10 Risk to Domestic Animals and condition 11 Risk to Environment and Wildlife).

5. DIRECTIONS FOR USE – DISTANCE RESTRICTIONS

A person authorised to use 1080 wild dog capsules under clause 10 of this Order must only do so in accordance with the following distance restrictions:

5.1. The minimum distances for the laying of 1080 wild dog capsules have been set to minimise the risk to people and to non-target animals. A person authorised to use 1080 wild dog capsules must not place 1080 wild dog capsules where they can be washed into or contaminate surface water or groundwater. 1080 wild dog capsules must not be laid in areas where distance restrictions cannot be met. Other wild dog control methods must be used in those areas.

5.2 1080 wild dog capsules must not be laid within close proximity to urban areas unless the baiting program has had a risk assessment approved by an Authorised Control Officer. A program approved under this condition must include strategies for minimising risk to non-target animals. This condition applies to proposals for baiting in closely settled farming areas (properties less than 100ha) or areas within four (4) kilometres of a village or any street.

5.3 **Property Boundary:**

5.3.1 **Ground Baiting:** 1080 wild dog capsules must not be laid within five (5) metres from any property boundary.

5.3.2 **Exemption for Group Baiting:** Condition 5.3.1 does not apply to the laying of 1080 wild dog capsules if part of a group baiting program that has been planned by an Authorised Control Officer and where that Officer has obtained written consent from the landholders involved in the baiting program for the laying of the 1080 wild dog capsules. This exemption does not apply to property boundaries of landholders not involved in the baiting program.

5.4 **Habitation:**

5.4.1 **Ground Baiting:** 1080 wild dog capsules must not be laid within one hundred and fifty (150) metres of a habitation except:

- (a) where a landholder uses 1080 wild dog capsules on their own property, in which case the landholder may lay the 1080 wild dog capsules at a distance of no less than fifty (50) metres from their own habitation.
- (b) where an Authorised Control Officer plans a baiting program, in which case the 1080 wild dog capsules may be laid at less than 150 metres but no closer than 50 metres from a habitation, subject to the following conditions:
 - (i) The Authorised Control Officer must undertake a risk assessment in accordance with the provisions of the NSW DPI Vertebrate Pest Control Manual (as in force from time to time) and determine that 1080 wild dog capsules can be laid at distances of less than 150 metres but no closer than 50 metres from a habitation;
 - (ii) Any baiting program planned by an Authorised Control Officer must include strategies for minimising risk to non-target animals;
 - (iii) Any adjoining landholders must agree in writing to use or allow the use of 1080 wild dog capsules as part of a coordinated wild dog control program at distances of less than 150 metres but no closer than 50 metres from a habitation on the landholder's property;
 - (iv) Where an Authorised Control Officer implements a coordinated wild dog control program, they must not implement the program **UNLESS:**
 - (1) **ALL** the landholders in the group are made aware of the hazardous nature of 1080 wild dog capsules in closely settled areas; AND

- (2) **EVERY** landholder in the group signs an agreement that they:
 - (A) understand the hazards associated with the use of 1080 wild dog capsules in closely settled areas; AND
 - (B) agree to allow 1080 wild dog capsules to be laid on adjoining properties at distances of less than 150 metres but no closer than 50 metres from any habitation on their property in writing; AND
 - (C) agree to accept all responsibility for any problems arising from 1080 wild dog capsules used on their land within the program; AND
- (3) **ALL** the landholders of the outermost properties of the group abide by all the distance requirements in relation to adjoining properties not covered by the group activity.

5.5 **Domestic Water Supply or Water Draw Point:**

5.5.1 **Ground Baiting:** 1080 wild dog capsules must not be laid within ten (10) metres of a domestic water supply.

6. PUBLIC NOTIFICATION

A person authorised to use 1080 wild dog capsules under clause 10 of this Order must notify certain persons of the use of 1080 wild dog capsules in accordance with the following conditions:

- 6.1 A person must not lay any 1080 wild dog capsules on any land unless the person has first given a minimum of three (3) days notice of the date on which they will lay 1080 wild dog capsules. This notice must be given to the occupier, manager or authorised agent of every property which has a property boundary within one (1) kilometre of a baiting location ("notification").
- 6.2. The notification may be given by telephone, email, or in person, or, where this is not possible, by mail (including letter box drop). If notification cannot be made by telephone, email, personal contact or mail, or the number of persons to be notified is more than twenty five (25), then notification may be made by advertisement in a local newspaper. Likewise for large group baiting programs (more than 25 participants) organised or approved by an Authorised Control Officer, notification may be via advertisement in a local newspaper.
- 6.3 The use of 1080 wild dog capsules may be conducted for longer than seven (7) days but must commence within ten (10) days of notification otherwise further notification of intended baiting is required.
- 6.4 Where replacement baiting is planned the notification must include the time period baiting is planned to be maintained.
- 6.5 Where baiting programs are ongoing notification must be given every six (6) months.

7. EMERGENCY BAITING (Ground application only)

A person authorised to use 1080 wild dog capsules under clause 10 of this Order may undertake emergency baiting, but only in accordance with the following conditions:

- 7.1 A person whose livestock are being attacked may lay 1080 wild dog capsules without the need to comply with condition 6.1 (3-day prior neighbour notification). A person who undertakes emergency baiting must, however, notify each landholder whose property boundary lies within one (1) kilometre of a baiting location before laying any 1080 wild dog capsules. A person who undertakes emergency baiting must not lay more than the number of 1080 wild dog capsules approved by an Authorised Control Officer and specified on the indemnity form.
- 7.2 A person who undertakes emergency baiting must comply with all requirements in relation to the use of 1080 wild dog capsules, except as provided for in condition 7.1.

8. 1080 POISON NOTICES

A person authorised to use 1080 wild dog capsules under clause 10 of this Order must erect notices in accordance with the following conditions:

- 8.1 A person who uses 1080 wild dog capsules must erect notices before laying 1080 wild dog capsules on any land. These notices must remain up for the period of time that 1080 wild dog capsules are being used on the property. Where 1080 wild dog capsules are being used in conjunction with 1080 wild dog baits these notices must remain up for a minimum of four (4) weeks after the last day of baiting.
Notices must be placed at:
- (a) every entry to the baiting location; and
 - (b) main entrance to a private property or holding where baiting is undertaken; and
 - (c) up to five (5) kilometre intervals along all public thoroughfares which border or pass through the baiting location.
- 8.2 The notices must specify the following:
- (a) that 1080 ejector capsules are being laid on this property; and
 - (b) the dates on which 1080 ejector capsules are first laid or the dates between which 1080 ejector capsules will be laid; and
 - (c) contact details of the person who will lay the 1080 ejector capsules or in the case of a public authority a person whom can be contacted for information about 1080 ejector capsules being used on the property; and
 - (d) a warning that non-target animals may be affected.
- 8.3 Under the *Pesticides Regulation 2009* (clauses 19 to 23) public authorities have additional public notification obligations that must be complied with. There are also other notification requirements in the Regulation.
- 8.4 1080 Poison Notices may be obtained from Authorised Control Officers.

9. GROUND BAITING WITH 1080 WILD DOG CAPSULES

A person authorised to use 1080 wild dog capsules under clause 10 of this Order must only undertake ground baiting in accordance with the following conditions:

- 9.1 A person who sets 1080 ejectors using 1080 wild dog capsules must:
- (a) not set more than four (4) 1080 ejectors per kilometre of trail or sixteen (16) 1080 ejectors per hundred (100) hectares. Ejectors may be concentrated to a localised area of wild dog activity but not at rates above the maximum limit in respect to the size of the property being baited; and
 - (b) not set more than fifty (50) 1080 ejectors on any one (1) property or holding unless the baiting program is approved by an Authorised Control Officer; and
 - (c) set 1080 ejectors in such a way that ejectors can be found readily retrieved and used 1080 wild dog capsules destroyed in accordance with condition 4.8.
 - (d) remove all ejector devices, heads and 1080 wild dog capsules from each site at the end of baiting program.
- 9.2 In land reserved under Part 4 of the National Parks and Wildlife Act 1974 and public reserves within the meaning of the Local Government Act 1993 it is not necessary to mark the location for 1080 ejector capsules but GPS coordinates must be recorded.

10. RISK TO DOMESTIC ANIMALS

- 10.1 A person who uses 1080 wild dog capsules should avoid poisoning of domestic pets. As 1080 is particularly lethal to domestic dogs, the person using the baits should advise neighbours to restrain their pets and ensure they do not enter the baiting location during poisoning operations or to muzzle dogs if paddocks have to be mustered after poisoning. In the event of accidental poisoning seek immediate veterinary assistance.

11. RISK TO ENVIRONMENT AND WILDLIFE

- 11.1 1080 wild dog capsules may be toxic to some native wildlife. To the extent possible, the person using the 1080 wild dog capsules should time baiting programs for when non-target species are least active or least susceptible.
- 11.2 To the extent possible, a person who uses 1080 wild dog capsules should recover carcasses of animals poisoned by 1080 wild dog capsules and bury them in accordance with the disposal instructions for 1080 wild dog capsules in condition 4.8. Any incidents where there are reasonable grounds to suspect that non-target animals may have been poisoned by 1080 wild dog capsules should be reported to the EPA.

ATTACHMENT 1

DANGEROUS POISON
KEEP OUT OF REACH OF CHILDREN
READ SAFETY DIRECTIONS BEFORE OPENING

1080 EJECTOR CAPSULES

ACTIVE CONSTITUENT: mg OF SODIUM FLUOROACETATE (1080) PER CAPSULE

For the control of wild dogs or foxes when used with a mechanical ejector device as per the directions for use

RESTRICTED CHEMICAL PRODUCT – ONLY TO BE SUPPLIED TO OR USED BY AN AUTHORISED PERSON.

NOT TO BE USED FOR ANY PURPOSE OR IN ANY MANNER CONTRARY TO THIS LABEL UNLESS AUTHORISED UNDER APPROPRIATE LEGISLATION

THIS PACKAGE CONTAINS (insert No,) PLASTIC CAPSULES FOR USE IN THE MECHANICAL CANID PEST EJECTOR DEVICE FOR THE CONTROL OF WILD DOGS OR FOXES

DIRECTIONS FOR USE: Use only in accordance with the relevant conditions for use in the NSW 1080 Ejector Pesticide Control Order.

SAFETY DIRECTIONS: Very dangerous. Poisonous if swallowed. May irritate eyes, nose and throat and skin. Do not touch or rub eyes, nose or mouth with hand. Avoid contact with eyes and skin. When opening container and using capsules wear non-permeable gloves. When setting ejectors eye protection must be worn. If product gets on skin, immediately wash area with soap and water. After use and before eating, drinking or smoking, wash hands, arms and face thoroughly with soap and water. After each days use, wash gloves and contaminated clothing.

FIRST AID: Speed in treatment is essential. If poisoning occurs, contact a doctor or Poisons Information Centre. Phone Australia 13 11 26. If skin contact occurs, remove contaminated clothing and wash skin thoroughly. Remove from the contaminated area. Apply artificial respiration if not breathing. If in eyes, hold eyes open, flood with water for at least 15 minutes and see a Doctor.

STORAGE AND DISPOSAL: Store capsules in their original container in a lockable room or cupboard away from children, animals, food, foodstuffs, seeds and fertilisers. Empty capsules should be triple rinsed and buried along with rinsate in a local authority landfill. If no landfill is available, bury capsules and rinsate below 500mm in a disposal pit specifically marked and set up for this purpose clear of waterways, desirable vegetation and tree roots. Empty capsules must not be burnt.

PROTECTION OF LIVESTOCK, DOMESTIC AND FARM DOGS: Dogs are highly susceptible to 1080. Ensure all domestic and farm dogs are restrained when using 1080 ejector capsules.

PROTECTION OF WILDLIFE, FISH, CRUSTACEA AND ENVIRONMENT: DO NOT contaminate dams, waterways or drains with 1080 ejector capsules or this plastic bag.

Enquires: Contact an Authorised Control Officer at your local office of the Local Land Services or Office of Environment and Heritage - NPWS.

Schedule 2

USE OF 1080 LIQUID CONCENTRATE AND 1080 EJECTOR CAPSULES FOR CONTROL OF FOXES

1. PREPARATION OF 1080 EJECTOR CAPSULES FOR FOXES

An Authorised Control Officer may prepare 1080 ejector capsules for the purpose of controlling foxes, but only in accordance with the following conditions:

- 1.1 An Authorised Control Officer may use 1080 liquid concentrate products to prepare 1080 ejector capsules. Where an Authorised Control Officer uses material to prepare 1080 ejector capsules, the Authorised Control Officer must only use capsules filled with 0.5ml of inert carrier. When using the ACTA 1080 Concentrate product or PAKS 1080 Concentrate product all capsules must be injected with 0.1ml of the product per capsule.

2. USE OF 1080 EJECTOR CAPSULES ON FOXES

A person authorised to use 1080 ejector capsules under clause 10 of this Order must, when using 1080 ejector capsules for the purpose of controlling foxes, only do so in accordance with the following conditions:

- 2.1 A person must only use 1080 ejector capsules supplied by an Authorised Control Officer.
- 2.2 1080 ejector capsules must be placed in the hollow head of a 1080 ejector, except when they are being transported, prepared or stored.

1080 ejector capsules will be referred to in the rest of this Schedule as "1080 fox capsules".

3. POSSESSION OF 1080 FOX CAPSULES

A person authorised to possess 1080 fox capsules under clause 10 of this Order must only do so in accordance with the following conditions:

- 3.1 An Authorised Control Officer may supply 1080 fox capsules to a person authorised to possess 1080 fox capsules. An Authorised Control Officer may conduct a risk assessment to determine if it is appropriate to supply 1080 fox capsules to a person. Risk assessment guidelines can be found in the NSW DPI publication "Vertebrate Pest Control Manual". If the Authorised Control Officer makes a determination that it is not appropriate to supply a person with 1080 fox capsules then the Authorised Control Officer must not give any 1080 fox capsules to that person. The Authorised Control Officer may withhold 1080 fox capsules, if, in the opinion of the Authorised Control Officer, they are not satisfied that the 1080 fox capsules will be used safely or effectively by a person.
- 3.2 If an Authorised Control Officer withholds 1080 fox capsules from a person, the officer must record in a logbook or diary the date, time and specific reasons for refusing to supply 1080 fox capsules to a particular person.
- 3.3 An Authorised Control Officer must only supply 1080 fox capsules in a plastic bag or container that complies with the requirements of section 18(1) of the Agricultural and Veterinary Chemicals Code Regulations and has a label which is identical in content and format to the label in **Attachment 1 of this Schedule** or an **APVMA approved label** of a registered 1080 fox capsule product.
- 3.4 Authorised Control Officers are required to determine the appropriate number of 1080 fox capsules that can be used on a property.
- 3.5 A person taking possession of 1080 fox capsules must first complete and sign an indemnity form for each property or NPWS RPMS program on which 1080 fox capsules are intended to be used. An Authorised Control Officer or an employee of an LLS must give a copy of the indemnity form to any person taking possession of 1080 fox capsules.
- 3.6 A person taking possession of 1080 fox capsules and laying 1080 fox capsules on behalf of another landholder as their authorised agent, must provide evidence to the Authorised

Control Officer of the consent given by the landholder whose property will use 1080 fox capsules. The consent must not cover a period of time greater than 12 months.

- 3.7 An Authorised Control Officer must issue 1080 fox capsules only to the landholder of the land on which the 1080 fox capsules are to be used, their authorised agent or a member of staff of OEH, NSW DPI or the LLS, or any other person whose services OEH, NSW DPI or the LLS makes use of.
- 3.8 An Authorised Control Officer or an employee of an LLS issuing 1080 fox capsules must give a copy of this pesticide control order with this Schedule to any person receiving 1080 fox capsules from them unless a current copy of this pesticide control order with this schedule has been provided to them electronically.
- 3.9 An Authorised Control Officer issuing 1080 fox capsules must establish that the intended end-user for the 1080 fox capsules holds a qualification that meets the requirements of this Order before handing over 1080 fox capsules. Where this cannot be established then 1080 fox capsules must not be supplied.
- 3.10 All persons receiving 1080 fox capsules from an Authorised Control Officer must only temporarily possess and store 1080 fox capsules. All 1080 fox capsules must be stored in a lockable storage area away from children, animal food, foodstuffs, seed and fertiliser. All unused 1080 fox capsules must be returned to the issuing Authorised Control Officer within two (2) months of completion of the baiting program. Destruction of used 1080 fox capsules must be done in accordance with condition 4.8 below.
- 3.11 Where NSW public authorities are coordinating baiting programs they must ensure that all persons involved in the baiting program return all remaining 1080 fox capsules to an Authorised Control Officer within two (2) months of completion of the baiting program.
- 3.12 All persons receiving 1080 fox capsules from an Authorised Control Officer must store 1080 fox capsules in the labelled plastic bag or container supplied by the Authorised Control Officer (labelled in accordance with **Attachment 1 of this Schedule or an APVMA approved label of a registered 1080 fox capsule product**).

4. DIRECTIONS FOR USE – GENERAL RESTRICTIONS

A person authorised to use 1080 fox capsules under clause 10 of this Order must only do so in accordance with the following general conditions:

- 4.1 A person in possession of 1080 fox capsules must transport and store the 1080 fox capsules in such a way that other persons cannot access the 1080 fox capsules. A person transporting 1080 fox capsules must store the 1080 fox capsules in a secure location of their vehicle when transporting 1080 fox capsules.
- 4.2 A person must not place the 1080 fox capsules in a position accessible to children, livestock, or domestic animals or pets.
- 4.3 A person must not feed 1080 fox capsules to non-target species.
- 4.4 A person must not apply 1080 fox capsules to, or in, crops which are in mid to late developmental stages. A person must not apply 1080 fox capsules to, or in, crops if application of 1080 fox capsules is likely to lead to contamination of the crops.
- 4.5 A person must ensure that 1080 fox capsules do not contaminate foodstuffs, or feed, for human or non-target animal consumption.
- 4.6 A person must not use plastic bags or containers which have been used to contain 1080 fox capsules for any other purpose and must dispose of such plastic bags or containers by burial or burning as follows:

4.6.1 Burial

Plastic bags or containers must be buried as follows:

- (a) Plastic bags or containers must be triple rinsed or pressure rinsed;
- (b) Empty rinsed plastic bags or containers must be broken, crushed or punctured, and disposed of either at the property where the 1080 fox capsules were used, or at a site approved by the Authorised Control Officer or in a local authority landfill that can lawfully dispose of them;
- (c) Plastic bags or containers and rinsate must be buried in a pit and covered with at least five hundred (500) mm of soil;
- (d) The disposal pit must be specifically marked and set up for this purpose and clear of waterways (permanent or ephemeral).

4.6.2 Burning

Empty plastic bags that have contained 1080 can be burnt by open fire in accordance with an approval issued under the *Protection of the Environment Operations (Clean Air) Regulation 2010*. A person that disposes of plastic bags by way of burning must also comply with the following conditions:

- (a) The amount of plastic bags burnt at any premises on any single day must not exceed one hundred (100) bags or equivalent without the prior written approval of the EPA.
- (b) The burning of plastic bags must be carried out at least five hundred (500) metres from any habitation.
- (c) The burning of 1080 packaging must be carried out in accordance with any requirement of the *Rural Fires Act 1997* and the *Fire Brigades Act 1989*, as administered by the relevant local authority and Fire and Rescue NSW.
- (d) The open fire burning must not be carried out on a day subject to an order prohibiting the burning of fires in the open published by the EPA pursuant to section 133(2) of the *Protection of the Environment Operations Act 1997*.
- (e) The open fire burning must only be carried out in dry weather using such practicable means as may be necessary to minimise visible smoke emissions causing air pollution.

4.7 A person must not pollute dams, rivers, streams, waterways or drains with 1080 fox capsules or plastic bags or containers that have contained them. Pollution of waters is an offence under s 120 of the *Protection of the Environment Operations Act 1997*.

4.8 At the end of any ground baiting program conducted in accordance with this Schedule, a person using 1080 fox capsules must ensure that all untaken 1080 fox capsules are collected and removed from baiting locations. All collected used 1080 fox capsules may be disposed of in a landfill that can lawfully dispose of them only if the capsules are punctured and triple rinsed. All used 1080 fox capsules need to be punctured and triple rinsed and along with collected rinsate must be buried in a disposal pit under at least five hundred (500) mm of soil on the property where they were used or another location identified and agreed to by the Authorised Control Officer coordinating the program. The disposal pit must be clear of waterways (permanent or ephemeral) so as to not cause pollution of water under Part 5.3 of the *Protection of the Environment Operations Act 1997*.

4.9 At the end of any baiting program coordinated by an Authorised Control Officer, an Authorised Control Officer or a person under their supervision may dispose of 1080 fox capsules on a property or location identified for disposal by burying the 1080 fox capsules at a depth of less than five hundred (500) mm of soil but only if the Authorised Control Officer has done a risk assessment and implements control measures that are appropriate to minimise the risk to non-target animals and the environment.

4.10 Ongoing baiting may be necessary in some instances to reduce the impacts of fox predation on native fauna and domestic livestock. Such programs may be undertaken only if the risk to non-target species is low (see also condition 10 Risk to Domestic Animals and condition 11 Risk to Environment and Wildlife).

5. DIRECTIONS FOR USE – DISTANCE RESTRICTIONS

A person authorised to use 1080 fox capsules under clause 10 of this Order must only do so in accordance with the following distance restrictions:

5.1 The minimum distances for the laying of 1080 fox capsules have been set to minimise the risk to people and to non-target animals. A person authorised to use 1080 fox capsules must not place 1080 fox capsules where they can be washed into or contaminate surface water or groundwater. 1080 fox capsules must not be laid in areas where distance restrictions cannot be met. Other fox control methods must be used in those areas.

5.2 1080 fox capsules must not be laid within close proximity to urban areas unless the baiting program has had a risk assessment approved by an Authorised Control Officer. A program approved under this condition must include strategies for minimising risk to non-target animals. This condition applies to proposals for baiting in closely settled farming areas (properties less than 100ha) or areas within four (4) kilometres of a village or any street.

5.3 *Property Boundary:*

5.3.1 **Ground Baiting:** 1080 fox capsules must not be laid within five (5) metres from any property boundary.

5.3.2 **Exemption for Group Baiting:** Condition 5.3.1 does not apply to the laying of 1080 fox capsules if part of a group baiting program that has been planned by an Authorised Control Officer and where that Officer has obtained written consent from the landholders involved in the baiting program for the laying of the 1080 fox capsules. This exemption does not apply to property boundaries of landholders not involved in the baiting program.

5.4 *Habitation:*

5.4.1 **Ground Baiting:** 1080 fox capsules must not be laid within one hundred and fifty (150) metres of a habitation except:

- (a) where a landholder uses 1080 fox capsules on their own property, in which case the landholder may lay the 1080 fox capsules at a distance of no less than twenty (20) metres from their own habitation.
- (b) where an Authorised Control Officer plans a baiting program, in which case the 1080 fox capsules may be laid at less than 150 metres but no closer than 20 metres from a habitation, subject to the following conditions:
 - (i) The Authorised Control Officer must undertake a risk assessment in accordance with the provisions of the NSW DPI Vertebrate Pest Control Manual (as in force from time to time) and determine that 1080 fox capsules can be laid at distances of less than 150 metres but no closer than 20 metres from a habitation;
 - (ii) Any baiting program planned by an Authorised Control Officer must include strategies for minimising risk to non-target animals;
 - (iii) Any adjoining landholders must agree in writing to use or allow the use of 1080 fox capsules as part of a coordinated fox control program at distances of less than 150 metres but no closer than 20 metres from a habitation on the landholder's property;
 - (iv) Where an Authorised Control Officer implements a coordinated fox control program, they must not implement the program **UNLESS**:
 - (1) **ALL** the landholders in the group are made aware of the hazardous nature of 1080 fox capsules in closely settled areas; AND
 - (2) **EVERY** landholder in the group signs an agreement that they:
 - (A) understand the hazards associated with the use of 1080 fox capsules in closely settled areas; AND

- (B) agree to allow 1080 fox capsules to be laid on adjoining properties at distances of less than 150 metres but no closer than 20 metres from any habitation on their property in writing; AND
 - (C) agree to accept all responsibility for any problems arising from 1080 fox capsules used on their land within the program; AND
- (3) **ALL** the landholders of the outermost properties of the group abide by all the distance requirements in relation to adjoining properties not covered by the group activity.

5.5 **Domestic Water Supply or Water Draw Point:**

- 5.5.1 **Ground Baiting:** 1080 fox capsules must not be laid within ten (10) metres of a domestic water supply.

6. PUBLIC NOTIFICATION

A person authorised to use 1080 fox capsules under clause 10 of this Order must notify certain persons of the use of 1080 fox capsules in accordance with the following conditions:

- 6.1 A person must not lay any 1080 fox capsules on any land unless the person has first given a minimum of three (3) days notice of the date on which they will lay 1080 fox capsules. This notice must be given to the occupier, manager or authorised agent of every property which has a property boundary within one (1) kilometre of a baiting location ("notification").
- 6.2. The notification may be given by telephone, email or in person, or, where this is not possible, by mail (including letter box drop). If notification cannot be made by telephone, email, personal contact or mail, or the number of persons to be notified is more than twenty five (25), then notification may be made by advertisement in a local newspaper. Likewise for large group baiting programs (more than 25 participants) organised or approved by an Authorised Control Officer, notification may be via advertisement in a local newspaper.
- 6.3 The use of 1080 fox capsules may be conducted for longer than seven (7) days but must commence within ten (10) days of this notification otherwise further notification of intended baiting is required.
- 6.4 Where replacement baiting is planned the notification must include the time period baiting is planned to be maintained.
- 6.5 Where baiting programs are ongoing notification must be given every six (6) months.

7. EMERGENCY BAITING (Ground application only)

A person authorised to use 1080 fox capsules under clause 10 of this Order may undertake emergency baiting, but only in accordance with the following conditions:

- 7.1 A person whose livestock are being attacked may lay 1080 fox capsules without the need to comply with condition 6.1 (3-day prior neighbour notification). A person who undertakes emergency baiting must, however, notify each landholder whose property boundary lies within one (1) kilometre of a baiting location before laying any 1080 fox capsules. A person who undertakes emergency baiting must not lay more than the number of 1080 fox capsules approved by an Authorised Control Officer and specified on the indemnity form.
- 7.2 A person who undertakes emergency baiting must comply with all requirements in relation to the use of 1080 fox capsules, except as provided for in condition 7.1.

8. 1080 POISON NOTICES

A person authorised to use 1080 fox capsules under clause 10 of this Order must erect notices in accordance with the following conditions:

- 8.1 A person who uses 1080 fox capsules must erect notices before laying 1080 fox capsules on any land. These notices must remain up for the period of time that 1080 fox capsules are being used on the property. Where 1080 fox capsules are being used in conjunction

with 1080 fox baits these notices must remain up for a minimum of four (4) weeks after the last day of baiting.

Notices must be placed at:

- (a) every entry to the baiting location; and
- (b) main entrance to a private property or holding where baiting is undertaken; and
- (c) up to five (5) kilometre intervals along all public thoroughfares which border or pass through the baiting location.

8.2 The notices must specify the following:

- (a) that 1080 ejector capsules are being laid on this property; and
- (b) the dates on which 1080 ejector capsules are first laid or the dates between which 1080 ejector capsules will be laid; and
- (c) contact details of the person who will lay the 1080 ejector capsules or in the case of a public authority a person whom can be contacted for information about 1080 ejector capsules being used on the property; and
- (d) a warning that non-target animals may be affected.

8.3 Under the *Pesticides Regulation 2009* (clauses 19 to 23) public authorities have additional public notification obligations that must be complied with. There are also other notification requirements in the Regulation.

8.4 1080 Poison Notices may be obtained from Authorised Control Officers.

9. GROUND BAITING WITH 1080 FOX CAPSULES

A person authorised to use 1080 fox capsules under clause 10 of this Order must only undertake ground baiting in accordance with the following conditions:

9.1 A person who sets 1080 ejectors using 1080 fox capsules must:

- (a) not set more than four (4) 1080 ejectors per kilometre of trail or one (1) ejector per five (5) hectares or 20 ejectors per 100 hectares. Ejectors may be concentrated to a localised area of fox activity but not at rates above the maximum limit in respect to the size of the property being baited; and
- (b) not set more than fifty (50) 1080 ejectors on any one (1) property or holding unless the baiting program is approved by an Authorised Control Officer; and
- (c) set 1080 ejectors in such a way that ejectors can be readily retrieved and used 1080 fox capsules destroyed in accordance with condition 4.8.
- (d) remove all ejector devices, heads and 1080 fox capsules from each site at the end of baiting program.

9.2 In land reserved under Part 4 of the *National Parks and Wildlife Act 1974* and public reserves within the meaning of the *Local Government Act 1993* it is not necessary to mark the location for 1080 ejector capsules but GPS coordinates must be recorded.

10. RISK TO DOMESTIC ANIMALS

10.1 A person who uses 1080 fox capsules should avoid poisoning of domestic pets. As 1080 is particularly lethal to domestic dogs, the person using the capsules should advise neighbours to restrain their pets and ensure they do not enter the baiting location during poisoning operations or to muzzle dogs if paddocks have to be mustered after poisoning. In the event of accidental poisoning seek immediate veterinary assistance.

11. RISK TO ENVIRONMENT AND WILDLIFE

11.1 1080 fox capsules may be toxic to some native wildlife. To the extent possible, the person using the 1080 fox capsules should time baiting programs for when non-target species are least active or least susceptible.

11.2 To the extent possible, a person who uses 1080 fox capsules should recover carcasses of animals poisoned by 1080 fox capsules and bury them in accordance with the disposal instructions for 1080 fox capsules in condition 4.8. Any incidents where there are

reasonable grounds to suspect that non-target animals may have been poisoned by 1080 fox capsules should be reported to the EPA.

ATTACHMENT 1

DANGEROUS POISON
KEEP OUT OF REACH OF CHILDREN
READ SAFETY DIRECTIONS BEFORE OPENING

1080 EJECTOR CAPSULES

ACTIVE CONSTITUENT: mg OF SODIUM FLUOROACETATE (1080) PER CAPSULE

For the control of wild dogs or foxes when used with a mechanical ejector device as per the directions for use

RESTRICTED CHEMICAL PRODUCT – ONLY TO BE SUPPLIED TO OR USED BY AN AUTHORISED PERSON.

NOT TO BE USED FOR ANY PURPOSE OR IN ANY MANNER CONTRARY TO THIS LABEL UNLESS AUTHORISED UNDER APPROPRIATE LEGISLATION

THIS PACKAGE CONTAINS (insert No,) PLASTIC CAPSULES FOR USE IN THE MECHANICAL CANID PEST EJECTOR DEVICE FOR THE CONTROL OF WILD DOGS OR FOXES

DIRECTIONS FOR USE: Use only in accordance with the relevant conditions for use in the NSW 1080 Ejector Pesticide Control Order.

SAFETY DIRECTIONS: Very dangerous. Poisonous if swallowed. May irritate eyes, nose and throat and skin. Do not touch or rub eyes, nose or mouth with hand. Avoid contact with eyes and skin. When opening container and using capsules wear non-permeable gloves. When setting ejectors eye protection must be worn. If product gets on skin, immediately wash area with soap and water. After use and before eating, drinking or smoking, wash hands, arms and face thoroughly with soap and water. After each days use, wash gloves and contaminated clothing.

FIRST AID: Speed in treatment is essential. If poisoning occurs, contact a doctor or Poisons Information Centre. Phone Australia 13 11 26. If skin contact occurs, remove contaminated clothing and wash skin thoroughly. Remove from the contaminated area. Apply artificial respiration if not breathing. If in eyes, hold eyes open, flood with water for at least 15 minutes and see a Doctor.

STORAGE AND DISPOSAL: Store capsules in their original container in a lockable room or cupboard away from children, animals, food, foodstuffs, seeds and fertilisers. Empty capsules should be triple rinsed and buried along with rinsate in a local authority landfill. If no landfill is available, bury capsules and rinsate below 500mm in a disposal pit specifically marked and set up for this purpose clear of waterways, desirable vegetation and tree roots. Empty capsules must not be burnt.

PROTECTION OF LIVESTOCK, DOMESTIC AND FARM DOGS: Dogs are highly susceptible to 1080. Ensure all domestic and farm dogs are restrained when using 1080 ejector capsules.

PROTECTION OF WILDLIFE, FISH, CRUSTACEA AND ENVIRONMENT: DO NOT contaminate dams, waterways or drains with 1080 ejector capsules or this plastic bag.

Enquires: Contact an Authorised Control Officer at your local office of the Local Land Services or Office of Environment and Heritage - NPWS.

PESTICIDES ACT 1999

Pesticide Control Order under Section 38

Name

1. This Order is to be known as the *Pesticide Control (1080 Liquid Concentrate and Bait Products) Amendment Order 2015*.

Commencement

2. This Order commences on publication in the NSW Government Gazette.

Authority for Order

3. This Order is made by the Environment Protection Authority with the approval of the Minister for the Environment under Part 4 of the *Pesticides Act 1999*.

Application

4. This Order amends *Pesticide Control (1080 Liquid Concentrate and Bait Products) Order 2010* by:

Amending the third sentence in condition 8.1 in schedule 3 from:

A person may use any feedstuff except meat, offal and swill as a free feed.

to the following:

A person may use any feedstuff except meat, offal and swill as a free feed unless an approval has been granted for the use of meat, offal or swill under clause 71 (2) of the *Stock Diseases Regulation 2009*.

Notes

Words used in this Order have the same meaning as in the *Pesticides Act 1999*, unless otherwise defined in this Order.

A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.

MARK SPEAKMAN, MP
Minister for the Environment

BARRY BUFFIER AM
Chair & CEO
Environment Protection Authority

PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2014

Notice of Exemption from Divisions 1 and 2 of Part 3: Records,
Measurement of Waste and Monitoring at Scheduled Waste Facilities

I, Stephen Beaman, Director Waste and Resource Recovery, Environment Protection Authority, grant an exemption to any occupier of a scheduled waste facility from Divisions 1 and 2 of Part 3 of the *Protection of the Environment Operations (Waste) Regulation 2014* in relation to the operation of that facility, where:

- the occupier is not required to pay a contribution to the Environment Protection Authority under section 88 of the *Protection of the Environment Operations Act 1997* in respect of waste received at that facility, or
- the facility is not a scheduled coal waste facility or a facility which receives trackable liquid waste and is located outside the regulated area.

This exemption is granted under clauses 35, 38 and 91 of the *Protection of the Environment Operations (Waste) Regulation 2014*. Words and expressions used in this exemption have the same meaning as they have in the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*.

This exemption has effect on and from the date that it 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

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Thornleigh in the Hornsby Shire 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 that piece or parcel of land situated in the Hornsby Shire Council area, Parish of South Colah and County of Cumberland, shown as Lot 17 Deposited Plan 262775, being the whole of the land in Certificate of Title 17/262775.

The land is said to be in the possession of Roads and Maritime Services (owner in equity), Jax Quickfit Properties Pty Limited (lessee) and Dibs & KD Pty Limited (sub-lessee).

(RMS Papers: SF2015/12063)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Maitland in the Maitland City 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 Maitland City Council area, Parish of Maitland and County of Northumberland, shown as:

Lots 13 and 15 Deposited Plan 738139, being the whole of the land in Certificates of Title 13/738139 and 15/738139 respectively;

Lots 54 and 59 Deposited Plan 749609, being the whole of the land in Certificates of Title 54/749609 and 59/749609 respectively;

Lot 12 Deposited Plan 1198887, being part of the land in Deed of Conveyance Book 2010 Number 536 and being part of the land in Deed of Acknowledgement Book 2447 Number 118;

Lots 52 and 54 Deposited Plan 1209708, being parts of the land in Certificate of Title 1221/1095719; and

Lot 53 Deposited Plan 1209708, being part of the land in Certificate of Title 10/738139.

The land is said to be in the possession of Maitland City Council.

(RMS Papers: SF2014/153242; RO SF2013/86460)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Glenugie in the Clarence Valley Council Area and at Tabbimoble in the Richmond Valley 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 Clarence Valley Council area, Parish of Lavadia and County of Clarence, shown as Lots 12 and 13 Deposited Plan 1205749, being parts of the land in Certificates of Title 116/751376 and 68/751376 respectively.

The land is said to be in the possession of Barry Reginald Fletcher and Sarah Annette Fletcher.

And also all that piece or parcel of land situated in the Richmond Valley Council area, Parish of Evans and County of Richmond, shown as Lot 21 Deposited Plan 1207287, being part of the land in Certificate of Title 6/755614.

The land is said to be in the possession of The Estate of the Late Anthony Morandy (registered proprietor) and Lynette Suzanne Kemp (caveator).

(RMS Papers: SF2015/7010)

Mining and Petroleum Notices

Notice is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T15-1066)

No 5193, SIOUVILLE PTY LTD (ACN 009 263 987), area of 47 units, for Group 1, dated 17 July 2015. (Broken Hill Mining Division).

(T15-1067)

No 5194, THOMSON RESOURCES LTD (ACN 138 358 728), area of 6 units, for Group 1, dated 20 July 2015. (Inverell Mining Division).

(T15-1068)

No 5195, MATTHEW EVERINGHAM, area of 4 units, for Group 2, dated 20 July 2015. (Coffs Harbour Mining Division).

(T15-1069)

No 5196, ZULU GOLD MINING PTY LTD (ACN 093 353 005), area of 1 units, for Group 1, dated 21 July 2015. (Cobar Mining Division).

(T15-1070)

No 5197, AWATI RESOURCES PTY LTD (ACN 106 020 419), area of 5 units, for Group 1, dated 21 July 2015. (Broken Hill Mining Division).

(T15-1071)

No 5198, BEECHWORTH RESOURCES PTY LTD (ACN 169 626 966), area of 97 units, for Group 1, dated 22 July 2015. (Broken Hill Mining Division).

(T15-1072)

No 5199, STEPHEN J WELSH, area of 1 units, for Group 2, dated 22 July 2015. (Orange Mining Division).

(T15-1073)

No 5200, MONZONITE METALS PTY LTD (ACN 165 629 818), area of 100 units, for Group 1, dated 28 July 2015. (Orange Mining Division).

MINING LEASE APPLICATION

(T15-1610)

No 501, COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of about 1 hectares, for the purpose of all purposes, dated 10 July 2015. (Mining Division).

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

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

(Z07-4677)

Exploration Licence No 5878, TRIAUSMIN LIMITED (ACN 062 002 475), area of 8 units. Application for renewal received 21 July 2015.

(Z15-1627)

Exploration Licence No 5967, WHITEHAVEN COAL MINING LIMITED (ACN 086 426 253), area of 4790 hectares. Application for renewal received 22 July 2015.

(Z13-2798)

Exploration Licence No 6104, DRONVISA PTY LIMITED (ACN 002 070 680), area of 2 units. Application for renewal received 24 July 2015.

(Z13-3366)

Exploration Licence No 6459, SCORPIO RESOURCES PTY LTD (ACN 109 158 769), area of 12 units. Application for renewal received 16 July 2015.

(Z12-3778)

Exploration Licence No 6604, CURLEWIS COAL & COKE PTY LIMITED (ACN 113 968 737), area of 1749 hectares. Application for renewal received 27 July 2015.

(Z15-0631)

Exploration Licence No 6837, CHINA WASTE CORPORATION LIMITED (ACN 003 078 591), area of 6 units. Application for renewal received 24 July 2015.

(Z15-1616)

Exploration Licence No 7365, CURLEWIS COAL & COKE PTY LIMITED (ACN 113 968 737), area of 1127 hectares. Application for renewal received 21 July 2015.

(T11-0090)

Exploration Licence No 7816, LINCOLN MCCLATCHIE, area of 4 units. Application for renewal received 20 July 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:

(Z05-5222)

Exploration Licence No 4911, KORES AUSTRALIA PTY LIMITED (ACN 063 786 087), County of Northumberland, Map Sheet (9131), area of 9160 hectares, for a further term until 20 May 2020. Renewal effective on and from 15 July 2015.

(C94-2359)

Exploration Licence No 4912, KORES AUSTRALIA PTY LIMITED (ACN 063 786 087), County of Northumberland, Map Sheet (9131, 9231), area of 5468 hectares, for a further term until 20 May 2020. Renewal effective on and from 15 July 2015.

(C00-1571)

Exploration Licence No 5903, KORES AUSTRALIA PTY LIMITED (ACN 063 786 087), County of Northumberland, Map Sheet (9131), area of 427 hectares, for a further term until 20 May 2020. Renewal effective on and from 15 July 2015.

(Z12-4873)

Exploration Licence No 6001, PEREGRINE MINERAL SANDS PTY LTD (ACN 009 307 591), Counties of Cairn and Taila, Map Sheet (7528, 7529), area of 62 units, for a further term until 7 July 2015. Renewal effective on and from 24 June 2015.

(Z11-3323)

Exploration Licence No 6404, TECK AUSTRALIA PTY LTD (ACN 091 271 911), Counties of Farnell and Yancowinna, Map Sheet (7134), area of 99 units, for a further term until 19 April 2017. Renewal effective on and from 23 June 2015.

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

**CANCELLATION OF AUTHORITY
AT REQUEST OF HOLDER**

Notice is given that the following authority has been cancelled:

(T11-0259)

Exploration Licence No 7951, OCHRE RESOURCES PTY LTD (ACN 112 833 351), County of Canbelego, Map Sheet (8235), area of 42 units. Cancellation took effect on 17 July 2015.

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

TRANSFER

(T13-1177)

Exploration Licence No 8258, formerly held by RESOLVE GEO PTY LTD (ACN 100 586 534) has been transferred to TORRINGTON MINERALS PTY LTD (ACN 604 431 370). The transfer was registered on 21 July 2015.

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

Primary Industries Notices

FISHERIES MANAGEMENT ACT 1994

INSTRUMENT OF DETERMINATION

Total Allowable Catch for Rock Lobster

I, Niall Mark Blair, MLC, Minister for Primary Industries, pursuant to section 33 of the *Fisheries Management Act 1994* (“the Act”), provide notice that the Total Allowable Catch Setting and Review Committee established under section 26 of the Act:

1. pursuant to sections 28 and 33 of the Act, revokes the determination titled “Instrument of Determination – Total Allowable Catch for Rock Lobster” dated 11 July 2014 and published in *Government Gazette* No 63 of 18 July 2014 at page 2665 and any determination revived as a result of this revocation; and
2. pursuant to section 28 of the Act and clause 14 of the Appendix to the *Fisheries Management (Lobster Share Management Plan) Regulation 2000*, determines that the total allowable catch for eastern rock lobster for the fishing period beginning 1 August 2015 and ending 31 July 2016 (both dates inclusive) is 160 tonnes.

This Instrument of Determination takes effect on 1 August 2015 or on the date of publication, whichever is the later.

Dated this 27th day of July 2015

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

Crown Lands Notices

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

ARMIDALE OFFICE

REMOVAL FROM OFFICE OF A MEMBER OF A TRUST BOARD

Pursuant to clause 6 (4) of Schedule 3 to the *Crown Lands Act 1989*, the person whose name is specified in Schedule 1 hereunder, is removed from the office of member of the trust board managing the affairs of the reserve trust specified in Schedule 2, which reserve trust is trustee of the reserve referred to in Schedule 3.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule 1

Desmond Cecil PLUMB
Lisa Jean DAW

Schedule 2

Inverell Speedway Reserve Trust

Schedule 3

Reserve No 97964
Public Purpose: Public Recreation (Speedway)
Notified: 25 October 1985
File Reference: AE85R88

APPOINTMENT OF ADMINISTRATOR TO MANAGE A RESERVE TRUST

Pursuant to section 117, *Crown Lands Act 1989*, the person specified in Column 1 of the Schedule hereunder is appointed as administrator for the term also specified in Column 1, 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
Felicity FOSTER For a term commencing the date of this notice and expiring 30 January 2016.	Inverell Speedway Reserve Trust	Reserve No 97964 Public Purpose: Public Recreation (Speedway) Notified: 25 October 1985 File Reference: AE85R88

APPOINTMENT OF TRUST BOARD MEMBERS

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1	Column 2	Column 3
Philip Denis WILLIAMS (re-appointment)	Ben Lomond Recreation Reserve Trust	Reserve No 37235 Public Purpose: Public Recreation Notified: 13 February 1904 File Reference: AE83R31-003
For a term commencing the date of this notice and expiring 31 December 2019.		

DUBBO OFFICE

REVOCATION OF APPOINTMENT OF RESERVE TRUST

Pursuant to section 92 (3) (c) of the *Crown Lands Act 1989*, the appointment of the reserve trust specified in Column 1 of the Schedule hereunder, as trustee of the reserve(s), or part(s) of the reserve(s), specified opposite thereto in Column 2 of the Schedule, is revoked.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1	Column 2
Dubbo City Council Crown Reserves Reserve Trust	Dedication No 520098 Public Purpose: Public Recreation Notified: 16 December 1927 Reserve No 89215 Public Purpose: Public Recreation Notified: 28 June 1974 File Reference: DB84R90

DISSOLUTION OF RESERVE TRUST

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1

Dummy Coolah (R65210)
Rubbish Depot Reserve
Trust

Column 2

Reserve No 65210
Public Purpose: Sanitary
Purposes, Rubbish Depot,
Addition
Notified: 26 April 1935
File Reference: 15/06240

Schedule

Column 1

Dummy Coolah (R51266)
Rubbish Depot Reserve
Trust

Column 2

Reserve No 51266
Public Purpose: Sanitary
Purposes, Rubbish Depot
Notified: 14 January 1916
File Reference: 15/06240

Schedule

Column 1

Dummy Coolah (R44862)
Night Soil Depot Reserve
Trust

Column 2

Reserve No 44862
Public Purpose: Night Soil
Depot
Notified: 16 February 1910
File Reference: 15/06240

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

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1

Warrumbungle Shire
Council Crown Reserves
Reserve Trust

Column 2

Reserve No 44862
Public Purpose: Night Soil
Depot
Notified: 16 February 1910
Reserve No 51266
Public Purpose: Sanitary
Purposes, Rubbish Depot
Notified: 14 January 1916
Reserve No 65210
Public Purpose: Sanitary
Purposes, Rubbish Depot,
Addition
Notified: 26 April 1935
File Reference: 15/06240

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

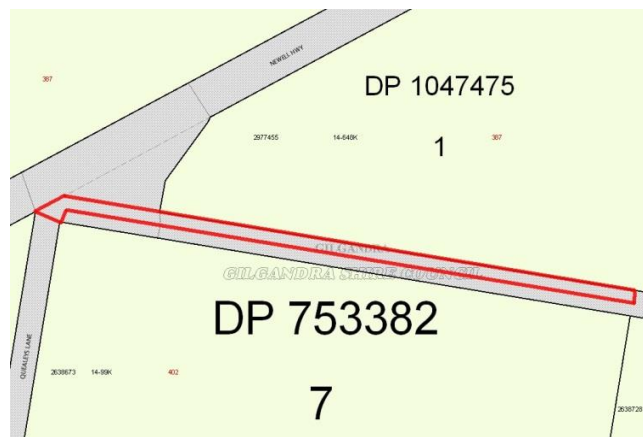
In pursuance of the provisions of section 151, *Roads Act 1993*, the Crown road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date the roads specified in Schedule 1 cease to be a Crown road.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule 1

*Parish – Eringangerin; County – Gowen
Land District – Coonamble; LGA – Gilgandra*

Crown road highlighted red on diagram hereunder.



Schedule 2

Road Authority: Gilgandra Shire Council
File Ref: 15/07462 – W556762
Council Ref: RLR276

GRAFTON OFFICE

**TRUSTEES OF SCHOOLS OF ARTS
ENABLING ACT 1902**

Appointment of Corporation

It is hereby notified for general information that all offices of trustees of the institution known as the Tintenbar Mechanics' Institute, have been declared vacant and the undermentioned has been elected as Trustee at a meeting of members held in accordance with the provisions of section 14 of the *Trustees of Schools of Arts Enabling Act 1902*.

I, therefore as Minister for Lands, in pursuance of the power given me in the same section, hereby approve of the undermentioned to be trustee of the aforesaid institution, namely, Tintenbar Mechanics' Institute Incorporated.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

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 – Krui; County – Benarba
Land District – Moree; LGA – Moree Plains*

Road Closed: Lot 1 DP 1209079
File No: 15/01887

Schedule

On closing, the land within Lot 1 DP 1209079 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 – Bywong; County – Murray
Land District – Queanbeyan; LGA – Palerang*

Road Closed: Lot 1 DP 1208991
File No: 15/01493

Schedule

On closing, the land within Lot 1 DP 1208991 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 – Uralla; County – Sandon
Land District – Armidale; LGA – Uralla*

Road Closed: Lot 1 DP 1208088
File No: 14/10056

Schedule

On closing, the land within Lot 1 DP 1208088 remains vested in the State of New South Wales as Crown land.

On closing, the land within Lot 1 DP 1208088 becomes 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 – Dickson; County – Clive
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 2 DP 1208244
File No: 15/00790

Schedule

On closing, the land within Lot 2 DP 1208244 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 – Davidson, Clevedon; County – Sandon
Land District – Armidale; LGA – Armidale Dumaresq*

Road Closed: Lot 1 DP 1204677
File No: 14/07014

Schedule

On closing, the land within Lot 1 DP 1204677 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 – Honeysuckle; County – Hardinge
Land District – Armidale; LGA – Uralla*

Road Closed: Lot 2 DP 1203946
File No: 14/02392

Schedule

On closing, the land within Lot 2 DP 1203946 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 – Boyd; County – Gough
Land District – Glen Innes
LGA – Glen Innes Severn Shire*

Road Closed: Lot 2 DP 1207990
File No: 15/00153

Schedule

On closing, the land within Lot 2 DP 1207990 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 – Nandabah; County – Richmond
Land District – Casino; LGA – Richmond Valley*

Road Closed: Lot 3 DP 1209915
File No: 15/01473

Schedule

On closing, the land within Lot 3 DP 1209915 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 – Burnett; County – Burnett
Land District – Inverell; LGA – Inverell*

Road Closed: Lot 1 DP 1210292
File No: 15/01467

Schedule

On closing, the land within Lot 1 DP 1210292 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 – Mandamah; County – Bland
Land District – Wyalong; LGA – Temora*

Road Closed: Lot 2 DP 1210007
File No: 15/01523

Schedule

On closing, the land within Lot 2 DP 1210007 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 – Towallum; County – Fitzroy
Land District – Grafton; LGA – Clarence Valley*

Road Closed: Lot 1 DP 1208419
File No: 08/6216

Schedule

On closing, the land within Lot 1 DP 1208419 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 – Wellingrove; County – Gough
Land District – Glen Innes
LGA – Glen Innes Severn Shire*

Road Closed: Lot 1 DP 1208696
File No: 14/10059

Schedule

On closing, the land within Lot 1 DP 1208696 remains vested in the State of New South Wales as Crown land.

ROADS ACT 1993

ORDER

Notification of Closing of Road

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Description

Parish – Billinudgel; County – Rous
Land District – Murwillumbah; LGA – Tweed Shire

Roads Closed: Lots 1 & 2 DP 1210278 at Upper Burringbar
DPI File Reference: 12/07290 & 13/14785

Schedule

On closing, the land within Lot 1 & 2 DP 1210278 remains vested in Tweed Shire Council as operational land for the purposes of the *Local Government Act 1993*.

Councils reference: PN6480/99860 – DA10/0161.01 & DA06/0544

HAY OFFICE

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
Lands Administration Ministerial Corporation	Four Post Youth Camp Trust	Reserve No 91701 Public Purpose: Youth Centre Public Recreation Notified: 25 January 1980 Reserve No 98150 Public Purpose: Public Recreation Notified: 2 May 1986 File Reference: HY85R16

For a term commencing the date of this notice

MAITLAND OFFICE

APPOINTMENT OF TRUST BOARD MEMBERS

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1

The person for the time being holding the office of Asset Planner Property Management, Wyong Shire Council (ex-officio member)

For a term commencing the date of this notice and expiring 14 February 2018.

Column 2

Tuggerah Lake (R1003002) Reserve Trust

Column 3

Reserve No 1003002
Public Purpose: Public Recreation and Coastal Environmental Protection
Notified: 22 June 2001
File Reference: MD01R8-005/1

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

Environmental Rehabilitation (Relevant Interest – S34A Licence 547381)

Column 2

Reserve No 56146
Public Purpose: Generally
Notified: 11 May 1923
File Reference: 15/01711
Reserve No 1011268
Public Purpose: Future Public Requirements
Notified: 3 February 2006
File Reference: 15/01711

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

Reserve No 500255
Public Purpose: Public Recreation
Notified: 24 November 1915
Parish: Alexandria
County: Cumberland

Column 2

Communication Facilities

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 – Wingham; County – Macquarie
Land District – Taree; LGA – Greater Taree*

Road Closed: Lot 1 DP 1208367

File No: 14/03353

Schedule

On closing, the land within Lot 1 DP 1208367 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 – Bolton; County – Westmoreland
Land District – Bathurst; LGA – Oberon*

Road Closed: Lot 1 DP 1206064

File No: 14/07893

Schedule

On closing, the land within Lot 1 DP 1206064 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 – Avisford; County – Wellington
Land District – Mudgee; LGA – Mid-Western Regional*

Road Closed: Lot 1 DP 1207325

File No: 12/05097

Schedule

On closing, the land within Lot 1 DP 1207325 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 – Goolma; County – Bligh
Land District – Wellington; LGA – Mid-Western Regional*

Road Closed: Lot 1 DP 1200163

File No: 12/04351

Schedule

On closing, the land within Lot 1 DP 1200163 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 – Strathdon; County – Cook
Land District – Penrith; LGA – Penrith*

Road Closed: Lot 2450 DP 1210146

File No: 12/06385

Schedule

On closing, the land within Lot 2450 DP 1210146 remains vested in Penrith City Council as operational land for the purposes of the *Local Government Act 1993*.

Council Reference: ECM 1758519

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 – Ulinda, Morven; County – Napier
Land District – Coonabarabran; LGA – Warrumbungle*

Road Closed: Lots 1–3 DP 1208476

File No: 14/05862

Schedule

On closing, the land within Lots 1–3 DP 1208476 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 – Graham; County – Bathurst
Land District – Orange; LGA – Blayney*

Road Closed: Lot 1 DP 1201641
File No: CL/00490

Schedule

On closing, the land within Lot 1 DP 1201641 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 – Huntley; County – Bathurst
Land District – Orange; LGA – Cabonne*

Road Closed: Lot 1 DP 1210422
File No: CL/00546:JT

Schedule

On closing, the land within Lot 1 DP 1210422 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 – Currajong, Talgong, Kinnear
County – Flinders; Land District – Nyngan
LGA – Bogan*

Road Closed: Lot 1 DP 1208752 (subject to easements created by Deposited Plan DP 1208752)
File No: 09/11668:JT

Schedule

On closing, the land within Lot 1 DP 1208752 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 – Coolamigal; County – Roxburgh
Land District – Bathurst; LGA – Lithgow*

Road Closed: Lot 1 DP 1210429 subject to right of carriageway created by Deposited Plan 1210429
File No: CL/00114

Schedule

On closing, the land within Lot 1 DP 1210429 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 – Coolamigal; County – Roxburgh
Land District – Bathurst; LGA – Lithgow*

Road Closed: Lot 1 DP 1209942 subject to right of carriageway created by Deposited Plan 1209942
File No: CL/00343

Schedule

On closing, the land within Lot 1 DP 1209942 remains vested in the State of New South Wales as Crown land.

NOWRA 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

Storage Area, Dredging and Environmental Rehabilitation (Relevant Interest – S34A Licence – RI 554573)

Column 2

Reserve No 90666
Public Purpose: Public Recreation
Notified: 24 April 1975
File Reference: 15/03912
Reserve No 1011528
Public Purpose: Access and Public Requirements, Tourism Purposes and Environmental and Heritage Conservation
Notified: 9 June 2006
File Reference: 15/03912
Reserve No 56146
Public Purpose: Generally
Notified: 11 May 1923
File Reference: 15/03912
Reserve No 1011268
Public Purpose: Future Public Requirements
Notified: 3 February 2006
File Reference: 15/03912

ORANGE OFFICE

APPOINTMENT OF ADMINISTRATOR TO MANAGE A RESERVE TRUST

Pursuant to section 117, *Crown Lands Act 1989*, the person specified in Column 1 of the Schedule hereunder is appointed as administrator for the term also specified in Column 1, 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

David Colin McKIBBIN

For a term commencing the date of this notice and expiring 30 October 2015.

Column 2

Bathurst Showground Trust

Column 3

Dedication No 590074
Public Purpose: Showground
Notified: 19 October 1877
File Reference: OE80R245

DISSOLUTION OF RESERVE TRUST

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1

Pambula Recreation Reserve Trust

Column 2

Reserve No 89209
Public Purpose: Showground Public Recreation
Notified: 31 May 1974
File Reference: NA80R162

REVOCAION 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: Grenfell
Local Government Area: Cowra Shire Council
Locality: Binda, Forbes (Parish, County)
Reserve No 752927
Public Purpose: Future Public Requirements
Notified: 29 June 2007
Lot 121 DP No 752927
Parish Binda
County Forbes
Lot 174 DP No 752927
Parish Binda
County Forbes
File Reference: OE92H211

Column 2

The part being Lot 121 DP No 752927
Parish Binda
County Forbes
of an area of 2.396ha

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1

NSW Crown Holiday Parks Trust

Column 2

Reserve No 89209
Public Purpose: Showground Public Recreation
Notified: 31 May 1974
File Reference: NA80R162

SYDNEY METROPOLITAN OFFICE

APPOINTMENT OF TRUST BOARD MEMBERS

Pursuant to section 93 of the *Crown Lands Act 1989*, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which

has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Schedule

Column 1	Column 2	Column 3
Marion Ruth Lindsay NICHOLAS (new member) For a term commencing the date of this notice and expiring 11 September 2019.	Mt Irvine Public Hall (R.60844) Reserve Trust	Reserve No 60844 Public Purpose: Public Hall Notified: 30 November 1928 File Reference: MN80R166

TAREE 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	Column 2
Road Construction (Relevant Interest – S34A Licence – RI 544075)	Reserve No 92798 Public Purpose: Future Public Requirements Notified: 20 June 1980 File Reference: 14/10895 Reserve No 96332 Public Purpose: Environmental Protection Notified: 10 September 1982 File Reference: 14/10895 Reserve No 56146 Public Purpose: Generally Notified: 11 May 1923 File Reference: 14/10895 Reserve No 1011268 Public Purpose: Future Public Requirements Notified: 3 February 2006 File Reference: 14/10895

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	Column 2
Grazing (Relevant Interest – S34A licence – RI 543733)	Reserve No 3044 Public Purpose: Camping Notified: 9 April 1883 File Reference: 14/10319 Reserve No 52310 Public Purpose: Cemetery Notified: 20 July 1917 File Reference: 14/10319 Reserve No 67265 Public Purpose: Camping Notified: 7 January 1938 File Reference: 14/10319 Reserve No 757226 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 14/10319

WESTERN REGION 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	Column 2
Pump and Pipeline (Relevant Interest – S34A Licence 553644)	Reserve No 84334 Public Purpose: Generally Notified: 22 March 1963 File Reference: 15/05667 Reserve No 1013808 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/05667

Schedule

Column 1	Column 2
Dugout (Relevant Interest – S34A Licence 550631)	Reserve No 1013834 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/02528

GRANTING OF A WESTERN LANDS LEASE

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

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

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

The Conditions and Reservations annexed to such leases are those Conditions published in the *New South Wales Government Gazette* of 20 March 2009, folios 1416–1418 (identified by a *) or *New South Wales Government Gazette* of 25 May 2007 folios 2974–2975 (identified by a #).

All amounts due and payable to the Crown must be paid to the NSW Department of Primary Industries—Lands by the due date.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

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

WLL No	Name of Lessee	File No	Folio identifier	Area m ²	Term of Lease	
					From	To
15242*	Svetlana FINLEY	15/00785	27/1063047; 3/1063025	1897	28 July 2015	27 July 2035
16204#	John Patrick O'BRIEN	08/7970	8/1073508	2475	28 July 2015	27 July 2035

Other Government Notices

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*.

ARMIDALE EIGHTS SQUARE DANCE CLUB INC	Y0593810
BARHAM PROGRESS ASSOCIATION INC	Y0536531
FRIENDS OF CHILD STUDIES INCORPORATED	INC9876954
GOLDEN GOWN AWARDS INCORPORATED	Y0331409
GRAFTON TEAM PENNING CLUB INCORPORATED	INC9894980
KENYA AUSTRALIA BUSINESS CONNECT INCORPORATED	INC9884352
NOWRA WOMENS HOUSING SCHEME INC	Y0814236
NSW DWARFCAR & MODLITES ASSOCIATION INCORPORATED	INC9887939
PROBUS CLUB OF TWEED RIVER INCORPORATED	Y2264430
TRINITY CULTURAL ASSOCIATION INC	Y1477021
WARRANGONG HERITAGE COLLECTION INCORPORATED	INC1300508

Cancellation is effective as at the date of gazettal.

Dated 29th day of July 2015.

JODIE MATHESON
Delegate of the Commissioner
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Association Pursuant to Section 76

ERRATUM

The notice that appeared in the *New South Wales Government Gazette* No 56 dated 3 July 2015, cancelling the NORTHSIDE PROGRESS ASSOCIATION INCORPORATED, Y2263727 was published in error.

The above association remains an Incorporated Association under the *Associations Incorporation Act 2009*.

This notice corrects that error.

Dated this 31st day of July 2015

CHRISTINE GOWLAND
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*.

ASIABANK INCORPORATED	INC9878682
ASIA-PACIFIC CHAMBER OF COMMERCE AND INDUSTRY INCORPORATED	Y2503246
AUSTRALIAN INSTITUTE OF SOCIAL AND ETHICAL ACCOUNTABILITY INCORPORATED	Y3030801
AUSTRALIAN LEBANESE WELFARE GROUP INCORPORATED	Y2585747
AUSTRALIAN POLYGRAPH ASSOCIATION INCORPORATED	INC9882246
AVIATION MUSEUMS ASSOCIATION INCORPORATED	INC9874276
BATHURST RADIO CONTROL CLUB INCORPORATED	INC9884703
BIODYNAMIC GARDENING SOCIETY INCORPORATED	INC9891514
BIRUBI ARTS & CULTURE CENTRE INCORPORATED	INC9891509
BOTSWANA SYDNEY SOCIETY INCORPORATED	INC9891378
BOURKE PROCLAIMED PLACE INC	Y0949400
BREAD OF LIFE INTERNATIONAL MINISTRY INCORPORATED	INC9890004
BREAKERS FUTSAL CLUB INCORPORATED	INC9889722
BRENT STREET PARENTS & FRIENDS INCORPORATED	INC9888623
BRICK-AID INCORPORATED	INC9889903
BRISBANE WATERS WAKEBOARD CLUB INCORPORATED	INC9888709
BROTHERHOOD OF THE COAST AUSTRALIA INCORPORATED	INC9888535
BTORMAZ CHARITABLE ASSOCIATION INCORPORATED	INC9890008
BUDDHA INCORPORATED	INC9879639
BURRULAA WARRANGAL MARI'S INCORPORATED	INC9890951
BURUNDI WOMEN'S ASSOCIATION INCORPORATED	INC9890517

CALVARY NETWORK OF CHURCHES INCORPORATED	INC9889112	CUMBERLAND GROVE SPORTING SHOOTERS CLUB INCORPORATED	INC9890276
CAMDEN FREESTYLE BMX CLUB INCORPORATED	INC9889304	CUMMERAGUNJA SWANS NETBALL ASSOCIATION INCORPORATED	INC9891017
CAMP ELIM GLOBAL INCORPORATED	INC9887754	D2MG INCORPORATED	INC9890458
CENTRAL COAST SPORTS BIKE RIDERS INCORPORATED	INC9891905	DAR AL QUDS AL ISLAMI INCORPORATED	INC9889760
CENTRAL COAST WATER POLO INCORPORATED	INC9880880	DOLPHIN COURT WATERFRONT ASSOCIATION INCORPORATED	INC9878914
CENTRAL WEST SAVVY GROUP INCORPORATED	INC9890518	DOUBLE0ONE INC	INC9883351
CESSNOCK RUGBY UNION CLUB INCORPORATED	Y0945902	EDUCATION GROUP FOR ARABIC COMMUNITY SCHOOLS OF NSW INCORPORATED	INC9879165
CHAVACANO ASSOCIATION OF SYDNEY INCORPORATED	INC9889329	ENVECO ASSOCIATION INCORPORATED	INC9887333
CHESTER HILL FAMILY CHURCH INCORPORATED	INC9887806	FELLOWSHIP OF MEDICAL EVANGELISM INCORPORATED	INC9877180
CHILDREN OF POVERTY INCORPORATED	INC9889937	HANDS ACROSS N.S.W. INCORPORATED	INC9886763
CHILEAN DRAGON BOAT ASSOCIATION INCORPORATED	INC9887897	HAY BUSINESS CHAMBER INCORPORATED	INC9878356
CHIN COMMUNITY : COFFS HARBOUR INCORPORATED	INC9890890	INTERNATIONAL MUSIC EXAMINATION BOARD INCORPORATED	INC9876862
CHRISTIAN MUSIC TELEVISION INCORPORATED	INC9891059	KHANCOBAN UNITED VOLUNTEERS ASSOCIATION INCORPORATED	INC9877931
COBAR AERO CLUB INCORPORATED	INC9891269	LACHLAN RIVER COMMUNITY FELLOWSHIP INCORPORATED	INC9891787
COLLIGEN-NIEMUR ACTION GROUP INCORPORATED	INC9890799	LOYOLA BOYS BOARDING INCORPORATED	INC9884537
COLUMBAN COLLEGE ALUMNI ASSOCIATION AUSTRALIA INCORPORATED	INC9890447	MAHA BODHI BUDDHIST INFORMATION INCORPORATED	INC9890357
COME OUT INCORPORATED	INC9889818	NARRABEEN LAKES CHAMBER OF COMMERCE INCORPORATED	Y1962309
COMMUNITY COUNCIL WATCH INCORPORATED	INC9889875	NARROMINE AMATEUR THEATRICAL SOCIETY INCORPORATED	INC9881385
COMO SWIMMING CLUB INCORPORATED	INC9890149	NATIONAL ASSOCIATION FOR RETAIL MARKETING SERVICES INCORPORATED	INC9884688
COONAMBLE COMMON CULTURE & ENVIRONMENTAL HERITAGE GROUP INCORPORATED	INC9890569	NEW SOUTH WALES CHINESE STUDENT AND SCHOLAR ASSOCIATION INCORPORATED	INC9878949
COUNCIL OF AUSTRALIAN POSTGRADUATE ASSOCIATIONS INCORPORATED	INC9891468	NORTH GRIFFITH SOCCER CLUB INCORPORATED	Y2396701
COVENANT BAPTIST CHURCH – WEST SYDNEY INCORPORATED	INC9889762	NORTHSIDE MUSIC COLLECTIVE INCORPORATED	INC9887975
CRAFT & HOBBY AUSTRALIA INCORPORATED	INC9890403	PUGADISE INCORPORATED	INC9885256
CULTURE AND STUDIES CENTRE INCORPORATED	INC9891276		

RIVERINA SPORTS AND SOCIAL CLUB INCORPORATED	INC9884333
SUNG KWANG CHURCH INCORPORATED	Y2873448
SYDNEY ACTIVE YOUTH FEMALE ASSOCIATION INCORPORATED	INC9889664
THE BRADLEY VAN HEYTHUYSEN MEMORIAL TRUST FOR YOUTH INCORPORATED	Y2825413
THE OAKS RUGBY LEAGUE FOOTBALL CLUB INCORPORATED	Y1941516
TOY POODLE SOCIETY OF NSW INCORPORATED	INC9886550
TUGGERAH LAKES BASKETBALL ASSOCIATION INCORPORATED	Y0680426
WARIALDA RUGBY LEAGUE FOOTBALL CLUB INCORPORATED	Y2472520
WENTWORTH REGIONAL DEVELOPMENT INCORPORATED	INC9882563
WEST LAKES SOFTBALL CLUB INCORPORATED	Y0721736
XTREME MINISTRIES INCORPORATED	INC9888373
YOOGALI CRICKET ASSOCIATION INCORPORATED	INC9885890
YOUNG DISTRICT LANDCARE INCORPORATED	INC9877624

Cancellation is effective as at the date of gazettal.

Dated this 31st day of July 2015

CHRISTINE GOWLAND
 Delegate of the Commissioner
 NSW Fair Trading

**EDUCATION ACT 1990
 LAND ACQUISITION (JUST TERMS
 COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land
 for Public School

The Minister for Education, with the approval of His Excellency the Governor, declares by his delegate 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 *Education Act 1990*.

(Dated at Sydney, this 26th day of June 2015).

TONY McCABE
 Delegate of the Minister for Education

Schedule

All the piece or parcel of land situated in the Local Government Area of Parramatta, Parish of Field of Mars, County of Cumberland and in the State of New South Wales being Lot 1 in Deposited Plan 1112822 and Lot 6 in Deposited Plan 1182647.

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:

Ibrox Park for a reserve consisting of Lots 2–8 DP 2393 bounded by Derbyshire Road and Balmain Road, in the suburb of Leichhardt.

The position and extent for this feature are 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 28th July to 25th August 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 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the name:

Light Horse Reserve for a reserve located at the intersection of Evans Avenue and Florence Avenue, Eastlakes in the Botany Bay LGA.

The position and extent for this feature are 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 28th July to 28th August 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 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the names in the Newcastle Local Government Area:

Whibayganba as a dual name for the geographical feature already named Nobbys Head, for the headland located on the southern entrance to Newcastle Harbour.

Tahlbihn as a dual name for the geographical feature already named Flagstaff Hill, for a hill rising about 30 metres from Nobbys Beach.

Burrabihngarn as a dual name for the geographical feature already named Pirate Point, for a point of land approximately 1km west of Nobbys Head.

Yohaaba as a dual name for the geographical feature already named Port Hunter, for the port in Newcastle.

Coquun as a dual name for the geographical feature already named Hunter River (South Channel) for the channel forming part of the outlet to the sea.

Khanterin as a dual name for the geographical feature already named Shepherds Hill, for a hill approximately 1.5kms south of Dyke Point.

Toohrnbing as a dual name for the geographical feature already named Ironbark Creek, for a watercourse rising in Cardiff Heights flowing into the South Channel (Hunter River).

Burraghinhbihng as a dual name for the geographical feature already named Hexham Swamp, for a swamp approximately 12kms north-west of Newcastle.

The position and extent for these features 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 31 July to 31 August 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.

Martin Reserve for a reserve bounded by Colorado Drive and Denver Road, in the suburb of St Clair.

The position and extent for this feature are 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

SURVEYING AND SPATIAL INFORMATION ACT 2002

Registration of Surveyors

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

Name	Address	Effective Date
ROGERS Brian Phillip	PO Box 1048 Robina Qld 4226	16 July 2015

D J MOONEY
President

M C SPITERI
Registrar

SURVEYING AND SPATIAL INFORMATION ACT 2002

Registration of Surveyors

Pursuant to the provisions of the *Surveying and Spatial Information Act 2002*, section 10 (1) (a), the undermentioned persons have been Registered as a Mining Surveyor (Unrestricted) in New South Wales from the dates shown

Name	Address	Effective Date
WILLIAMS Nathan	PO Box 80 Branxton 2335	10 July 2015

D J MOONEY
President

M C SPITERI
Registrar

WORK HEALTH AND SAFETY ACT 2011

Notice of Variation to Approved Codes of Practice

Notice is given under section 274 (1) of the *Work Health and Safety Act 2011* that the following approved Codes of Practice are varied:

1. Managing the risk of falls at workplaces
2. Demolition work
3. Spray painting and powder coating
4. Labelling of workplace hazardous chemicals
5. First aid in the workplace
6. Managing electrical risks at the workplace
7. Excavation work.

The variations commence on the date on which this notice is published in the *New South Wales Government Gazette*.

Date: 28 July 2015

DOMINIC PERROTTET, MP
Minister for Finance, Services and Property

PUBLIC LOTTERIES ACT 1996

Draw Lotteries – Approval of Rules

I, The Honourable Troy Wayne Grant, MP, Deputy Premier and Minister for Racing, under section 23 (1) of the *Public Lotteries Act 1996* DO HEREBY APPROVE the Rules annexed to this instrument for the conduct of Games of Set for Life and Games of Promotional Set for Life by the New South Wales Lotteries Corporation Pty Ltd.

This approval takes effect on and from the date of gazettal.

Dated this 17th day of June 2015

The Honourable TROY GRANT, MP
Deputy Premier
Minister for Justice and Police
Minister for the Arts
Minister for Racing

PUBLIC LOTTERIES ACT 1996

SET FOR LIFE RULES

It is hereby notified that the Minister administering the Public Lotteries Act 1996 has approved of the following Rules for the Conduct of the Game of Ongoing Payment Lottery and Promotional Set For Life. In accordance with Section 23(3)(b) of the Act, these Rules take effect on and from 3 August 2015.

VERSION: 29 JULY 2015

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RULE 1 DEFINITIONS

- (a) In these Rules unless inconsistent with the context:
- (i) "Act" means the Public Lotteries Act 1996 any amendment, modification, variation, or abrogation thereof for the time being in force;
 - (ii) "Advance Entry" means an Entry for a nominated Draw at least 8 days in advance of the current Draw, whereby the maximum number of advanced Draws will be determined by the Licensee.
 - (iii) "Agreement" means any agreement for the time being made between the Licensee and interstate and/or Overseas Authorities in Participating Areas for the Conduct by them of Games of Set For Life;
 - (iv) "Approved" means approved in writing by the Minister;
 - (v) "Automatic Entry" means an Entry in respect of a Game of Set For Life made pursuant to verbal instruction or electronic instruction (not requiring completion of an Entry Coupon) wherein:
 - (1) The selection of Numbers is made by way of a Computer Linked Terminal or the central processing computer equipment of the Licensee; and/or
 - (2) The Numbers are the Numbers previously selected by a Player and stored in the central processing computer equipment of the Licensee;
 - (vi) "Chief Executive Officer" means the Chief Executive Officer of the Licensee or such delegate appointed by the Chief Executive Officer pursuant to Rule 3(g);
 - (vii) "Close of Acceptance" means the day and time of day determined by the Licensee after which Entries will not be accepted in respect of a particular Drawing;
 - (viii) "Commission" means an amount:
 - (1) paid to, deducted by or retained by a Retailer in connection with a Subscription (whether or not in the person's capacity as a Retailer); and
 - (2) determined by or in accordance with, and identified as Commission in, the conditions of the Product Licence or these Rules;
 - (ix) "Computer Linked Terminal" means computer equipment located in branches of the Licensee or its related bodies corporate, or places of business of its Retailers or otherwise which is linked to the central processing computer equipment of the Licensee for purposes associated with Games of Set For Life or Games of Promotional Set For Life;

- (x) "Computer Records" means the sum of information which is provided to the Licensee by way of the Licensee's central processing computer equipment in respect of a Player and in respect of details of:
 - (1) a Player's Entry in a Game of Set For Life;
 - (2) where appropriate a Player's entry in a Game of Promotional Set For Life
- (xiii) "Conduct" in relation to a Game of Set For Life and a Game of Promotional Set For Life has the same meaning as assigned to it by Section 4(1) of the Act;
- (xiv) "Director" means a Director of the Board of Directors of the Licensee;
- (xv) "1st Prize Guarantee" means the 1st Prize amounts for the Set For Life as set out in Rule 10(g);
- (xvi) "Drawing" means:
 - (1) in relation to a Game of Set For Life (but not including a Second Drawing) the selection of the Winning Numbers and the two Extra Numbers by lot using a Drawing Device;
 - (2) in relation to a Second Drawing the selection of the Winning Numbers by lot using a Drawing Device;
- (xvii) "Drawing Date" in relation to a Game of Set For Life means the date on which the Winning Numbers and the two Extra Numbers are selected in respect of that Game of Set For Life and, provided there is no inconsistency and where the context admits, includes the date on which the Winning Numbers are selected in respect of a Second Drawing of a Game of Set For Life;
- (xviii) "Drawing Device" means equipment as Approved by the Minister from time to time used to conduct a Drawing;
- (xix) "Employee" means an employee of the Licensee. In other contexts where appropriate "Employee" includes an employee of a Retailer;
- (xx) "Entry" means the Numbers in a Game of Set For Life which have been recorded in the central processing computer equipment, which have been selected by way of an Entry Coupon or Automatic Entry, which (subject to Rule 6(d)) have been Imprinted on a Ticket and in respect of which the correct Selling Fee, as the case may be, has been paid;
- (xxi) "Entry Coupon" means a form, approved by the Licensee/Chief Executive Officer, to be completed by a Player containing instructions (including the chances of winning) to effect an Entry in the relevant Game of Set For Life and/or a Game of Promotional Set For Life via a Computer Linked Terminal;
- (xxii) "Game of Set For Life" means a public lottery Conducted pursuant to the Act, the Operator Licence, the Product Licence, Rules and Regulations but does not include Games of Promotional Set For Life;

- (xxiii) "Game of Promotional Set For Life" means a public lottery Conducted for the purpose of promoting a Game of Set For Life, and in respect of which:
- (1) eligibility to enter is confined to Players in a Game of Set For Life; and
 - (2) no further Subscription or Commission is charged;
- (xxiv) "Game Panel" or "Set Panel" means:
- (1) a separate matrix on an Entry Coupon containing the Numbers from 1 to 37 in arithmetical sequence; or
 - (2) a single game on a Ticket and the Entry to which it relates.
- (xxv) "Imprinted" means printed upon a Ticket by the Computer Linked Terminal;
- (xxvi) "Licensee" means New South Wales Lotteries Corporation Pty Ltd;
- (xxvii) "Malfunction" means a failure of any of the following:
- (1) the Drawing Device;
 - (2) the Computer Linked Terminal;
 - (3) the central processing computer equipment;
- to operate in the manner in which it is designed to operate;
- (xxviii) "Minister" means the Minister for the time being administering the Act;
- (xxix) "Set For Life" means the Game of Set For Life drawn, unless the Licensee determines otherwise, every day of each week;
- (xxx) "Multiple Weeks Exchange Ticket" means a Ticket issued to a Player:
- (1) who surrenders a Multiple Weeks Ticket to collect or to claim a Prize won in respect of that Multiple Weeks Ticket;
 - (2) where at the time the Prize is collected or claimed there is one or more Drawing/s remaining in respect of the Multiple Weeks Ticket;
 - (3) where the Multiple Weeks Exchange Ticket shall be Imprinted with the same Numbers as the Multiple Weeks Ticket surrendered;
 - (4) where the Multiple Weeks Exchange Ticket shall be considered the Multiple Weeks Ticket in respect of the remaining Drawings/s.
- (xxxi) "Multiple Weeks Ticket" means a Ticket issued in respect of a Multiple Weeks Entry;

- (xxxii) "Multiple Weeks Entry" means more than one (1) Weekly Entry that is valid in multiples of seven (7) consecutive Drawings ;
- (xxxiii) "Numbers" has the same meaning as Section 5 of the Act;
- (xxxiv) "Operator Licence" means the operator licence granted to the Licensee, pursuant to the Act, to conduct any public lottery for which it, from time to time, holds a Product Licence granted pursuant to the Act;
- (xxxv) "Outlet" means a place at which a Retailer is permitted to accept completed Entries into Games of Set For Life and entries into Games of Promotional Set For Life;
- (xxxvi) "Participating Area" means a State, Territory or Country in which a person is authorised to Conduct Games of Set For Life under a corresponding law;
- (xxxvii) "Player" means a person who:
- (1) has paid the correct Subscription and Commission for a valid Entry; and/or
 - (2) holds a valid Entry; and/or
 - (3) holds, bears and submits a valid Ticket to the Licensee or a Retailer for the purposes of receiving a Prize; and
- includes where relevant a person who has validly entered a Game of Promotional Set For Life and who holds, bears and submits a ticket in the Game of Promotional Set For Life to the Licensee or a Retailer for the purposes of receiving a Prize;
- (xxxviii) "Prize" means any Prize determined in accordance with Rule 10;
- (xxxix) "Prize Allocation" means that proportion of Subscriptions paid into the Prize Fund for a particular Game of Set For Life as specified in Rule 10(a);
- (xl) "Prize Fund" means an account established under Section 27 of the Act and known as the Set For Life Prize Fund Account;
- (xli) "Prize Pool" has the meaning in Rule 10(a)(b);
- (xlii) "Prize Reserve Fund" means the fund located in the Prize Fund under Section 27 of the Act containing:
- (1) the amounts specified in Rule 10(a)(c)); and
 - (2) an amount representing any unclaimed Prizes, subject to a direction under Section 27A of the Act;
- (xlili) "Product Licence" means the product licence granted to the Licensee to Conduct Games of Set For Life and Games of Promotional Set For Life pursuant to Section 12 of the Act;

- (xliv) "Provisional Period" means the period of consecutive calendar days approved from time to time by the Chief Executive Officer which starts on the day immediately following the Drawing Date, and which shall be no longer than twenty one (21) consecutive calendar days;
- (xlv) "Provisional Prize" is a Prize in 1st Prize and/or a Prize (or additional Prize in the case of a Second Drawing) that exceeds \$1,000.00 as shown on a Computer Linked Terminal;
- (xlvii) "Provisional Prize Winner" means a Player who holds a Ticket which is eligible for a Provisional Prize;
- (xlviii) "Registered Player" means a Player whose personal details have been provided to the Licensee and have been recorded for the purpose of providing a player registration service (which may be approved from time to time by the Chief Executive Officer) to that Player;
- (xlix) "Regulation" means a regulation made under the Act;
- (l) "Retailer" means a person or agent appointed by the Licensee for purposes associated with Games of Set For Life and Games of Promotional Set For Life Conducted by the Licensee ;
- (li) "Rules" means these Rules made under the Act, any amendment, modification, variation, or abrogation thereof for the time being in force;
- (lii) "Second Drawing" means an additional Drawing conducted as part of a Game of Set For Life in accordance with the Rules;
- (liii) "Selling Fee" means the sum of the Commission and Subscription and Ancillary Fee (where applicable);
- (liiii) "Standard Entry or "Set" means the Entry referred to in Rule 7;
- (liv) "Subscription" means the amounts paid for Entries but does not include the following:
 - (1) Ancillary Fees; or
 - (2) Commission, unless the Act expressly provides otherwise;
- (lv) "Extra Numbers" in relation to a Game of Set For Life means the ninth and tenth Numbers drawn for each Game of Set For Life;
- (lvi) "Ticket" means the receipt, whether it be in documentary, electronic or other form, which is the official confirmation that a Player has paid the correct Selling Fee for a valid Entry in a Game of Set For Life, and which:
 - (1) contains Entry details; and

- (2) may include a Ticket Number and other such tests to determine the identity, validity and status of the Ticket and whether it has won a Prize; and
 - (3) may include other particulars as determined by the Licensee;
 - (lvii) "Ticket Number" means the numbers and/or letters Imprinted on a Ticket which constitute official verification of the valid issue of a Ticket in a particular Game of Set For Life;
 - (lviii) "Weekly Entry" means an Entry that is valid for seven consecutive (7) Drawings;
 - (lix) "Winning Numbers" in relation to a Game of Set For Life (including a Second Drawing) means the first eight numbers drawn for each Drawing of a Game of Set For Life.
- (b) In these Rules unless inconsistent with the context:
- (i) a reference to the singular shall include the plural, and vice versa;
 - (ii) headings are for convenient reference only and have no effect in limiting or extending the language of the provisions to which they refer.

RULE 2 CONDUCT AND DRAWING OF GAMES OF SET FOR LIFE AND GAMES OF PROMOTIONAL SET FOR LIFE

- (a) These Rules are to be read subject to the Act, its Regulations, the Operator Licence and the Product Licence, and shall apply to every Game of Set For Life and Game of Promotional Set For Life.
 - (b) All decisions made by the Chief Executive Officer concerning the Prize Fund and the declaration and payment of Prizes shall be final and binding on all Players.
 - (c) A Drawing in relation to a Game of Set For Life shall take place after the Close of Acceptance of Entries for that Drawing of Set For Life.
 - (d) Games of Set For Life will be drawn every day of each week unless the Chief Executive Officer determines otherwise.
 - (e) Drawings undertaken in the State of New South Wales shall be conducted by the Licensee and supervised by a person or persons nominated by the Minister in accordance with Drawing procedures agreed between the Licensee and the Minister's nominee(s).
- Certification of the validity of a Drawing by the Minister's nominee(s) shall be final and binding on all Players.
- (f) Where a Malfunction in a Drawing Device occurs:

- (i) the Number/s drawn before a Malfunction has commenced shall be invalid Number/s;
- (ii) The Drawing shall be declared null and void; and
 - (1) Another Drawing shall commence or re-commence, as the case may be, as soon as practicable after the rectification of the Malfunction; or
 - (2) where the Malfunction cannot be rectified, the Drawing shall commence or re-commence as the case may be, using a substitute Drawing Device as soon as practicable after the commencement of the Malfunction and shall continue until all Winning Numbers and Extra Numbers are drawn.
- (g) Drawings conducted outside the State of New South Wales shall be conducted and supervised in accordance with the requirements of the relevant regulatory body for the State or Territory in which the Drawings are conducted.
- (h) The Licensee may Conduct a Game of Promotional Set For Life in such manner and at such times and places as the Chief Executive Officer determines, including (but not limited to), at the absolute discretion of the Chief Executive Officer, the Conduct of a Game of Promotional Set For Life in conjunction with another Game of Set For Life or separately from a Game of Set For Life or otherwise in conjunction with another lottery Conducted by the Licensee.
- (i) A Game of Promotional Set For Life shall, at commencement, have a Prize structure as determined by the Chief Executive Officer.
- (j) The Prize structure for a Game of Promotional Set For Life shall comprise the number, nature and value of Prizes to be offered by the Licensee to Players during the period of each Game of Promotional Set For Life.
- (k) During the period in which the Licensee accepts entries in a Game of Promotional Set For Life some of the Prizes in the approved Prize structure may already have been won when a Player enters the Game of Promotional Set For Life leaving the balance of Prizes still available to be won by Players at the time of their respective entries.
- (l) There shall be no obligation or liability imposed upon the Licensee whatsoever to advise or otherwise inform prospective Players in a Game of Promotional Set For Life of the number, nature or value of Prizes still available to be won by them at the time of their proposed entry into a Game of Promotional Set For Life.
- (m) A ticket in a Game of Promotional Set For Life may include one or more Prizes to be won on the same ticket.
- (n) A Game of Promotional Set For Life may require the Player to have a winning Number on more than one ticket in order to win a Prize.

RULE 3 APPLICATION OF RULES

- (a) All instructions and conditions printed on the Entry Coupon and Ticket and these Rules shall apply to each Game of Set For Life and shall be binding on all Players.
- (b) In the event of any inconsistency between these Rules and the instructions and conditions printed on the Entry Coupon, Ticket or promotional materials, these Rules shall prevail to the extent of any inconsistency.
- (c) These Rules shall apply to each Game of Promotional Set For Life and shall be binding on all Players.
- (d) By entering a Game of Set For Life or a Game of Promotional Set For Life, Players agree to be bound by these Rules and to accept as final and binding on them all decisions made by the Chief Executive Officer.
- (e) The Rules that are in force at the time of purchase of a Ticket in a Game of Set For Life or a Game of Promotional Set For Life are contractually binding on the Licensee and the Player.
- (f) A Retailer has no authority to bind the Licensee in contract or otherwise.
- (g) The Chief Executive Officer may appoint a delegate to perform a function under these Rules which function would otherwise be required to be performed by the Chief Executive Officer. Such appointment shall be on such terms and conditions as the Chief Executive Officer may determine.
- (h) Any reference to the Chief Executive Officer in these Rules shall include a reference to a duly authorised delegate of the Chief Executive Officer under Rule 3(g).
- (i) These Rules may be displayed and made available for inspection at each Outlet.

RULE 4 OBJECT

The Object of the Game of Set For Life is to select eight (8) Winning Numbers in a Game Panel.

RULE 5 ELIGIBILITY FOR INCLUSION IN A GAME OF SET FOR LIFE

- (a) In order for an Entry to be eligible for inclusion in a Game of Set For Life, before the Close of Acceptance of Entries into that Game of Set For Life;
 - (i) the Entry must have been recorded by the central processing computer equipment of the Licensee;
 - (ii) a valid Ticket must have been issued by the Computer Linked Terminal;
 - (iii) the Entry details recorded on such Ticket issued under Rule 5(a)(ii) must match the details held by the Licensee by way of Computer Records; and

- (iv) the Player must have paid the correct Selling Fee as the case may be in relation to such Entry.

- (b) Any Ticket issued shall be subject to Rule 6 hereof.

RULE 6 RULES APPLYING TO ENTRIES AND TICKETS

- (a) An Entry Coupon may be used by a Player to enter a Game of Set For Life by completing or marking the Entry Coupon in accordance with the instructions appearing on the Entry Coupon. A Player shall not mark an Entry Coupon other than by hand unless the prior approval of the Licensee has been obtained. Without this approval such Entry Coupon will not be considered to be properly completed and a Player claiming a resultant Prize may not be entitled to payment of the Prize.
- (b) A completed Entry Coupon or any other approved form of entry (including Automatic Entry) made in accordance with these Rules shall be accepted by a Retailer and processed on a Computer Linked Terminal and evidenced by the issue of the Ticket to the Player on the payment of the Selling Fee .
- (c) Subject to Rule 6(e) below, acceptance of a Ticket by a Player shall constitute the Player's acknowledgment of the correctness of the details (including Entry details) thereon. The Ticket issued to a Player shall be the only form issued by the Licensee or its Retailer to the Player evidencing the Player's Entry, as the case may be. It is the responsibility of the Player to check the accuracy of all details on the Ticket at the time it is received by a Player from the Retailer. No Entry Coupon shall have any validity or be of evidence for any purpose after the Ticket has been issued to the Player.
- (d) In the event that the details recorded on the Player's Ticket are not consistent with the details held by the Licensee by way of Computer Records then the latter shall apply to the exclusion of the former and shall determine what Prize, if any, the Player shall be entitled to and the Player shall be bound by any such determination.
- (e) Without limiting the provisions of Rule 13 the following apply –
 - (i) A Player may return a Ticket and request that the Ticket and the Entry to which it relates be cancelled by a Retailer. The Retailer shall cancel the Ticket and the Entry to which it relates on that day provided it is returned to the place of purchase and prior to the Close of Acceptance of Entries in respect of the first Drawing on that Ticket Weeks and subject to the capability of the central processing computer equipment and/or a Computer Linked Terminal.
 - (ii) A Retailer who has sold an Entry into a Game of Set For Life may cancel the Entry and the Ticket to which it relates.
 - (iii) A Ticket and the Entry to which it relates may (at the Licensee's absolute discretion) be voided or cancelled by the Licensee prior to the Close of Acceptance and subject to the capability of the central processing computer equipment and/or a Computer Linked Terminal to void or cancel a Ticket and the Entry to which it relates.

- (f) Where an Entry and the Ticket to which it relates has been cancelled by the Licensee or the Retailer, the Player shall be refunded the Selling Fee, , as the case may be, paid in respect of such Entry.
- (g) A Ticket which is recorded as void or cancelled in the Licensee's Computer Records shall be void regardless of whether such Ticket was cancelled in error by a Retailer or the Licensee or otherwise, and no Prize shall be payable in respect of such Ticket. It is the responsibility of the Player to ensure that the correct Ticket has been cancelled and to inform the Retailer or the Licensee if there has been an error in relation to cancellation of the Ticket. Neither the Retailer nor the Licensee shall be liable to the Player in respect of an error in the cancellation of a Ticket if the Player has failed to inform the Retailer or the Licensee of the error in the cancellation of a Ticket.
- (h) Where an Entry in a Game of Set For Life has been transferred to the central processing computer equipment via a Computer Linked Terminal and recorded on the Computer Records but:
 - (i) no Selling Fee has been paid to the Retailer in whose place of business the Computer Linked Terminal is located prior to the Close of Acceptance of Entries in respect of that Game of Set For Life; and
 - (ii) the Retailer has failed to cancel the Entry before the Close of Acceptance of Entries in respect of that Game of Set For Life; then

the Retailer shall be liable for and shall meet the cost of the Selling Fee, as the case may be, in respect of the Entry and in such case, for the purposes of these Rules, such Retailer shall:
 - (iii) be considered a Player as the case may be; and
 - (iv) be the holder of the Entry, as the case may be; and
 - (v) owe the Licensee the amount of the unpaid Selling Fee as a debt due and owing to the Licensee.
- (i) The Licensee shall not be liable for any errors or omissions in respect of a Player's selections as recorded on the Computer Records. It is the responsibility of the Player to check that the Numbers and other details shown on a Ticket are correct.
- (j) Neither the Licensee nor a Retailer shall be liable to a Player in the event of the destruction, loss, theft or mutilation of a Ticket issued to a Player. It shall be the sole responsibility of the Player to ensure the safe custody of a Ticket issued to the Player.
- (k) A Ticket shall at all times remain the property of the Licensee and a Player shall deliver up any Ticket to the Licensee upon demand.

RULE 7 COMMISSION FEE

The Licensee is Approved to charge a Player Commission as specified in these Rules in the Schedule in respect of the Set For Life. By entering a Game of Set For Life the Player accepts liability to pay the Commission to the Licensee.

RULE 8 STANDARD ENTRY

- (a) A Standard Entry is the selection of eight (8) Numbers in a Game Panel which may be made by way of an Entry Coupon or via Automatic Entry.
- (b) A Standard Entry must be played as a Weekly Entry or Advance Entry.
- (c) Where an Entry Coupon is used in respect of a Standard Entry, eight (8) Numbers shall have been marked in the Game Panel completed on the Entry Coupon.
- (d) The number of Standard Entries that must be played in each Drawing is two (2) or more.
- (e) Where an Entry Coupon is used in respect of a Standard Entry and two or more Game Panels have been marked the Player may request additional Standard Games and/or Standard Entries to be randomly generated, subject to the capability of the Computer Linked Terminal and/or the central processing computer equipment.
- (f) The Selling Fee payable for each Weekly Entry Set For Life is set out in the Schedule.

RULE 9 SUBMISSION OF AN ENTRY

- (a) The Licensee may impose a registration fee payable by a Player for the provision by the Licensee of the player registration service. Application will be by way of an application form as approved by the Chief Executive Officer.
- (b) A person under the age of eighteen (18) years shall not enter a Game of Set For Life or a Game of Promotional Set For Life.
- (c) An Entry or Automatic Entry may only be made through the Licensee or a Retailer.
- (d) The correct Selling Fee and player registration fee (if applicable) must be paid by a Player to a Retailer or to the Licensee in respect of an Entry;
- (e) The form of payment of the Selling Fee or player registration fee (if applicable) must be acceptable to the Chief Executive Officer.
- (f)
 - (i) If anonymity is desired the Player should clearly so indicate on the appropriate Prize claim form or indicate same when completing application to become a Registered Player. Players who subsequently desire anonymity should apply in writing to the Chief Executive Officer prior to the publication of the Player's name and address pursuant to the provisions of Rule 11(b)(i)

and if in the opinion of the Chief Executive Officer sufficient time is available to prevent publication then the Chief Executive Officer may grant such application and withhold publication.

- (ii) All correspondence to the Chief Executive Officer in accordance with Rule 9(f)(i) should be addressed:-

*The Chief Executive Officer
New South Wales Lotteries;*

Email to: Customersupport@nswlotteries.com.au; or
Mail to: Locked Bag 7, COORPAROO DC QLD 4151

or such other address as may be publicly notified from time to time by the Chief Executive Officer.

- (g) All marks and other written notations appearing on an Entry Coupon are taken to be made or given exclusively by the Player in respect of an Entry.
- (h) Where a Player submits an Entry Coupon or other form of entry, as trustee, representative or nominee for another person or persons, the Licensee will be taken to have no knowledge, nor to be on notice whether actual or constructive, of any such arrangement and the transaction will be conducted solely with the Player.
- (i) An Entry Coupon or Automatic Entry instructions must be received by the Licensee or a Retailer in sufficient time to be processed before the Close of Acceptance of Entries into the first Set For Life Drawing relating to that Entry. For the purposes of this paragraph an Entry will be taken to be received when details thereof have been recorded on the central processing computer equipment held by the Licensee and the Ticket has issued from a Computer Linked Terminal.
- (j) Other than as provided for in Rule 6(e) no Ticket may be withdrawn or altered after issue to a Player without the consent of the Licensee.
- (k) Form of entry in a Game of Promotional Set For Life:
- (i) The Chief Executive Officer is to approve the form of entry for a Game of Promotional Set For Life;
- (ii) Without limiting Rule 9(k)(i), the form of entry in a Game of Promotional Set For Life may be any of the following (or combination of the following):
- (1) part of a Ticket;
 - (2) any other ticket or document;
 - (3) entries made by means of an electronic or mechanical device or by telecommunications system.
- (iii) If any entry in a Game of Promotional Set For Life is to consist of a ticket, part of a Ticket or document, such ticket, part of a Ticket or document issued to an entrant in a Game of Promotional Set For Life:

- (1) constitutes the Player's official receipt;
- (2) is, following its acceptance, to constitute the Player's acknowledgment of the details on the entry, and acknowledgment that those details are correct; and
- (3) is to be the only document issued by the Licensee or its Retailers to the entrant evidencing the processing of an entry in the Game of Promotional Set For Life.

RULE 10 PRIZES

- (a) The Prize Allocation in a Game of Set For Life shall be not less than sixty three and one quarter percent (63.25%) of Subscriptions.
- (b) The Prize Pool in a Game of Set For Life shall be funded from the Prize Allocation and shall be not more than forty percent (40%) of Subscriptions for a Game of Set For Life.
- (c) The Prize Reserve Fund in respect of a Game of Set For Life shall be funded from the Prize Allocation and shall retain not less than twenty three and one quarter percent (23.25%) of Subscriptions for a Game of Set For Life.
- (d) The Prize Reserve Fund in respect of a Game of Set For Life shall be used to:
 - (i) fund any difference between a 1st Prize Guarantee and the Prize Pool allocation pursuant to Rule 10(g);
 - (ii) fund any prize payable pursuant to Rule 10(i), Rule 10(j) and Rule 10(k) .
- (e) Prizes for each Game of Set For Life shall be paid by the Licensee from the Prize Pool and the Prize Reserve Fund.
- (f) Except as provided for in Rule 10(g)(i) in respect of the 1st Prize for Set For Life, any Prize shall, where only one (1) Entry is eligible for that Prize, be payable in respect of that Entry, or shall, where two (2) or more Entries are eligible for that Prize, be shared equally between those Entries.
- (g) Unless otherwise Approved, the Prize Pool and the Prize Reserve Fund will be distributed in the following indicative amounts or percentages that may be varied up or down by the Licensee by a maximum of five (5) percentage points provided the resultant allocation is no lower than half the indicative percentage specified. The Prize Pool distribution for other than 1st Prize shall be subject to a rounding process (which shall be to the nearest sum containing a five (5) cent multiple). Monies required for rounding up shall be drawn from the Prize Reserve Fund. Where a rounding down process has occurred, the excess monies shall be paid into the Prize Reserve Fund. Where there is no winner in prize levels 2, 3, 4, 5, 6, 7 or 8, the percentage of the Prize Pool specified in that prize level shall be added to the percentage of the Prize Pool specified in the next lower prize level that contains a winning Entry or Entries in that Drawing or, if there are

no Prize winning entries in any lower Division, the next higher prize level that contains a winning Entry or Entries.

1st Prize -

- (i) A Prize of an amount equal to 0.0% of the Prize Pool plus the amount set out below from the Prize Reserve Fund shall be payable in respect of any Entry which contains all eight (8) Winning Numbers. Such amount shall be paid from monies held in the Prize Reserve Fund as follows:
- (1) If there are no more than four (4) 1st Prize winners - the maximum total sum of \$19,200,000 but not exceeding \$4,800,000 for each 1st Prize winner will be paid by equal monthly instalments of \$20,000.00 per month for 20 years to each 1st Prize winner; or
 - (2) If there are more than four (4) 1st Prize winners, the maximum total sum of \$19,200,00 will be shared equally among those 1st Prize winners and paid by equal monthly instalments (subject to rounding up to the nearest sum containing a one (1) cent multiple) for 20 years ;
- (ii) 1st Prizes will be paid by 240 equal monthly instalments to each 1st Prize winner with the first instalment being paid by the lottery operator as soon as practicable after 14 days following the Drawing and with each subsequent instalment being paid on the 15th day of each subsequent month until all instalments have been paid.
- (iii) If no 1st Prize is payable in respect of any Entry, the amount of such Prizes shall be retained in the Prize Reserve Fund.

2nd Prize -

A Prize of an amount equal to 1.99% of the Prize Pool shall be payable in respect of any Entry which contains seven (7) Winning Numbers together with one (1) or both of the Extra Numbers.

3rd Prize -

A Prize of an amount equal to 1.91% of the Prize Pool shall be payable in respect of any Entry which contains seven (7) Winning Numbers.

4th Prize -

A Prize of an amount equal to 2.06% of the Prize Pool shall be payable in respect of any Entry which contains six (6) Winning Numbers together with one (1) or both of the Extra Numbers.

5th Prize -

A Prize of an amount equal to 3.59% of the Prize Pool shall be payable in respect of any Entry which contains six (6) Winning Numbers .

6th Prize -

A Prize of an amount equal to 9.92% of the Prize Pool shall be payable in respect of any Entry which contains five (5) Winning Numbers together with one (1) or both of the Extra Numbers.

7th Prize -

A Prize of an amount equal to 27.48% of the Prize Pool shall be payable in respect of any Entry which contains five (5) Winning Numbers.

8th Prize -

A Prize of an amount equal to 53.05% of the Prize Pool shall be payable in respect of any Entry which contains four (4) Winning Numbers together with one (1) or both of the Extra Numbers.

(h) Each Standard Entry in each Drawing of a Game of Set For Life cannot win a prize in more than 1 prize level.

(i) Second Drawing

The Licensee may, subject to the Approval of the Minister, and shall where the Minister so directs, provide for the payment of an additional Prize or Prizes, in accordance with the Conditions of the Product Licence, by means of a Second Drawing in any Game of Set For Life provided that:

(i) the Second Drawing shall be conducted following any Drawing of the Set For Life, or any combination thereof;

(ii) an Entry made in respect of Set For Life shall be automatically entered into the Second Drawing in respect of that Set For Life and such Entry shall not require the payment of any further Subscription;

(iii) the Prize or Prizes payable in relation to the Second Drawing shall be payable in respect of any Entry which, or shall be payable in equal shares in respect of any two (2) or more Entries each of which, contains all the Winning Numbers;

(iv) the amount or amounts of such Prize or Prizes shall be determined by the Chief Executive Officer;

(v) the Second Drawing may involve the Drawing of any Extra Numbers; and

(vi) the Second Drawing shall not constitute a separate Game of Set For Life but shall be part of the Set For Life.

(j) A Game of Set For Life may include:

(i) an additional Prize or Prizes; and/or

(ii) Prizes paid on special occasions; and/or

(iii) Prizes paid pursuant to Rule 10(i);

Any such Prize or Prizes may be paid in monetary terms or in kind.

(k) Prizes in a Game of Promotional Set For Life

(i) The Prizes payable in a Game of Promotional Set For Life may consist of one or more of the following:

- (1) money;
- (2) holidays;
- (3) travel;
- (4) accommodation;
- (5) services or goods provided by the Licensee or by persons or bodies other than the Licensee, whether or not for valuable consideration;
- (6) Entries in a Game of Set For Life or another lottery Conducted by the Licensee; and
- (7) such other Prizes as may (subject to this clause) be determined by the Chief Executive Officer.

(ii) A Prize in a Game of Promotional Set For Life must not consist of or include tobacco.

(iii) A Prize in a Game of Promotional Set For Life must not consist of or include liquor within the meaning of the Liquor Act 1982.

(l) Determination of Prizes in a Game of Promotional Set For Life

(i) The Chief Executive Officer is to determine the number, nature and value of Prizes in each Game of Promotional Set For Life.

(ii) The Licensee is to publicly advertise the number, nature and value of, and the conditions relating to payment of, Prizes in each Game of Promotional Set For Life Conducted by it.

(iii) The Chief Executive Officer may change or alter the nature of any Prize offered in a Game of Promotional Set For Life, including (but not limited to) the following:

- (1) the replacement of any holiday destination offered as a Prize or part of a Prize with another holiday destination;
- (2) the replacement of any mode of travel offered as a Prize or part of a Prize with another mode of travel;

- (3) the replacement of any form of accommodation offered as a Prize or part of a Prize with another form of accommodation;
 - (4) the resupply of services or the replacement of goods provided by the Licensee or by persons or bodies other than the Licensee; and
 - (5) the conversion of any Prize (or part of a Prize) provided by the Licensee or by another person or body into a monetary equivalent.
- (iv) The Prizes in a Game of Promotional Set For Life are payable in such manner as is approved by the Chief Executive Officer for the purposes of that Game of Promotional Set For Life.

RULE 11 ANNOUNCEMENT OF PRIZES

- (a) Following each Drawing of a Game of Set For Life the Licensee shall make available to the media (and elsewhere at the Chief Executive Officer's discretion) as soon as possible after, and in respect of, that Drawing:
- (i) the Winning Numbers and the Extra Numbers;
 - (ii) the total amount of the Prize Pool and Prize Reserve Fund allocated to each prize level;
 - (iii) the value of each Prize level and the number of Prize Winners in each Prize level.
- (b) Following each Drawing of a Game of Set For Life the Licensee may make available to the media (and elsewhere at the Chief Executive Officer's discretion) as soon as possible after, and in respect of, that Drawing:
- (i) the names and addresses of Provisional Prize Winners except where either anonymity applies in accordance with Rule 9(f)(i) or where Provisional Prize Winners are not Registered Players;
 - (ii) information on the manner of payment of Prizes; and
 - (iii) the manner in which claims under Rule 12(a), Rule 12(b), Rule 12(i) and Rule 12(k) must be made.
- (c) The Licensee may make available to the media (and elsewhere at the Chief Executive Officer's discretion) the results of each Game of Promotional Set For Life as soon as possible after the completion of such Game of Promotional Set For Life.
- (d) The Licensee shall make available to the media (and elsewhere at the Chief Executive Officer's discretion) the results of each Second Drawing as soon as possible after the completion of that Second Drawing.

RULE 12 PROCEDURES FOR CLAIMING AND PAYMENT OF PRIZES

- (a) In relation to a Game of Set For Life:
- (i) Other than as provided for Registered Players, any 1st Prize must be claimed by lodgement with the Licensee of a Prize claim form containing or accompanied by the like particulars set out in Rule 12(n) and any other evidence that the Chief Executive Officer may from time to time require;
 - (ii) The date of lodgement of a Prize claim in accordance with Rule 12(a)(i) is the day of receipt by the Licensee.
- (b) A Registered Player winning a 1st Prize will be notified personally or by mail within five (5) calendar days after the Drawing Date. In respect of any Provisional Prize won by a Registered Player the Chief Executive Officer may require that Registered Player to lodge with the Licensee a Prize claim form containing or accompanied by the like particulars set out in Rule 14(l) hereof.
- (c) Where a Registered Player has been requested to claim a Provisional Prize in accordance with Rule 12(b) the Prize may be paid in accordance with the procedure and conditions set out in Rule 12(d) hereof.
- (d) A Provisional Prize or share of a Provisional Prize shall not be payable as a Prize until after the expiry of the Provisional Period and shall be payable either by cheque or by remittance of the funds by electronic funds transfer into the Prize Winner's online account or a players' nominated bank account, other than 1st Prizes which are only payable by electronic funds transfer.
- (e) The right of a 1st Prize winner to receive an instalment of any Prize, including the 1st Prize, is not transferable or assignable.
- (f) If the winner of a 1st Prize receives one or more instalments of the 1st Prize and then fails to update his or her personal details and/or his or her nominated bank account details resulting in an instalment of the prize being unpaid to such winner then the relevant unpaid instalment of the prize will remain payable to such winner.
- (g) For Registered Players, any Prize not exceeding \$1,000.00 shown on a Computer Linked Terminal will be paid, upon surrender of a winning Ticket, except if it is linked to a winning Entry that is entitled to a Provisional Prize in which case the Prize(s) will be paid at the same time to the Player in accordance with these Rules, by a Retailer with a Computer Linked Terminal not earlier than the day immediately after the relevant Drawing Date, and not later than a period of time determined by the Chief Executive Officer. Prizes not so claimed will be paid by the Licensee either by cheque or by remittance of the funds by electronic funds transfer into the Prize Winner's online account or a players' nominated bank account after a period of time determined by the Chief Executive Officer.
- (h) For a Player who is not a Registered Player, any Prize not exceeding \$1,000.00 shown on a Computer Linked Terminal will be paid to a Player, upon surrender of a winning Ticket,

by a Retailer with a Computer Linked Terminal within a period of time determined by the Chief Executive Officer following the Drawing Date.

- (i) Subject to Rule 12(a), Rule 12(b), Rule 12(c), Rule 12(d), Rule 12(g) and Rule 12(h) above, a Player being eligible for a Prize on a Multiple Weeks Ticket may claim or collect that Prize and be issued with a Multiple Weeks Exchange Ticket for any subsequent valid Drawings. For Registered Players, any unclaimed Multiple Weeks Ticket Prizes will not be paid until after the last Drawing on the winning Ticket;
- (j) A Prize not paid by a Retailer in accordance with Rule 12(h) will be paid by the Licensee either by cheque or by remittance of the funds by electronic funds transfer into the Prize Winner's online account or a player's nominated bank account, upon the submission to the Licensee of a Prize claim form, the Prize winning Ticket and such other evidence as the Chief Executive Officer may from time to time require.
- (k) A:
 - (i) Registered Player who claims to be entitled to a 1st Prize pursuant to Rule 12(b) and who has not been notified within five (5) days in accordance with Rule 12(b) and whose Ticket is not shown as a winning Ticket on a Computer Linked Terminal; or
 - (ii) Player who claims to be entitled to a Provisional Prize and whose Ticket is not shown as a winning Ticket on a Computer Linked Terminal;

must claim immediately by written application to the Licensee at the address printed on the Prize claim form and such Prize claim form must contain or be accompanied by the like particulars set out in Rule 12(n) and be received by the Licensee within a period approved from time to time by the Licensee, but not later than ten (10) consecutive calendar days after the Drawing Date, starting on the day immediately following the Drawing Date.

A claim not received in accordance with this Rule 12(k) will be rejected and the Licensee shall have no liability in relation thereto.

- (l) The Entry subject of a claim for a Provisional Prize made in accordance with Rule 12(k) shall be entitled to that Provisional Prize if it is found by the Licensee to be a winning Entry before the expiry of the Provisional Period, and in such case the Provisional Prize amount shall be varied to take into account the new Provisional Prize Winner.
- (m) A:
 - (i) Player who claims to be entitled to a Prize or share of a Prize not exceeding \$1,000.00 and whose Ticket is not shown as a winner on a Computer Linked Terminal; or
 - (ii) Registered Player who claims to be entitled to a Prize or share of a Prize not exceeding \$1,000.00 and whose Ticket is not shown as a winner on a Computer Linked Terminal and/or where the Prize has not been paid in accordance with Rule 12(g);

must lodge a Prize claim form containing or accompanied by the like particulars set out in Rule 12(n).

- (n) The particulars required in accordance with the provisions of Rule 12(a), Rule 12(b), Rule 12(k) and Rule 12(m), are:
- (i) the name and address of the Player ;
 - (ii) the Ticket Number;
 - (iii) the Numbers included on the relevant numbered line on the Ticket;
 - (iv) the Player's registration number if a Registered Player;
 - (v) the winning Ticket, which must be legible and be consistent with the details held by the Licensee's Computer Records and must not be mutilated, altered, reconstituted, counterfeit or stolen; and
 - (vi) such further evidence or information as the Licensee requires.
- (o) Notwithstanding the provisions of this Rule 12, if an Entry which would otherwise have been entitled to a Prize or share of a Prize not exceeding \$1,000.00 is discovered after the payment of Prizes has commenced the Chief Executive Officer may, in the Chief Executive Officer's absolute discretion, pay to the Player the same Prize or share of a Prize as is being paid to winning Players or such other Prize amount or Share of a Prize amount as determined by the Chief Executive Officer.
- (p) The Chief Executive Officer may, in the Chief Executive Officer's absolute discretion, require a person claiming to be entitled to a Prize or a Provisional Prize to furnish the winning Ticket together with such evidence as the Chief Executive Officer deems necessary to prove that the person is the Player entitled to that Prize or Provisional Prize. Such entitlement must be proved to the satisfaction of the Chief Executive Officer notwithstanding the fact that the person claiming to be entitled to a Prize or Provisional Prize may fail to meet one or more of the elements (1), (2) or (3) contained in Rule 1(a)(xxxvii) or may fail to meet some or all of the provisions contained in these Rules governing Prize entitlement. Any determination made the Chief Executive Officer in such circumstances shall be final and binding.
- (q) All cheques will be crossed and marked "Not Negotiable" and will be drawn in favour of the Player in accordance with these Rules.
- (r) Subject to Rule 12(k), at any time before the payment of Prizes the Chief Executive Officer may correct an error made in determining the number of Entries entitled thereto or the amount thereof.
- (s) The payment of a Prize or share of a Prize to any Player who is known to have died before receiving any or all of the monthly Instalments shall be paid in a single lump sum to the deceased winner's estate, subject to the provision of documentation acceptable to the Chief Executive Officer.
- (t) Subject to Section 27 of the Act and Rule 12(f), all unclaimed shall be retained in the Prize Fund for payment to the Players entitled thereto.

- (u) Remittances for payments of Prizes may include all Prizes won on the same Ticket.
- (v) Where payment by the Licensee of a Prize or share of a Prize is made by cheque, such cheque will be forwarded by such of the following methods as the Chief Executive Officer may, in the Chief Executive Officer's sole discretion, direct:
 - (i) by hand upon any conditions that the Chief Executive Officer may determine;
 - (ii) by post whether certified, registered, or ordinary post; or
 - (iii) as otherwise directed in writing by the Player.
- (w) Where payment of a Prize or share of a Prize is made by cheque and mailed, it shall be posted to the name and address shown on the claim form or, in the case of a Registered Player, to the name and address appearing on the Licensee's records relating to that Player.

Thereafter the Licensee shall not be held liable for any loss, delay in the delivery thereof or any negotiation of such cheque. A certificate under the hand of the Chief Executive Officer verifying the date of posting shall be conclusive evidence of same. A reasonable sum (as determined by the Chief Executive Officer) may be deducted to cover postage and processing.

- (x) Any Prize or share of a Prize sent by the Licensee to a Player and any refund of Selling Fees sent by post will be sent to the name and address advised in writing by the Player. Where more than one name is advised, payment to any one person so named at any address so given shall discharge the Licensee from all liability.
- (y) The payment of all Prizes pursuant to this Rule 12 will discharge the Licensee from liability notwithstanding the existence of any trust whether express, constructive or implied. Where the Licensee has paid a Player pursuant to this Rule 12 and the Chief Executive Officer is, after such payment has been made, of the view that:
 - (i) the Player was not the Player to whom such payment should have been made; or
 - (ii) a Prize is not payable to the Player;

the Player shall upon being requested to do so by the Licensee in writing refund to the Licensee the monies forwarded to him or her.

- (z) A Prize or share of a Prize may be claimed through a Retailer or by mail direct to:

*The Chief Executive Officer
New South Wales Lotteries
PO Box 6687
Silverwater NSW 2128*

or such other address as may be publicly notified from time to time by the Chief Executive Officer. A Prize claim form for a Prize or a share of a Prize must be forwarded by the Player to the Licensee direct.

- (aa) Any Prize or share of a Prize to be paid in accordance with Rule 10(i) or Rule 10(k) shall be forwarded to the winner thereof in such manner as the Chief Executive Officer may, in the Chief Executive Officer's sole discretion, direct.
- (bb) No Prize shall be payable in respect of a Ticket which fails any confidential security test of the Licensee.
- (cc) The Licensee shall be entitled, in its absolute discretion, to recognise the person who holds, bears and submits a Ticket as the Prize winner (which is a requirement).
- (dd) The Licensee accepts no responsibility or liability for lost or stolen Tickets. The Licensee is not liable to pay a prize where the winning Ticket cannot be furnished. Registration as a Registered Player shall not entitle a person to whom a winning Ticket is registered to be paid a Prize which has been previously paid by the Licensee to the address of the Registered Player.
- (ee) Payment of Prizes in a Game of Promotional Set For Life
 - (i) A Prize is not payable in a Game of Promotional Set For Life unless:
 - (1) the entry submitted in a Game of Promotional Set For Life is in the form determined by the Chief Executive Officer under Rule 9(k)(i); and
 - (2) if the form of entry requires the Player to have purchased a Ticket in a Game of Set For Life, the Ticket in the Game of Set For Life must satisfy any test used by the Chief Executive Officer to determine whether the Ticket in the Game of Set For Life is valid; and
 - (3) the claimant has complied with all conditions relating to the Game of Promotional Set For Life advertised under Rule 10(l)(ii).
 - (ii) The Licensee may record on an entry in a Game of Promotional Set For Life a verification code or other test and use it to determine whether the entry in a Game of Promotional Set For Life is valid and whether it has won a Prize. A Prize is not payable in respect of an entry in a Game of Promotional Set For Life, on which such a test is recorded, if the entry does not satisfy the test.

RULE 13 DISQUALIFICATIONS

- (a) Notwithstanding that:
 - (i) acceptance of Entries into a Game of Set For Life has closed;
 - (ii) a Ticket may have issued; or
 - (iii) a Drawing has occurred in respect of a Ticket;

an Entry in a Game of Set For Life or entry in a Game of Promotional Set For Life may be disqualified and no Prize claim shall be made in respect of it, if the Chief Executive Officer is of the opinion that it should be so disqualified. Any Ticket having issued in

respect of an Entry in a Game of Set For Life which is disqualified shall automatically be void and cancelled.

- (b) The reasons for disqualification may include but are not limited to:
- (i) tender of insufficient Selling Fee, a dishonoured cheque or unacceptable form of remittance;
 - (ii) the Player has defaulted in payment of any previous Selling Fee;
 - (iii) reasonable suspicion of fraud or attempted fraud (whether computer related or otherwise);
 - (iv) Ticket fails any security tests of the Licensee;
 - (v) reasonable suspicion of unauthorised use of a Computer Linked Terminal;
 - (vi) a Malfunction occurring in respect of the Computer Linked Terminal or the Licensee's central processing computer equipment; or
 - (vii) any other breach of these Rules which justifies disqualification.
- (c) The Licensee shall use its best endeavours to notify a Player, whose name and address is known to the Licensee, that an Entry has been disqualified and the reason therefore and the Licensee shall in respect thereof refund to the Player any Selling Fee paid. Where the Licensee does not know of the name and address of a Player the Licensee shall publicise, in a manner determined by the Chief Executive Officer, the disqualification of such Entry.
- (d) If an Entry which would otherwise be eligible for a Provisional Prize is disqualified during the Provisional Period then the value of the Provisional Prize shall be varied to take into account such disqualification.
- (e) Where there is no Provisional Prize winner as a result of a disqualification in accordance with Rule 13(d) then:
- (i) in the case of a 1st Prize, the provisions of Rule 10(g)(i) and Rule 10(g)(iii) will apply;
 - (ii) otherwise the value and numbers of winners will be varied in accordance with Rule 10(g) 2nd Prize, 3rd Prize, 4th Prize, 5th Prize, 6th Prize, 7th Prize and 8th Prize.

RULE 14 LIMITATION OF LIABILITY

- (a) By entering a Game of Set For Life or Game of Promotional Set For Life a Player acknowledges that he or she has entered into an agreement with the Licensee and the Retailer and agrees to be bound by the provisions of these Rules which subsist for the benefit of the Licensee, Directors, the Chief Executive Officer, the Retailer and all Employees thereof. Any Ticket having been issued in respect of an Entry in a Game of

Set For Life which is disqualified in accordance with Rule 13 shall automatically be void and cancelled.

- (b) The Licensee, Directors, the Chief Executive Officer, the Retailer and all Employees thereof shall have no responsibility or liability to a Player or any other person by reason of the loss or destruction of a Ticket or a ticket in a Game of Promotional Set For Life for any reason or from any cause (whether arising from, or contributed to by, negligence or otherwise) beyond the amount of the Subscription paid in respect of that Ticket.
- (c) The Licensee, Directors and the Chief Executive Officer shall have no responsibility or liability to pay a Player who claims a Prize and is unable to submit a Ticket or a ticket in a Game of Promotional Set For Life. The Licensee shall have discharged all liability in relation to payment of a Prize by making payment to a person in accordance with Rule 12.
- (d) The Licensee, Directors, the Chief Executive Officer and each and every Employee or Contractor of the Licensee shall have no liability or responsibility to a Player or any other person for or in respect of:
 - (i) any negligence, omission, delay or failure whatsoever on the part of any person in the carrying out or performance of any duty, function or discretion conferred or contemplated by the Rules in or about the conduct of any Game of Set For Life or Game of Promotional Set For Life; and
 - (ii) without prejudice to the generality of Rule 14(d)(i) hereof, any negligence, omission, delay or failure in relation to:
 - (1) the payment of a Prize or share of a Prize;
 - (2) the processing and issue of a Ticket following acceptance of an Entry Coupon or Automatic Entry instructions;
 - (3) the processing of a Ticket that has won a Prize or share of a Prize;
 - (4) the inclusion of an Entry in any particular Game of Set For Life or entry in a Game of Promotional Set For Life received by way of Entry Coupon or Automatic Entry;
 - (5) the receipt and processing of a Prize claim form; or
 - (6) the cancellation of a Ticket; and
 - (iii) without prejudice to the generality of Rule 14(d)(i) and Rule 14(d)(ii) , any fraudulent or unlawful act or omission on the part of the Retailer or an employee, servant or contractor of the Retailer in respect of:
 - (1) the processing of an Entry Coupon;
 - (2) the issue of a Ticket;
 - (3) the completion of a Prize claim form;

- (4) the receipt of a Prize claim form;
 - (5) the processing of a Prize claim;
 - (6) the payment of a Prize;
 - (7) the cancellation of a Ticket; and
- (iv) any statement made by a Retailer or an employee, servant or contractor of a Retailer or by the Licensee, or any Employee, servant or contractor of the Licensee to a Player.
- (e) Each and every Retailer and each and every Employee of a Retailer shall have no liability or responsibility to a Player or any other person for or in respect of:
- (i) any negligence, omission, delay or failure whatsoever on the part of any person in the carrying out or performance of any duty, function or discretion conferred or contemplated by the Rules in or about the conduct of any Game of Set For Life or Game of Promotional Set For Life; and
 - (ii) without prejudice to the generality of Rule 14(e)(i) hereof, any negligence, omission, delay or failure in relation to:
 - (1) the payment of a Prize or share of a Prize;
 - (2) the processing and issue of a Ticket following acceptance of an Entry Coupon or Automatic Entry instructions;
 - (3) the processing of a Ticket that has won a Prize or share of a Prize; or
 - (4) the inclusion of an Entry in any particular Game of Set For Life or entry in any particular Game of Promotional Set For Life received by way of Entry Coupon or Automatic Entry.
- (f) The Licensee, Directors, the Chief Executive Officer, each and every Retailer, and each and every Employee or agent of the Licensee or a Retailer, shall have no liability or responsibility to a Player or any person for or in respect of any failure, disruption or malfunction of Computer Linked Terminals, electrical power, telecommunications links or computers (whether arising from, or contributed to by, negligence or otherwise) resulting in loss or corruption of information retained on any Computer Records held by the Licensee.
- (g) The Licensee, Directors, the Chief Executive Officer, each and every Retailer, and each and every Employee of the Licensee or a Retailer, shall have no liability or responsibility for any consequence of interference with or interruption to any Game of Set For Life or Game of Promotional Set For Life due to fire, storm, flood, riot, civil commotion, strike, failure or disruption of electrical power supply or telecommunications or other cause not within the reasonable control of such person.
- (h) In the acceptance and processing of any Entry Coupon or Automatic Entry culminating in the issue of a Ticket or a ticket in a Game of Promotional Set For Life, a Retailer shall for all purposes be the agent of a Player and not the agent of the Licensee or the Chief Executive Officer.

- (i) In the cancellation of a Ticket, the processing of a Prize claim form, the submission of a Prize claim form to the Licensee and the payment of a Prize, a Retailer shall at all times and for all purposes be the agent of a Player and not the agent of the Licensee or the Chief Executive Officer.
- (j) Notwithstanding the provisions of Rule 14(h), in the acceptance of Commission in respect of an Entry by a Retailer on behalf of the Licensee, the Retailer shall for this purpose be the agent of the Licensee and not the agent of the Player
- (k) The State of New South Wales, the Crown in right of that State, the Government of that State, the Minister, their successors and the employees and agents of each and every one of them shall have as ample protection from liability in respect of their acts and omissions (whether arising from, or contributed to by, negligence or otherwise) and the acts, omissions and contingencies the subject of Rules 15(a) to 15(j) inclusive as those protected by said Rules.

RULE 15 AGREEMENTS RELATING TO A GAME OF PROMOTIONAL SET FOR LIFE

The Licensee may enter into agreements or arrangements, subject to the provisions of the Act, with other persons or bodies for the purpose of promoting any Game of Promotional Set For Life.

SCHEDULE

The Selling Fee, Subscription and Commission payable for a Weekly Entry are the amounts payable for that Entry Type outlined in Schedule 1, multiplied by the number of weeks that the Entry is entered into.

SELLING FEES PAYABLE FOR SET FOR LIFE

Entry Type (Game Panels/Sets)	Equivalent Standard Games for a Weekly Entry	Selling Fee	Subscription	Commission
2	14	\$8.40	\$7.70	\$0.70
3	21	\$12.60	\$11.55	\$1.05
4	28	\$16.85	\$15.40	\$1.45
5	35	\$21.05	\$19.25	\$1.80
6	42	\$25.25	\$23.10	\$2.15
7	49	\$29.45	\$26.95	\$2.50
8	56	\$33.65	\$30.80	\$2.85
9	63	\$37.85	\$34.65	\$3.20
10	70	\$42.10	\$38.50	\$3.60
11	77	\$46.30	\$42.35	\$3.95
12	84	\$50.50	\$46.20	\$4.30
13	91	\$54.70	\$50.05	\$4.65
14	98	\$58.90	\$53.90	\$5.00
15	105	\$63.10	\$57.75	\$5.35
16	112	\$67.35	\$61.60	\$5.75
17	119	\$71.55	\$65.45	\$6.10
18	126	\$75.75	\$69.30	\$6.45
19	133	\$79.95	\$73.15	\$6.80
20	140	\$84.15	\$77.00	\$7.15
21	147	\$88.35	\$80.85	\$7.50

Entry Type (Game Panels/Sets)	Equivalent Standard Games for a Weekly Entry	Selling Fee	Subscription	Commission
22	154	\$92.60	\$84.70	\$7.90
23	161	\$96.80	\$88.55	\$8.25
24	168	\$101.00	\$92.40	\$8.60
25	175	\$105.20	\$96.25	\$8.95
26	182	\$109.40	\$100.10	\$9.30
27	189	\$113.60	\$103.95	\$9.65
28	196	\$117.85	\$107.80	\$10.05
29	203	\$122.05	\$111.65	\$10.40
30	210	\$126.25	\$115.50	\$10.75
31	217	\$130.45	\$119.35	\$11.10
32	224	\$134.65	\$123.20	\$11.45
33	231	\$138.85	\$127.05	\$11.80
34	238	\$143.05	\$130.90	\$12.15
35	245	\$147.30	\$134.75	\$12.55
36	252	\$151.50	\$138.60	\$12.90
37	259	\$155.70	\$142.45	\$13.25
38	266	\$159.90	\$146.30	\$13.60
39	273	\$164.10	\$150.15	\$13.95
40	280	\$168.30	\$154.00	\$14.30
41	287	\$172.55	\$157.85	\$14.70
42	294	\$176.75	\$161.70	\$15.05
43	301	\$180.95	\$165.55	\$15.40
44	308	\$185.15	\$169.40	\$15.75
45	315	\$189.35	\$173.25	\$16.10
46	322	\$193.55	\$177.10	\$16.45
47	329	\$197.80	\$180.95	\$16.85

Entry Type (Game Panels/Sets)	Equivalent Standard Games for a Weekly Entry	Selling Fee	Subscription	Commission
48	336	\$202.00	\$184.80	\$17.20
49	343	\$206.20	\$188.65	\$17.55
50	350	\$210.40	\$192.50	\$17.90

COUNCIL NOTICES

BALLINA SHIRE COUNCIL

ROADS ACT 1993
Section 10

Dedication of Land as Public Road

Notice is hereby given that in accordance with section 10 of the *Roads Act 1993*, the land described in the Schedule below is dedicated to the public as road.

P HICKEY, General Manager, Ballina Shire Council,
PO Box 450, Ballina NSW 2478

Schedule

Lot 5 DP 115336 at Barlows Road, West Ballina [8070]

BYRON SHIRE COUNCIL

ROADS ACT 1993
Naming of Roads

Notice is hereby given that Byron Shire Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
QUAIL WAY	Mullumbimby

Description

A new road extending in a southerly direction off proposed Lorikeet Lane which is to be dedicated in a plan of subdivision of Lot 80 DP1202269, Tuckeroo Avenue, Mullumbimby.

Name	Locality
LORIKEET LANE	Mullumbimby

Description

A new road extending in a south westerly direction off an extension of Tuckeroo Avenue (approximately 65m west of Cockatoo Crescent) which is to be dedicated in a plan of subdivision of Lot 80 DP1202269, Tuckeroo Avenue, Mullumbimby.

KEN GAINGER, General Manager, Byron Shire Council,
70–90 Station Street, Mullumbimby NSW 2482
GNB Ref: 0006 [8071]

COBAR SHIRE COUNCIL

ROADS ACT 1993
Naming of Roads

Notice is hereby given that Cobar Shire Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
HOWIES DRIVE	Cobar

Description

Starting at an intersection with Kidman Way South (MR410) immediately north of the Cobar Rugby Union grounds and proceeding in a westerly direction for 380m, of which 200m is sealed and 180m is natural gravel. This section of road was previously known as Lewis Street.

GARY WOODMAN, General Manager, Cobar Shire Council,
36 Linsley Street, Cobar NSW 2835
GNB Ref: 0040 [8072]

GREATER HUME SHIRE COUNCIL

ERRATUM

The following notice replaces one published on page no 932 of the *Government Gazette* No 28 of 27 March 2015. The Gazettal date remains 27 March 2015.

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

Greater Hume Shire Council declares with the approval of Her Excellency the Governor that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for a bush fire brigade station.

Dated at Holbrook this 25th day of March 2015.

DAVID SMITH, Acting General Manager, Greater Hume Shire Council, 39 Young Street, Holbrook NSW 2644.

Schedule

Lot 1 DP 1190771 [8073]

GUYRA SHIRE COUNCIL

ROADS ACT 1993
Naming of Roads

Notice is hereby given that Guyra Shire Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
SUNBURST AVENUE	South Guyra

Description

Off Sole Street, South Guyra adjacent to Lot 3 DP 1153810

RALF STOECKELER, Director of Engineering, Guyra Shire Council, 128 Bradley Street, Guyra NSW 2365
GNB Ref: 0016 [8074]

INVERELL SHIRE COUNCIL

Pesticide Use Notification Plan

The *Pesticides Regulation 2009* states that NSW public authorities who use pesticides in outdoor public places must prepare a notification plan in relation to such pesticide use and give notice to the public according to the plan.

Copies of Inverell Shire Council's revised Pesticide Use Notification Plan are now available from Council or from its website www.inverell.nsw.gov.au.

P J HENRY PSM, General Manager, Inverell Shire Council,
144 Otho Street, Inverell NSW 2360 [8075]

LIVERPOOL CITY COUNCIL

ERRATUM

ROADS ACT 1993

Naming of Public Roads

The road originally gazetted in the *NSW Government Gazette* of 22 April 2005 for the suburb of Middleton Grange:

Jack Street should be spelt Jack Lane

The subject road is located between Middleton Drive and McIntyre Circuit.

C WULFF, Chief Executive Officer, Liverpool City Council,
Locked Bag 7064, Liverpool BC NSW 1871. [8076]

MOREE PLAINS SHIRE COUNCIL

ERRATUM

In the notice referring to the Naming of Public Roads in the Moree Plains Local Government Area, *NSW Government Gazette* of 27 August 2010, folios 4296 and 4297, the following road names were incorrectly spelt. The correct spellings are indicated in the right column. This notice corrects these errors.

Gazetted Road Name	Correct Road Name
Bregeen Crossing Road	Brageen Crossing Road
Iragappa Forrest Road	Iragappa Forest Road
Tyrell Road	Tyreel Road
Mollandree Road	Molladree Road
Wongah Road	Wondah Road
Tulgai Road	Tulagi Road

[8077]

TAMWORTH REGIONAL COUNCIL

ROADS ACT 1993

Section 10

Dedication of Land as Public Road

Pursuant to the provisions of section 10, *Roads Act 1993*, the land specified in Schedule 1 below is dedicated as a Council Public Road to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice.

PAUL BENNETT, General Manager, Tamworth Regional Council, 437 Peel Street (PO Box 555), Tamworth NSW 2340

Schedule 1

*Parish – Woolomin; County – Parry
Land District – Nundle; LGA – Tamworth Regional Council*
Lot 8 in Deposited Plan 816738

Schedule 2

Roads Authority: Tamworth Regional Council. [8078]

WAGGA WAGGA CITY COUNCIL

LOCAL GOVERNMENT ACT 1993

Revocation of Drainage Reserve Dedication

Notice is hereby given that the land described in the Schedule below is no longer required as drainage reserve.

PHIL PINYON, General Manager, Wagga Wagga City Council, PO Box 20, Wagga Wagga NSW 2650

Schedule

Lot 11 in DP1209866 [8079]

MOREE PLAINS SHIRE COUNCIL

LOCAL GOVERNMENT ACT 1993
(Section 713–726)

Sale of Land for Unpaid Rates

Notice is hereby given that, to the person named hereunder that, as per section 715 (1) of the *Local Government Act 1993* the Moree Plains Shire Council has resolved in pursuance of section 713 of the *Local Government Act 1993*, to sell the land described hereunder of which the persons named appear to be the owners or in which case they appear to have interest and on which the amount of rates stated in each case, as at 22 July 2015, is due:

1. Owners 2. Registered Interest 3. Other	Description of land (Lot, DP and Address)	Property Area	Amount of rate, charges, and interest outstanding for more than 5 years	Amount of all other rates and charges due	Total Amount due
1. David O'CARROLL 1. Wendy BOLTON 2. Caveat by Andrew Aravanis AG67411	Lot 1 DP 241141 116 Adelaide Street Moree NSW 2400	588.10 sqm	\$625.71	\$6,022.74	\$6,648.45
1. Paul Dewayne DUKE	Lot 12 DP 29737 77 Anne Street Moree NSW 2400	1378.00 sqm	\$1,437.80	\$9,834.52	\$11,272.32
1. Anthony John DENNISON 1. Mandy Jacqueline DENNISON 2. Covenant J147679	Lot 10 DP 103847 65 Anne Street Moree NSW 2400	1237.00 sqm	\$1,519.16	\$54,560.63	\$56,079.79
1. Natalja SEMBER 2. Interests recorded on register folio CP/SP16605	Lot 1 SP 16605 1/4 Anne Street Moree NSW 2400	0.01ha	\$1,575.24	\$12,212.49	\$13,787.73
1. Peter Allan Charles COSSILL 2. Mortgage No AC115937 to New England Credit Union	Lot 2 Sec 17 DP 758706 82 Anne Street Moree NSW 2400	1037.00 sqm	\$413.02	\$25,112.20	\$25,525.22
1. Roger Craig DOYLE	Lot 28 DP 241141 18 Arunga Street Moree NSW 2400	575.40 sqm	\$915.64	\$4,185.20	\$5,100.84
1. Ronald Clive BELL 1. Pamela Dawn BELL 2. Mortgage No 9535268 to GE Personal Finance	Lot 14 Sec 21 DP 758706 319 Balo Street Moree NSW 2400	992.700 sqm	\$1,225.61	\$12,514.34	\$13,739.95
1. Tracey Lee TICEHURST 2. Covenant Z978053	Lot 40 DP 261979 33 Boland Drive Moree NSW 2400	800.40 sqm	\$668.99	\$23,969.54	\$24,638.53
1. The Housing Commission of NSW	Lot 37 DP 235103 11 Grace Street Moree NSW 2400	853.70 sqm	\$193.58	\$19,927.72	\$20,121.30
1. Christine Ann HOYT	Lot 24 DP 30028 18 James Street Moree NSW 2400	804.60 sqm	\$257.38	\$10,463.77	\$10,721.15
1. Margaret Joyce CARTER	Lot 45 DP 241141 15 Tawarri Street Moree NSW 2400	575.40sqm	\$0.00	\$3,671.55	\$3,671.55

1. Natalja SEMBER	Lot 2 DP 610788 1 Tycannah Street Moree NSW 2400	877.00 sqm	\$1,448.55	\$13,747.72	\$15,196.27
1. Robert William HALL	Lot 13 DP 19336 48 Goondiwindi Street Mungindi NSW 2406	1296.00sqm	\$1300.32	\$6,973.18	\$8,273.50
1. Christopher LONG 1. Trevor LONG	Lot 8–10 Sec 25 DP 758729 85 Loftus Street Mungindi NSW 2406	5286.00 sqm	\$137.00	\$4,057.67	\$ 4,194.67
1. Christopher LONG 1. Trevor LONG	Lot 6–7 Sec 25 DP 758729 73 Loftus Street Mungindi NSW 2406	4047.00 sqm	\$192.06	\$4,158.83	\$4,350.89
1. Timothy Robert OAKENFULL 2. Covenant B898590	Lot 13 Sec B DP 11331 83 St George Street Mungindi NSW 2406	1954.00 sqm	\$1,464.12	\$10,308.87	\$11,772.99
1. Bradley Ian ENGLEBRECHT	Lot 3 Sec 1 DP 758127 82 Merriwa Street Boggabilla NSW 2409	2023.00 sqm	\$692.63	\$7,106.43	\$7,799.06
1. Paigehall Properties Pty Ltd	Lot 8 Sec 2 DP 758127 81 Merriwa Street Boggabilla NSW 2409	2023.00 sqm	\$1,368.44	\$5,394.98	\$6,736.42
1. Paigehall Properties Pty Ltd	Lot 7 Sec 6 DP 758127 37 Merriwa Street Boggabilla NSW 2409	2023.00 sqm	\$905.52	\$5,675.45	\$6,580.97
1. Roger Craig DOYLE	Lot 16 Sec 17 DP 758127 118 Brown Street Boggabilla NSW 2409	2023.00 sqm	\$1,466.18	\$7,714.45	\$9,180.63
1. Estate Peter Henry Anthony SPITTLES	Lot 2 DP 361314 108 Merriwa Street Boggabilla NSW 2409	1056.00 sqm	\$207.00	\$11,417.18	\$11,624.18
1. Mervyn Charles JARRETT 2. Daphne Ann JARRETT 2. Mortgage to the Minister <i>Aborigines Act</i> 1969	Lot 180 DP 755980 42 Simpson Street Boggabilla NSW 2409	4047.00sqm	\$786.01	\$7,839.06	\$8,625.07
1. Keith Robert ATKINSON	Lot 5 Sec 6 DP 758429 20 Wallon Street Garah NSW 2405	2023.00 sqm	\$469.28	\$2,486.75	\$2,956.03
1. Michael HRISS	Lot A DP 190963, Lot 2–3 Sec 15 DP 758430 3–7 Railway Parade Garah NSW 2405	5058.00 sqm	\$1,981.69	\$11,993.49	\$13,975.18
1. Malcolm Clive ST CLAIR	Lot 1, 5, 6, & 10 Sec 6 DP 758589 Boonangar Parish Rural Properties NSW 2400	8094.00 sqm	\$653.86	\$2,411.08	\$3,064.94
1. Michael David FEATHERSTONE 1. Clayton Jon CROSS 2. Caveat A171490 by Baroda Pty Ltd as regards the share of Clayton John Cross	Lot 77 DP 751780 Drive In Road Moree NSW 2400	2.96ha	\$727.84	\$3,958.72	\$4,686.56

Council Notices

1. Patricia Catherine FITZPATRICK 2. Caveat AI85424 by the Official Trustee in Bankruptcy	Lot 87 DP 750518 Bucknell Street Mungindi NSW 2406	1.22ha	\$43.35	\$9,554.39	\$9,597.73
1. Don CUBBY	Lot 89 DP 750518 Loftus Street Mungindi NSW 2406	1.224ha	\$775.53	\$4,321.20	\$5,096.73

All intending purchasers should satisfy themselves to the exact location of the block and the location/condition of power, water and sewerage connection, as well as the occupation of the property for vacant possession.

Under section 715 (2) of the Local Government Act, unless payment in full is made to the Moree Plains Shire Council of the amount stated as the Total Amount Due, together with any extra charges becoming due and payable after the publication of this notice, before the time fixed for the sale, the said land will be offered for sale by public auction by Moree Real Estate on 26 September 2015 at 11.00 am at the Moree Plains Shire Council Committee Room, The Max Centre Level 1, 30 Heber Street, Moree NSW 2400.

L RODGERS, General Manager, Moree Plains Shire Council, PO Box 420, MOREE NSW 2400

[8080]

PRIVATE ADVERTISEMENTS

COMPANY NOTICES

THE PARTNERSHIP OF KIMBELL AND MARILYN ANSTICE

The partnership of Kimbell and Marilyn Anstice, trading as K & M Anstice, K & M Anstice Harvesting and Haulage and other similar names has been dissolved. Marilyn Anstice is not liable for any liability of the partnership from today's date. [8081]

NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership styled J & I Stockings Partnership ABN 43510358499 was dissolved on the 25th November 2008 and since that date no person has authority to enter into any contractual or other arrangement for or on behalf of the dissolved partnership. [8082]

OTHER PRIVATE NOTICES

ESSENTIAL ENERGY

ELECTRICITY SUPPLY ACT 1995
LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991

ERRATUM

The Notice published in the *New South Wales Government Gazette* No 50 of 19 June 2015, page 1781, contained errors.

The LGA of Interest in Land marked No 2 of that Notice being "Greater Taree" should have read "Great Lakes".

The Parish of Interest in Land marked No 2 of that Notice being "Parish of Beryan" should have read "Parish of Tuncurry".

The gazettal date remains 19 June 2015.

Dated at Port Macquarie this 24th day of July 2015

TONY LEAHY, Acting General Manager Customer &
Corporate Services, Essential Energy, PO Box 5730, Port
Macquarie NSW 2444 [8083]