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GOVERNMENT NOTICES

Planning and Environment Notices

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Instrument of Delegation

I, the Minister for Planning, pursuant to section 23 of the *Environmental Planning and Assessment Act 1979* (**the Act**) delegate to the Planning Assessment Commission the functions identified in Schedule 1 in respect of applications specified in Schedule 2.

Dated: 15th December 2016.

The Hon. Robert Stokes MP
Minister for Planning

Schedule 1

My functions under sections 30 and 31 of the now-repealed *Redfern-Waterloo Authority Act 2004* (**RW Act**), which continue to have effect pursuant to Schedule 6, clause 18(2) of the *Growth Centres (Development Corporations) Act 1974*.

Schedule 2

Applications made before or after the date of this instrument of delegation other than applications made by or on behalf of a public authority.

Definitions:

In this Instrument,

Application means an application made under section 78A of the Act for consent to carry out Part 4 development (including State significant development), to which sections 30 and 31 of the *Redfern-Waterloo Authority Act 2004* apply.

Public authority has the same meaning given by section 4 of the Act, but excludes a local authority.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Instrument of Delegation

I, the Minister for Planning, pursuant to section 23 of the *Environmental Planning and Assessment Act 1979* (**the Act**) delegate the functions identified in Column 1 of Schedule 1 to this Instrument to the persons holding the positions or having the roles described in Column 2 of Schedule 1.

Dated: 15th December 2016

The Hon. Robert Stokes MP
Minister for Planning

Schedule 1

Delegation to staff of the Department of Planning and Environment (**DP&E**)

Functions	Delegate
<p>My functions under sections 30 and 31 of the now-repealed <i>Redfern-Waterloo Authority Act 2004</i> (RWA Act).</p> <p>Note 1: Sections 30 and 31 of the RWA Act continue to have effect, despite the repeal of that Act, pursuant to Schedule 6, clause 18(2) of the <i>Growth Centres (Development Corporations) Act 1974</i>.</p> <p>Note 2: These functions relate to the imposition of conditions for development contributions (including payment of a levy in accordance with a contributions plan), and the imposition of conditions for affordable housing contributions.</p>	<p>DP&E staff:</p> <p>a) Secretary</p> <p>b) Deputy Secretaries</p> <p>c) Executive Directors who report to the Deputy Secretary, Planning Services</p> <p>d) Directors who report to Executive Directors in the Planning Services division</p>

HERITAGE ACT 1977

DIRECTION PURSUANT TO SECTION 32(1) TO LIST AN ITEM ON THE STATE HERITAGE REGISTER

Rock Bolting Development Site

Sharp Street, Cooma

SHR No. 1984

In pursuance of section 32(1) of the *Heritage Act 1977*, I, the Minister for Heritage, having considered the recommendation of the Heritage Council of New South Wales and the other matters set out at s32(1), direct the Heritage Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

The Hon Mark Speakman SC MP
Minister for Heritage

Sydney, 8th Day of December 2016

SCHEDULE "A"

The item known as the Rock Bolting Development Site, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 3 DP 704165 in Parish of Cooma, County of Beresford shown on the plan catalogued HC 2892 in the office of the Heritage Council of New South Wales.



Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

www.epa.nsw.gov.au
Environment Protection Authority

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Published by:

Environment Protection Authority
59 Goulburn Street, Sydney NSW 2000
PO Box A290, Sydney South NSW 1232
Phone: +61 2 9995 5000 (switchboard)
Phone: 131 555 (NSW only – environment information and publications requests)
Fax: +61 2 9995 5999
TTY users: phone 133 677, then ask for 131 555
Speak and listen users: phone 1300 555 727, then ask for 131 555
Email: info@environment.nsw.gov.au
Website: www.epa.nsw.gov.au

Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or info@environment.nsw.gov.au
See also www.epa.nsw.gov.au

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1 Introduction

1.1 Purpose of this document

This document, entitled *Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations (Standards and Guidelines)*, has three functions:

1. to specify further the relevant standards that are required by the provisions in Division 5 of Part 6 of the Protection of the Environment Operations (Clean Air) Regulation 2010 (**the Regulation**), for vapour recovery at petrol service stations. Because these standards are required by the Regulation, they are statutory requirements and therefore mandatory. These standards are set out in Section 5 of this document
2. to provide best practice guidelines for maximising vapour recovery
3. to provide within one document a *summary* of all regulatory requirements, and best practice guidelines, to assist the occupiers of service stations to comply with the Regulation and achieve best practice.

The *Protection of the Environment Operations Act 1997* defines the '**occupier**' of premises as the person who has the management or control of the premises. The occupiers of petrol service stations should be aware of their obligations under the Regulation and also under the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014.

Compliance with the Standards and Guidelines will not necessarily ensure compliance with the abovementioned regulation, nor with the full vapour recovery provisions of the Regulation. The Standards and Guidelines should be read in conjunction with both regulations.

1.2 Background

The refilling of underground petrol storage tanks and the filling of vehicle fuel tanks lead to the displacement of petrol vapour equal in volume to that of the fuel being transferred. Unless it is captured, this vapour is released into the atmosphere. It contains benzene, xylene, toluene and other volatile organic compounds (VOCs), which contribute to local, regional and global air pollution.

In 2009, the Protection of the Environment Operations (Clean Air) Amendment (Vapour Recovery) Regulation 2009 made substantial changes to the Protection of the Environment Operations (Clean Air) Regulation 2002, to prescribe specific controls to minimise the emission of VOCs from petrol service stations.

The 2002 Regulation has been re-made into the Protection of the Environment Operations (Clean Air) Regulation 2010 (the Regulation). The provisions to prescribe controls to minimise VOC emissions from service stations are found in Division 5 of Part 6 of the Regulation.

1.3 Structure of this document

This document is structured as follows:

- Sections 1 and 2 introduce the Standards and Guidelines, their interpretation and definitions
- Section 3 introduces the general principles of vapour recovery at petrol service stations
- Section 4 gives an overview of the regulatory requirements for vapour recovery at petrol service stations

Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

- Section 5 sets out the additional mandatory requirements set out in these Standards and Guidelines as required by the Regulation
- Section 6 sets out best practice guidelines for the design and operation of vapour recovery systems.

2 Interpretation and definitions

Where the Regulation and these Standards and Guidelines differ on any point, the Regulation prevails. Terms used in these Standards and Guidelines have the same meaning as set out in the Regulation, unless otherwise stated.

3 General principles of vapour recovery at petrol service stations

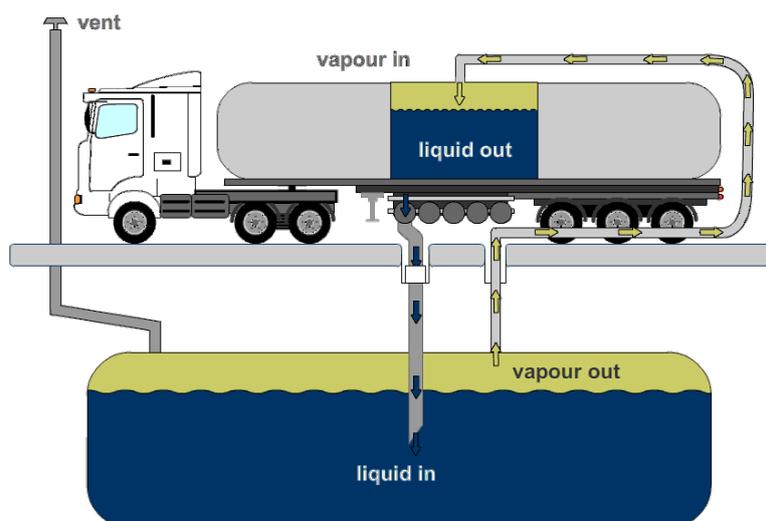
This section presents a general overview of the principles of vapour recovery at petrol service stations.

3.1 Stage 1 vapour recovery

Stage 1 vapour recovery (VR1) at petrol service stations limits the emissions of volatile organic compounds (VOCs) that result from unloading petrol from a road tanker into petrol service station storage tanks.

When petrol is transferred from a delivery tanker to an underground storage tank, a slight pressure build-up occurs in the underground storage tank, which displaces vapour. VR1 systems return displaced vapour back to the delivery tanker by means of a vapour-tight connection line. A simple VR1 system is shown in Figure 1.

To minimise vapour loss from the underground storage tank through the vent during filling, the vent pipes are fitted with a 10 millimetre orifice. A pressure vacuum relief valve (PV valve) is fitted, to prevent hazardous pressures or vacuums building up. The PV valve should remain closed except under adverse conditions.



Vapour Recovery 1

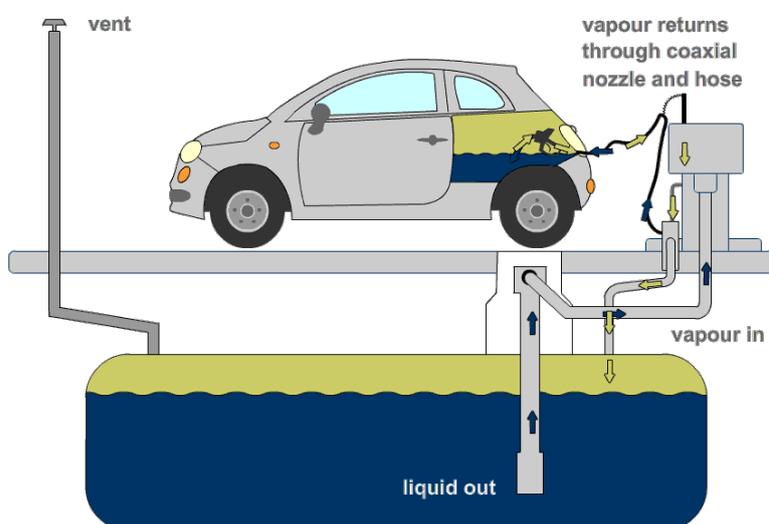
Figure 1: Stage 1 vapour recovery process (VR1)

3.2 Stage 2 vapour recovery

When a vehicle is refuelled at a petrol service station, the vapour in the vehicle's fuel tank is displaced by the fuel. Stage 2 vapour recovery (VR2) equipment is designed to capture this displaced vapour and return it to the underground fuel storage tank or other appropriate vessel.

Usually, the fuel dispenser hose contains both fuel and vapour return lines. The vapour is drawn through the vapour return line by a vacuum pump. VR2 systems are intended to limit the emission of fuel vapour when vehicles refuel by recovering at least 85% of the displaced vapour. Figure 2 shows the principles of operation of VR2.

Vapour recovery equipment needs to be properly maintained so it is vapour-tight and operates as specified by the manufacturer. VR2 systems need to be tested regularly. System testing includes monitoring the effectiveness of vapour recovery at the dispenser and the vapour containment in the underground storage tank, pipe work and fittings.



Vapour Recovery 2

Figure 2: Stage 2 vapour recovery process (VR2)

4 Overview of the Regulation

This section summarises the vapour recovery provisions of the Protection of the Environment Operations (Clean Air) Regulation 2010 (the Regulation). This is a summary only, so refer to the Regulation for specifics of individual legal obligations. The Regulation provides for a range of prescribed control equipment and techniques to reduce the emission of petrol vapour from the following activities at petrol service stations:

- unloading of petrol from road tankers into underground storage tanks
- storage of petrol
- dispensing of petrol into vehicle petrol tanks.

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The requirement to fit vapour recovery equipment depends on petrol throughput (the quantity of petrol dispensed per annum) and the location of the service station. Even if the petrol service station throughput subsequently decreases, continued operation of the vapour recovery systems is required.

4.1 VR1 requirements

Some Stage 1 vapour recovery controls were progressively introduced from 1986 in Sydney. The 2009 amendments to the Regulation required service stations in the Sydney, Central Coast, Illawarra, Shoalhaven and Lower Hunter regions to introduce more stringent VR1 controls, based on throughput thresholds and the local government area in which they are situated. The prescribed equipment is designed to achieve a capture efficiency of 97% of petrol vapour. Appendix 3 contains a comprehensive listing of prescribed control equipment for VR1.

In Figure 3, service stations in the regions inside the blue line are now required to have the upgraded VR1 equipment if they dispense more than 0.5 million litres of petrol per year.

'Petrol' includes petrol blends, but not diesel.

A 'newly modified' service station is a service station that has been substantially upgraded.

VR1 systems must return displaced vapour to the delivery tanker via a vapour return line or to a vapour processing unit. The Regulation requires each underground storage tank to have:

- **vapour return lines/a transfer system** that returns all vapour displaced from the storage tank to the delivery tanker or vapour processor
- **vapour-tight couplings on the vapour line** that close automatically when disconnected
- **liquid-tight couplings** on the liquid transfer hoses
- **incompatible liquid and vapour couplings**
- **spill containment** enclosures for the storage tank fill connection point
- **secure seals** on tank filling pipes and vapour return pipes that minimise vapour leaks when the pipes are not in use
- **submerged fill pipes**, so they terminate below the suction inlet used for the pumping of petrol out of the storage tank
- **overflow protection devices** (float vent valves) fitted to shut off the petrol flow at the level advised by the tank manufacturer
- for new petrol service stations, **overflow prevention devices** (mechanical, electrical or electronic) that slow delivery of petrol into the storage tank as the level in the storage tank approaches the design fill level – the devices should be positioned to stop the petrol flow before the float vent valve operates
- **secure seals** on any dip hatch openings
- **a pressure vacuum valve and a 10 millimetre orifice** fitted to the storage tank vent pipe. Similar devices are permitted, but will only be accepted by the EPA where they are certified by the manufacturer to perform the same duty.

Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

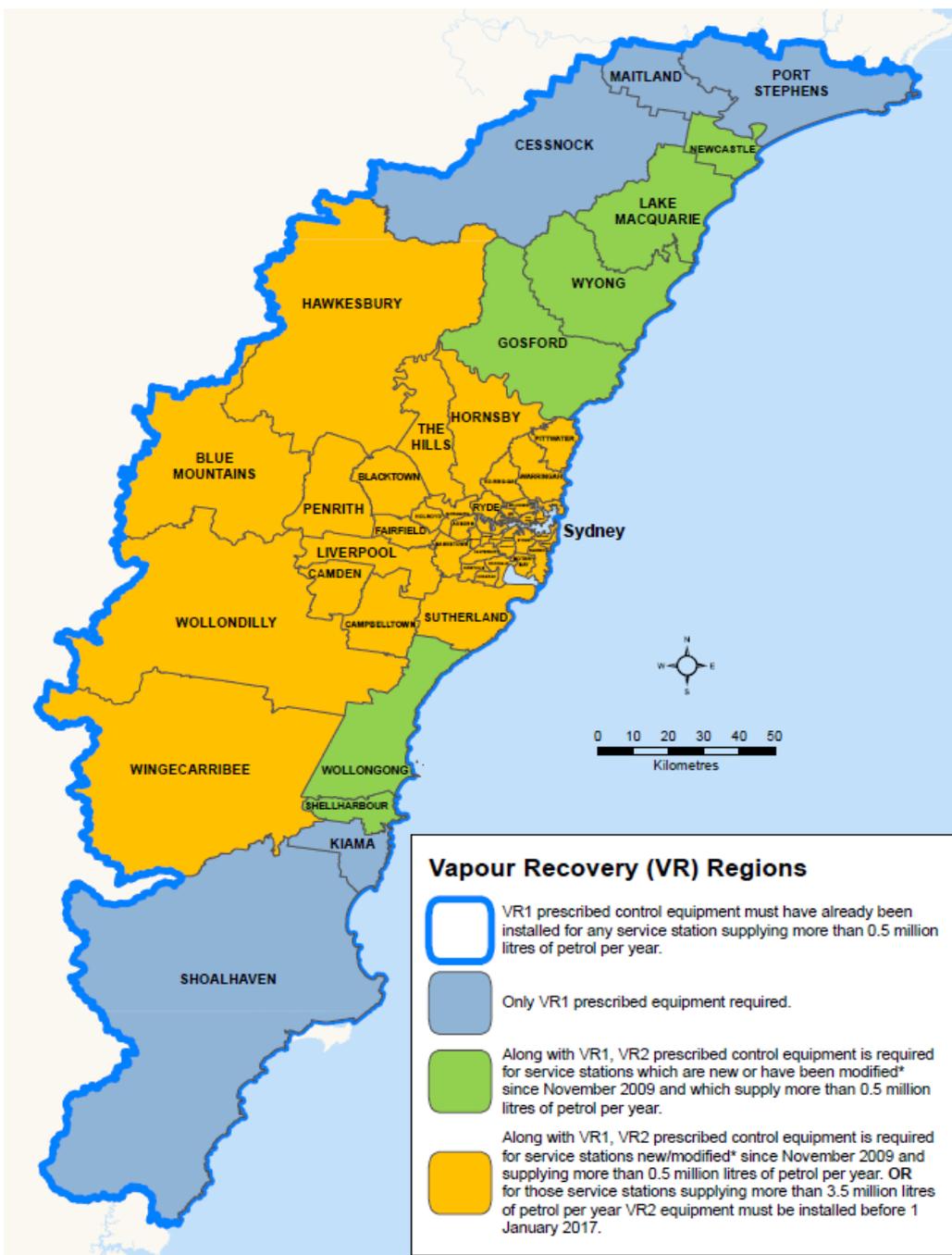


Figure 3: Regions in which vapour recovery is required (2015 local government areas)

A vapour processing unit may also be fitted but it must be certified as meeting the hydrocarbon capture efficiency criteria specified in Section 5 of these Standards and Guidelines.

The Regulation also requires that the covers on all access points to storage tanks must be kept closed whenever they are not in use.

If vapour recovery systems are connected to an E85 installation – the term ‘E85’ means a blend of ethanol and petroleum with the ethanol comprising around 85% – or ethanol rich

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fuel where the ethanol component is greater than 50%, consideration should be given to the safety risks involved, as advised in Section 6.3. Until the risks have been further studied, ethanol rich fuel tanks should not be connected to stage 2 vapour recovery systems.

Before VR1 prescribed control equipment is fitted, the tank must be tested for liquid leaks. After installation, the VR1 system must be tested for vapour leaks (vapour containment testing). The VR1 system must be retested for vapour containment whenever components required to ensure vapour containment integrity are opened for repairs or modifications. See Section 5 of these Standards and Guidelines for details.

VR1 systems need to be regularly inspected to avoid vapour return pipes, fittings or vents becoming blocked. They must be tested for vapour containment every three years and the orifice and pressure vacuum valve must be inspected every year.

Use of **automatic pressure monitoring is highly recommended** as the yearly inspection of the orifice and pressure vacuum valve and the three-yearly test for vapour containment are not required where such automatic monitoring is used.

4.2 VR2 requirements

VR2 controls have been required progressively since July 2010 for petrol service stations in the Sydney, Newcastle, Wollongong and Central Coast metropolitan areas (VR2 area – the yellow and green areas in Figure 3).

In the VR2 area:

- From 1 July 2010, new and newly modified petrol service stations supplying more than 0.5 million litres of petrol per year in the VR2 area (the yellow and green areas in Figure 3) are required to have the VR2 prescribed control equipment fitted and operating.
- From 1 January 2014, the remaining petrol service stations supplying more than 12 million litres of petrol per year in the VR2 area (the yellow and green areas in Figure 3) are required to have VR2 controls fitted and operating.
- From 1 January 2017, the remaining petrol service stations supplying more than 3.5 million litres of petrol per year in the yellow area in Figure 3, the Sydney Metropolitan Area – B (as defined in the Regulation) must have VR2 controls fitted and operating.

A 'modified petrol service station' means an existing petrol service station on which works requiring development consent are carried out that involve opening the forecourt, opening the petrol product lines, modification of the storage tanks, tank vents, petrol dispensers or tanker connection points.

The VR2 prescribed control equipment is required to capture 85% or more of the vapour displaced when vehicles re-fuel. The most common means of achieving this is to ensure that the fuel dispensing nozzle and hose incorporate a vapour return line connected to a vacuum. The volume of air recovered can then be controlled either by using a proportional valve or a variable speed vacuum pump. The vapour rich air can then be returned to the petrol storage tank. Section 6.2 provides more details on typical VR2 systems. Appendix 3 contains a comprehensive listing of prescribed control equipment for VR2.

Petrol service stations with an annual throughput of more than 7 million litres must install an automatic monitoring system to monitor the vapour system recovery performance. The automatic monitoring system must monitor for recovery performance faults and also look for faults in its own function. It must post warnings when faults are detected and shut down the dispenser(s) if the fault is not fixed after seven days.

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Petrol service stations with less than 7 million litres throughput may use manual or automatic monitoring. Those with throughputs of less than 3.5 million litres are not required to install VR2 prescribed control equipment unless they are newly installed or modified, and must then monitor the system using either manual or automatic monitoring.

The VR2 system must be tested for vapour system recovery performance before commissioning, and whenever components required to ensure the integrity of the system are removed and replaced, for example, during maintenance. Sections 5.3 and 5.4 of these Standards and Guidelines set out the testing requirements in detail.

Periodic testing requirements depend on the means of monitoring the vapour system recovery performance. Systems that are automatically monitored for vapour system recovery performance need only have the vapour recovered to petrol dispensed ratio (V/L ratio) tested every three years. The V/L ratio is the ratio of volume of petrol vapour recovered measured against the volume of liquid petrol dispensed, calculated over the duration of the filling operation.

Where manual monitoring is used, weekly system checks are required and vapour system recovery performance must be tested every six months.

Note: Automatic monitoring systems for vapour system recovery performance must detect the following faults, as specified in the Regulation:

- a fault exists when the V/L ratios are less than or equal to 85% or more than 115% for at least 10 consecutive filling operations, where the V/L ratio is averaged over at least 20 seconds during which the minimum rate of petrol dispensed is at least 25 litres per minute
- a fault exists in the automatic monitoring system if a fault in the V/L ratio would not be detected.

Records of the date and type of fault of the last one hundred faults and the last one year's operational data must be retained in the monitoring system and must be easily accessible to operators or inspectors.

4.3 Record keeping and reporting

Record keeping

A log book must be kept that stores any relevant information relating to the prescribed control equipment. Examples are equipment certificates, test results, details of repairs and maintenance and descriptions of incidents involving faults/malfunctions of the vapour recovery system. If manual monitoring is used, the weekly results must also be recorded.

The Regulation requires the following items to be stored in the log book:

- the name, address and contact details of the occupier of the service station
- a description of the installed prescribed control equipment, including types, serial numbers (if any) and the manufacturer's equipment certificates
- the name and address of the person with overall responsibility for installation and commissioning of the vapour recovery system
- a description of the testing of the operation of the prescribed control equipment including the type of test, all test results and the name and address of the person with overall responsibility for carrying out the test

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- details of repairs and maintenance including the name and address of the repairer
- weekly check results for manual monitoring
- a description of any incidents involving faults with or malfunction of the vapour recovery system and the measures taken to investigate and respond to the fault
- the date of the last report to the Environment Protection Authority (EPA).

Details of anything done before commencement of the amendments to the Regulation do not need to be recorded. Records need to be kept by the occupier for three years, even if the petrol service station is decommissioned.

If the petrol service station has a log book for the purposes of other legislative obligations, that same log book can and should be used for vapour recovery records as well. The regulation requires the log book to be kept on site; however, the logbook may be electronic and accessible from the site. It is an acceptable practice to keep some records electronically that are not immediately accessible, such as maintenance records, so long as they can be made available to a compliance officer within three business days upon request. Details about how to access the log book records, including the name(s) and contact details of the person(s) responsible, must be kept on site and made available to a compliance officer upon request.

Note: The Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 requires an Environment Protection Plan be kept for seven years. If the vapour recovery log book is part of an Environment Protection Plan, it must be kept for seven years.

Reporting

Reporting is required within one month of commissioning new or modified vapour recovery systems on the form provided in Appendix 1.

Annual reporting, within one month of the end of the financial year (by 31 July), is then required **only if there have been significant failures** of the vapour recovery system in the preceding 12 months. The information submitted to the EPA will be used to assess the cost and effectiveness of the vapour recovery requirements, assist in determining level of compliance and inform any adjustments to improve operability or limit costs of vapour recovery.

Note: 'Significant failures' specified in the Regulation (clause 75) are:

- failure of the vapour containment system that requires opening of the forecourt for repairs
- any results of tests of the vapour system recovery performance of a manually monitored petrol dispenser and prescribed control equipment that show vapour system recovery has fallen below 85%
- repeated warnings generated by automatic monitoring systems that require repair – more than two repairs in a year is considered a significant failure.

Signage requirements

Each petrol dispenser that is fitted with VR2 control equipment must display a sign stating VR2 equipment is present. If every petrol dispenser is fitted, a sign indicating that vapour recovery equipment is in use must also be attached to the petrol service station premises.

5 Requirements for the purposes of obligations under the Regulation

The Regulation contains a series of references to requirements specified in the Standards and Guidelines. This section sets out these requirements. Where the Regulation requires that the specification is set out in these Standards and Guidelines, the Regulation clause number is quoted and prefaced by the words 'for the purposes of'. These are statutory requirements and therefore mandatory.

This section should be read in conjunction with the Regulation. In the event of any inconsistency between the two, the Regulation will always prevail. Note that the instructions set out here are **mandatory** and **enforceable**.

Clause in Regulation	Section in this guideline	Clause in Regulation	Section in this guideline
Equipment for Stage 1 vapour recovery		Equipment for Stage 2 vapour recovery	
69(1)(d)(ii)	5.1.1	72(a)	5.2.1
69(1)(k)	5.1.2	Testing Stage 2 vapour recovery systems	
69(1)(k)(i)	5.1.3	72(c)	5.4.1
69(1)(l)	5.1.4	73(1)	5.4.2
Testing Stage 1 vapour recovery systems		73(1)	5.4.4
69(2)	5.3.1	73(1)	5.4.9
69(3)	5.3.2	73(2)	5.4.3
71(1)	5.3.3	73(2)	5.4.5
71(2)	5.3.4	73(2)	5.4.10
Reporting		Monitoring Stage 2 vapour recovery	
75(1)	5.5.1	74(1)(f)	5.2.2
75(2)	5.5.2	74(2)(a)	5.4.6
75(3)(c)	5.5.3	74(4)(a)	5.4.7
		74(5)(b)	5.4.8

5.1 Stage 1 vapour recovery prescribed control equipment

5.1.1 For the purposes of subclause 69(1)(d)(ii), if the overfill prevention device is electrically powered or contains electronic components, it must meet the following standards:

- it must be constructed in accordance with relevant safety and electrical standards
- it must be installed in accordance with relevant safety and electrical standards.

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5.1.2 For the purposes of subclause 69(1)(k):

- where a device similar to a pressure vacuum valve is used, it must have settings that can:
 - provide emergency relief of excessive pressure or vacuum
 - vent sufficient volume flow rate to prevent exceedences of maximum tank design pressure/vacuum under adverse conditions
 - be certified by the manufacturer as providing a seal against leakage when the device is in the closed position with the same performance as that in the CARB TP201.1E leak test
- where a device similar to a 10 millimetre orifice is used in the vent line, it must be certified by the manufacturer as retaining 97% of vapour in the proposed system.

Note that subclause 69(1)(k) also requires that the device:

- is of a size and type, and possesses the safety features, that a duly qualified person has advised is suitable
- is installed in accordance with the advice of a duly qualified person.

Note: A 'duly qualified person' means a person who has such competence and experience in relation to the activity as is recognised in the relevant industry as appropriate to carry out that activity.

5.1.3 **For the purposes of subclause 69(1)(k)(i)**, the pressure vacuum valve (or similar device) settings criteria are:

- the device must be of a size and weight to allow an emergency release of vapours at not more than 80% of maximum tank design pressure
- the device must be of a type that:
 - is certified by the manufacturer as conforming with any applicable standards published by Standards Australia, European Standards, British Standards or United States Underwriters Laboratories (UL) and
 - is certified by the manufacturer as meeting the pressure specifications and total leak rates set out at sections 3.5.1 and 3.5.2 of the California Environmental Protection Agency Air Resources Board Vapour Recovery Certification Procedure CP201 of January 9, 2013.

5.1.4 **For the purposes of subclause 69(1)(l)**, the vapour processing unit must, before commissioning:

- be certified by the manufacturer as having a hydrocarbon capture efficiency of at least 97% and
- be certified by the manufacturer as conforming with any applicable standards published by Standards Australia, European Standards, British Standards or United States Underwriters Laboratories (UL).

5.2 Stage 2 vapour recovery prescribed control equipment

5.2.1 **For the purposes of subclause 72(a)**, before commissioning, the vapour recovery system must be certified by the manufacturer or the supplier as being of the following type and having the following hydrocarbon capture efficiency:

- Type: a stage 2 vapour recovery system, with a visual indicator that the vacuum operates when fuel is dispensed. The certification must be in accordance with:

Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

- EN 16321-1:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 1: Test Methods For The Type Approval Efficiency Assessment Of Petrol Vapour Recovery Systems (or equivalent standard)
OR
- the provisions of Ordinance on the Limitation of Hydrocarbon Emission Resulting from the Fuelling of Motor Vehicles – 21, BImSchV (section 3, paragraph 6)

and

- Hydrocarbon capture efficiency: a hydrocarbon capture efficiency of not less than 85% vapour recovery to liquid dispensed by volume as measured using a test for active vapour recovery systems in:
 - EN 16321-1:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 1: Test Methods For The Type Approval Efficiency Assessment Of Petrol Vapour Recovery Systems (or equivalent standard)
OR
 - Verein Deutscher Ingenieure (VDI) specification 4205.

The certification obtained must certify that the VR2 system achieves at least 85% vapour recovery and must specify the test used.

5.2.2 **For the purposes of subclause 74(1)(f)**, the automatic monitoring system for vapour system recovery performance must be certified in the following manner:

- certification by the manufacturer in accordance with:
 - EN 16321-1:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 1: Test Methods For The Type Approval Efficiency Assessment Of Petrol Vapour Recovery Systems (or equivalent test method)
OR
 - the provisions of Ordinance on the Limitation of Hydrocarbon Emission Resulting from the Fuelling of Motor Vehicles – 21, BImSchV (section 3, clause 5) [2002] with the exception that the number of days until the automatic system shuts off the flow is to be seven days. The test procedure for demonstrating the correct function of the automatic monitoring system is an automatic monitoring test in VDI specification 4205.

5.3 Stage 1 vapour recovery testing

Definitions used in testing requirements

A **'new'** storage tank is one that has not previously been used to store fuel and has been newly installed and connected to vapour recovery equipment following the introduction of this regulatory amendment.

An **'existing'** or **'modified'** underground storage tank is a storage tank that was used to store petrol in a petrol service station before the introduction of this regulatory amendment and is subsequently modified to include a vapour recovery system.

Before installing new Stage 1 vapour recovery equipment

5.3.1 **For the purposes of clause 69(2)**, before any control equipment is fitted to an underground storage tank, it must be tested in the following manner:

- it must be certified as being leak free in accordance with the provisions for equipment integrity testing specified in AS-4897: 2008, section 8.5 or a test procedure that is certified as being capable of detecting any leak in the liquid space of the underground petroleum storage system as defined in the NSW Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014. If the tank has been certified to be leak free in the last three years, the leak free certification is deemed to satisfy this provision.

Before commissioning new Stage 1 vapour recovery equipment

5.3.2 **For the purposes of clause 69(3)**, a storage tank that has been fitted with the prescribed VR1 control equipment must be tested for vapour containment integrity in the following manner before the equipment is commissioned:

Either:

- in accordance with CARB Vapour Recovery Test Procedure 201.3 (TP-201.3), in the case of new storage tanks, with the orifice isolated or blocked
or
- in accordance with Test Procedure 201.3A (TP-201.3A) in the case of existing or modified storage tanks, with the orifice isolated or blocked
or
- using a test on the dry portion of the tank and lines capable of detecting a gas leak equivalent to 0.38 litres per hour with a probability of detection of at least 95% and of false detection of 5% or less, in accordance with AS 4897–2008.

Periodic testing of Stage 1 vapour recovery equipment

5.3.3 **For the purposes of clause 71(1)**, the prescribed control equipment and the petrol storage tank to which it is fitted must be tested in the following manner and at the times specified:

Test	Timing
The vapour containment integrity of the underground storage tank, fittings and lines must be tested in one of the ways specified in Section 5.3.2.	Vapour containment testing must be undertaken: <ul style="list-style-type: none"> • following the removal or replacement of any of the components required to ensure the integrity of the containment system, and • at least once every three years if the station does not have an appropriately certified automatic pressure monitoring system.*
An inspection of orifice plates and pressure vacuum valves for extraneous matter, correct sealing and the presence of corrosion.	Must be conducted at least once a year if the petrol service station does not have an appropriately certified automatic pressure monitoring system.*
Pressure vacuum valves must be checked for correct functioning in accordance with CARB Vapour Recovery Test Procedure 201.1E (TP-201.1E) or equivalent procedure.	Must be undertaken at least once every three years if the petrol service station does not have an appropriately certified automatic pressure monitoring system.*

* **Note:** where a properly functioning certified automatic pressure monitoring system is installed and is fully operational during any filling of the underground storage tank, operators are not required to undertake any of the tests marked with an asterisk above.

Results of tests must be kept in the log book.

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- 5.3.4 **For the purposes of clause 71(2)**, the standard required is that the prescribed storage tank and any control equipment must pass the most recent tests undertaken as specified in Sections 5.3.1, 5.3.2 or 5.3.3.

5.4 Stage 2 vapour recovery testing

Testing requirements before commissioning

- 5.4.1 **For the purposes of subclause 72(c)**, the Stage 2 vapour recovery system must be tested in the following manner before commissioning:

- test the Stage 2 vapour system recovery performance with a test which meets:
 - EN 16321-2:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 2: Test Methods For Verification Of Vapour Recovery Systems At Service Stations (or equivalent method)
 - OR
 - VDI specification 4205: Part 2 – Wet method or Part 3 – Dry method, or equivalent vapour system recovery performance test specified

AND

- test the VR1 system for vapour containment integrity in accordance with Section 5.3.2.

Testing requirements following the removal or replacement of components required to ensure the integrity of the VR2 system

- 5.4.2 **For the purposes of clause 73(1)**, the prescribed control equipment must be tested in the following manner and at the following times:

Test	Timing
Test the Stage 2 vapour system recovery performance with a test which meets: <ul style="list-style-type: none"> • EN 16321-2:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 2: Test Methods For Verification Of Vapour Recovery Systems At Service Stations (or equivalent method) OR • VDI specification 4205: Part 2 – Wet method or Part 3 – Dry method. 	Testing is required immediately after the removal or replacement of any of the components required to ensure the integrity of the vapour recovery system.

Results of tests must be kept in the log book.

- 5.4.3 **For the purposes of clause 73(2)**, the most recent vapour system recovery performance test result from Sections 5.4.1 or 5.4.2 must demonstrate that the vapour recovery to liquid dispensed ratio was between 95% and 105% inclusive.

Periodic testing requirements for manually monitored VR2 systems

- 5.4.4 **For the purposes of clause 73(1)**, the control equipment for a manually monitored system must be tested for vapour containment integrity and vapour system recovery performance in the following manner and at the following times:

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Test	Timing
Test the VR2 system recovery performance with a test which meets: <ul style="list-style-type: none"> • EN 16321-2:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 2: Test Methods For Verification Of Vapour Recovery Systems At Service Stations (or equivalent method) OR • VDI specification 4205: Part 2 – Wet method or Part 3 – Dry method. 	Testing is required every six months, in the absence of a properly functioning automatic control system.
Test the vapour containment integrity of the underground storage tank, fittings and lines in the following manner: Either: <ul style="list-style-type: none"> • in accordance with CARB Vapor Recovery Test Procedure 201.3 (TP-201.3) in the case of new storage tanks, with the orifice isolated or blocked OR • Test Procedure 201.3A (TP-201.3A) in the case of existing or modified storage tanks, with the orifice isolated or blocked OR • using a test on the dry portion of the tank and lines capable of detecting a gas leak equivalent to 0.38 litres per hour with a probability of detection of at least 95% and of false detection of 5% or less, in accordance with AS 4897–2008. 	Every three years, in the absence of a properly functioning automatic pressure monitoring system.

Results of tests must be kept in the log book.

5.4.5 **For the purposes of clause 73(2)**, a prescribed petrol dispenser must not be operated unless the most recent test results (of tests under clause 73(1)) meet the following standards:

- the vapour system recovery performance test found that the V/L ratio was between 95% and 105% inclusive
- the vapour containment test result was a pass.

5.4.6 **For the purposes of subclause 74(2)(a)**, the manual test of the functionality of the required control equipment must be carried out in the following manner:

- check the visual indicator on the vacuum during a dispensing operation to ensure the vacuum is functioning
- inspect for torn, flattened or kinked hoses and damaged seals on vapour recovery return hoses and lines
- enter the checks and findings in the petrol service station log book.

5.4.7 **For the purposes of clause 74(4)(a)**, the test of functionality is passed if the hoses, lines and seals are not damaged and the vacuum is functioning properly as shown by the visual indicator on the vacuum during a dispensing operation.

5.4.8 **For the purposes of subclause 74(5)(b)**, the person must be trained to check the prescribed control equipment in the following manner:

- they must be instructed in correctly identifying an operating vacuum as seen by the visual indicator on the vacuum during a dispensing operation
- they must be trained to fully inspect hoses and seals for flattened or kinked hoses and damaged seals on vapour recovery return hoses and lines
- they must be shown how to enter weekly checks in the petrol service station log book indicating if the vacuum is operational and whether hoses and seals are fit for the purpose.

Periodic testing requirements for automatically monitored systems

5.4.9 **For the purposes of clause 73(1)**, the prescribed control equipment for an automatically monitored system must be tested in the following manner and at the following times:

Test	Timing
<ul style="list-style-type: none"> • EN 16321-2:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 2: Test Methods For Verification Of Vapour Recovery Systems At Service Stations (or equivalent method) OR • VDI specification 4205: Part 2 – Wet method or Part 3 – Dry method. 	Every three years.

Note: vapour containment integrity testing of the VR1 system is not required where automatic monitoring is in place.

Results of tests must be kept in the log book.

5.4.10 **For the purposes of clause 73(2)**, a petrol dispenser must not be operated unless the most recent test result met the following standard:

- the vapour system recovery performance test found that the V/L ratio was between 95% and 105% inclusive.

5.5 Reporting requirements

5.5.1 **For the purposes of clause 75(1)**, written notice to the EPA on commissioning must take the following form:

5.5.2 complete and sign the form entitled ‘Commissioning of Stage 1 and/or Stage 2 vapour recovery’ provided in Appendix 1.

The form must be submitted within one month of the commissioning of new and modified Stage 1 and Stage 2 vapour recovery systems.

5.5.3 **For the purposes of clause 75(2)**, the annual report to the EPA of significant failures must take the following form:

- complete and sign the form entitled ‘Significant vapour recovery system faults annual report’ provided in Appendix 1.

The form must be submitted within one month of the end of the financial year.

5.5.4 **For the purposes of subclause 75(3)(c)**, the number of warnings by an automatic monitoring system that constitutes a significant failure is more than **two**.

6 Advice on best practices for achieving compliance

This section provides recommendations to help petrol service station operators maximise vapour recovery. The recommendations are not mandatory, although voluntary compliance with them is recommended as industry best practice.

6.1 Stage 1 vapour recovery

Operational techniques

In addition to the requirements of clause 69(1), the following VR1 operational control techniques should be used where VR1 equipment is installed:

- before a fuel delivery, connect the vapour return hose first to the road tanker and then the storage tank, and then attach the delivery hoses
- if storage tanks or road tanker compartments are dip-tested before delivery, close the dip openings and seal them securely before delivery
- close all road tanker compartment vents and discharge valves on completion of the delivery, unless it would be unsafe to do so
- on completion of unloading, discharge and disconnect the delivery hoses first, and then the vapour hose; disconnect the delivery hoses at the road tanker end first and the vapour return hose at the storage tank end first
- securely seal all connection points after delivery to prevent vapour loss
- if storage tanks or road tanker compartments are dip-tested after delivery, close the dip openings and seal them securely immediately afterwards to prevent vapour loss
- close access entry points to storage tanks and keep them securely sealed except in an emergency or when carrying out any maintenance, testing or tank gauging which require entry to the tank.

General

- All tank vents should be situated to not cause a hazardous or unsafe environment. Consideration should be given to all relevant Australian standards and codes; for example, the position of window openings and air conditioning air intakes to any on-site or adjacent buildings should be considered.
- Overfill prevention devices reduce liquid spills and subsequent petrol vapour emissions. Overfill prevention devices are only prescribed control equipment for new petrol service stations but they are widely used internationally and should be considered industry best practice even for existing petrol service stations.

Automatic monitoring of tank pressure

This section refers specifically to automatic pressure monitoring rather than automatic monitoring for vapour system recovery. Whilst petrol service stations with an annual throughput of more than seven million litres are required to install an automatic monitoring system, automatic **pressure** monitoring is not mandatory but is also recommended for **all** petrol service stations, **regardless of throughput**. Use of automatic monitoring systems is considered best practice.

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If a **certified** automatic pressure monitoring system is present, the Regulation allows periodic testing of vapour containment and inspections of the orifice and pressure vacuum valve to be avoided.

The Regulation requires that an automatic pressure monitoring system must detect faults in the proper functioning of the VR1 system and indicate faults to the operator. Such an automatic pressure monitoring system must also be able to detect faults in its own operation.

The underground storage tank and piping vapour containment system is considered to be functioning correctly when the pressure ranges between 1.85 kilopascals below ambient atmospheric pressure and 0.60 kilopascals above ambient atmospheric pressure. If the pressure readings vary by less than 0.03 kilopascals, the pressure detection may be faulty.

Technical guidance on requirements for certification of automatic pressure monitoring systems

To be certified, the automatic pressure monitoring system must be able to detect the following fault conditions in the underground storage tank and vapour piping vapour containment system:

- 1. Vapour pressure, over a continuously moving one-hour test period, exceeds 0.75 kilopascals above ambient atmospheric pressure or two kilopascals below ambient atmospheric pressure for at least 30 minutes.**

The monitoring system must post a warning alarm when the fault occurs at least once in a test day and recurs for seven consecutive days. The monitoring system should continue to post daily warning alarms if the fault persists and automatically cut off the flow of fuel if the fault is not rectified within 30 days.

- 2. Vapour pressure, over a continuously moving one-hour test period, exceeds 1.75 kilopascals above ambient atmospheric pressure or 2.5 kilopascals below ambient atmospheric pressure for at least three minutes.**

The monitoring system must post a warning alarm immediately when the fault first occurs. If the fault recurs, additional warning alarms must be posted each time. If the fault is present at least once during a test day, the monitoring system must also post a daily alarm(s) summary. Where a fault of this kind is present and continues for consecutive days, the monitoring system must continue to post daily warning alarm summaries and automatically cut off the flow of fuel if the fault is not rectified within seven days.

- 3. Vapour pressure, over a continuously moving one-hour test period remains within ± 0.03 kilopascals, or remains consistently above or below 0.00 kilopascals, relative to ambient atmospheric pressure.**

The monitoring system is required to post a warning alarm when the fault condition occurs for at least 23 out of 24 hours throughout a test day. Where a fault of this kind is present and continues for consecutive days, the monitoring system must continue to post daily warning alarms and automatically cut off the flow of fuel if the fault is not rectified within seven days. If the system is not used to dispense petrol or refilled in the 24-hour period, a nil response may be posted.

Technical notes on automatic pressure monitoring

The automatic pressure monitoring system should be certified by the manufacturer as meeting the conditions and criteria established in this section of these Standards and Guidelines, and in accordance with the following specifications:

- pressure samples are to be taken on average at least once every 30 seconds to be considered continuous monitoring
- a 'test day' is any 24-hour period starting and ending at a specified start time (e.g. 8:00am)
- a 'no test' result may be issued if the pressure remains within ± 0.03 kilopascals because the vapour containment system is not in use
- all test results and warnings must be available at the end of each test day except where immediate warning is required. Results for each test type must include at least a qualitative indication of 'pass', 'warn', 'shutdown', or 'no test'. 'Warn' or 'shutdown' must also include a quantitative indication of the fault
- the monitoring system must retain the date and type of the last 100 faults and one year of daily pressure data. The data must be easily accessible to operators or inspectors.

6.2 Stage 2 vapour recovery

Petrol service stations are not constrained in how they recover vapour during filling of vehicle petrol tanks, provided the minimum hydrocarbon capture efficiency requirements are met and the provisions of the Regulation in relation to equipment type approval are adhered to.

The following is an example of control equipment and techniques that can be used. Regardless of the equipment used, in all cases it must be approved as prescribed in the Regulation.

Automatic monitoring systems are recommended for all Stage 2 vapour recovery systems.

Open active vapour recovery system with return of vapour to underground storage tank

When petrol enters the vehicle fuel tank, an open active petrol vapour recovery system uses a vacuum pump to draw a proportional volume of vapour back into a storage tank. Typical components of an open active vapour recovery system include:

- a vapour recovery nozzle
- a coaxial hose through which vapour is collected, and a pipe through which the vapour is returned
- a vacuum pump, either multiple distributed units or a central unit
- a system to control the ratio of the volume of vapour recovered to the volume of petrol dispensed, which can be achieved by using a proportional valve controlled either hydraulically or electronically or by controlling the speed of the vacuum pump
- a vapour storage tank, i.e. the petrol storage tank.

6.3 Risk management

The occupier of a petrol service station must take all practical measures to manage the risk associated with the storage and handling of dangerous goods. The NSW *Work Health and Safety Act 2011*, NSW WorkCover 2005 *Storage and handling of dangerous goods: Code of practice*, the *National Occupational Health and Safety Commission's National Standard for the Storage and Handling of Workplace Dangerous Goods*, and the *National Code of Practice for the Storage and Handling of Dangerous Goods*, as well as all other applicable laws, will be very relevant for the conduct of vapour recovery at petrol service stations.

Before a vapour recovery system is installed at a petrol service station, a thorough risk analysis for the site should be undertaken by a duly qualified person who has competencies and experience that are recognised by the industry as appropriate for the task. A duly qualified person includes personnel that have been trained, authorised and accredited by the manufacturer of the vapour recovery system.

All vapour recovery equipment used should be designed, installed and tested with reference to relevant Australian and international standards, national methods, codes of practice and industry guidelines that were in place when the equipment was installed, unless prescribed by the Regulation or these Standards and Guidelines. Some relevant reference documents are listed in the Appendix 2.

Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

Appendix 1: Reporting templates

To obtain electronic copies of these reporting forms, email vapour.recovery@epa.nsw.gov.au

Send completed reports to:

Vapour recovery reporting
NSW Environment Protection Authority
PO Box A290
Sydney South, NSW 1232

Reports may also be emailed to: vapour.recovery@epa.nsw.gov.au

Commissioning of Stage 1 Vapour recovery

1. Name and address of petrol service station

Name:	ABN:
Address:	

2. Company or person responsible for the operation of the petrol service station (the occupier or franchisee)

Name:	Telephone:
Email:	

3. Entity or person that owns the petrol service station and related infrastructure

Name:	Telephone:
Email:	

4. Annual petrol throughput of petrol service station for the last three years (designed throughput for new stations)

Year	Throughput

5. Name and contact details of vapour recovery service technician and tank tester:

Technician name:	Telephone:
Email:	
Tank tester name:	Telephone:
Email:	

6. New or modified: Is the service station new, or was it upgraded after 1 July 2010?

Yes No

7. Pass date of pre-commissioning tank integrity test ___/___/___ (dd/mm/yy)

Please specify the test method:

Note: The occupier of the petrol station is required to keep a vapour recovery logbook. It must contain copies of the tank integrity test results, the commissioning report, the vapour containment test results, periodic test results, maintenance records and certificates for the installed equipment. For more information, see the Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations.

8. Stage 1 vapour recovery date of commissioning ___/___/___ (dd/mm/yy)

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9. Is automatic pressure monitoring installed? Yes No
10. Have the underground storage tank and vapour recovery pipes and components passed the vapour containment integrity test? Yes No

Attach the vapour containment integrity test results or use the form provided with this report.

Please specify the test method:

Signature

It is an offence to supply any information to the EPA in this report that is false or misleading. The maximum penalty for the offence is currently \$11,000 for a corporation or \$5,500 for an individual.

To be signed by the occupier/owner of the petrol service station:

Signature: _____ Date: _____

Name: _____

Position: _____

Commissioning VR1 Attachment 1: Vapour containment integrity test results

Name of service station: _____

Address of service station: _____

Phone number of service station: _____

Owner name: _____ Phone: _____

Number of underground storage tanks

Tank number		Tank number	
Capacity of tank		Capacity of tank	
Fuel volume		Fuel volume	
Ullage		Ullage	
Initial pressure		Initial pressure	
Final pressure		Final pressure	
Allowable final pressure		Allowable final pressure	
Tank number		Tank number	
Capacity of tank		Capacity of tank	
Fuel volume		Fuel volume	
Ullage		Ullage	
Initial pressure		Initial pressure	
Final pressure		Final pressure	
Allowable final pressure		Allowable final pressure	
Tank number		Tank number	
Capacity of tank		Capacity of tank	
Fuel volume		Fuel volume	
Ullage		Ullage	
Initial pressure		Initial pressure	
Final pressure		Final pressure	
Allowable final pressure		Allowable final pressure	

Signature

I certify that the vapour containment integrity test was carried out in accordance with the test procedures as outlined in the *Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations*, and the results recorded here are true and correct to the best of my knowledge.

Signature of tester: _____ Date: ____/____/____

Name of tester: _____

Test company: _____ Phone: _____

Commissioning of Stage 2 vapour recovery

1. Name and address of petrol service station

Name:	ABN:
Address:	

2. Company or person responsible for the operation of the petrol service station (the occupier or franchisee)

Name:	Telephone:
Email:	

3. Entity or person that owns the petrol service station and related infrastructure

Name:	Telephone:
Email:	

4. Annual petrol throughput of petrol service station for the last three years (designed throughput for new stations)

Year	Throughput

5. Stage 2 vapour recovery compliance certificate number and issuer

Certificate number:
Issuer:

6. Name and contact details of vapour recovery system installer and tester:

Technician name:	Telephone:
Email:	
Tester name:	Telephone:
Email:	

7. Type of Stage 2 vapour recovery monitoring (V/L ratio monitoring)?

Automatic Manual

8. Stage 2 vapour recovery date of commissioning : ____/____/____ (dd/mm/yy)

9. Have all dispenser hoses passed a leak test? Yes No

10. Specify the method used to test the efficiency of the Stage 2 vapour recovery:

Wet Dry

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11. Date of vapour system recovery performance test: ____/____/____ (dd/mm/yy)

Attach the vapour system recovery performance test results or use the form provided with this report.

Please specify the test method:

Signature

It is an offence to supply any information to the EPA in this report that is false or misleading. The maximum penalty for the offence is currently \$11,000 for a corporation or \$5,500 for an individual.

To be signed by the occupier/owner of the petrol service station:

Signature: _____ Date: _____

Name: _____

Position: _____

Commissioning VR2 Attachment 1: Vapour system recovery performance test results

Facility information

Name of service station: _____

Address of service station: _____

Phone number of service station: _____

Owner name: _____ Phone: _____

Test information

A total of _____ nozzles have been tested.

Test method used (circle method used): Wet method Dry method

If **dry method** used, state the correction factor: _____

Outdoor temperature: _____ Test date: ____/____/____

Note: Automatic control systems are required to be retested every 3 years; manual control systems every 6 months.

- If wet method is used, record results in the **before adjustment** column.
- If dry method is used, both **before and after adjustment test results must be recorded**.
- Where additional dispensers are present, please attach additional test results on separate sheet.

				V/L ratio and fuel flow rate			
				Before adjustment		After adjustment	
Dispenser identifier	Pump no./ dispenser side	Grade number	Grade name	[%]	[L/min]	[%]	[L/min]
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					

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				V/L ratio and fuel flow rate			
				Before adjustment		After adjustment	
Dispenser identifier	Pump no./ dispenser side	Grade number	Grade name	[%]	[L/min]	[%]	[L/min]
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					

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				V/L ratio and fuel flow rate			
				Before adjustment		After adjustment	
Dispenser identifier	Pump no./ dispenser side	Grade number	Grade name	[%]	[L/min]	[%]	[L/min]
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					
		G1					
		G2					
		G3					
		G4					

Significant vapour recovery system faults annual report

Do not report unless significant faults occur.

Report significant failures in any financial year (1 July – 30 June).

Report by 31 July.

A 'significant failure' has occurred when there are:

- vapour containment failures, where repairs required opening of the forecourt
- six-monthly tests of the V/L ratio in a manual monitored system that show vapour system recovery had fallen below 85%
- three or more warnings requiring repairs in any year.

Date of report (dd/mm/yy): ____/____/____

1. Name and address of petrol service station

Name:

ABN (if applicable):

Address:

2. Please list the type of fault occurring and date of fault in the vapour recovery system (attach additional pages if required).

Date	Type of fault	What repairs were required? How long did repairs take?	Name and contact details of service technician/tester
	<input type="checkbox"/> Forecourt opened to repair vapour containment <input type="checkbox"/> Measured V/L ratio below 85% <input type="checkbox"/> System generated 3 or more warnings requiring repair		
	<input type="checkbox"/> Forecourt opened to repair vapour containment <input type="checkbox"/> Measured V/L ratio below 85% <input type="checkbox"/> System generated 3 or more warnings requiring repair		
	<input type="checkbox"/> Forecourt opened to repair vapour containment <input type="checkbox"/> Measured V/L ratio below 85% <input type="checkbox"/> System generated 3 or more warnings requiring repair		

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Date	Type of fault	What repairs were required? How long did repairs take?	Name and contact details of service technician/tester
	<input type="checkbox"/> Forecourt opened to repair vapour containment <input type="checkbox"/> Measured V/L ratio below 85% <input type="checkbox"/> System generated 3 or more warnings requiring repair		
	<input type="checkbox"/> Forecourt opened to repair vapour containment <input type="checkbox"/> Measured V/L ratio below 85% <input type="checkbox"/> System generated 3 or more warnings requiring repair		
	<input type="checkbox"/> Forecourt opened to repair vapour containment <input type="checkbox"/> Measured V/L ratio below 85% <input type="checkbox"/> System generated 3 or more warnings requiring repair		

Signature

It is an offence to supply any information to the EPA in this report that is false or misleading. The maximum penalty for the offence is currently \$11,000 for a corporation or \$5,500 for an individual.

To be signed by the occupier/owner of the petrol service station:

Signature: _____ Date: _____

Name: _____

Position: _____

Appendix 2: Important reference documents

European standards and test methods

EN-16321-1-2013 Petrol vapour recovery during refuelling of motor vehicles at service stations – Part 1: Test methods for the type approval efficiency assessment of petrol vapour recovery systems.

Available from a range of standards providers including: www.document-center.com/standards/show/EN-16321-1

EN-16321-2-2013 Petrol vapour recovery during refuelling of motor vehicles at service stations – Part 2: Test methods for verification of vapour recovery systems at service stations.

Available from a range of Standards providers including: www.document-center.com/standards/show/EN-16321-2

DIRECTIVE 2014/99/EU of 21 October 2014 amending, for the purposes of its adaptation to technical progress, Directive 2009/126/EC on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:ev0020&from=EN> and

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0099&from=EN>

Other standards and test methods

Verein Deutscher Ingenieure (The Association of German Engineers) (VDI)

The following VDI Stage 2 vapour recovery equipment standard test methods are available in English at www.vdi.eu/engineering/vdi-standards/vdi-standards-details/?tx_wmdbvdirilisearch_pi1%5BsearchKey%5D=4205&tx_wmdbvdirilisearch_pi1%5Bmode%5D=1&tx_wmdbvdirilisearch_pi1%5BsingleSearch%5D=1:

VDI 4205: Measurement and test methods for the assessment of vapour recovery systems on filling stations:

- Part 1 – Fundamentals (as adopted July 2003)
- Part 2 – Wet method (as adopted July 2003)
- Part 3 – Dry method (as adopted November 2003)
- Part 4 – Measurement and test methods for the assessment of vapour recovery systems on filling stations: System test for active vapour recovery systems (as adopted August 2005)
- Part 5 – Measurement and test methods for the assessment of vapour recovery systems on filling stations: System test of automatic monitoring systems of active vapour recovery systems (as adopted September 2006).

German Federal Ordinance

Twentieth Ordinance of the Implementation of the Federal Immission Control Act (Ordinance on the Limitation of Hydrocarbon Emissions Resulting from the Fuelling of Motor Vehicles – 20, BImSchV) of May 1998.

Twenty-first Ordinance of the Implementation of the Federal Immission Control Act (Ordinance on the Limitation of Hydrocarbon Emissions Resulting from the Fuelling of Motor Vehicles – 21, BImSchV) of October 1992.

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California Air Resources Board (CARB)

The following CARB vapour recovery certification and test procedures are available at www.arb.ca.gov/testmeth/vol2/currentprocedures.htm

- CP-201: Certification Procedure for Vapor Recovery Systems at Dispensing Facilities (as adopted 23 April 2015)
- TP-201.1E: Vapor Recovery Test Procedure for Leak Rate and Cracking Pressure of Pressure/Vacuum Valves (as adopted 8 October 2003)
- TP-201.2: Vapor Recovery Test Procedure for Efficiency and Emission Factor for Phase II Systems (as adopted 26 July 2012)
- TP-201.3: Vapor Recovery Test Procedure: Determination of 2 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities (as adopted 26 July 2012)
- TP-201.3A: Vapor Recovery Test Procedure: Determination of 5 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities (as adopted 12 April 1996)

References and further reading

Australian Standards

AS 1940:2004	The storage and handling of flammable and combustible liquids
AS 3000:2007	Electrical installations
AS 3800:2012	Electrical equipment for explosive atmospheres
AS 4897:2008	The design, installation and operation of underground petroleum storage systems
AS 2381.1:2008	Electrical equipment for explosive gas atmospheres – selection, installation and maintenance
AS 2229:2004	Fuel dispensing equipment for explosive atmospheres

Other relevant documents

NSW *Work Health and Safety Act 2011* www.legislation.nsw.gov.au/#/view/act/2011/10

WC01354 WorkCover 2005, Storage and handling of dangerous goods: Code of practice. www.workcover.nsw.gov.au/__data/assets/pdf_file/0019/17074/storage-handling-dangerous-goods-1354.pdf

EPA 2008, *Guidelines for implementing the POEO (Underground Petrol Storage Systems) Regulation 2008*, visit www.epa.nsw.gov.au/clm/upssguidelines.htm

NOHSC:2017 2001, *National code of practice for the storage and handling of workplace dangerous goods*, National Occupational Health and Safety Commission, visit www.safeworkaustralia.gov.au/sites/swa/about/publications/pages/cp2001storageandhandling

Information on the European Union petrol vapour recovery requirements

<http://ec.europa.eu/environment/air/transport/petrol.htm>

Directive 2009/126/EC of the European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009L0126&from=EN>

Appendix 3: Collated regulatory requirements

Stage 1 vapour recovery prescribed control equipment

Table A3.1 sets out the prescribed control equipment for Stage 1 vapour recovery.

Table A3.1: Prescribed control equipment for Stage 1 vapour recovery

Equipment	Specification	Regulation reference
vapour transfer system	Trucks used to supply petrol to petrol service stations must be equipped with vapour return lines to which the petrol service station vapour transfer system is connected	subclause 69(1)(a)
coupling for the vapour return line	A coupling on the vapour return line that makes a vapour-tight connection with the vapour return hose on the delivery tank and that closes automatically when disconnected	subclause 69(1)(b)
fill pipe	A submerged fill pipe that terminates below the lowest point of any suction inlet used for the pumping of petrol out of the storage tank	subclause 69(1)(c)
overflow prevention device	A new petrol service station must have an overflow prevention device installed in the tank fill piping or a supply system that slows delivery of petrol into the storage tank to prevent overflowing	subclause 69(1)(d)(i)
	If the overflow prevention device is electrically powered or contains electronic components, the overflow prevention device must meet the following standards: <ul style="list-style-type: none"> it must be constructed in accordance with relevant safety and electrical standards it must be installed in accordance with relevant safety and electrical standards 	subclause 69(1)(d)(ii)
storage tank overflow protection	Storage tank overflow protection, comprising a float vent valve positioned: <ul style="list-style-type: none"> above the highest point of any overflow prevention device when in the closed position so the valve shuts off the flow into the storage tank at the level advised by the manufacturer of the storage tank or, if no level is advised, at 95% of the storage tank's capacity 	subclause 69(1)(e)
connection points and seals	Spill containment enclosures for all storage tank fill connection points	subclause 69(1)(f)
	A coupling on the storage tank's fill pipe that makes a liquid-tight connection with the delivery tank's liquid transfer hose	subclause 69(1)(g)
	Secure seals on connection points of tank filling pipes and vapour return pipes that minimise vapour leaks when those pipes are not in active use	subclause 69(1)(h)
	Secure seals for the apertures for the use of a dipstick, if dip hatches are provided on the storage tank	subclause 69(1)(i)
incompatible fittings	Fittings on the petrol delivery lines and hoses must be incompatible with the fittings on the vapour return lines and hoses so as to prevent misconnection or the accidental discharge of liquid petrol into the vapour return lines or pipes	subclause 69(1)(j)

Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

Equipment	Specification	Regulation reference
storage tank vent pipe	A pressure vacuum valve and a 10 millimetre orifice fitted to the storage tank vent pipe. Similar devices are permitted where they can be shown by an accepted certifying agency to achieve the same requirements	subclause 69(1)(k)
	Pressure vacuum relief valves must achieve the following: The settings criteria are: <ul style="list-style-type: none"> the device must be of a size and weight to allow an emergency release of vapours at not more than 80% of maximum tank design pressure the device must be of a type that: <ul style="list-style-type: none"> is certified by the manufacturer as conforming with any applicable standards published by Standards Australia, European Standards, British Standards or United States Underwriters Laboratories (UL), and is certified by the manufacturer as meeting the pressure specifications and total leak rates set out at sections 3.5.1 and 3.5.2 of the California Environmental Protection Agency Air Resources Board Vapour Recovery Certification Procedure CP201 of January 9, 2013 is of a size and type and possesses the safety features that a duly qualified person has advised is suitable is installed in accordance with the advice of a duly qualified person 	subclause 69(1)(k)(i) subclause 69(1)(k)(ii) subclause 69(1)(k)(iii) subclause 69(1)(k)(i)
	A 'duly qualified person' means a person who has such competence and experience in relation to the activity as is recognised in the relevant industry as appropriate to carry out that activity	clause 59
	Where a device similar to a 10 millimetre orifice is to be used in the vent line, it must have certification from a testing authority accepted by the EPA that it retains 97% of vapour in the proposed system	subclause 69(1)(k)
	Where a device similar to a pressure vacuum valve is used, it must have settings that can provide emergency relief of excessive pressure or vacuum and vent a sufficient volume flow rate to prevent exceedences of maximum tank design pressure/vacuum under adverse conditions. When the device is in the closed position, it must provide a seal against leakage with the same performance as that included in the CARB TP201.1E leak test. The device must be certified the manufacturer	subclause 69(1)(k)
	vapour processing unit	Where a storage tank is fitted with a vapour processing unit, it must, before commissioning: <ul style="list-style-type: none"> be certified by the manufacturer as having a hydrocarbon capture efficiency of at least 97%, and be certified by the manufacturer as conforming with any applicable standards published by Standards Australia, European Standards, British Standards or United States Underwriters Laboratories

Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

Stage 2 vapour recovery prescribed control equipment

Table A3.2 sets out the prescribed control equipment for Stage 2 vapour recovery.

Table A3.2: Prescribed control equipment for Stage 2 vapour recovery

Equipment	Specification	Regulation reference
vapour recovery system	<p>A vapour recovery system is to be fitted to the petrol dispenser. Before commissioning, the vapour recovery system must be certified by the manufacturer as being of the following type and hydrocarbon capture efficiency:</p> <ul style="list-style-type: none"> • Type: a Stage 2 vapour recovery system certified by the manufacturer in accordance with: <ul style="list-style-type: none"> – EN 16321-1:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 1: Test Methods For The Type Approval Efficiency Assessment Of Petrol Vapour Recovery Systems (or equivalent standard), OR – the provisions of Ordinance on the Limitation of Hydrocarbon Emission Resulting from the Fuelling of Motor Vehicles – 21, BlmSchV (section 3, paragraph 6), and • Hydrocarbon capture efficiency: a hydrocarbon capture efficiency of not less than 85% vapour recovery to liquid dispensed by volume as measured using a test for active vapour recovery systems in EN 16321-1:2013 Petrol Vapour Recovery During Refuelling Of Motor Vehicles At Service Stations – Part 1: Test Methods For The Type Approval Efficiency Assessment Of Petrol Vapour Recovery Systems (or equivalent standard), OR in VDI specification 4205 (see Appendix 2). • The certification obtained must certify that the Stage 2 vapour recovery system achieves 85% vapour recovery and must specify the test used 	subclause 72(a)
	Is installed in accordance with the manufacturer’s specifications by a duly qualified person	subclause 72(b)
	Before commissioning, is tested by a duly qualified person in the manner specified in Section 5.4.1	subclause 72(c)
	A ‘duly qualified person’ means a person who has such competence and experience in relation to the activity as is recognised in the relevant industry as appropriate to carry out that activity	clause 59
automatic monitoring system (mandatory for petrol stations with an annual throughput of more than 7 million litres)	<p>The automatic monitoring system must be certified by the manufacturer in accordance with the provisions of Ordinance on the Limitation of Hydrocarbon Emission Resulting from the Fuelling of Motor Vehicles – 21, BlmSchV (section 3, clause 5) [2002] with the exception that the number of days until the automatic system shuts off the flow is to be seven days. The test procedure for demonstrating the correct function of the automatic monitoring system is VDI specification 4205.</p> <p>Automatic monitoring systems must provide a visual indication of the operational status of each fuelling point</p>	subclause 74(1)

Standards and Best Practice Guidelines for Vapour Recovery at Petrol Service Stations

Log book requirements

Any relevant information relating to the prescribed control equipment or its installation, necessary for its correct and efficient operation and management, must be recorded in a log book.

Clause 77 (3) requires the following items to be recorded or stored in the log book:

- name, address and contact details of the person with overall responsibility for the petrol service station vapour recovery system
- description of the installed prescribed control equipment, including types, serial numbers (if any) and the manufacturer's or supplier's equipment certificates
- name and address of the person with overall responsibility for installing and commissioning the vapour recovery system
- description of the testing of the operation of the prescribed control equipment including the type of test, all test results and the name and address of the person with overall responsibility for carrying out the test
- details of repairs and maintenance
- weekly check results for manual monitoring
- description of any incidences involving faults with or malfunction of the vapour recovery system and the measures taken to investigate and respond to the incident
- date of the last report to the EPA.

Details of anything done prior to commencement of the amended Regulation do not need to be recorded. The records need to be kept for three years, even if the petrol service station is decommissioned.

Roads and Maritime Notices

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Murray River – approaches to the Towong Bridge, Towong.

Duration

Friday 23 December 2016 to 28 February 2017 (weather dependant).

Detail

Maintenance will be conducted on the Towong Bridge, as specified above, which will affect safe navigation on the Murray River.

An **EXCLUSION ZONE** is specified during the maintenance and will be created on the Murray River within 100 metres of either side of the Towong Bridge.

The exclusion zone will be marked by channel blocked markers and fixed signage, and will be in operation at all hours.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone which will be patrolled by Roads and Maritime and Water Police vessels.

All vessel operators and persons using the waters specified above should keep a proper lookout and exercise extreme caution when navigating near the exclusion zone.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: SO1708

Date: 21 December 2016

Mike Hammond

Principal Manager South, Boating Operations

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS –EXCLUSION ZONE AND RESTRICTIONS

Location

Sydney Harbour – Garden Island to ‘Line Zulu’ – Sydney Heads as follows:

All waters bounded by imaginary lines drawn between:

- Garden Island Port Hand Beacon and Bradley’s Head Light
- the most northerly point of Middle Head, and Cannae Point Flagstaff,
- North Head starboard hand beacon and Macquarie Light

Duration

Monday 26 December 2016, from 11:30am to 2:20pm

Detail and Restrictions

A special event will take place on Sydney Harbour at the above location, being the Rolex Sydney to Hobart Yacht Race 2016. Due to the potential to affect the safety of navigation, a **Regulated Area** with declared special restrictions will be established on the navigable waters of Sydney Harbour at the location specified above.

Pursuant to section 12(3) of the *Marine Safety Act 1998*, those restrictions are as follows:

- No sail vessel other than official competitors in the event may have sails hoisted between 12:00pm and 2:00pm;
- The Regulated Area is declared a strict 6 knot speed limit zone and a “no wash” zone for the duration of the event;
- Vessels intending to accompany or follow the racing fleet outside the heads are required to follow strict navigation channels – leaving the harbour in the vicinity of South Head, and re-entering via North Head, then using the Western Channel while keeping to the starboard side of the channel.
- Vessels intending to observe the event without leaving the harbour are required to position their vessels on, and remain on, the western side of the harbour or south of Vacluse Point on the eastern side of the Regulated Area.

Exclusion Zone

In addition, an Exclusion Zone will be established within the Regulated Area between 12:00pm and 2:20pm, which will be marked by a perimeter of yellow buoys.

NO UNAUTHORISED VESSELS are to enter the Exclusion Zone, which will be patrolled by Roads and Maritime patrol vessels, Water Police, and other official control vessels.

No Anchoring or Passive Craft Zone

A “No Anchoring or Passive Craft Zone” will be established approximately 100m around the Exclusion Zone generally, extending to 200m from the Exclusion Zone in the Watsons Bay/Vacluse Bay area, and extending to the whole area between the Exclusion Zone and North Head. See map at <http://www.rms.nsw.gov.au/about/news-events/sydneys-summer-aquatic-events/sydney-hobart.html>

NO VESSELS are permitted to anchor in this area under any circumstances, and due to the safety risk posed by the event and by spectator vessel traffic, NO NON-POWERED PASSIVE CRAFT (e.g. canoes, kayaks, surf boats, surf skis, rowing craft) are permitted in this area at any time. Penalties apply (see below)

Directions

RMS advises that in relation to the Area:

- 1) Persons within the vicinity of the Regulated Area must comply with any directions given by a Boating Safety Officer or Police Officer in relation to the Special Event or to marine safety. Failure to comply with any such direction is an offence (*Marine Safety Act 1998*, s.15A – Maximum Penalty \$3,300.00).
- 2) Any vessel operator
 - breaching the Restrictions above; or
 - entering the Exclusion Zone; or
 - breaching the “No Anchoring or Passive Craft Zone” rules

is liable to be guilty of an offence (*Marine Safety Act 1998*, s.12(5) – Maximum Penalty \$1,100.00)

Penalties may apply.

Maps and Charts Affected

RMS Boating Map – 9D

RAN Hydrographic Chart AUS 200

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice SE1607

Date: 15 December 2016

Hendrik Clasio
Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Newcastle Harbour, adjacent to the Marine Centre in the Throsby Basin.

Duration

8.30pm to 9.30pm — Saturday 31 December 2016

Detail

A fireworks display will be conducted on Newcastle Harbour, adjacent to the Marine Centre in the Throsby Basin during the above times. The area directly around the moored firing barge may be dangerous and hazardous while fireworks are being launched.

An **EXCLUSION ZONE** is specified during the event, which will form an area of the waterway around the firing barge.

Vessel operators must keep a proper lookout and should exercise caution near the exclusion zone.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone, which will form a 200 metre perimeter around the firing barge and will be patrolled by control vessels.

Penalties may apply (Section 12(5) – *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice NH16165

Date: 15th December 2016

Sonia McKay

Principal Manager North (Boating Operations)

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS –EXCLUSION ZONE AND RESTRICTIONS

Location

Sydney Harbour – from Cockatoo Island to Steele Point, Vaucluse, comprising all waters bounded by imaginary lines drawn between:

- Greenwich Point to Clarkes Point (the entrance to Lane Cove River); and
- Clarkes Point, through Cockatoo Island to White Horse Point; and
- Bradleys Head Light to Steele Point.

Duration

From 8:00am 31 December 2016 to 2:00am 1 January 2017

Detail and Special Restrictions

The annual New Years Eve Fireworks and Harbour of Light Parade – a Special Event on the waters of Sydney Harbour conducted by the City of Sydney – will be taking place between the above times. Due to the potential to affect the safety of navigation, Roads and Maritime Services (RMS) will establish a **Regulated Area** with declared special restrictions (including ‘No Anchoring’ and Exclusion Zones) in an area of the navigable waters of Sydney Harbour, as described above.

Pursuant to section 12(3) of the *Marine Safety Act 1998*, those special restrictions are as follows:

- From **8:00am** (31 Dec 2016) to **2:00am** (1 Jan 2017), anchoring of vessels in the areas which will become the Exclusion Zone later in the evening (see below) is prohibited, and vessel operators who fail to leave the “No Anchoring Zone” when directed may be guilty of an offence;

- From **3:00pm** (31 Dec 2016) to **2:00am** (1 Jan 2017), a maximum speed limit of **6 knots** is declared in the Area (unless otherwise authorised by RMS or Police);
- From **3:00pm** (31 Dec 2016) to **1:00am** (1 Jan 2017) McMahons Point, Milsons Point (Luna Park) and Jeffrey Street Wharves will be closed to all commercial vessels other than scheduled commuter ferry services;
- From **7:30pm** (31 Dec 2016) to **1:00am** (1 Jan 2017) Beulah Street Wharf, Kirribilli will be closed to all commercial vessels other than scheduled commuter ferry services;
- From **8:00pm** (31 Dec 2016) to **2:00am** (1 Jan 2017), additional “No Anchoring Zones” are declared in the channels, between:
 - Clarkes Point and Cockatoo Island
 - Greenwich Point and Manns Point
 - Balmain East and Goat Island
 - Garden Island and Fort Denison; and
 - off Bradleys Head.

The Garden Island/Fort Denison and the Bradleys Head ‘No Anchoring Zones’ will be marked by yellow ‘no anchoring’ buoys with quick flashing yellow lights.

Exclusion Zone

To safeguard the display and fireworks vessels, a strict **Exclusion Zone** will be established inside the Area between **8:00pm** (31 Dec 2016) and **12:45am** (1 Jan 2017) which will be marked by a perimeter of yellow lit buoys.

NO UNAUTHORISED VESSELS OR PERSONS are to enter the Exclusion Zone under any circumstances, which will be patrolled by Police, RMS and other official control vessels.

The times stipulated above may be extended without notice by RMS in the interests of public safety. Entry of vessels or persons into the Exclusion Zone renders the vessel operator or person liable to an offence.

Directions

RMS advises that in relation to the Area:

- 1) Persons within the vicinity of the Regulated Area **must** comply with any directions given by a Boating Safety Officer or Police Officer in relation to the Special Event or to marine safety. Failure to comply with any such direction is an offence (*Marine Safety Act 1998* s.15A – Maximum Penalty \$3,300.00).
- 2) Any vessel operator or person
 - breaching the Special Restrictions detailed above; or
 - entering the Exclusion Zone; or
 - anchoring in the “No Anchoring Zone”

is liable to an offence (*Marine Safety Act 1998* s.12(5) – Maximum Penalty \$1,100.00)

Maps and Charts Affected

RMS Boating Map – 9D and 9G

RAN Hydrographic Chart AUS 200, AUS 201 AUS 202

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice SE1608

Date: 19 December 2016

Hendrik Clasié
Principal Manager Statewide Coordination
Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Newcastle Harbour – in the vicinity of Honeysuckle Wharf in Throsby Basin.

Duration

3.00pm to 9.00pm Saturday 31 December 2016, and

8.00am to 4.00pm on Thursday 26 January 2017.

Detail

An aquatic personal watercraft & wakeboarding display will be conducted on the waters of Newcastle Harbour – as specified above – involving the use of personal watercraft (jetskis) and wakeboards performing a choreographed display during the above times.

An **EXCLUSION ZONE** is specified for the display, which will be evident on both days by the presence of marked patrol vessels.

All vessel operators and persons using waters in the vicinity of the display should keep a proper lookout, keep well clear of performing and support vessels, and exercise extreme caution when navigating near the exclusion zone.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone, which will be patrolled by Roads and Maritime vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: NH16172

Date: 20 December 2016

SONIA McKAY

PRINCIPAL MANAGER NORTH (BOATING OPERATIONS)

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE AND RESTRICTIONS

Location

Sydney Harbour – Between McMahons and Milsons Points adjacent to Luna Park

Duration

From 6 January 2017 to 18 January 2017

Detail

A series of four gala concerts and fireworks displays will be conducted on the waters of Sydney Harbour in the location, and between the dates, specified above. In association with the concerts, an **Exclusion Zone** will be specified in an area adjacent to the Ferris wheel and boardwalk at Luna Park at the following times:

- 8.50pm to 9.20pm Friday 6 January 2017
- 8.50pm to 9.20pm Tuesday 10 January 2017
- 8.50pm to 9.20pm Saturday 14 January 2017
- 8.50pm to 9.20pm Wednesday 18 January 2017

The Exclusion Zone will be defined by the presence of Roads and Maritime patrol vessels and will only apply between the above times. The limits of the Exclusion Zone are as shown on the event map.

An event map will be available online at www.rms.nsw.gov.au/aquatic-events. This event map displays the Exclusion Zone, and other relevant details.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be patrolled by Roads and Maritime and Police vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*)

Restrictions imposed under Section 11

Pursuant to section 12(3) of the *Marine Safety Act 1998*, special restrictions apply to all vessels navigating in the vicinity of the Exclusion Zone as follows:

- A 6 knot speed limited zone and a “minimum wash” zone will apply within 200 metres of the Exclusion Zone at the times listed above;
- Vessels are to remain at least 150 metres from the fireworks barge during firing and the subsequent cool down period;

Penalties may apply (section 12(5) – *Marine Safety Act 1998*).

Maps and Charts Affected

RMS Boating Map – 9G

RAN Hydrographic Chart AUS 202

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice SE1701

Date: 21 December 2016

Hendrik Clasié

Principal Manager Statewide Coordination

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Edward River – near the locality of the Deniliquin Boat Club, on Riverview Drive Deniliquin;

- Upstream 300 metres of the Deniliquin Boat Club and adjacent to the land based feature of the Big 4 Deniliquin Holiday Park, and
- Downstream 300 metres of the Deniliquin Boat Club and adjacent to the land based feature of the Warbreccan Homestead.

Duration

5.00pm to 7:00pm Saturday 28 January 2017.

Detail

Water skiing and wake boarding exhibitions will be conducted on the waters of the Edward River, as specified above. There will also be support vessels present to manage the event, persons in the water from time to time, and persons being towed at speed using tow-lines – presenting a significant potential hazard to other waterway users.

An **EXCLUSION ZONE** is specified during the event, which will be marked by buoys, and will be created at the location specified above.

All vessel operators and persons using the waters in the vicinity of the event should keep a proper lookout, keep well clear of competing and support vessels, and exercise extreme caution.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone which will be patrolled by Roads and Maritime vessels.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: SO1705

Date: 20 December 2016

Mike Hammond
Principal Manager South, Boating Operations
Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS

Location

Edward River – near the township of Deniliquin, between the locations of Grahams Reserve and upstream to Four Post Camp.

Duration

7:00am to 5:00pm Saturday 18 February 2017, and

7:00am to 11:00am Sunday 19 February 2017.

Detail

A fishing competition will be conducted on the waters of the Edward River, as specified above.

Due to the risk to safe navigation as a result of the large number of participating vessels, two Regulated Areas with special restrictions are specified as follows:

1. Grahams Reserve upstream to Boggy Creek, and
2. McLeans Beach Boat Ramp upstream to Four Post Camp.

The Areas will be marked by yellow buoys.

Pursuant to Section 12(3) of the *Marine Safety Act 1998*, special restrictions are in place in the Regulated Areas between the above times

- **No aquaplaning or towing** (including water skiing, wakeboarding, and tube riding)

Aquaplaning and towing remains permitted between Boggy Creek and McLeans Beach.

All vessel operators and persons using the waters in the vicinity of the event must comply with the above restrictions, keep a proper lookout, and exercise caution.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: SO1707

Date: 21 December 2016

Mike Hammond
Principal Manager South, Boating Operations
Delegate

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at West Ballina in the Ballina 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 Crown road situated in the Ballina Shire Council area, Parish of Ballina and County of Rous, shown as Lot 41 Deposited Plan 1013485.

(RMS Papers: SF2016/244883)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Tempe in the Inner West 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 Crown land situated in the Inner West Council area, Parish of Petersham and County of Cumberland, shown as:

Lots 203 and 205 Deposited Plan 1227102, being parts of the land in Certificate of Title 7021/1059864;

Lots 202 and 204 Deposited Plan 1227102, being parts of the land in Certificate of Title 7022/1059864;

Lots 101 and 102 Deposited Plan 1227101, being parts of the land in Certificate of Title 7023/1059864; and

Lots 300 and 301 Deposited Plan 1227103, being parts of the bed of the Cooks River.

(RMS Papers: SF2016/257479; RO SF2016/072315)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Kingsgrove in the Canterbury-Bankstown 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 Canterbury-Bankstown Council area, Parish of St George and County of Cumberland, shown as Lots 55 and 60 Deposited Plan 1222260, being parts of the land in Certificate of Title CP/SP16701.

The land said to be in the possession of The Owners – Strata Plan No 16701.

(RMS papers: SF2016/219290; RO SF2016/072315)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition and Dedication as Public Road of Land
at Terrigal in the Central Coast 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* and further dedicates the land as public road under section 10 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 Central Coast Council area, Parish of Kincumber and County of Northumberland, shown as Lot 26 Deposited Plan 1214447, being part of the land in Certificate of Title 14/1187594.

The land is said to be in the possession of Central Coast Council.

(RMS Papers: SF2016/238855; RO SF2015/074201)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at West Wyalong in the Bland 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 Bland Shire Council area, Parish of Wyalong and County of Gipps, shown as Lot 51 Deposited Plan 1218117, being part of the land in Certificate of Title 1295/753135.

The land is said to be in the possession of the Crown and Riverina Local Land Services (reserve manager).

(RMS Papers: SF2016/039515; RO SF2014/082095)

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at West Hoxton and Austral in the Liverpool City Council Area

Roads and Maritime Services, by its delegate, dedicates the land described in the schedule below as public road under section 10 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 Liverpool City Council area, Parish of Cabramatta and County of Cumberland, shown as:

Lot 101 Deposited Plan 1204659; and

Lots 59 to 65 inclusive Deposited Plan 1204512.

(RMS Papers: SF2016/262586; RO 2013/005268)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Austral in Liverpool City Council Area

Roads and Maritime Services, by its delegate, dedicates the land described in the schedule below as public road under section 10 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 Liverpool City Council area, Parish of Cabramatta and County of Cumberland, shown as:

Lots 11 to 16 inclusive Deposited Plan 1203670; and

Lot 2 Deposited Plan 1211652.

(RMS Papers: SF2016/262586; RO 2013/005268)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land
at St Peters in the Inner West Council Area and
at Bexley North, Wolli Creek and Arncliffe in the Bayside 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 Inner West Council and Bayside Council areas, Parishes of Petersham and St George and County of Cumberland, shown as:

Lots 85 and 99 Deposited Plan 1222240, being parts of the land in Certificate of Title A/361207 and said to be in the possession of Nola May Carruthers;

Lots 18 and 26 Deposited Plan 1221173, being parts of the land in Certificate of Title 67/35230 and said to be in the possession of Paul Lee and Louisa Kin Ping Lee (registered proprietors) and St George Bank Limited (mortgagee);

Lots 19 and 27 Deposited Plan 1221173, being parts of the land in Certificate of Title 68/35230 and said to be in the possession of Paul Ernest Singles and Keri Therese Singles (registered proprietors), Herald-Sun Staff Credit Union Limited (mortgagee) and Broadway Credit Union Limited (caveator);

Lots 20 and 28 Deposited Plan 1221173, being parts of the land in Certificate of Title 69/35230 and said to be in the possession of Zeyad Ahmed Dodar and Fatme Rahal Dodar (registered proprietors) and Westpac Banking Corporation (mortgagee);

Lots 21 and 29 Deposited Plan 1221173, being parts of the land in Certificate of Title 70/35230 and said to be in the possession of The Housing Commission of New South Wales;

Lots 22 and 30 Deposited Plan 1221173, being parts of the land in Certificate of Title 71/35230 and said to be in the possession of Vasilios Trigas and Eva Trigas (registered proprietors) and Australia and New Zealand Banking Group Limited (mortgagee);

Lots 23 and 31 Deposited Plan 1221173, being parts of the land in Certificate of Title 72/35230 and said to be in the possession of Kai Guang He and Ping Yang (registered proprietors) and Westpac Banking Corporation (mortgagee);

Lots 28 and 35 Deposited Plan 1222068, being parts of the land in Certificate of Title 1/970763 and said to be in the possession of Ausgrid;

Lots 35 and 40 Deposited Plan 1223663, being parts of the land in Certificate of Title 12/588576 and said to be in the possession of Vera Elsie Smith;

Lots 36 and 41 Deposited Plan 1223663, being parts of the land in Certificate of Title 2/213713 and said to be in the possession of Inner West Council;

Lots 37 and 42 Deposited Plan 1223663, being parts of the land in Certificate of Title 1/735398 and said to be in the possession of Steven Paul Lonsdale and Mayurachatr Rakang (registered proprietors) and National Australia Bank Limited (mortgagee);

- Lots 52 and 54 Deposited Plan 1223669, being parts of the land in Certificate of Title 1/1168979 and said to be in the possession of John Hamori (registered proprietor) and National Australia Bank Limited (mortgagee);
- Lots 53 and 55 Deposited Plan 1223669, being parts of the land in Certificate of Title 2/1168979 and said to be in the possession of Debbie Johanna Smith (registered proprietor) and Credit Union Australia Ltd (mortgagee);
- Lots 12 and 14 Deposited Plan 1223765, being parts of the land in Certificate of Title 1/1204361 and said to be in the possession of Rockdale Hotel Pty Limited (registered proprietor) and Commonwealth Bank of Australia (mortgagee);
- Lots 13 and 15 Deposited Plan 1223765, being parts of the land in Certificate of Title 4/1204361 and said to be in the possession of Rockdale Hotel Pty Limited (registered proprietor) and Commonwealth Bank of Australia (mortgagee);
- Lots 61 and 62 Deposited Plan 1223782, being parts of the land in Certificate of Title 1/77195 and said to be in the possession of New South Wales Land And Housing Corporation);
- Lots 72 and 74 Deposited Plan 1223804, being parts of the land in Certificate of Title 1/565011 and said to be in the possession of Nicole Marie Mottlee (registered proprietor) and Australia and New Zealand Banking Group Limited (mortgagee);
- Lots 73 and 75 Deposited Plan 1223804, being parts of the land in Certificate of Title 2/565011 and said to be in the possession of Sharon Lyn Young (registered proprietor) and St George Bank Limited (mortgagee);
- Lots 66 and 72 Deposited Plan 1223952, being parts of the land in Certificate of Title 25/4464 and said to be in the possession of Minister Administering the *Environmental Planning and Assessment Act 1979*;
- Lots 67 and 73 Deposited Plan 1223952, being parts of the land in Certificate of Title Auto Consol 9752-77 and said to be in the possession of Bayside Council (registered proprietor) and The Registrar General (caveator);
- Lots 69 and 75 Deposited Plan 1223952, being parts of the land in Certificate of Title 1/577228 and said to be in the possession of Bayside Council;
- Lots 54 and 58 Deposited Plan 1223957, being parts of the land in Certificate of Title 3/1148894 and said to be in the possession of The State of New South Wales;
- Lots 55 and 59 Deposited Plan 1223957, being parts of the land in Certificate of Title 1/1148894 and said to be in the possession of The State of New South Wales (registered proprietor) and St George Rowing Club Ltd (lessee);
- Lots 56 and 60 Deposited Plan 1223957, being parts of the land in Certificate of Title 2/1148894 and said to be in the possession of The State of New South Wales;
- Lots 30 and 40 Deposited Plan 1224119, being parts of the land in Certificate of Title A/152241 and said to be in the possession of Donogh Aidan Gethings and Bernadette Anne Gethings (registered proprietors) and Westpac Banking Corporation (mortgagee);
- Lots 31 and 41 Deposited Plan 1224119, being parts of the land in Certificate of Title 10/1141081 and said to be in the possession of Gary Peter Niven and Barbara Patricia Niven (registered proprietors) and AFSH Nominees Pty Ltd (mortgagee);
- Lots 32 and 42 Deposited Plan 1224119, being parts of the land in Certificate of Title 11/1141081 and said to be in the possession of Frank Hsieh and Hui Wen Wong (registered proprietors) and HSBC Bank Australia Limited (mortgagee);
- Lots 33 and 43 Deposited Plan 1224119, being parts of the land in Certificate of Title 1/797684 and said to be in the possession of John Cominos and Eleni Cominos (registered proprietors) and National Australia Bank Limited (mortgagee);
- Lots 34 and 44 Deposited Plan 1224119, being parts of the land in Certificate of Title 1/1041440 and said to be in the possession of Francesca Paola Bollino (registered proprietor) and St George Bank Limited (mortgagee);
- Lots 35 and 45 Deposited Plan 1224119, being parts of the land in Certificate of Title 2/1041440 and said to be in the possession of Rachel Natalie Morley (registered proprietor) and Westpac Banking Corporation (mortgagee);
- Lots 36 and 46 Deposited Plan 1224119, being parts of the land in Certificate of Title 2/798765 and said to be in the possession of New South Wales Land and Housing Corporation;
- Lots 37 and 47 Deposited Plan 1224119, being parts of the land in Certificate of Title CP/SP72989 and said to be in the possession of The Owners – Strata Plan No 72989;
- Lots 43 and 45 Deposited Plan 1224078, being parts of the land in Certificate of Title 1/1185576 and said to be in the possession of Christine Mary Olesnicky; and

Lots 21 and 22 Deposited Plan 1224233, being parts of the land in Certificate of Title 17/1069479 and said to be in the possession of Sydney Water Corporation.

(RMS papers: SF2016/185213; RO SF2016/072315)

ROADS ACT 1993

Order – Sections 46, 49, 54 and 67

Wagga Wagga City Council Area

Dedication of Land as Public Road and Declaration as a Controlled Access Road
of part of the Hume Highway north of Tarcutta

I, the Minister for Roads, Maritime and Freight pursuant to sections 46, 49, 54 and 67 of the *Roads Act 1993*, by this order -

1. dedicate as public road the land described in Schedules 1 and 2 under;
2. declare to be a main road the said public road described in Schedule 2 and the public road described in Schedule 3 under;
3. declare to be a controlled access road the said main road described in Schedules 2 and 3;
4. declare that access to the said controlled access road is restricted; and
5. specify in Schedule 4 under, the points along the controlled access road at which access may be gained to or from other public roads.

The Hon DUNCAN GAY, MLC
Minister for Roads, Maritime and Freight

Schedule 1

All those pieces or parcels of land situated in the Wagga Wagga City Council area, Parish of Umutbee and County of Wynyard, shown as:

Lots 55 to 58 inclusive Deposited Plan 1132211.

The above Lots are shown in RMS Plan 0002 468 AC 4012.

Schedule 2

All those pieces or parcels of land situated in the Wagga Wagga City Council area, Parishes of Umutbee and Tarcutta, County of Wynyard, shown as:

Lots 18 and 19 Deposited Plan 1163704;

Lots 61, 63 and 64 Deposited Plan 1132211;

Lot 622 Deposited Plan 1149835; and

Lots 26 to 34 inclusive Deposited Plan 1131474.

The above Lots are shown in RMS Plan 0002 468 AC 4012.

Schedule 3

All those pieces or parcels of land situated in the Wagga Wagga City Council area, Parishes of Umutbee and Tarcutta, County of Wynyard, shown as:

Lot 2 Deposited Plan 514489;

Lot 1 Deposited Plan 514490;

Lots 60, 65, 66 and 67 Deposited Plan 1132211; and

Lots 35 to 44 inclusive Deposited Plan 1131474.

The above Lots are all shown in RMS Plan 0002 468 AC 4012.

Schedule 4

Between the points A and B; and

between the points C and D; all shown in RMS Plan 0002 468 AC 4012.

(RMS Papers: SF2016/243986; 2/468.1103)

ROADS ACT 1993

Order – Sections 46, 49, 54 and 67

Wagga Wagga City Council Area

Dedication of Land as Public Road and Declaration as a Controlled Access Road
of part of the Hume Highway at Tarcutta

I, the Minister for Roads, Maritime and Freight pursuant to sections 46, 49, 54 and 67 of the *Roads Act 1993*,
by this order -

1. dedicate as public road the land described in Schedules 1 and 2 under;
2. declare to be a main road the said public road described in Schedule 2 and the public road described in Schedule 3 under;
3. declare to be a controlled access road the said main road described in Schedules 2 and 3;
4. declare that access to the said controlled access road is restricted; and
5. specify in Schedule 4 under, the points along the controlled access road at which access may be gained to or from other public roads.

The Hon DUNCAN GAY, MLC
Minister for Roads, Maritime and Freight

Schedule 1

All those pieces or parcels of land situated in the Wagga Wagga City Council area, Parish of Umutbee and County of Wynyard, shown as:

Lot 19 Deposited Plan 251542;

Lots 14, 15 and 16 Deposited Plan 1182309;

Lot 11 Deposited Plan 1164113;

Lots 70 and 71 Deposited Plan 1156813; and

Lots 28 to 32 inclusive Deposited Plan 1189207.

The above Lots are all shown in RMS Plan 0002 468 AC 4031.

Schedule 2

All those pieces or parcels of land situated in the Wagga Wagga City Council area, Parishes of Umutbee and Tarcutta, County of Wynyard, shown as:

Lots 23, 24 and 25 Deposited Plan 800920;

Lots 3, 4, 5, 8 and 19 Deposited Plan 1182309;

Lots 68 and 69 Deposited Plan 1156813;

Lots 17 to 25 inclusive Deposited Plan 1189207;

Lot 237 Deposited Plan 757225; and

Lots 15, 16 and 17 Deposited Plan 1163704.

The above Lots are all shown in RMS Plan 0002 468 AC 4031.

Schedule 3

All those pieces or parcels of land situated in the Wagga Wagga City Council area, Parishes of Umutbee and Tarcutta, County of Wynyard, shown as:

Lot 27 Deposited Plan 800920;

Lots 6, 7, 9, 10 and 11 Deposited Plan 1182309;

Lots 26 and 27 Deposited Plan 1189207;

Lots 1, 2 and 3 Deposited Plan 514472;

Lot 1 Deposited Plan 514489; and

Lot 101 RMS Plan 0002 468 AC 4031.

The above Lots are all shown in RMS Plan 0002 468 AC 4031.

Schedule 4

Between the points A and B;
between the points C and D;
between the points E and F; and
between the points G and H;
all shown in RMS Plan 0002 468 AC 4031.
(RMS Papers: SF2016/257410; 2/468.1103)

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

NOTICE OF COMPULSORY ACQUISITION OF LAND

Transport for NSW 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* as authorised by and for the purposes of the *Transport Administration Act 1988*.

Dated at Sydney this 21 day of December 2016.

RODD STAPLES
Program Director,
Sydney Metro Northwest,
Transport for NSW

SCHEDULE

All that piece or parcel of land situated in the Local Government Area of The Hills Shire, Parish of Baulkham Hills, County of Cumberland shown as Part Lot 5072 in DP 878258 said to be in the ownership of the Norwest City Pty Ltd.

Mining and Petroleum Notices

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, ANTHONY ROBERTS, MP, Minister for Industry, Resources and Energy, pursuant to section 9 of the *Coal Industry Act 2001* ("the Act"), do, by this Notice, approve of Coal Mines Insurance Pty Limited (ACN 000 011 727) ("the Company") (being a company registered under the *Corporations Act 2001* of the Commonwealth) exercising the functions specified in Schedule 1 of this Notice, subject to the conditions specified in Schedule 2 of this Notice.

This Notice takes effect on the date it is published in the NSW Government Gazette.

The existing approval relating to the Company published in NSW Government Gazette No. 126 dated 14 December 2011 at pages 7146-7417 is revoked.

Dated this 15th day of December 2016.

ANTHONY ROBERTS, M.P.

Minister for Industry, Resources and Energy

SCHEDULE 1 – Functions

Establishing or administering (or establishing and administering) or providing, workers compensation insurance schemes in relation to workers engaged in the coal industry.

SCHEDULE 2 – Conditions

To the extent that any condition listed below is inconsistent with the *Corporations Act 2001* of the Commonwealth, it does not apply.

- 1 The Company must adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (3rd Edition) as if it were a 'listed company' and Australian Standard 8000-2003: Good Governance Principles, as amended or replaced from time to time. In the event of any inconsistency, the ASX Corporate Governance Principles and Recommendations (3rd Edition) shall prevail.
- 2 The Company must report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3 (a) The Company must not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the Company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
(b) The Company must request the removal of a trustee of any trust in respect of which the Company is an appointor, where directed by the Minister.
- 4 The Company must not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the Company is the Appointer;
 - (b) funds comprising any operating surplus;
 - (c) funds comprising any contributions to the community; and
 - (d) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 The Company must ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 The Company must obtain the Minister's approval of the Board's policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose. In these conditions, "the Board" means the Board of Coal Services Pty Limited.
- 7 The Company must not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 8 The Company must ensure that:
 - (a) only the Managing Director and Chief Executive Officer may receive remuneration that is in addition to the remuneration that they receive as a director; and

- (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 9 The Company must ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
 - 10 The Company must consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the Company constitution.
 - 11 The Company must have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 9 of Prudential Standard CPS 520 — Fit and Proper dated January 2013, as amended or replaced from time to time. The Company must, if requested, provide a copy of that policy to the Minister.
 - 12 The Company must not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include, but are not limited to, agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.
-

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, ANTHONY ROBERTS, MP, Minister for Industry, Resources and Energy, pursuant to section 9 of the *Coal Industry Act 2001* (“the Act”), do, by this Notice, approve of Coal Services Pty Limited (ACN 099 078 234) (“the Company”) (being a company registered under the *Corporations Act 2001* of the Commonwealth) exercising the functions specified in Schedule 1 of this Notice, subject to the conditions specified in Schedule 2 of this Notice.

This Notice takes effect on the date it is published in the NSW Government Gazette.

The existing approval relating to the Company published in NSW Government Gazette No. 126 dated 14 December 2011 at page 7144 is revoked.

Dated this 15th day of December 2016.

ANTHONY ROBERTS, M.P.

Minister for Industry, Resources and Energy

SCHEDULE 1 – Functions

Note: The following functions are specified [Sections 9 (1) and (4) (c) and 10 (1)]:

1. Providing work health and rehabilitation services for workers engaged in the coal industry, including providing preventive medical services, monitoring workers’ health and investigating related health matters.
2. Collecting, collating and disseminating accident and other statistics relating to the health and safety of workers engaged in the coal industry.
3. Collecting, collating and disseminating other statistics related to the coal industry.
4. Referring matters relating to the safety of workers engaged in the coal industry, as it thinks fit, to the regulator within the meaning of the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* for consideration.
5. Reporting to the Minister as it thinks fit, or when requested by the Minister, on matters related to the health or welfare of workers engaged in the coal industry, or on any other matter arising out of its functions.
6. Publishing reports and information of public interest concerning or arising out of its functions.
7. Promoting the welfare of workers and former workers in the coal industry in the State, their dependants and communities in coal mining areas.
8. Monitoring, promoting and specifying adequate training standards relating to health and safety for workers engaged in the coal industry.

9. Approving training schemes required for a safety management system under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*.
10. Monitoring dust in coal mines.
11. Establishing or administering (or establishing and administering) or providing administrative services in respect of, superannuation schemes for the benefit of either or both of the following:
 - (i) mine workers (within the meaning of the *Coal and Oil Shale Mine Workers (Superannuation) Act 1941*), former mine workers and their dependants;
 - (ii) employees of the approved Company, former employees and their dependants.

SCHEDULE 2 – Conditions

To the extent that any condition listed below is inconsistent with the *Corporations Act 2001* of the Commonwealth, it does not apply.

- 1 The Company must adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (3rd Edition) as if it were a ‘listed company’ and Australian Standard 8000-2003: Good Governance Principles, as amended or replaced from time to time. In the event of any inconsistency, the ASX Corporate Governance Principles and Recommendations (3rd Edition) shall prevail.
- 2 The Company must report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3
 - (a) The Company must not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the Company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
 - (b) The Company must request the removal of a trustee of any trust in respect of which the Company is an appointor, where directed by the Minister.
- 4 The Company must not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the Company is the Appointer;
 - (b) funds comprising any operating surplus;
 - (c) funds comprising any contributions to the community; and
 - (d) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 The Company must ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 The Company must obtain the Minister’s approval of the Board’s policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose. In these conditions, “the Board” means the Board of Coal Services Pty Limited.
- 7 The Company must not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 8 The Company must ensure that:
 - (a) only the Managing Director Chief Executive Officer may receive remuneration that is in addition to the remuneration that they receive as a director; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 9 The Company must ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
- 10 The Company must consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the Company constitution.
- 11 The Company must have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications,

with clause 9 of Prudential Standard CPS 520 — Fit and Proper dated January 2013, as amended or replaced from time to time. The Company must, if requested, provide a copy of that policy to the Minister.

- 12 The Company must not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include, but are not limited to, agreements in relation to:
- (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.
-

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, ANTHONY ROBERTS, MP, Minister for Industry, Resources and Energy, pursuant to section 9 of the *Coal Industry Act 2001* (“the Act”), do, by this Notice, approve of Mines Rescue Pty Limited (ACN 099 078 261) (“the Company”) (being a company registered under the *Corporations Act 2001* of the Commonwealth) exercising the functions specified in Schedule 1 of this Notice, subject to the conditions specified in Schedule 2 of this Notice.

This Notice takes effect on the date it is published in the NSW Government Gazette.

The existing approval relating to the Company published in NSW Government Gazette No. 126 dated 14 December 2011 at pages 7145-7146 is revoked.

Dated this 15th day of December 2016.

ANTHONY ROBERTS, M.P.

Minister for Industry, Resources and Energy

SCHEDULE 1 – Functions

Providing mines rescue and other services in accordance with Division 3 of Part 3, and Part 4, of the Act.

SCHEDULE 2 – Conditions

To the extent that any condition listed below is inconsistent with the *Corporations Act 2001* of the Commonwealth, it does not apply.

- 1 The Company must adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (3rd Edition) as if it were a ‘listed company’ and Australian Standard 8000-2003: Good Governance Principles, as amended or replaced from time to time. In the event of any inconsistency, the ASX Corporate Governance Principles and Recommendations (3rd Edition) shall prevail.
- 2 The Company must report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3
 - (a) The Company must not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the Company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
 - (b) The Company must request the removal of a trustee of any trust in respect of which the Company is an appointor, where directed by the Minister.
- 4 The Company must not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the Company is the Appointer;
 - (b) funds comprising any operating surplus;
 - (c) funds comprising any contributions to the community; and
 - (d) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 The Company must ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 The Company must obtain the Minister’s approval of the Board’s policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose. In these conditions, “the Board” means the Board of Coal Services Pty Limited.

- 7 The Company must not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
 - 8 The Company must ensure that:
 - (a) only the Managing Director and Chief Executive Officer may receive remuneration that is in addition to the remuneration that they receive as a director; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
 - 9 The Company must ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
 - 10 The Company must consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the Company constitution.
 - 11 The Company must have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 9 of Prudential Standard CPS 520 — Fit and Proper dated January 2013, as amended or replaced from time to time. The Company must, if requested, provide a copy of that policy to the Minister.
 - 12 The Company must not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include, but are not limited to, agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.
-

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T16-1169)

No. 5409, MONZONITE METALS PTY LTD (ACN 165 629 818), area of 14 units, for Group 1, dated 2 December, 2016. (Orange Mining Division).

(T16-1176)

No. 5417, LACHLAN RESOURCES PTY LTD (ACN 610 889 882) AND KENEX PTY LTD, area of 203 units, for Group 1, dated 13 December, 2016. (Orange Mining Division).

The Hon Anthony Roberts MP
Minister for Industry, Resources and Energy

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATION

(T16-1116)

No. 5357, now Exploration Licence No. 8482, 3E STEEL PTY LIMITED (ACN 140 046 939), Counties of Blaxland and Cunningham,, area of 115 units, for Group 1, dated 21 November, 2016, for a term until 21 November, 2022. As a result of the grant of this title, Exploration Licence No. 6671, Exploration Licence No. 6952 and Exploration Licence No. 6962 have partly ceased to have effect.

MINING LEASE APPLICATION

(11-3691)

Singleton No. 433, now Mining Lease No. 1738 (Act 1992), BLOOMFIELD COLLIERIES PTY LTD (ACN 000 106 972), Parish of Maitland, County of Northumberland; and Parish of Stockrington, County of Northumberland,

area of 1451 hectares, to mine for coal, dated 29 June, 2016, for a term until 29 June, 2037. As a result of the grant of this title, Consolidated Coal Lease No. 761 (Act 1973) has partly ceased to have effect.

The Hon Anthony Roberts MP
Minister for Industry, Resources and Energy

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

(M07-1229)

Exploration Licence No. 4458, NYMAGEE RESOURCES PTY LTD (ACN 154 131 138) AND AUSMINDEX PTY LIMITED (ACN 003 287 634), area of 4 units. Application for renewal received 15 December, 2016.

(T14-0256)

Exploration Licence No. 5675, ALKANE RESOURCES LTD (ACN 000 689 216), area of 87 units. Application for renewal received 15 December, 2016.

(T09-0110)

Exploration Licence No. 7439, OXLEY EXPLORATION PTY LTD (ACN 137 511 141), area of 37 units. Application for renewal received 19 December, 2016.

(V15-0714)

Exploration Licence No. 8222, CLANCY EXPLORATION LIMITED (ACN 105 578 756), area of 58 units. Application for renewal received 18 December, 2016.

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:

(12-5835)

Authorisation No. 440, BLOOMFIELD COLLIERIES PTY LTD (ACN 000 106 972), County of Durham, Map Sheet (9133), area of 142.6 hectares, for a further term until 30 December, 2018. Renewal effective on and from 16 December, 2016.

The Hon Anthony Roberts MP
Minister for Industry, Resources and Energy

CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

(15-2587)

Notice was given in error in the New South Wales Government Gazette dated 25 November 2016 that the following authority had been granted on 7 November 2016. The correct notice is as follows:

No. 5235, now Exploration Licence No 8480, SILVER MINES LIMITED (ACN 107 452 942), County of Phillip, Map Sheet (8832), area of 15 units, for Group 1, dated 16 August 2016, for a term until 16 August 2019.

The Hon Anthony Roberts MP
Minister for Industry, Resources and Energy

Notice is given that the following applications have been received:

REQUEST FOR TRANSFER APPLICATION

(12-3455)

Exploration Licence No. 5922, Macquarie Holdings No. 1 Pty Ltd (ACN 168 346 110) and Templar Resources Pty Ltd (ACN 085 644 944), to Templar Resources Pty Ltd (ACN 085 644 944) Counties of Bathurst, Map Sheet (8730 & 8731) area of 179 units. Application for Transfer was received on 16 November 2016.

(12-3455)

Mining Lease No. 739, Delta Gold Exploration Pty Limited (ACN 002 504 501) and TriAusMin Pty Ltd (ACN 062 002 475), to TriAusMin Pty Ltd (ACN 062 002 475) Counties of Ashburnham, Map Sheet (8531) area of 53.41 hectares.

Application for Transfer was received on 31 August 2016.

The Hon Anthony Roberts MP
Minister for Industry, Resources and Energy

Primary Industries Notices

ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

Sections 28 and 29

Further Extension of Importation Order – Animal Disease (Abalone) Importation Order 2015

I, KIM LOUISE FILMER, Acting Deputy Chief Veterinary Officer, having delegated authority, on the basis that I reasonably suspect an area outside New South Wales to be infected with the emergency animal disease abalone viral ganglioneuritis, pursuant to sections 28 and 29 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*, extend the operation of the importation order titled “Animal Disease (Abalone) Importation Order 2015” dated 12 November 2015 and published in the NSW Government Gazette No 97 of 16 November 2015 at pages 3730 – 3732 for a further period of 6 months commencing on 16 January 2017.

Dated this 20th day of December 2016

KIM LOUISE FILMER
A/Deputy Chief Veterinary Officer
(By delegation)

Note: The importation order titled “Animal Disease (Abalone) Importation Order 2015” dated 12 November 2015, was previously extended by the extension notice titled “Further Extension of Importation Order – Animal Disease (Abalone) Importation Order 2015” dated 27 June 2016 and published in NSW Government Gazette No 56 of 1 July 2016 at page 1897.

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Australian Bass and Estuary Perch – Snowy River Aquatic Endangered Ecological Community (EEC)

I, GEOFF ALLAN, Deputy Director General Department of Primary Industries Fisheries, with the delegated authority of the Minister for Primary Industries and the Secretary of the Department of Industry, Skills and Regional Development pursuant to sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”) and pursuant to section 8 of the Act prohibit the taking of Australian Bass (*Macquaria novemaculeata*) and Estuary Perch (*Macquaria colonorum*) from the waters described in the Schedule to this notification unless any such fish that is taken is not killed and is to be immediately returned to the waters from which it was taken.

SCHEDULE

Waters

Any waters of the Snowy River catchment within the State of New South Wales as described in the final determination of the Fisheries Scientific Committee to list the aquatic ecological community in that catchment as an endangered ecological community. That is, the Snowy River, Eucumbene River, Thredbo River, Gungarlin River, Mowamba River, Bombala River, Maclaughlin River, Delegate River, Pinch River and Jacobs River, excluding the waters of the man-made lakes Jindabyne, Eucumbene, Island Bend and Guthega.

This fishing closure notification is effective for a period of five (5) years commencing on publication of this notification in the Gazette, unless sooner amended or revoked.

Dated this day 20 of December 2016

Dr Geoff Allan
Deputy Director General Department of Primary Industries Fisheries
Department of Primary Industries
(an office within the Department of Industry, Skills and Regional Development)

Notes:

1. The purpose of this fishing closure is to implement a Ministerial Order that permits only catch and release fishing for Australian Bass and Estuary Perch in the Snowy River Aquatic Endangered Ecological Community.

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Pipi (*Donax deltoids*)

I, GEOFF ALLAN, Deputy Director General Fisheries, with the delegated authority, do by this notification pursuant to section 8 of the *Fisheries Management Act 1994* (“the Act”), prohibit the taking of pipis (*Donax deltoids*), by holders of a hand gathering endorsement in the Estuary General Fishery, by the methods of fishing specified in Column 1 of Schedule 1 to this notification, from the waters described opposite in Column 2 of Schedule 1 to this notification.

Schedule 1

Column 1 Methods	Column 2 Waters
By means of hand picking as prescribed by section 6D of the Act.	All waters.

In this fishing closure:

Estuary General Fishery means the share management fishery of that name, as described in Schedule I to the Act.

This fishing closure notification is effective for a period of five (5) months commencing on 1 January 2017 unless sooner amended or revoked.

Dated this 16th day of December 2016.

DR GEOFF ALLAN

Deputy Director General Fisheries

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

(by delegation)

FISHERIES MANAGEMENT ACT 1994

Notice of Determination – Total Allowable Catch for Abalone

I, NIALL MARK BLAIR MLC, Minister for Primary Industries, pursuant to section 33 of the *Fisheries Management Act 1994* (“the Act”),

1. give notice that on 6 December 2016 the Total Allowable Catch Setting and Review Committee determined, pursuant to section 28 of the Act and clause 14 of the Appendix to the *Fisheries Management (Abalone Share Management Plan) Regulation 2000*, that the total allowable catch for abalone for the fishing period 1 January 2017 to 31 December 2017 (both dates inclusive) is 130 tonnes
2. note that pursuant to section 33(4) of the Act, the determination published in Government Gazette No. 118 of 23 December 2015 at page 4198 is revoked.

Dated this 21st day of December 2016

The Hon Niall Blair MLC

Minister for Primary Industries

Minister for Lands and Water

FORESTRY ACT 2012

Forestry Corporation of New South Wales

Revocation of Dedication

IN pursuance of section 32 of the *Forestry Act 2012*, I, NIALL BLAIR, Minister for Primary Industries, being the Minister of the Crown charged with the administration of the *Forestry Act 2012*, having considered a report from the Forestry Corporation of New South Wales and being of the opinion that the hereinafter described land should be made available for the purpose of ‘Use of Aborigines’ which is a public purpose within the meaning of section 87 of the *Crown Lands Act 1989*, DO HEREBY, revoke the dedication of the hereinafter described land.

Dated at Sydney, this 3rd day of April 2016.

NIALL BLAIR, MLC

Minister for Primary Industries

EASTERN DIVISION

Land District of Casino; Kyogle Shire Council Area

North East Forestry Region

Toonumbar State Forest No. 343 Extension Nos. 2, 3, 4 and 6 dedicated 17th March 1939, 29th August 1941, 30th October 1942 and 22nd November 1974, respectively, being also part Toonumbar National Forest No. 14 declared 14th June 1940, in the Parish of Roseberry, County of Rous, having a total area of about 6.1 hectares.

POPPY INDUSTRY INSTRUMENT OF DELEGATION (SECRETARY) (No 1) 2017

under the

Poppy Industry Act 2016

I, SIMON A.Y. SMITH, Secretary of the Department of Industry, Skills and Regional Development, in pursuance of section 42 of the *Poppy Industry Act 2016* make the following Instrument of Delegation.

Dated this 12th day of December 2016.

SIMON A.Y. SMITH
Secretary
Department of Industry, Skills and Regional Development

Explanatory note

This Instrument is made under section 42 of the *Poppy Industry Act 2016*. The object of this Instrument is to delegate functions conferred or imposed on the Secretary by or under the *Poppy Industry Act 2016* and the *Poppy Industry Regulation 2016*.

POPPY INDUSTRY INSTRUMENT OF DELEGATION (SECRETARY) (No 1) 2017

Made under the *Poppy Industry Act 2016*

1 Name

This Instrument is the *Poppy Industry Instrument of Delegation (Secretary) (No 1) 2017*.

2 Commencement

This Instrument commences on the 1 January 2017 and will remain in force until it is revoked, whether in whole or in part.

3 Interpretation

(1) In this Instrument:

function includes a power, authority or duty, and *exercise* a function includes perform a duty.

role includes office.

role title includes title of an office.

the Act means the *Poppy Industry Act 2016*.

The Department means the Department of Industry, Skills and Regional Development.

the Regulation means the *Poppy Industry Regulation 2016*.

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

(3) Unless otherwise specified, references to a role or role title in this Instrument are references to a role or role title within the Department.

(4) The summary of a function delegated Column 2 of Schedules 1 and 2 is only for general explanation and does not limit the delegation of functions under the sections and clauses identified in Column 1 of the Schedules.

4 Delegation of functions

(1) Subject to clauses 4(2) and 4(3) below, all of the functions conferred or imposed on the relevant Secretary under the Act and the Regulations and listed in Column 1 of Schedules 1 and 2 are delegated to the person assigned to the role having the title Director General, Department of Primary Industries.

(2) Subject to clause 4(3) below, the functions conferred or imposed by the relevant Secretary under the Act in Column 1 of Schedule 1 and under the Regulation in Column 1 of Schedule 2 are delegated to any person assigned to the role having the title specified in Column 3 of Schedules 1 and 2 respectively.

- (3) The person assigned to the role having the title Director General, Department of Primary Industries or the role having the title specified in Column 3 of Schedules 1 and 2, includes any person who is for the time being acting in that role or performing the duties and responsibilities of that role.

Schedule 1 – Poppy Industry Act 2016

Column 1	Column 2	Column 3
Section	Summary of functions delegated	Delegate role title
Part 2, Licences and permits		
8(f)	Approval of form of notice of alteration or cessation of an arrangement	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
8(g)	Determination of requirements for and approval of risk management plan for processing licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
9(d)	Approval of form of notice of alteration or cessation of an arrangement	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
9(e)	Determination of requirements for and approval of risk management plan for processing licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
11(f)	Specify conditions for licence and permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
13(1)	Grant or renew licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
13(2)	Grant permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
13(5)	Approve late application for renewal of licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
13(6)	Notify renewal of licence and notify acceptance of late application for renewal	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
14(3)	Require penalty for default of annual fee for cultivation licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
15(2)	Power to amend licence on renewal of licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
17	Approve the surrender of a licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
18(1)(a)	Approval of form for applications	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals

18(1)(b)(i)(A)	Determination of requirements for and approval of risk management plan	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
18(1)(b)(ii)	Require other material for application for grant or renewal of licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
18(1)(c)	Determine amount for inspection for determination of application	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
18(2) and (3)	Require further information or evidence for determination of application and refuse an application if applicant does not comply	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
18(4)	Determine an application	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
19	Refuse an application for grant, renewal or amendment of a licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals
20	Cause an audit of operations of licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
21(1)	Suspend, cancel or amend licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
21(3)	Suspend licence or permit for a specified period of time and impose conditions	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
21(5) and (6)	Disqualify the holder of a cancelled licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
21(8)	Take specified action and recover the cost from holder of cancelled or suspended licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
21(9)	Give notice to holder of suspension, cancellation or amendment of licence or permit and reasons for decision and allow holder to make submissions	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
21(11)	Give notice of suspension, cancellation or amendment of licence or permit to the Commissioner of Police and holder of related licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance

22(1)	Order specified action to be taken on expiry, cancellation or surrender of licence	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
22(5)	Take specified action on expiry, cancellation or surrender of licence and recover the cost of doing so.	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
23(1)	Refer applications and matters to the Commissioner of Police	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance Manager Invasive Species Programs Invasive Species Officer
Part 3, Authorised officers		
26(1)	Appoint authorised officer	Deputy Director General Biosecurity and Food Safety Director Biosecurity and Food Safety Compliance
26(4)	Revoke an appointment of authorised officer	Deputy Director General Biosecurity and Food Safety Director Biosecurity and Food Safety Compliance
27(1)	Issue an authorised officer with an identity card	Deputy Director General Biosecurity and Food Safety Director Biosecurity and Food Safety Compliance
28(8)	Direct authorised officer to dispose of alkaloid poppies or material	Deputy Director General Biosecurity and Food Safety Director Biosecurity and Food Safety Compliance
Part 4, Other offences and proceedings		
39(1)	Appoint an analyst to provide evidentiary certificate	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Science and Research
39(2)	Certify an evidentiary certificate	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
Part 5, Miscellaneous		
45(1)	Enter into an information sharing arrangement	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance

Schedule 2 – Poppy Industry Regulation 2016

Column 1	Column 2	Column 3
Clause	Summary of functions delegated	Delegate role title
Part 1, Preliminary		
15	Approve personal representative upon death of holder of licence or permit	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance
Part 1, Schedule 2, Fees, default penalties and costs of audit		
Item 2(5)	Cause notice of adjusted inflation amount to be published on NSW Legislation website	Deputy Director General Biosecurity and Food Safety Director Invasive Plants and Animals Director Biosecurity and Food Safety Compliance

Plant Diseases (Grapevine Phylloxera) Order 2016

under the

Plant Diseases Act 1924

I, SATENDRA KUMAR, Director Plant Biosecurity and Product Integrity and Chief Plant Protection Officer with delegated authority in pursuance of sections 3A and 4 of the *Plant Diseases Act 1924*, being of the opinion that the importation, introduction or bringing of certain plants and other things into New South Wales or specified portions of New South Wales is likely to introduce the pest grapevine phylloxera, make the following Order.

Dated this 21st day of December 2016

SATENDRA KUMAR,
Director Plant Biosecurity and Product Integrity and Chief Plant Protection Officer
Department of Primary Industries
(an office within the Department of Industry,
Skills and Regional Development)
(by delegation)

Plant Diseases (Grapevine Phylloxera) Order 2016

under the Plant Diseases Act 1924

1 Name of Order

This Order is the *Plant Diseases (Grapevine Phylloxera) Order 2016*.

2 Commencement

This Order commences on 23 December 2016.

3 Definitions

In this Order:

Certification Assurance Arrangement means an arrangement approved by the Department of Primary Industries which enables a business accredited under the arrangement to certify that certain quarantine requirements have been satisfied for movement of certain host plant material to interstate and/or intrastate markets.

Note: *An example of an approved Certification Assurance Arrangement is the Interstate Certification Assurance (ICA) Scheme.*

cuttings mean portions of a cane from any plant in the genus *Vitis* which has not been planted in soil or permitted to develop roots.

diagnostic sample means any plant of the genus *Vitis* or grapevine soil that is used in scientific tests for the purpose of obtaining a diagnosis.

filtered, clarified or cold settled juice means the liquid fraction from must that has been filtered, clarified or cold settled to achieve a maximum particle size of 50 microns.

garden organics means any material applied to the soil around plants or used as a soil substitute that may contain residues of grapevine plant material such as marc or has been in contact within the last 5 years with a plant of the genus *Vitis*.

germplasm means any living tissue from the genus *Vitis* from which new plants can be grown, including seed or any other part of the plant that can produce a whole plant.

grapevine phylloxera means the insect *Daktulosphaira vitifoliae*.

grapevine plant material means any plant belonging to the genus *Vitis* (whether processed or not) other than:

- (a) commercially packaged dried fruit; or
- (b) wine.

grapevine soil means any natural or artificial matter in which a plant is grown that has, within the previous 5 years, been in contact with grapevine plant material but does not include sterilised plant tissue culture medium.

interstate phylloxera exclusion zone means any land in any State or Territory other than in NSW that falls within the definition of a 'Phylloxera Exclusion Zone (PEZ)' in the National Phylloxera Management Protocol: Definitions of Phylloxera Management Zones published by the National Vine Health Steering Committee, as amended from time to time.

Note: A copy of the National Phylloxera Management Protocol is available on the Department's website at:

<http://www.dpi.nsw.gov.au/agriculture/horticulture/grapes/publications/grape-phylloxera>

interstate phylloxera infested zone means any land in any State or Territory other than in NSW known to be infested with grapevine phylloxera and includes all land with a boundary that is within 5 kilometres of a known infestation and any land designated as a phylloxera infested zone by official notification such as publication in the *Government Gazette* of that State or Territory.

interstate phylloxera risk zone means all land outside NSW that is not within an interstate phylloxera exclusion zone or an interstate phylloxera infested zone.

marc means the solids residue of grapevine plant material from pressing of must or of wine fermented on skins. Marc may contain skins, seeds and stems. Marc may contain grape sugar ('sweet' marc) or be fermented ('dry' marc).

must means the total product of crushing berries from a plant of the genus *Vitis*, including juice, skins, seeds, pulp and some stems and leaves.

NSW phylloxera exclusion zone means all land in New South Wales not included in the NSW phylloxera infested zones.

NSW phylloxera infested zone means the following:

- (a) all land within the local government areas of the City of Albury, Federation (but only that part of the former local government area of Corowa that is in the county of Hume) and Greater Hume Shire (but excluding the former local government areas of Culcairn and Holbrook); and
- (b) all land within the local government area of the City of Wollongong and the Greater Sydney Region within the meaning of the *Greater Sydney Commission Act 2015* other than land within the following local government areas or parts of such areas:
 - (i) the City of Blue Mountains;

- (ii) that part of the City of Hawkesbury that is not within the county of Cumberland;
- (iii) that part of the City of Penrith west of the Nepean River;
- (iv) that part of Wollondilly that is not within the counties of Cumberland or Camden.

Plant Health Assurance Certificate means a document issued by a business accredited under a Certification Assurance Arrangement.

Plant Health Certificate means a document issued by:

- (a) an inspector appointed under section 11(1) of the Act or a person authorised pursuant to section 11(3) of the Act; or
- (b) a person authorised to issue such a certificate under a law of another State or Territory that relates to plant biosecurity.

post-fermentation marc means the solids residue from pressing of wine fermented on skins containing skins, seeds and possibly stems and that has completed at least four days in the fermentation process.

potted vine means a plant from the genus *Vitis* growing in a container or pot.

pre-fermentation marc means the solids residue from pressing of wine fermented on skins containing skins, seeds and possibly stems and that has NOT completed at least four days in the fermentation process.

red marc means marc produced after processing of grapes belonging to red varieties of plants from the genus *Vitis*.

rootlings mean any grapevine plant material, which have developed roots (including callus), and include original and grafted plants.

securely packaged means sealed within three layers of packaging so as to prevent escape of any grapevine phylloxera, the outer layer being a sealed cardboard or plastic box or courier satchel, and the inner two layers being sealed paper, cardboard or plastic containers including bags or boxes. A label stating “Quarantine Material – Do Not Open” must be affixed between the second and outer layer of packaging.

table grapes mean a grape grown for eating (opposed to wine grapes).

the Act means the *Plant Diseases Act 1924*.

unfiltered juice means the liquid fraction from must, excluding skins, seeds and other larger particles, but which contain some suspended solids.

used grapevine agricultural equipment means any machinery or equipment that has been used in the production, harvesting, handling or processing of grapevine plant material within the last 2 years.

white marc means marc produced after processing of grapes belonging to white varieties of plants from the genus *Vitis*.

wine grapes mean grapes grown for wine production (opposed to table grapes).

REGULATION OF THE MOVEMENT OF ITEMS

Germplasm

Movement from an interstate phylloxera infested zone or an interstate phylloxera risk zone

- 4 Pursuant to section 4(1) of the Act, germplasm from an interstate phylloxera infested zone or an interstate phylloxera risk zone is prohibited from entering NSW.

Movement from an interstate phylloxera exclusion zone

- 5 Pursuant to section 4(1) of the Act, germplasm from an interstate phylloxera exclusion zone may enter NSW only if it:
- (a) has been grown in sterile conditions as a tissue culture plant; and
 - (b) has been treated by submersion in a hot water dip for:
 - (i) 30 minutes at a temperature of $50 \pm 1^\circ\text{C}$; or
 - (ii) 5 minutes at a temperature of $54 \pm 1^\circ\text{C}$; and
 - (c) is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that conditions (a) and (b) have been met.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 6 Pursuant to section 4(1) of the Act, germplasm from a NSW phylloxera infested zone is prohibited from entering a NSW phylloxera exclusion zone.

Diagnostic sample

Movement from an interstate phylloxera infested zone or an interstate phylloxera risk zone

- 7 Pursuant to section 4(1) of the Act, a diagnostic sample from an interstate phylloxera infested zone or an interstate phylloxera risk zone is prohibited from entering NSW.

Movement from an interstate phylloxera exclusion zone

- 8 Pursuant to section 4(1) of the Act, a diagnostic sample from an interstate phylloxera exclusion zone may enter NSW only if it:
- (a) has been packed in an air-tight container and sealed with packing tape; and
 - (b) has been consigned to a facility capable of handling quarantine samples; and
 - (c) is accompanied by a Plant Health Certificate certifying its origin by describing the address of the property from which it originated within the interstate phylloxera exclusion zone.

Movement from NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 9 Pursuant to section 4(1) of the Act, a diagnostic sample from a NSW phylloxera infested zone is prohibited from entering a NSW phylloxera exclusion zone.

Cuttings

Movement from an interstate phylloxera infested zone

- 10 Pursuant to section 4(1) of the Act, cuttings from an interstate phylloxera infested zone are prohibited from entering into NSW.

Movement from an interstate phylloxera risk zone

- 11 Pursuant to section 4(1) of the Act, cuttings from an interstate phylloxera risk zone may enter NSW only if it :
- (a) is free of soil; and
 - (b) has been treated by:
 - (i) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of a least 18°C; or
 - (ii) complete submersion in a hot water dip for:
 - 1. 30 minutes at a temperature of $50 \pm 1^\circ\text{C}$; or
 - 2. 5 minutes at a temperature of $54 \pm 1^\circ\text{C}$; and
 - (c) is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that conditions (a) and (b) have been met.

Movement from an interstate phylloxera exclusion zone

- 12 Pursuant to section 4(1) of the Act, cuttings sourced from an interstate phylloxera exclusion zone may enter NSW only if either the requirements of (1) or (2) have first been met:

- (1) complying with the conditions (a) to (f):
 - (a) cuttings must be free of soil; and
 - (b) cuttings must be sourced from a business accredited under a Vine Industry Nursery Association (VINA) grapevine propagation program; and
 - (c) prior to dispatch from their property of origin the number of cuttings are recorded and packed in a sealed container and sealed with packing tape for transport; and
 - (d) cuttings must be received by a business accredited under an approved grape propagation scheme; and
 - (e) cuttings must be, prior to movement from the receiving business for propagation or planting within NSW, treated by:
 - (i) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of a least 18°C; or
 - (ii) complete submersion in a hot water dip for:
 - 1. at least 30 minutes at a temperature of at least $50 \pm 1^\circ\text{C}$; or
 - 2. for at least 5 minutes at a temperature of at least $54 \pm 1^\circ\text{C}$; and

- (f) cuttings must be accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying the origin of the cuttings and that the conditions of (a) to (e) have been met.

Note: The approved ICA arrangement for this subclause is ICA 37 Hot water treatment of grapevines;

OR

- (2) cuttings must be:
 - (a) free of soil; and
 - (b) treated (prior to entering NSW) by:
 - (i) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of a least 18°C; or
 - (ii) complete submersion in a hot water dip for:
 - 1. at least 30 minutes at a temperature of at least 50 ± 1°C; or
 - 2. for at least 5 minutes at a temperature of at least 54 ± 1°C; and
 - (c) accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that (a) and (b) have been met.

Note: The approved ICA arrangement for this subclause is ICA 37 Hot water treatment of grapevines.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 13 Pursuant to section 4(1) of the Act, cuttings from a NSW phylloxera infested zone are prohibited from entering into a NSW phylloxera exclusion zone.

Rootlings

Movement from an interstate phylloxera infested zone

- 14 Pursuant to section 4(1) of the Act, rootlings from an interstate phylloxera infested zone are prohibited from entering into NSW.

Movement from an interstate phylloxera risk zone

- 15 Pursuant to section 4(1) of the Act, rootlings from an interstate phylloxera risk zone may enter NSW only if they:
 - (a) were grown from cuttings sourced from a phylloxera exclusion zone; and
 - (b) are free of soil; and
 - (c) were treated (prior to entering NSW) by:
 - (i) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of a least 18°C; or
 - (ii) complete submersion in a hot water dip for:
 - 1. 30 minutes at a temperature of 50 ± 1°C; or
 - 2. 5 minutes at a temperature of 54 ± 1°C; and
 - (d) are accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that the conditions (a), (b) and (c) have been met.

Movement from an interstate phylloxera exclusion zone

- 16 Pursuant to section 4(1) of the Act, rootlings sourced from an interstate phylloxera exclusion zone may enter NSW only if they:
- (a) are free of soil; and
 - (b) were treated (prior to entering NSW) by:
 - (i) fumigation with methyl bromide at the rate of 32 grams per cubic metre for 3 hours at a temperature of at least 18°C; or
 - (ii) complete submersion in a hot water dip for:
 - 1. at least 30 minutes at a temperature of at least 50 ± 1°C; or
 - 2. for at least 5 minutes at a temperature of at least 54 ± 1°C; and
 - (c) are accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying conditions (a) and (b) have been met.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 17 Pursuant to section 4(1) of the Act, a rootling from a NSW phylloxera infested zone is prohibited from entering into a NSW phylloxera exclusion zone.

Whole wine grapes

Movement from an interstate phylloxera infested zone

- 18 Pursuant to section 4(1) of the Act, whole wine grapes from an interstate phylloxera infested zone are prohibited from entering into NSW.

Movement from an interstate phylloxera risk zone

- 19 Pursuant to section 4(1) of the Act, whole wine grapes from an interstate phylloxera risk zone may enter NSW only if:
- (a) the grapes are solely sourced from a vineyard that has been surveyed in accordance with the National Phylloxera Management Protocol within the current season and there is no reason to suspect the presence of grapevine phylloxera; and
 - (b) the grapes are packed in bins which have been cleaned so that they are free of all soil and plant material and securely covered to prevent spillage of grapes; and
 - (c) the bins have been loaded onto or into a transport vehicle on a hard surface, not within the vineyard; and
 - (d) the transport vehicle has been cleaned free of all soil and organic matter; and
 - (e) the grapes are accompanied by a Plant Health Certificate certifying conditions (a) to (d) inclusive have been met and specifying the origin of the grapes.

Movement from an interstate phylloxera exclusion zone

- 20 Pursuant to section 4(1) of the Act, whole wine grapes from an interstate phylloxera exclusion zone may enter NSW only if the grapes are labelled or clearly identified with the name and postcode of the city or town nearest to the locality where the grapes were both grown and packed.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

21 Pursuant to section 4(1) of the Act, whole wine grapes from a NSW phylloxera infested zone are prohibited from entering into a NSW phylloxera exclusion zone.

Table grapes

Movement from an interstate phylloxera infested zone

22 Pursuant to section 4(1) of the Act, table grapes from an interstate phylloxera infested zone may enter NSW only if they:

- (a) are packed for sale as table grapes with a registered product containing a minimum 970 g/kg anhydrous sodium metabisulphite in accordance with all label and Australian Pesticides and Veterinary Medicines Authority (APVMA) permit directions; and
- (b) were treated with a registered product containing a minimum 970 g/kg anhydrous sodium metabisulphite in accordance with all label and Australian Pesticides and Veterinary Medicines Authority (APVMA) permit directions; and
- (c) are free of soil and leaf material; and
- (d) are accompanied by a Plant Health Certificate certifying that conditions (a) to (c) have been met and specifying the origin of the table grapes.

Movement from an interstate phylloxera risk zone

23 Pursuant to section 4(1) of the Act, table grapes from an interstate phylloxera risk zone may enter NSW only if either the requirements of (1) or (2) have first been met:

(1) If they are sourced from a vineyard that has been issued with a Plant Health Certificate certifying:

- (a) That the vineyard has been ground surveyed in accordance with the National Phylloxera Management Protocol within the current season; and
- (b) there is no reason to suspect the presence of grapevine phylloxera on the vineyard; and
- (c) that the table grapes are packed in a container which is free of soil and plant material; and
- (d) the origin of the table grapes;

OR

(2) If they:

- (a) are packed for sale as table grapes with a registered product containing a minimum 970 g/kg anhydrous sodium metabisulphite in accordance with all label and Australian Pesticides and Veterinary Medicines Authority (APVMA) permit directions; and
- (b) were treated with a registered product containing a minimum 970 g/kg anhydrous sodium metabisulphite in accordance with all label and APVMA permit directions; and
- (c) are free of soil and leaf material; and

- (d) are accompanied by a Plant Health Certificate certifying that conditions (a) to (c) have been met and specifying the origin of the table grapes.

Movement from an interstate phylloxera exclusion zone

- 24 Pursuant to section 4(1) of the Act, table grapes from an interstate phylloxera exclusion zone may enter NSW only if they:
- (a) are free of soil and leaf material; and
 - (b) are labelled or clearly identified with the name and postcode of the city or town nearest to the locality where the grapes were grown and packed.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 25 Pursuant to section 4(1) of the Act, table grapes from a NSW phylloxera infested zone may enter into a NSW phylloxera exclusion zone only if they are:
- (a) are packed for sale as table grapes,
 - (b) were treated with a registered product containing a minimum 970 g/kg anhydrous sodium metabisulphite in accordance with all label and Australian Pesticides and Veterinary Medicines Authority (APVMA) permit directions; and
 - (c) are free of soil and leaf material; and
 - (d) are accompanied by a Plant Health Certificate certifying that conditions (a) to (c) have been met and specifying the origin of the table grapes.

Marc

Movement from an interstate phylloxera infested zone

- 26 Pursuant to section 4(1) of the Act, marc from an interstate phylloxera infested zone may enter NSW only if it:
- (a) is post-fermentation marc and
 - (b) in the case of white marc, has been:
 - (i) composted for at least 3 months; or
 - (ii) composted in accordance with Australian Standard AS 4454 (2012); or
 - (iii) pasteurised in accordance with Australian Standard AS 4454 (2012);and
 - (c) has been packed into a sealed container that is free of soil and organic matter; and
 - (d) is transported in a vehicle that has been cleaned so that it is free of soil and organic matter; and
 - (e) is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the conditions in (a) to (d) inclusive have been met.

Movement from an interstate phylloxera risk zone

- 27 Pursuant to section 4(1) of the Act, the following marc from an interstate phylloxera risk zone may enter NSW only if it is:
- (a) In the case of:
 - (i) red marc, it is post-fermentation marc; or
 - (ii) white pre-fermentation and post-fermentation marc, it has been:

1. composting for at least 3 months or;
 2. composted in accordance with Australian Standard AS 4454 (2012);
or
 3. pasteurised in accordance with Australian Standard AS 4454 (2012);
and
- (b) packed into a sealed container that is free of soil and organic matter; and
- (c) transported in a vehicle that has been cleaned so that it is free of soil and organic matter; and
- (d) accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the conditions in (a) to (c) inclusive have been met.

Movement from an interstate phylloxera exclusion zone

28 Pursuant to section 4(1) of the Act, marc from an interstate phylloxera exclusion zone may enter NSW only if it is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying its origin.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 29 Pursuant to section 4(1) of the Act, marc from an interstate phylloxera infested zone may enter a NSW phylloxera exclusion zone only if it:
- (a) is post-fermentation marc; and
 - (b) in the case of white post-fermentation marc, has been:
 - (i) composted for at least 3 months; or
 - (ii) composted in accordance with Australian Standard AS 4454 (2012); or
 - (iii) pasteurised in accordance with Australian Standard AS 4454 (2012);
and
 - (c) has been packed into a sealed container that is free of soil and organic matter; and
 - (d) is transported in a vehicle that has been cleaned so that it is free of soil and organic matter; and
 - (e) is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the conditions in (a) to (d) inclusive have been met.

Filtered, clarified or cold settled juice from grapes

Movement from an interstate phylloxera infested zone

30 Pursuant to section 4(1) of the Act, filtered, clarified or cold settled juice grapes from an interstate phylloxera infested zone may enter a NSW phylloxera exclusion zone only if either the requirements of (1) or (2) have first been met:

(1) It is accompanied by a Plant Health Certificate certifying its origin;

OR

(2) No later than 24 hours after dispatch of the first consignment of juice from a source property for a given vintage, the person in charge of the consignment must:

- (a) notify the Department of the following details in relation to the juice being imported:
 - (i) the address and contact details of the source property or properties from which the juice originates; and
 - (ii) the total number of consignments and the total volume of juice to be moved; and
 - (iii) the date range within which the movements will occur; and
- (b) make a written record of all details identified in (a) above; and
- (c) must keep all records for at least two years and make them available to an authorised person upon request.

Movement from an interstate phylloxera risk zone

- 31 Pursuant to section 4(1) of the Act, filtered, clarified or cold settled juice from an interstate phylloxera risk zone may enter NSW if it is accompanied by a Plant Health Certificate certifying its origin.

Movement from an interstate phylloxera exclusion zone

- 32 Pursuant to section 4(1) of the Act, filtered, clarified or cold settled juice may be moved from an interstate phylloxera exclusion zone into NSW only if it is labelled or clearly identified with the name and postcode of the city or town nearest to the locality/s where the host plants of the grapes from which the juice was extracted were grown and where the juice was packed.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 33 Pursuant to section 4(1) of the Act, filtered, clarified or cold settled juice from a NSW phylloxera infested zone may enter a NSW phylloxera exclusion zone only if either the requirements of (1) or (2) have first been met:

(1) It is accompanied by a Plant Health Certificate certifying its origin;

OR

(2) A person who brings filtered, clarified or cold settled juice from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone must comply with the following requirements:

- (a) no later than 24 hours after dispatch of the first consignment of juice from a source property for a given vintage, the person must notify the Department of the following details in relation to the juice being imported:
 - (i) the address and contact details of the source property or properties from which the juice originates; and
 - (ii) the total volume of juice to be moved; and
 - (iii) the date range within which the movement will occur; and
- (b) the person must make all records identified in (a) above; and
- (c) all records must be kept for at least two years and made available to an authorised person upon request.

Note: A person can contact the Department by phoning 1800 084 881 (press option 2), or by email at quarantine@dpi.nsw.gov.au.

Unfiltered juice and must

Movement from an interstate phylloxera infested zone

34 Pursuant to section 4(1) of the Act, unfiltered juice or must from an interstate phylloxera infested zone is prohibited from entering into NSW.

Movement from an interstate phylloxera risk zone

35 Pursuant to section 4(1) of the Act, unfiltered juice or must from an interstate phylloxera risk zone may enter NSW only if:

- (a) The whole grapes have been sourced from a vineyard that has been issued with a Plant Health Certificate certifying that:
 - (i) the vineyard has been ground surveyed in accordance with the National Phylloxera Management Protocol within the current season; and
 - (ii) there is no reason to suspect the presence of grapevine phylloxera on the vineyard; and
- (b) in the case of:
 - (i) whole must- the grapes have been de-stemmed and crushed; or
 - (ii) unfiltered juice- the grapes have been crushed with or without destemming;
- (c) the unfiltered juice or must is sealed in containers to prevent leakage or spillage which have been cleaned so that they are free of all soil and plant material before delivery; and
- (d) the transport vehicle has been cleaned so that it is free of all soil and organic matter; and
- (e) the unfiltered juice or must is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that conditions (a) to (d) have been met and specifying the origin of the unfiltered juice.

Note: in clause 39, ground surveyed means a type of survey that is endorsed by the National Vine Health Steering Committee for the presence of grapevine phylloxera.

Movement from an interstate phylloxera exclusion zone

36 Pursuant to section 4(1) of the Act, unfiltered juice or must from an interstate phylloxera exclusion zone may enter NSW only if it is labelled or clearly identified with the name and postcode of the city or town nearest to the locality where the grapes from which the unfiltered juice or must was grown.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

37 Pursuant to section 4(1) of the Act, unfiltered juice or must from a NSW phylloxera infested zone is prohibited from entering into a NSW phylloxera exclusion zone.

Used agricultural equipment

Movement from an interstate phylloxera infested zone and interstate phylloxera risk zone

38 Pursuant to section 4(1) of the Act, used grapevine agricultural equipment from an interstate phylloxera infested zone or from an interstate phylloxera risk zone may only enter NSW if the following requirements are met:

- (a) it has been thoroughly cleaned to remove all soil and plant material; and
- (b) it has been sterilised using one of the following methods:
 - (i) steam, where the steam applied is above 100°C, it contacts all surfaces and the surface is left dry, not wet or with condensation; or
 - (ii) hot water, where the equipment is totally immersed in water and heated to a minimum of 70°C and remains immersed for at least 2 minutes after the equipment has reached 70°C; or
 - (iii) dry heat (compulsory for mechanical harvesters), where the surface temperature of the equipment is measured to ascertain when the required temperature is reached, and the heat in the room, shed or container is held constant such that the required temperature of the equipment is maintained for a minimum of:
 - 1. one and one quarter (1¼) hours after the equipment has reached and maintains 45°C; or
 - 2. two (2) hours after the equipment has reached and maintains 40°C; and
- (c) it is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that conditions (a) and (b) have been met.

Movement from an interstate phylloxera exclusion zone

39 Pursuant to section 4(1) of the Act, used grapevine agricultural equipment may only be moved from an interstate phylloxera exclusion zone into NSW only if one of the following requirements have first been met:

- (1) the used grapevine agricultural equipment has been operating continuously within the border regions of the Victorian Queensland Fruit Fly Area part of the Victorian Phylloxera Exclusion Zone into the adjacent New South Wales Queensland Fruit Fly Pest Free Area part of the NSW Phylloxera Exclusion Zone.

OR

- (2) the used grapevine agricultural equipment:
 - (a) has been thoroughly cleaned to remove all soil and plant material; and
 - (b) was located continuously for at least the preceding two weeks in an interstate phylloxera exclusion zone; and
 - (c) is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that conditions (a) and (b) have been met.

OR

- (3) the used grapevine agricultural equipment:
- (a) has been thoroughly cleaned to remove all soil and plant material; and
 - (b) has been sterilised using one of the following methods:
 - (i) Steam, where the steam applied is above 100°C, contacts all surfaces and the surface is left dry, not wet with condensation; or
 - (ii) Hot water, where the equipment is totally immersed in water heated to a minimum of 70°C and remains immersed for at least 2 minutes after the equipment has reached 70°C; or
 - (iii) Dry heat (compulsory for mechanical harvesters), where the surface temperature of the equipment is measured to ascertain when the required temperature is reached, and the heat in the room, shed or container is held constant such that the required temperature of the equipment is maintained for a minimum of:
 - 1. one and one quarter (1¼) hours after the equipment has reached and maintains 45°C; or
 - 2. two (2) hours after the equipment has reached and maintains 40°C; and
 - (c) is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that conditions (a) and (b) have been met.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

- 40 Pursuant to section 4(1) of the Act, used grapevine agricultural equipment from a NSW phylloxera infested zone may only enter a NSW phylloxera exclusion zone if the used grapevine agricultural equipment:
- (a) has been thoroughly cleaned to remove all soil and plant material; and
 - (b) has been sterilised using one of the following methods:
 - (i) steam, where the steam applied is above 100°C, contacts all surfaces and the surface is left dry, not wet with condensate; or
 - (ii) hot water, where the equipment is totally immersed in water heated to a minimum of 70°C and remains immersed for at least 2 minutes after the equipment has reached 70°C; or
 - (iii) dry heat (compulsory for mechanical harvesters), where the surface temperature of the equipment is measured to ascertain when the required temperature is reached, and the heat in the room, shed or container is held constant such that the required temperature of the equipment is maintained for a minimum of:
 - 1. one and one quarter (1¼) hours after the equipment has reached and maintains 45°C; or
 - 2. two (2) hours after the equipment has reached and maintains 40°C; and
 - (c) is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that conditions (a) and (b) have been met.

Potted vines

Movement from an interstate phylloxera infested zone and interstate phylloxera risk zone

41 Pursuant to section 4(1) of the Act, potted vine from an interstate phylloxera infested zone or from an interstate phylloxera risk zone is prohibited from entering into NSW.

Movement from an interstate phylloxera exclusion zone

42 Pursuant to section 4(1) of the Act, potted vine from an interstate phylloxera exclusion zone may enter NSW only if it:

- (a) has been grown from compliant cuttings or rootlings from a phylloxera exclusion zone; and
- (b) has been grown without contacting soil; and
- (c) has been grown in a soil-less media; and
- (d) is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that conditions (a) to (c) have been met and specifying the origin of the vines.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

43 Pursuant to section 4(1) of the Act, potted vine from a NSW phylloxera infested zone is prohibited from entering into a NSW phylloxera exclusion zone.

Grapevine soil

Movement from anywhere outside NSW

44 Pursuant to section 4(1) of the Act, grapevine soil from anywhere outside NSW is prohibited from entering NSW.

Movement from a NSW phylloxera infested zone

45 Pursuant to section 4(1) of the Act, grapevine soil from a NSW phylloxera infested zone is prohibited from entering into the NSW phylloxera exclusion zone.

Garden organics

Movement from an interstate phylloxera infested zone and interstate phylloxera risk zone

46 Pursuant to section 4(1) of the Act, garden organics from an interstate phylloxera infested zone or an interstate phylloxera risk zone may enter NSW only if:

- (a) it has been:
 - (i) composted in accordance with the Australian Standard AS 4454 (2012);
 - or
 - (ii) pasteurised in accordance with the Australian Standard AS 4454 (2012);and
- (b) it is packed into a sealed container; and

- (c) the container and transport vehicle have been cleaned free of soil and organic matter; and
- (d) it is accompanied by a Plant Health Certificate certifying that conditions (a) to (c) have been met.

Movement from an interstate phylloxera exclusion zone

47 Pursuant to section 4(1) of the Act, garden organics from an interstate phylloxera exclusion zone may enter NSW only if they are accompanied by a Plant Health Certificate certifying their origin.

Movement from a NSW phylloxera infested zone to a NSW phylloxera exclusion zone

48 Pursuant to section 4(1) of the Act, garden organics from a NSW phylloxera infested zone may enter a NSW phylloxera exclusion zone only if:

- (a) it has been:
 - (i) composted in accordance with the Australian Standard AS 4454 (2012); or
 - (ii) pasteurised in accordance with the Australian Standard AS 4454 (2012); and
- (b) it has been packed into a sealed container; and
- (c) the container and transport vehicle have been cleaned free of soil and organic matter; and
- (d) it is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that conditions (a) to (c) have been met.

Note: The approved CA arrangement for this subclause is CA 05 Biosecure transport and treatment of host plant material destined for recycling or waste.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
<p>Tania Louise Moorhead (re-appointment) Dorothy Anne Every (new member) Robert Joseph Morgan (new member) Michael Thomas Mulligan (re-appointment) Donald Herbert Stride (re-appointment) Roger Francis White (re-appointment) For a term commencing 01 January 2017 and expiring 31 December 2021.</p>	<p>Ben Lomond War Memorial Hall Trust</p>	<p>Reserve No. 79468 Public Purpose: War Memorial (Hall Site) Notified: 29 March 1957 File Reference: AE80R131</p>

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
<p>Jody Louise Blackwell (re-appointment) Kenneth John Beddie (re-appointment) Alistair Thomas Llewelyn Williams (re-appointment) For a term commencing 01 January 2017 and expiring 31 December 2021.</p>	<p>Inverell Rifle Range (R67992) Reserve Trust</p>	<p>Reserve No. 67992 Public Purpose: Rifle Range Notified: 4 November 1938 File Reference: AE91R1</p>

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
<p>Anthony Philip Uren (re-appointment) Neville Claude Henry (re-appointment) Timothy Peter Laurie (re-appointment) For a term commencing 01 January 2017 and expiring 31 December 2021.</p>	<p>Woolbrook Recreation Reserve Trust</p>	<p>Reserve No. 46983 Public Purpose: Public Recreation Notified: 6 September 1911 File Reference: AE81R113-002</p>

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
<p>Douglas Gordon Roberts (new member) Laurence Albert Campbell (new member) Terence John Taylor (re-appointment) Leslie Raymond Moulds (re-appointment) For a term commencing 01 January 2017 and expiring 31 December 2021.</p>	<p>Inverell Pioneer Village Reserve Trust</p>	<p>Reserve No. 87505 Public Purpose: Museum Notified: 14 November 1969 File Reference: AE81R91</p>

GOULBURN OFFICE
NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
BARRIER; ENVIRONMENTAL PROTECTION	Reserve No. 93484 Public Purpose: Access Notified: 5 September 1980 File Reference: 16/10075

SCHEDULE

COLUMN 1	COLUMN 2
ENVIRONMENTAL STUDIES	Reserve No. 94030 Public Purpose: Future Public Requirements Notified: 28 November 1980 File Reference: 16/10664 Reserve No. 94311 Public Purpose: Future Public Requirements Notified: 20 February 1981 File Reference: 16/10664

REMOVAL FROM OFFICE OF CORPORATION MANAGER OF RESERVE TRUST

Pursuant to section 96(2) of the *Crown Lands Act 1989*, the corporation specified in Schedule 1 hereunder is removed from the office of manager of the reserve trust specified in Schedule 2, which is trustee of the reserve referred to in Schedule 3.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE 1

Queanbeyan & District Pre-School Assoc Inc

SCHEDULE 2

Captains Flat Pre-School (R130042) Reserve Trust

SCHEDULE 3

Reserve No. 130042

Public Purpose: Pre-School

Notified: 1 December 1989

File Reference: 16/08553

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
Captains Flat Community Preschool Association Inc For a term commencing the date of this notice	Captains Flat Pre-School (R130042) Reserve Trust	Reserve No. 130042 Public Purpose: Pre-School Notified: 1 December 1989 File Reference: 16/08553

GRAFTON OFFICE

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 – Tumbarumba; County – Selwyn
Land District – Tumbarumba; LGA – Snowy Valleys*

Road Closed: Lot 1 DP 1225497

File No: 14/03837

SCHEDULE

On closing, the land within Lot 1 DP 1225497 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 – Jindera; County – Goulburn
Land District – Albury; LGA – Albury*

Road Closed: Lot 3 DP 1223832

File No: 08/8955

SCHEDULE

On closing, the land within Lot 3 DP 1223832 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 – Mount Mitchell; County – Gough
Land District – Glen Innes; LGA – Glen Innes Severn*

Road Closed: Lots 2-3 DP 1222667

File No: 16/02539

SCHEDULE

On closing, the land within Lots 2-3 DP 1222667 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 – Kalateenee; County – Dudley
Land District – Kempsey; LGA – Kempsey*

Road Closed: Lot 1 DP 1223284

File No: 16/04135

SCHEDULE

On closing, the land within Lot 1 DP 1223284 remains vested in the State of New South Wales as Crown land.

On closing, the land within Lot 1 DP 1223284 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 – Adelong; County – Wynyard
Land District – Tumut; LGA – Snowy Valleys*

Road Closed: Lot 1 DP 1223830

File No: 15/09706

SCHEDULE

On closing, the land within Lot 1 DP 1223830 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 – Ulmarra; County – Clarence
Land District – Grafton; LGA – Clarence Valley*

Road Closed: Lot 2 DP 1222144

File No: 16/01778

SCHEDULE

On closing, the land within Lot 2 DP 1222144 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 – Leitch; County – Mitchell
Land District – Wagga Wagga; LGA – Lockhart*

Road Closed: Lot 1 DP 1225148

File No: 16/03828

SCHEDULE

On closing, the land within Lot 1 DP 1225148 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 – Guy Fawkes; County – Clarke
Land District – Armidale; LGA – Armidale Regional*

Road Closed: Lot 1 DP 1224800

File No: 16/05690

SCHEDULE

On closing, the land within Lot 1 DP 1224800 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 – Mimi; County – Gloucester
Land District – Taree; LGA – Mid-Coast*

Road Closed: Lots 2-3 DP 1218266

File No: 15/09201

SCHEDULE

On closing, the land within Lots 2-3 DP 1218266 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 – Tarrabandra; County – Wynyard
Land District – Gundagai; LGA – Cootamundra-Gundagai Regional*

Road Closed: Lots 1-2 DP 1215654

File No: 15/02190

SCHEDULE

On closing, the land within Lots 1-2 DP 1215654 remains vested in the State of New South Wales as Crown land.

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
Lismore Spinks Park Reserve Trust	Dedication No. 540065 Public Purpose: War Memorial Baths Notified: 15 October 1937 Dedication No. 540067 Public Purpose: Addition, War Memorial Baths Notified: 16 November 1956 Dedication No. 540207 Public Purpose: Town Hall Site Notified: 22 March 1883 Dedication No. 1000611 Public Purpose: Town Hall Site, Addition Notified: 21 December 1910 Reserve No. 19344 Public Purpose: Access Notified: 23 December 1893 Reserve No. 72492 Public Purpose: Municipal Purposes Notified: 31 October 1947 File Reference: 16/10812

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	COLUMN 2
Lismore Town Hall Reserve Trust	Dedication No. 540207 Public Purpose: Town Hall Site Notified: 22 March 1883 Dedication No. 1000611 Public Purpose: Town Hall Site, Addition Notified: 21 December 1910 File Reference: 16/10812

SCHEDULE

COLUMN 1	COLUMN 2
Lismore War Memorial Baths Trust	Dedication No. 540065 Public Purpose: War Memorial Baths Notified: 15 October 1937 Dedication No. 540067 Public Purpose: Addition, War Memorial Baths Notified: 16 November 1956 File Reference: 16/10812

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 – Glen Morrison; County – Vernon
Land District – Walcha; LGA – Walcha

Road Closed: Lots 15-16 DP 1224183

File No: 16/05973

SCHEDULE

On closing, the land within Lots 15-16 DP 1224183 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 – Glen Morrison; County – Vernon
Land District – Walcha; LGA – Walcha*

Road Closed: Lots 13-14 DP 1224182

File No: 16/05976

SCHEDULE

On closing, the land within Lots 13-14 DP 1224182 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 – Brunswick; County – Rous
Land District – Murwillumbah; LGA – Byron*

Road Closed: Lots 1-3 DP 1222143

File No: 14/02013

SCHEDULE

On closing, the land within Lots 1-3 DP 1222143 remains vested in the State of New South Wales as Crown land.

APPOINTMENT OF TRUST BOARD MEMBERS

Pursuant to section 93 of the *Crown Lands Act 1989*, the persons whose names are specified in Column 1 of the 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
Josef Maria Ruigrok Van Der Werven (new member) For a term commencing the date of this notice and expiring 04 December 2019.	Mullumbimby Showground Trust	Dedication No. 540009 Public Purpose: Showground Notified: 29 November 1929 File Reference: 11/08663

NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
SPORTING EVENT	Reserve No. 1003728 Public Purpose: Port Facilities and Services Notified: 18 October 2002 File Reference: 16/09990

GRIFFITH OFFICE

RESERVATION OF CROWN LAND

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
Land District: Lake Cargelligo Local Government Area: Lachlan Shire Council Locality: Lake Cargelligo Lot 13 DP No 821530 Parish Gurangully County Dowling Area: About 2021m ² File Reference: 15/11188	Reserve No. 1038909 Public Purpose: Government Purposes, Urban Services

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	COLUMN 2
Lachlan Shire Council Crown Reserves Reserve Trust	Reserve No. 1038909 Public Purpose: Government Purposes, Urban Services Notified: This Day File Reference: 15/11188

MAITLAND OFFICE

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

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

The Hon. NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE 1

Parish – Tupa

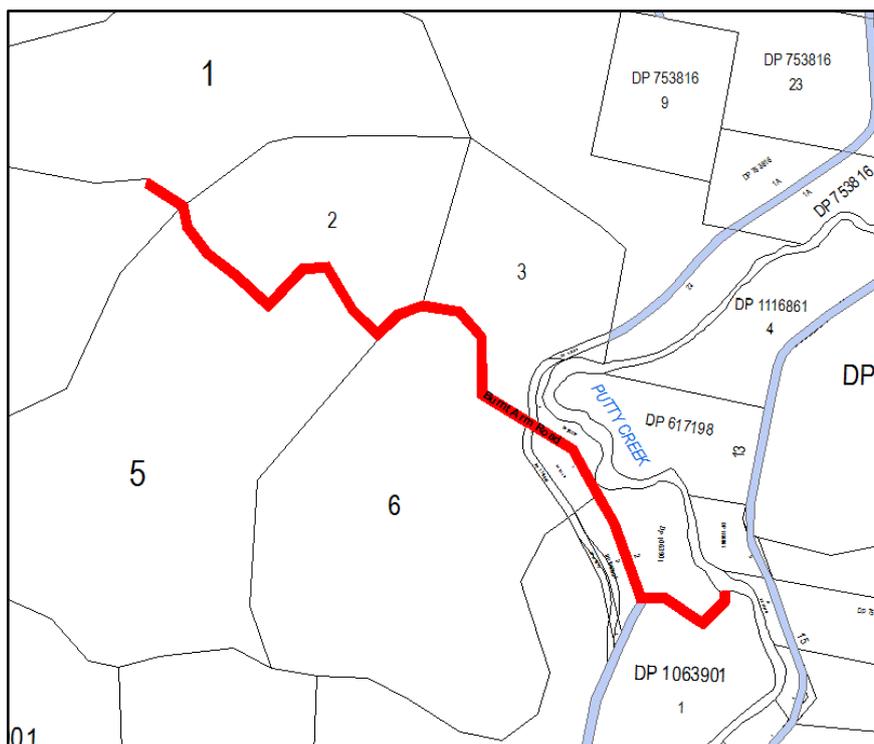
County – Hunter

Land District – Singleton

Local Government Area – Singleton

Crown public road being Burnt Arm Road, commencing at the southern boundary of Lot 1 DP 263597, extending approx. 2.16 kilometres, generally south east, terminating at northern boundary of Lot 1 DP 1063901 and Putty Creek (as highlighted in the diagram below).

SCHEDULE 2



Roads Authority: Singleton Council

Council’s Reference: 16/0163

Lands File Reference: 16/09318

NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
ENVIRONMENTAL REHABILITATION	Reserve No. 755237 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 16/00997

MOREE OFFICE

NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
GRAZING	Reserve No. 751137 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: ME82H451

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
Janelle Nehrkorn (new member) Christine May Cain (new member) For a term commencing the date of this notice and expiring 22 September 2021.	Yarrie Lake Flora And Fauna Reserve Trust	Reserve No. 86842 Public Purpose: Public Recreation, Preservation of Native Flora and Fauna Notified: 30 August 1968 File Reference: ME81R39

NEWCASTLE OFFICE

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 – Rumker; County – Phillip

Land District – Rylstone; LGA – Mid-Western Regional

Road Closed: Lot 1 DP 1217202

File No: CL/00414

SCHEDULE

On closing, the land within Lot 1 DP 1217202 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 – March; County – Wellington
Land District – Orange; LGA – Cabonne

Road Closed: Lot 1 DP 1224488
File No: 16/00299

SCHEDULE

On closing, the land within Lot 1 DP 1224488 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 – Gosford; County – Northumberland
Land District – Gosford; LGA – Central Coast

Road Closed: Lot 1 DP 1220897
File No: 15/01491

SCHEDULE

On closing, the land within Lot 1 DP 1220897 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 – Hartley; County – Cook
Land District – Penrith; LGA – Blue Mountains

Road Closed: Lots 1-2 DP 1223992
File No: MN05H220:JT

SCHEDULE

On closing, the land within Lots 1-2 DP 1223992 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 – Butterwick; County – Durham
Land District – Maitland; LGA – Port Stephens*

Road Closed: Lot 1 DP 1224979
File No: 15/06726:JT

SCHEDULE

On closing, the land within Lot 1 DP1224979 becomes vested in the State of New South Wales as Crown Land.
Council's reference: Cluster 532319

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 – Mickimill; County – Kennedy
Land District – Parkes; LGA – Lachlan*

Road Closed: Lot 2 DP 1219912
File No: 15/09549

SCHEDULE

On closing, the land within Lot 2 DP 1219912 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 – Peel; County – Roxburgh
Land District – Bathurst; LGA – Bathurst Regional*

Road Closed: Lots 1-2 DP 1226742
File No: CL/00291

SCHEDULE

On closing, the land within Lots 1-2 DP 1226742 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 – Torrens; County – Bathurst
Land District – Blayney; LGA – Blayney

Road Closed: Lot 4 DP1222859
File No: 15/05556

SCHEDULE

On closing, the land within Lot 4 DP1222859 remains vested in Blayney Shire Council as operational land for the purposes of the *Local Government Act 1993*.

In accordance with Section 44 of the *Roads Act 1993*, the Crown consents to the land in Lot 4 DP1222859 being vested in Blayney Shire Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

Council Reference: RD.RC.8

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 – Dungog; County – Durham
Land District – Dungog; LGA – Dungog

Road Closed: Lots 1-4 DP1226901
File No: 15/04040

SCHEDULE

On closing, the land within Lots 1-4 DP1226901 remains vested in Dungog Shire Council as operational land for the purposes of the *Local Government Act 1993*.

Council Reference: EF07/48

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 – Althorpe and Wynn; County – Durham
Land District – Muswellbrook; LGA – Muswellbrook*

Road Closed: Lot 1 DP 1211789

File No: 12/05583

SCHEDULE

On closing, the land within Lot 1 DP 1211789 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)(b) OF THE CROWN LANDS ACT 1989

PURSUANT to section 34A(2)(b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
PIPELINE	Reserve No. 78818 Public Purpose: Future Public Requirements Notified: 10 August 1956 File Reference: 15/03914
RECREATION	Reserve No. 1011949 Public Purpose: Access and Public Requirements, Tourism Purposes and Environmental and Heritage Conservation Notified: 25 August 2006 File Reference: 16/09628

ORANGE OFFICE

NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
ENVIRONMENTAL STUDIES	Reserve No. 86720 Public Purpose: Future Public Requirements Notified: 3 May 1968 File Reference: 16/09358

ORDER – AUTHORISATION OF ADDITIONAL PURPOSE UNDER S121A

Pursuant to s121A of the *Crown Lands Act 1989*, I authorise by this Order, the purpose specified in Column 1 to be an additional purpose to the declared purpose of the reserves specified opposite thereto in Column 2 of the Schedule.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
RUBBISH DEPOT	Reserve No. 2689 Public Purpose: Limestone Quarry Notified: 6 November 1886 File Reference: OE90R20

SYDNEY METROPOLITAN OFFICE

NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
ENVIRONMENTAL STUDIES	Reserve No. 7673 Public Purpose: Water Notified: 3 November 1888 File Reference: 16/10466 Reserve No. 751250 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 16/10466 Reserve No. 751271 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 16/10466 Reserve No. 751276 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 16/10466

SCHEDULE

COLUMN 1	COLUMN 2
ENVIRONMENTAL PROTECTION	Reserve No. 752034 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 16/09355

TAREE OFFICE

NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
STORAGE AREA; TEMPORARY SITE OFFICE	Reserve No. 12898 Public Purpose: Plantation Notified: 8 November 1890 File Reference: 16/06578

SCHEDULE

COLUMN 1	COLUMN 2
RECREATION	Reserve No. 80714 Public Purpose: Public Recreation Notified: 30 May 1958 File Reference: 16/10693 Reserve No. 1012048 Public Purpose: Access and Public Requirements, Tourism Purposes and Environmental and Heritage Conservation Notified: 4 August 2006 File Reference: 16/10693

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
George Hoad (re-appointment) For a term commencing the date of this notice and expiring 24 October 2021.	Killabakh Public Hall Trust	Reserve No. 98014 Public Purpose: Public Hall Notified: 6 December 1985 File Reference: TE85R15-002

WAGGA WAGGA OFFICE

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

In pursuance of the provisions of Section 151 of the Act, the Crown Road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE 1

Parish:	Howlong
County:	Hume
Land District:	Corowa
LGA:	Federation Council
DESCRIPTION:	The 20.115 metre wide road through Lot 7 DP 595806.

SCHEDULE 2

Roads Authority:	Federation Council
Reference:	16/08239

NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
STORMWATER RETENTION BASIN; PIPELINE; WEIR; ACCESS; EARTHWORKS	Reserve No. 1036788 Public Purpose: Public Recreation, Environmental Protection, Rural Services, Future Public Requirements, Tourist Facilities and Services Notified: 16 November 2012 File Reference: 16/05603

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
Mathew Stanley Smart (new member) For a term commencing the date of this notice and expiring 09 October 2019.	Nangus Recreation Reserve And Public Hall Trust	Reserve No. 97396 Public Purpose: Public Recreation Public Hall Notified: 17 August 1984 File Reference: WA79R98-02

WESTERN REGION OFFICE

CREATION OF EASEMENT FOR TRANSMISSION LINE

Pursuant to Section 52 of the *Crown Lands Act 1989*, an Easement for Transmission Line is created over part of the land specified in Schedule 1 as shown in DP1158548 as an easement gross in favour of Silverton Wind Farm Transmission Pty Ltd (ACN 139 624 632) being a corporation named as a prescribed authority in Regulation 49 *Conveyancing (General) Regulation 2013* on the terms set out in Schedule 2.

HON. NIALLL BLAIR MLC
Minister for Lands and Water

SCHEDULE 1

Land in Ms64Be and land in R2.

SCHEDULE 2

The terms set out in Annexure A to the Transfer Granting Easement registered AH362821. where the:

- (a) Servient Tenement means the land specified in Schedule 1;
- (b) Transferee means Silverton Wind Farm Transmission Pty Ltd (ACN 139 624 632) and its assigns;
- (c) Transferor means the State of New South Wales; and
- (d) the following clauses are omitted: 8 *Consideration*, 9 *Goods and Services Tax*, 10 *Documentation Cost* and 11 *Right of Surrender*.

ALTERATION OF PURPOSE/CONDITIONS OF A WESTERN LANDS LEASE

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

The Hon NIALLL BLAIR, MLC
Minister for Lands and Water

Administrative District – Wentworth
Shire – Wentworth, County – Windeyer

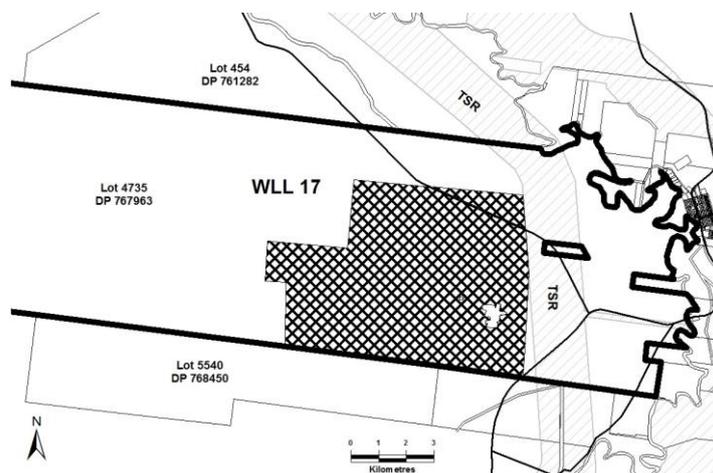
The purpose of Western Lands Lease 17, being the land contained within Folio Identifier 4735/767963 has been altered from “Pastoral Purposes” to “Grazing & Conservation” effective from 21 December 2016.

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

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

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 17

1. The lessee must ensure the 3,548 hectares (shown cross hatched) are managed in accordance with the conditions and requirements set out in the Offset Management Plan – Project Approval document, prepared by Bemax Resources Limited, with a commencement date of 6 May, 2011.
2. The lessee must within 12 months from the date of the addition of these conditions to the lease, erect and maintain to the satisfaction of the Commissioner a goat proof fence around that part of the land leased as indicated by cross hatching on the diagram below.
3. The lessee must ensure that during the term of the lease all domestic stock is excluded from that part of the lease shown cross hatched on the diagram below.
4. The lessee must not clear any vegetation or remove any timber, fallen logs or rocks within the land leased unless written approval has been granted by either the Commissioner or the Minister.
5. The land leased must only be used for the purpose of Grazing & Conservation.



ALTERATION OF PURPOSE/CONDITIONS OF A WESTERN LANDS LEASE

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

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

Administrative District – Wentworth

Shire – Wentworth, County – Windeyer

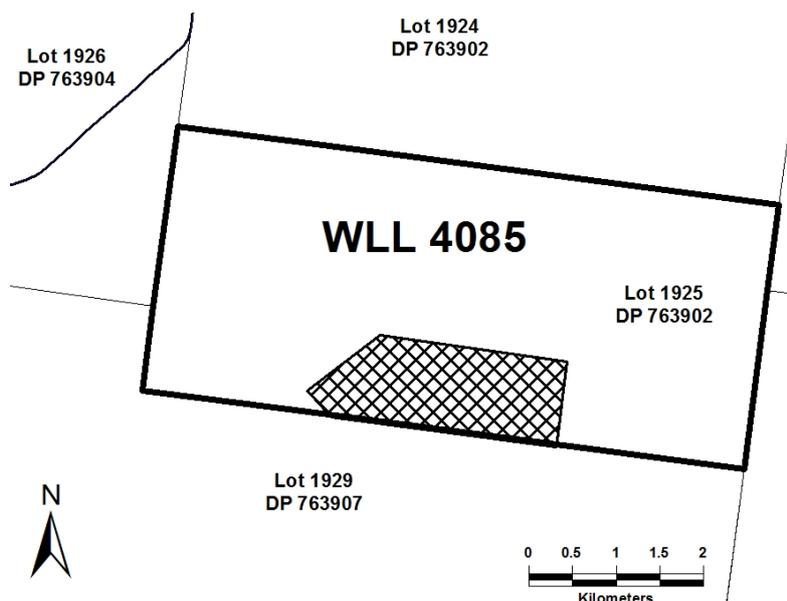
The purpose of Western Lands Lease 4085, being the land contained within Folio Identifier 1925/763903 has been altered from “Grazing” to “Grazing & Conservation” effective from 21 December 2016.

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

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

SPECIAL CONDITIONS ATTACHED TO WESTERN LANDS LEASE 17

1. The lessee must ensure the 259 hectares (shown cross hatched) are managed in accordance with the conditions and requirements set out in the Offset Management Plan – Project Approval document, prepared by Bemax Resources Limited, with a commencement date of 6 May, 2011.
2. The lessee must within 12 months from the date of the addition of these conditions to the lease, erect and maintain to the satisfaction of the Commissioner a goat proof fence around that part of the land leased as indicated by cross hatching on the diagram below.
3. The lessee must ensure that during the term of the lease all domestic stock is excluded from that part of the lease shown cross hatched on the diagram below.
4. The lessee must not clear any vegetation or remove any timber, fallen logs or rocks within the land leased unless written approval has been granted by either the Commissioner or the Minister.
5. The land leased must only be used for the purpose of Grazing & Conservation.



NOTICE OF PURPOSE OTHER THAN THE DECLARED 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(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve

The Hon NIALL BLAIR, MLC
Minister for Lands and Water

SCHEDULE

COLUMN 1	COLUMN 2
LEVEE BANK	Reserve No. 84334 Public Purpose: Generally Notified: 22 March 1963 File Reference: 15/05312 Reserve No. 1011268 Public Purpose: Future Public Requirements Notified: 3 February 2006 File Reference: 15/05312

SCHEDULE

COLUMN 1	COLUMN 2
LEVEE BANK; ACCESS; MOORING PILES	Reserve No. 1013826 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/05312

Water Notices

WATER NSW ACT 2014

Notice under section 23(5)

Execution of revised Memorandum of Understanding between
WaterNSW and Environment Protection Authority

The *Water NSW Act 2014* requires WaterNSW to enter into a Memorandum of Understanding with the Environment Protection Authority.

Following public exhibition from 27 October to 26 November 2016, a revised Memorandum of Understanding has now been executed. The MoU can be viewed at www.watnsw.com.au.

David Harris
Chief Executive Officer

Other Government Notices

ASSOCIATIONS INCORPORATION ACT 2009

NOTICE UNDER SECTION 509 OF THE CORPORATIONS ACT 2001
AS APPLIED BY SECTION 64 OF THE ASSOCIATIONS INCORPORATION ACT 2009

Notice is hereby given that the Incorporated Association mentioned below will be deregistered when two months have passed after date of gazettal.

ALIVE CHURCH INCORPORATED
INC9881548

Dated this 19th day of December 2016

C Gowland
Delegate of the Secretary
& Director Registry Services

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*.

BOGGABRI AND DISTRICT CRICKET ASSOCIATION INCORPORATED	INC9880512
COMMERCIAL FISHERMEN'S ASSOCIATION OF NSW INCORPORATED	INC1400378
DISABILITY SERVICES PORT STEPHENS INCORPORATED	Y1480920
KARALTA ROAD PARK HOME OWNERS INC	INC9883686

Cancellation is effective as at the date of gazettal.

Dated this 21st day of December 2016.

Robyne Lunney
Delegate of the Commissioner
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that CESSNOCK COMMUNITY TRANSPORT INC. Y0016417 became registered under the *Corporations Act 2001* as CESSNOCK COMMUNITY TRANSPORT LIMITED ACN 610 045 424, a company limited by guarantee, on the 28th day of DECEMBER 2016, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Robyne Lunney
Delegate of the Commissioner,
NSW Fair Trading

21st December 2016

AUSTRALIAN CONSUMER LAW (NSW)

IMPOSITION OF INTERIM BAN ON DECORATIVE ALCOHOL FUELLED BURNERS

I, VICTOR MICHAEL DOMINELLO, Minister for Innovation and Better Regulation, pursuant to section 109(1) (b) of the Australian Consumer Law (NSW), impose an interim ban on consumer goods of a kind specified below, because on 20 December 2016 the Minister for Commerce in Western Australia imposed an interim ban on consumer goods of the same kind to commence on 21 December 2016 and that ban is still in force.

The effect of this Notice is to ban the supply of such consumer goods for a period of 60 days from the date of the notice.

Particulars of Consumer Goods

Devices designed for domestic use producing a flame using alcohol as fuel, primarily for decorative purpose, excluding the following:

- those with a power output of more than 4.5 kW
- those that require installation in a fixed position
- those designed for warming food.

Interpretation:

Devices designed for domestic use producing a flame using alcohol as fuel, primarily for decorative purpose and may also be used for heating and display purposes. The fuel is typically ethanol in liquid or (less commonly) gel form. The most common form is methylated spirits (ethanol and around 10 per cent methanol) which may also be marketed as bio-ethanol or eco-fuel.

Dated this 21 day of December 2016

The Hon Victor Michael Dominello MP
Minister for Innovation and Better Regulation

MOTOR ACCIDENTS COMPENSATION ACT 1999
MOTOR ACCIDENTS COMPENSATION REGULATION 2015
Clause 19(4) – Notice of replacement AMA List

Pursuant to the provisions of clause 19(4) of the *Motor Accidents Compensation Regulation 2015*, notice is given that the document called the *List of Medical Services and Fees* published by the Australian Medical Association and dated 1 November 2016 is recognised as the AMA List and replaces the document called the *List of Medical Services and Fees* published by the Australian Medical Association and commences upon gazettal.

This notice is to take effect on the date of gazettal.

Dated at Sydney, 9 December 2016

ANTHONY LEAN
Chief Executive
State Insurance Regulatory Authority

STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975
STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL REPORT
AND DETERMINATION PURSUANT TO SECTION 14(2) OF THE ACT

REPORT:

1. On 9 December 2016 the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a direction from the Premier, the Hon Mike Baird MP, to make a determination in respect of the remuneration payable to the office of the Chief Commissioner of the Industrial Relations Commission (the IRC).
2. The Premier advised that the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) was amended by the *Industrial Relations Amendment (Industrial Court) Act 2016* (the IR Amendment Act) to include this office in Schedule 2. This is a new position and the Tribunal has not previously made a determination on the remuneration payable to this office.
3. The IR Amendment Act was proclaimed on 8 December 2016 and amended the *Industrial Relations Act 1996* (the IR Act) to abolish the Industrial Court of NSW; appoint the current President of the IRC as a judge of the Supreme Court; transfer the function of the Industrial Court to the Supreme or District Courts or Commission; and reconstitute the IRC so that it consists of a new head (the Chief Commissioner) and the existing Commissioners.
4. The IRC will continue to perform its conciliation and arbitration functions. As the State's industrial relations tribunal the IRC hears matters relating to the industrial relations matters at the workplace. This includes resolving industrial disputes; setting remuneration and other conditions of employment; and hearing and

determining other industrial matters. The IRC also conciliates unfair contract and recovery of remuneration matters referred by the Supreme Court.

5. In addition to the responsibilities of a Commissioner of the IRC, the Chief Commissioner will be required to:
 - administer the operation of the IRC
 - in conjunction with the Industrial Registrar, ensure the efficient and effective utilisation of Commission staff and the allocation and finalisation of matters brought before the IRC
 - convene a Full Bench of the IRC when required
 - hear and determine industrial matters and disputes
 - prepare an annual report on the activities and performance of the IRC to the Minister and for tabling in Parliament.
6. The appointment requirements as outlined in Section 161 of the IR Act require the Chief Commissioner to be a person who holds or has held a judicial office in Australia or be an Australian lawyer.
7. In requesting the Tribunal to make this determination the Premier provided supporting information, including a role description, from the Treasurer and Minister for Industrial Relations, the Hon Gladys Berejiklian MP (the Treasurer). The Tribunal has had regard to this information in the making of the determination.
8. The remuneration for the existing office of Commissioner of the IRC is determined by the Tribunal in the annual determination for the Judges and Magistrates Group. In accordance with the Tribunal's 2016 Annual Determination for this group, a Commissioner receives an annual salary of \$289,100 with an annual conveyance allowance of \$16,990.
9. The Tribunal is of the view that the office of Chief Commissioner of the IRC should receive an annual salary of \$318,010 with an annual conveyance allowance of \$16,990.

DETERMINATION:

Pursuant to section 14(2) of the *Statutory and Other Offices Remuneration Act 1975*, the Tribunal determines that the annual salary for Chief Commissioner of the Industrial Relations Commission shall be as follows, with effect from the date of proclamation to the *Industrial Relations Amendment (Industrial Court) Act 2016* being 8 December 2016:

Position	Salary per annum	Conveyance allowance
Chief Commissioner of the Industrial Relations Commission	\$318,010	\$16,990

**Statutory and Other Offices
Remuneration Tribunal**

(signed)
Richard Grellman
14 December 2016

**WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) EXEMPTION
(HEALTH MONITORING) 2016**

under the

Work Health and Safety Regulation 2011

I, Jennifer Ann Nash, Director Mine Safety Operations, having delegated authority from the Secretary of the Department of Industry, Skills and Regional Development as regulator under the *Work Health and Safety Act 2011* in relation to a mine or petroleum site, pursuant to clause 684 of the *Work Health and Safety Regulation 2011*, grant the following exemption.

Dated this 19th day of December 2016.

JENNIFER ANN NASH
Director Mine Safety Operations
Department of Industry, Skills and Regional Development

1 Name

This Exemption is the *Work Health and Safety (Mines and Petroleum Sites) Exemption (Health Monitoring) 2016*.

2 Commencement

This Exemption commences on 1 February 2017 and has effect until 31 January 2018.

3 Interpretation

In this Exemption:

the Regulation means the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Terms used in this Exemption have the same meaning as in the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011*, *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the Regulation.

4 Exemption

This Exemption is a class exemption made by the regulator on its own initiative.

This exemption applies to health monitoring of workers required under the Regulation.

A mine operator of a mine and a person conducting a business or undertaking who engages a worker to carry out work at a mine, or who commissions health monitoring for a worker at a mine, are exempt from the requirements of Part 3 of the Regulation.

5. Exemption does not affect other requirements

Nothing in this exemption affects any other applicable requirement imposed by law in relation to the matters this Exemption applies to.

INSTRUMENT AMENDING THE RICS VALUERS LIMITED SCHEME

Professional Standards Act 1994 (NSW)

PREAMBLE

- A. The RICS Valuers Limited (“RICESV Limited”) is a voluntary occupational association for valuers. It is a national organisation whose principal place of business is in Sydney, New South Wales.
- B. The RICESV Limited Scheme (“the scheme”) commenced on 1 January 2016.
- C. This instrument of amendment has been prepared by the RICESV Limited under s16A of the *Professional Standards Act 1994 (NSW)* (“the Act”) to amend the Scheme.

AMENDMENT TO THE SCHEME

This instrument to amend the scheme under s16 of the Act is prepared by the RICESV, whose business address is Suite 1, Level 9, 1 Castlereagh Street, Sydney, NSW 2000. Amendments are as below.

Persons to whom the scheme applies

Clause 2.1: delete “The scheme applies to all members of RICS Valuers Limited” and replace with “The scheme applies to all members of RICESV Limited”.

Insert new clause 2.3 “Upon application by a member to whom the scheme applies, RICESV Limited may exempt the member from the scheme, provided that the scheme does not apply to the person by operation of section 18, 19 or 20 of the Act”

Limitation of liability

Clause 3.2(a): delete “of a kind which complies with the standards determined by the RICESV Limited” and replace with “of a kind which complies with the RICESV Insurance Standards”.

Clause 3.3: insert the phrase “in relation to a Valuation” thus “The monetary ceiling (maximum amount of liability) in relation to a Valuation required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is to be determined according to the following table”.

Conferral of discretionary authority

Clause 4.1: delete “the RICS Valuers Limited” and replace with the defined term “the RICESV Limited” thus “Pursuant to section 24 of the Act, this scheme confers to the RICESV Limited a discretionary authority to specify, on application by a person to whom the scheme applies, in relation to that person a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million, in relation to the person either in all cases or in any specified case or class of case.

Definitions

Clause 6.1: delete “RICESV means the RICS Valuers Limited” and replace with “RICESV Limited means the RICS Valuers Limited.

Insert the phrase “in any future amendments” in the definition “Property Value” thus: “**Property Value** means the value of a property as at the date of the Valuation as determined under

Market Value or as defined by the International Valuation Standards Council (IVSC) in any future amendments.”

Insert new definition “**Valuation** means an opinion or estimate of value made in writing by an individual member of RICSV Limited, or countersigned by an individual member of RICSV Limited pursuant to a client’s written instructions.”

COMMENCEMENT

The amendments to the scheme made by this instrument will commence after publication in the appropriate Government Gazette(s).

Professional Standards Act 1994 (NSW) **RICS Valuers Limited Scheme**

PREAMBLE

- A. The RICS Valuers Limited (RICSV Limited) is an occupational association.
- B. The RICSV Limited has made an application to the Professional Standards Council, constituted by the *Professional Standards Act 1994 (NSW)* (the Act), for a scheme under the Act.
- C. The scheme is prepared by the RICSV Limited for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The RICSV Limited has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- E. The scheme is intended to commence on 1 January 2016 and remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to section 32 of the Act.
- F. The scheme is intended to apply in New South Wales, Victoria, South Australia, the Australian Capital Territory, the Northern Territory, Queensland, and Western Australia.

RICS VALUERS LIMITED SCHEME

1. Occupational association

1.1 The RICSV Limited Scheme (the scheme) is a scheme under the *Professional Standards Act 1994 (NSW)* (the Act) prepared by the RICS Valuers Limited (RICSV Limited) whose business address is: Suite 1, Level 9, 1 Castlereagh Street, SYDNEY NSW 2000

2. Persons to whom the scheme applies

2.1 The scheme applies to all members of RICSV Limited.

2.2 This scheme also applies to all persons to whom the scheme applied under clause 2.1 at the time of any act or omission giving rise to occupational liability.

2.3 Upon application by a member to whom the scheme applies, RICSV Limited may exempt

the member from the scheme, provided that the scheme does not apply to the person by operation of section 18, 19 or 20 of the Act.

3. Limitation of liability

3.1 This scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding \$1,000,000.

3.2 If a person, who was at the time of the act or omission giving rise to occupational liability, a person to whom the scheme applied, against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person has the benefit of an insurance policy:

- a) of a kind which complies with the RICS Insurance Standards,
 - b) insuring such person against that occupational liability, and
 - c) under which the amount payable in respect of that occupational liability is not less than the monetary ceiling specified in this scheme,
- that person is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.

3.3 The monetary ceiling (maximum amount of liability) in relation to a Valuation required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is to be determined according to the following table:

Class	Description	Band	Monetary Ceiling
1	Property Value A	\$0 million to < \$3 million	\$1 million
2	Property Value B	\$3 million to < \$5 million	\$2 million
3	Property Value C	\$5 million to < \$10 million	\$3 million
4	Property Value D	\$10 million to < \$20 million	\$4 million

For properties valued at above \$20 million the ceiling will be 20% of the value of the property on the day of the Valuation, up to \$10 million.

3.4 Clause 3.2 only affects liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding such amount as is specified in clause 3.1.

3.5 This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force of any person to whom the scheme applied at the time the act or omission occurred.

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

4. Conferral of discretionary authority

4.1 Pursuant to section 24 of the Act, this scheme confers to the RICS Limited a discretionary

authority to specify, on application by a person to whom the scheme applies, in relation to that person a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million, in relation to the person either in all cases or in any specified case or class of case.

5. Duration

5.1 This scheme will be in force for a period of 5 years from the date of commencement.

6. Definitions

6.1 Relevant definitions for the purposes of the scheme are as follows:

RICSV Limited means the RICS Valuers Limited.

RICSV Insurance Standards mean the insurance standards approved by the RICSV from time to time.

The Act means the *Professional Standards Act 1994* (NSW).

Property Value means the value of a property as at the date of the Valuation as determined under Market Value or as defined by the International Valuation Standards Council (IVSC) in any future amendments.

Market Value means the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion or as defined by the International Valuation Standards Council (IVSC) in any future amendments.

Valuation means an opinion or estimate of value made in writing by an individual member of RICSV Limited, or countersigned by an individual member of RICSV Limited pursuant to a client's written instruction.



PRACTICE NOTE SC CL 2

Supreme Court Common Law Division - Criminal Proceedings

Commencement

1. This Practice Note was issued on 15 December 2016 and commences on 15 December 2016.

Application

2. This Practice Note applies to committals for trial or sentence and ex-officio indictments in the Criminal List of the Common Law Division.

Definitions

3. None applicable.

Introduction

4. The purpose of this Practice Note is:
 - (a) to ensure that criminal proceedings are dealt with in a timely and efficient way, consistent with the parties' obligations under Chapter 3, Part 3 of the *Criminal Procedure Act 1986*; and
 - (b) to assist an accused person to take advantage of legislation which provides for a discount in sentence where an early plea of guilty is entered.

Listing for arraignment

5. Arraignments are held on the first Friday of each month in Sydney.
6. When committing an accused person for trial or sentence to the Supreme Court, the magistrate will direct the person to appear at the next arraignment, not less than four weeks after the date of the committal. If this practice would result in a January date, the matter will be listed on the first Friday in February.
7. Ex-officio criminal prosecutions will be listed by the Registry in the same way.

Arraignment procedures

8. On the day fixed for the arraignment, the Director of Public Prosecutions shall, unless otherwise ordered, present an indictment to the Court and shall provide copies of the indictment for each accused person.
9. The Director of Public Prosecutions is also to provide to the Court and to each accused person:
 - (a) in the case of State matters, an affidavit by the law enforcement officer in charge of the case confirming the compliance by the relevant investigating agency as at arraignment with its duty of disclosure as set out in s 15A of the *Director of Public Prosecutions Act 1986*; or
 - (b) in the case of Commonwealth matters, an affidavit by an appropriate officer of the relevant investigating agency confirming compliance as at the date of arraignment with its duty of disclosure as set out in paragraph 5 of the Commonwealth Director of Public Prosecutions “Statement on Prosecution Disclosure”.
10. The court expects matters to be ready to proceed at the arraignment so that a trial date can be given. Legal representatives are expected to identify the issues for trial and estimate the likely hearing time required. The arraignment judge may give directions and rulings as to the conduct of the trial.
11. Unless the court makes a specific direction pursuant to sections 141(3) or 148 of the *Criminal Procedure Act*, the standard directions that are to apply at the arraignment are:
 - (a) The prosecution is to file and serve on the accused notice of the prosecution case in accordance with s 142 no later than eight weeks before the trial date. In addition to the requirements of s 142 the notice is to include a statement as to the basis upon which the prosecution will contend that the accused is criminally responsible in respect to the alleged offence(s).
 - (b) The defence is to file and serve on the prosecution a defence response in accordance with s 143 no later than five weeks before the trial date.
 - (c) The prosecution is to file and serve on the accused a prosecution response to the defence response in accordance with s 144 no later than three weeks before the trial date.
 - (d) The defence is to provide notice of alibi within the period prescribed in s 150 of the *Criminal Procedure Act*; and
 - (e) The parties are to hold a pre-trial conference before the trial judge pursuant to s 140 of the *Criminal Procedure Act* two weeks prior to the trial date to

determine whether the parties can reach agreement regarding the evidence to be admitted at the trial. This does not apply if the accused is not legally represented.

12. In the event of non-compliance by a party with this practice note, or with any other direction made by the court, the court may contact the offending party directly, or list the matter for mention, either of its own motion or at the request of either party.

Entering a plea

13. Upon presentment of the indictment, the accused person will be arraigned by the Court and shall enter his or her plea. The Court may, if the indictment is not presented on the day fixed for the arraignment of the accused person, fix a further date for the arraignment of the accused and the presentment of the indictment.

Trial

14. By the date set for the trial, the matter must be ready to proceed. If there is an unavoidable problem or change to the conduct or length of the trial, legal practitioners are to notify the Criminal Registry or the Criminal List judge at the earliest possible stage to avoid inconvenience to jurors and witnesses.
15. An application to vacate a trial date:
 - (a) is to be made by way of Notice of Motion with a supporting affidavit, setting out the grounds for the application;
 - (b) shall be made to the Criminal List judge, unless the application is made within two weeks of the date fixed for trial; and
 - (c) that is made within two weeks of the date fixed for trial, may be made to the Criminal List judge or to the trial judge.

Direction under s128 of the *Criminal Procedure Act 1986*

16. Prosecuting authorities are directed to present all indictments in the District Court, rather than in the Supreme Court, except for indictments relating to offences under any of the following sections, subdivisions, parts or categories:
 - ss 12, 19A, 21, 22A and 24 of the *Crimes Act 1900*;
 - ss 24AA of the *Crimes Act 1914* of the Commonwealth;
 - s 72.3, Part 5.2, Part 5.3, Part 5.4 and Part 5.5 of the *Criminal Code* of the Commonwealth;
 - s 8 of the *Crimes (Internationally Protected Persons) Act 1976* of the Commonwealth;

- any other offence for which the maximum penalty is life imprisonment and where either the Director of Public Prosecutions (Cth) or the Director of Public Prosecutions of NSW has formed the opinion that the imposition of a life sentence may be appropriate.
17. Subject to the usual practice as to joinder of counts, an indictment charging an offence under any of the above sections may also contain counts charging other offences.
 18. Applications for exemption under s 128(2) of the *Criminal Procedure Act 1986* should be made by letter addressed to the Chief Justice setting out a brief description of the nature of the case and identifying the basis upon which it is claimed that it is an appropriate case to be tried in the Supreme Court. Matters that involve particular difficulty, or that are test cases or in which there is particular public significance, will ordinarily be given an exemption. Exemption applications must be accompanied by:
 - (a) a copy of the charges that are likely to be the subject of the proposed committal order or which have been committed for trial or sentence in the District Court;
 - (b) either a draft of the indictment or indictments proposed to be presented at arraignment in the event of a committal order being made, or following a committal order, or a document containing a draft of the charges proposed to be included in such an indictment or indictments or an ex officio indictment;
 - (c) details of any anticipated pre-trial applications; and
 - (d) an estimate as to the length of the trial(s) or sentence.
 19. Exemption applications must be served on the solicitor for the accused person, or if unrepresented, upon the accused person, within seven (7) days (unless otherwise ordered) after their submission to the Court.
 20. The accused person or his/her solicitor must provide any response to the matters set out in an exemption application by letter addressed to the Chief Justice within 14 days (unless otherwise ordered) after a copy of the exemption application was served on him/her or his/her solicitors.

T F Bathurst AC

Chief Justice of New South Wales

15 December 2016

Related information:

Crimes Act 1900

Criminal Procedure Act 1986

Crimes Act 1914 (Cth)

Crimes (Internationally Protected Persons) Act 1976 (Cth)

Amendment History:

15 December 2016: This Practice Note replaces former Practice Note SC CL 2, which was issued on 17 December 2015 and apart from paragraph 9, commenced on 17 December 2015. Paragraph 9 took effect on 1 March 2016.

17 December 2015: This Practice Note replaces former Practice Note SC CL 2, which was issued on 29 September 2014 and commenced on 29 September 2014.

29 September 2014: This Practice Note replaces former Practice Note SC CL 2, which was issued on 27 June 2014 and commenced on 1 July 2014.

27 June 2014: This Practice Note replaces former Practice Note SC CL 2, which was issued on 20 September 2013 and commenced on 1 October 2013.

20 September 2013: This Practice Note replaces former Practice Note SC CL 2, which was issued on 13 August 2010 and commenced on 16 August 2010.

13 August 2010: This Practice Note replaces former Practice Note SC CL 2, which was issued and commenced on 21 December 2009.

21 December 2009: This Practice Note replaced former Practice Note SC CL 2, which was issued and commenced on 17 August 2005.

17 August 2005: Practice Note SC CL 2 was issued and commenced on 17 August 2005. It replaced former Practice Note Nos. 57, 98 and 112.

COUNCIL NOTICES

GUNNEDAH SHIRE COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
LAW CLOSE	GUNNEDAH
Description	
Law Close is a short two way cul-de-sac road servicing an 18 lot industrial subdivision at 110 Kamilaroi Highway, Gunnedah. Law Close is located to the north west of the Gunnedah township and will adjoin existing Kamilaroi Highway the north.	
Origin	
Law Close is named in memory of late Mr Roy E Law of Gunnedah. Mr Law received an Order of Australia Medal in 1998 for his service to the Gunnedah community, particularly to Veterans through the Gunnedah Sub-Branch of the Returned and Services League of Australia, for which he served 30 continuous years as president.	

ERIC GROTH, General Manager, Gunnedah Shire Council, PO Box 63, GUNNEDAH NSW 2380

GNB Ref: 0326

[8942]

HAWKESBURY CITY COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
GLENGARRY PLACE	Pitt Town
Description	
Bounded by Lots 1 – 10 DP 1221328 and Hall Street Pitt Town	

The attached diagram shows the extent of the road(s):



LAURIE MIFSUD, Acting General Manager, Hawkesbury City Council, PO Box 146, WINDSOR NSW 2756

GNB Ref: 0312

[8943]

HORNSBY SHIRE COUNCIL

ROADS ACT 1993

Section 10

Dedication of Land as Public Road

Notice is hereby given that Hornsby Shire Council in Pursuance of Section 10 of the *Roads Act 1993*, dedicates the land described in the Schedule hereunder, as Public Road.

ROBERT BENJIMAN STEPHENS, Acting General Manager, Hornsby Shire Council, PO Box 37, Hornsby NSW 1630

SCHEDULE

Parish – South Colah; County- Cumberland;

LGA – Hornsby Shire Council

Lot 102 of Deposited Plan 850797, being land in County Drive, Cherrybrook

[8944]

INVERELL SHIRE COUNCIL

FIXING OF LEVELS

Notice is hereby given that levels of:

CHISHOLM ST – BROWN ST TO BRAE ST

as shown on plans exhibited at Council’s Office and as advertised in the Inverell Times on 8th July,2016 have been duly approved and fixed by the authority delegated to me under Section 378 of the *Local Government Act 1993*, as amended, in accordance with such plans, on 16th December, 2016.

P J Henry, GENERAL MANAGER, Administrative Centre, 144 Otho Street, INVERELL NSW 2360

[8945]

LAKE MACQUARIE CITY COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
GASCOYNE STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
GAITES DRIVE	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
DURRANT STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
ESTELVILLE CIRCUIT	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
BUTTERWORTH STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Council Notices

Name	Locality
BRIERLEY ROAD	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
BREAKWELL ROAD	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
BOTHAM STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
ARMOUR DRIVE	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
WIGMORE STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
TURNOCK DRIVE	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
SUTCLIFFE STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
STOLLERY DRIVE	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
STANDING AVENUE	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
PALLISTER COURT	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
MORTLOCK ROAD	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
LIPSEY STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
JOBLING STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
HEGGIE CLOSE	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
GRACIE AVENUE	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

Name	Locality
GOADSBY STREET	Cameron Park
Description	
Subdivision of Lot 900 DP 1222132 at 255 George Booth Drive Morisset	

BRIAN BELL, General Manager, Lake Macquarie City Council, Box 1906, HRMC, Warabrook NSW 2310

GNB Ref: 0327

[8946]

MAITLAND CITY COUNCIL
 LOCAL GOVERNMENT ACT 1993
 Notification of Land as Public Reserve

Notice is hereby given that that in accordance with a resolution of the Council dated 8 November 2016 the land described in the Schedule below is a public reserve.

D EVANS, General Manager, Maitland City Council, PO Box 220, Maitland NSW 2320.

SCHEDULE

Lot 2 DP1176708 Parish of Gosforth County of Northumberland

[8947]

NORTH SYDNEY COUNCIL
 LOCAL GOVERNMENT ACT 1993
 Section 31 (2)

Reclassification of Community Land to Operational Land by Resolution

Notice is hereby given pursuant to Section 31(2) of the *Local Government Act 1993* that the land described in the Schedule below was re-classified to Operational Land under the Resolution of Council dated 21 November 2016.

SCHEDULE

9 Lots which form part of 10 Atchison Street, St Leonards and which lies within DP 1216746, was acquired by Council on 2 September 2016:

Lot 16 of SP 93392

Lot 18 of SP 93392

Lot 19 of SP 93392

Lot 26 of SP 93392

Lot 36 of SP 93392

Lot 38 of SP 93392

Lot 55 of SP 93392

Lot 65 of SP 93392

Lot 75 of SP 93392

ROSS McCREANOR, Acting General Manager, North Sydney Council, 200 Miller Street, North Sydney, 2060
[8948]

PORT STEPHENS COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
COMMUNITY CLOSE	Salamander Bay
Description	
Generally north from Salamander Way this road has been constructed for some years and requires a name due to future development of the area. This road is used to access the community library and other facilities	

WAYNE WALLIS, General Manager, Port Stephens Council, 116 Adelaide Street, RAYMOND TERRACE NSW 2324 – Council File – PSC2016-01771

GNB Ref: 0325

[8949]

PORT STEPHENS COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
KEYSTONE WAY	Raymond Terrace
Description	
A new road as part of subdivision off Halloran Way and Lakeview Crescent. This road is generally south off the extension of Lakeview Crescent to connect with new road Baluster Street. Both new roads are north of Richardson Road Raymond Terrace	

Name	Locality
BALUSTER STREET	Raymond Terrace
Description	
A new road as part of subdivision off Halloran Way. This road is generally east from Halloran Way and north of Richardson Road Raymond Terrace	

WAYNE WALLIS, General Manager, Port Stephens Council, 116 Adelaide Street, Raymond Terrace NSW 2324 – Council File PSC2016-03012

GNB Ref: 0328

[8950]

PRIVATE NOTICES

NOTICE OF FINAL GENERAL MEETING

GORTER PTY LIMITED (In Voluntary Liquidation) ACN 001 221 503. In accordance with Section 509 of the Corporations Act notice is hereby given that the Final General Meeting of the abovenamed Company will be held at 2/131 Clarence Street, Sydney, NSW on 31st January 2017 at 10.00a.m. for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the manner in which the assets of the company have been distributed and a hearing of an explanation of the account by the liquidator and to authorise the Liquidator to destroy all books and records of the Company on completion of all duties.

Dated 23rd December 2016.

F. MacDonald, Liquidator, c/- K. B. Raymond & Co, Level 2, 131 Clarence Street, Sydney, NSW 2000. [8951]