



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 176**  
**Friday, 20 November 2009**

Published under authority by Government Advertising

## LEGISLATION

### Online notification of the making of statutory instruments

Week beginning 9 November 2009

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

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

[Fair Trading Amendment \(Magnetic Toys\) Regulation 2009](#) (2009-531) — published LW 13 November 2009

[Firearms Amendment Regulation 2009](#) (2009-532) — published LW 13 November 2009

[Protection of the Environment Operations \(Clean Air\) Amendment \(Vapour Recovery\) Regulation 2009](#) (2009-533) — published LW 13 November 2009

**OFFICIAL NOTICES****Appointments****CRIMES (ADMINISTRATION OF SENTENCES)  
ACT 1999**

Serious Offenders Review Council  
Re-appointment of Community Member

HIS Excellency the Lieutenant Governor, with the advice of the Executive Council and pursuant to the provisions of the Crimes (Administration of Sentences) Act 1999, has approved the re-appointment of Lawrence Patrick BAKER as a community member of the Serious Offenders Review Council for a period of three (3) years on and from 11 November 2009 until 10 November 2012.

JOHN ROBERTSON, M.L.C.,  
Minister for Corrective Services

**CRIMES (ADMINISTRATION OF SENTENCES)  
ACT 1999**

Serious Offenders Review Council  
Re-appointment of Community Member

HIS Excellency the Lieutenant Governor, with the advice of the Executive Council and pursuant to the provisions of the Crimes (Administration of Sentences) Act 1999, has approved the re-appointment of Janet HAYES as a community member of the Serious Offenders Review Council for a period of three (3) years dating on and from 20 December 2009 until 19 December 2012.

JOHN ROBERTSON, M.L.C.,  
Minister for Corrective Services

**INDEPENDENT COMMISSION AGAINST  
CORRUPTION ACT 1988**

Appointment under Section 5(1)  
Appointment to the Office of the Commissioner

HER Excellency the Governor and the Executive Council upon the recommendation of the Premier, have approved, pursuant to the provisions of the Independent Commission Against Corruption Act 1988, that The Hon. David IPP be appointed to the office of Commissioner of the Independent Commission Against Corruption, commencing on and from 14 November 2009.

The Hon. NATHAN REES, M.P.,  
Premier,  
Minister for the Arts  
and Minister for the Central Coast

# Land and Property Management Authority

## ARMIDALE OFFICE

**108 Faulkner Street (PO Box 199A), Armidale NSW 2350**

**Phone: (02) 6770 3100      Fax (02) 6772 8782**

### NOTIFICATION OF CLOSING OF ROAD

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

TONY KELLY, M.L.C.,  
Minister for Lands

#### Description

*Land District – Walcha; L.G.A. – Walcha*

Road Closed: Lots 1, 2 and 3, DP 1141774 at Walcha, Parish Walcha, County Walcha.

File No.: AE06 H 221.

#### Schedule

On closing, the land within Lots 1, 2, and 3, DP 1141774 remains vested in the State of New South Wales as Crown Land.

### APPOINTMENT OF TRUST BOARD MEMBERS

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

TONY KELLY, M.L.C.,  
Minister for Lands

#### SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Samuel Richard WHITE (re-appointment), Marjorie Dorothy LOCKYER (re-appointment), Malcolm Russell MOFFATT (re-appointment), Wayne Maxwell MILLS (re-appointment).	Bald Blair Recreation Reserve Trust.	Reserve No.: 79572. Public Purpose: Public recreation. Notified: 3 May 1957. File No.: AE81 R 87.

#### Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

#### SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Robert John WALSH (new member), James MacLACHLAN (new member), Desmond Cecil PLUMB (re-appointment), Ann PLUMB (re-appointment).	Inverell Speedway Reserve Trust.	Reserve No.: 97964. Public Purpose: Public recreation (speedway). Notified: 25 October 1985. File No.: AE85 R 88/1.

#### Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

#### SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Douglas John WORGAN (re-appointment), Lyle Edwin GAINEY (re-appointment), Pamela Anne MASON (re-appointment), Wayne Hutchinson LACKEY (re-appointment), Kenneth Douglas EDDY (re-appointment), Alfred George NEWMAN (re-appointment), Kathlyn HELSDINGEN (re-appointment).	Staggy Creek Recreation Reserve Trust.	Reserve No.: 54194. Public Purpose: Public recreation. Notified: 1 October 1920. File No.: AE83 R 27/3.

#### Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

#### SCHEDULE 4

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Sandra ROYLANCE (new member), David Alexander ROYLANCE (new member), Graham John WILSON (re-appointment), Arnold David GOODE (re-appointment), Neville Francis LOW (re-appointment).	Uralla Goldfields Historical Reserve Trust.	Reserve No.: 88116. Public Purpose: Preservation of historical sites and buildings. Notified: 29 January 1971. File No.: AE80 R 172.

#### Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

## SCHEDULE 5

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Michelle LOCKWOOD (new member), Ambrose SEAGRAVE (re-appointment), Wayne Keith LOCKWOOD (re-appointment), Elizabeth Precilla LOCKWOOD (re-appointment), Judita Anne SEAGRAVE (re-appointment), Bernard Raymond NOONAN (re-appointment).	Tent Hill Public Hall Trust.	Dedication No.: 510035. Public Purpose: Public hall. Notified: 30 October 1959. File No.: AE80 R 67.

## Term of Office

For a term commencing 1 January 2010 and expiring  
31 December 2014.

**BOARD OF SURVEYING AND SPATIAL INFORMATION**  
**Panorama Avenue (PO Box 143), Bathurst NSW 2795**  
**Phone: (02) 6332 8238 Fax: (02) 6332 8240**

**SURVEYING ACT 2002**

Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10 (1) (a), the undermentioned Land Surveyor has been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
Mark Frederick ASPER.	20 March 1992.	2 August 1996.	11 March 2009.
Michael Warren BASILE.	19 October 1970.	1 November 2004.	24 April 2009.

W. A. WATKINS,  
President  
S. G. GLENCORSE,  
Registrar

**SURVEYING ACT, 2002**

Registration of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10 (1) (a), the undermentioned persons have been Registered as Land Surveyors in New South Wales from the dates shown.

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
Michael James CROFT.	Croft Surveying & Mapping, "Southall" 100 Barney Street, Armidale NSW 2350.	12 October 2009.
Wayne Edward FENWICK.	54 Flavelle Street, Concord NSW 2137.	20 October 2009.
Nathan David GREEN.	Lean & Hayward, Level 1, 14 Dumaresq Street, Campbelltown NSW 2560.	15 October 2009.
Apostolis Paul KARDIASMENOS.	78 Batt Street, Sefton NSW 2162.	15 October 2009.
Alastair Stewart LINKE.	PO Box 3085, Tamarama NSW 2026.	15 October 2009.
Jeremy James MACCUE.	10 Wyoming Road, Dural NSW 2158.	28 September 2009.
Thomas Matthew SEARLES.	839 Tullymorgan Road, Tullymorgan NSW 2463.	7 October 2009.
Huy Duc Xuan THAI.	38 Carson Street, Panania NSW 2213.	19 October 2009.
Michael Bernard WAUD.	206/5 Honeysuckle Drive, Newcastle NSW 2300.	16 October 2009.

W. A. WATKINS,  
President  
S. G. GLENCORSE,  
Registrar

**SURVEYING ACT 2002**

Registration of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10 (1) (a), the undermentioned persons have been Registered as Mining Surveyors (Unrestricted) in New South Wales from the dates shown.

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
Andrew James BOARDMAN.	21 Racecourse Road, Muswellbrook NSW 2333.	1 October 2009.

W. A. WATKINS,  
President  
S. G. GLENCORSE,  
Registrar

**SURVEYING ACT 2002**

## Registration of Surveyors

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

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
Robert John JACOB.	131 Goremans Road, Eureka NSW 2480.	7 October 2009.
		W. A. WATKINS, President
		S. G. GLENCORSE, Registrar

**SURVEYING ACT 2002**

## Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10 (1) (a), the undermentioned Land Surveyor has been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
Bevan Leslie E. ASHER.	9 October 1970.	1 September 2009.	1 October 2009.
Paul BAYLISS.	24 March 1995.	1 September 2009.	15 October 2009.
Richard Roy COX.	4 October 2000.	1 September 2009.	19 October 2009.
Robert William GALTON.	18 March 1977.	1 September 2009.	28 September 2009.
Geoffrey Mark LENTON.	11 September 1987.	1 September 2009.	14 October 2009.
Peter Michael McCARTNEY.	20 September 1963.	1 September 2007.	8 October 2009.
Frank Langley O'ROURKE.	13 March 1981.	1 September 2009.	28 September 2009.
Anthony Damien TODARELLO.	11 September 1987.	1 September 2009.	28 September 2009.
			W. A. WATKINS, President
			S. G. GLENCORSE, Registrar

**DUBBO OFFICE**  
**142 Brisbane Street (PO Box 865), Dubbo NSW 2830**  
**Phone: (02) 6883 3300 Fax: (02) 6882 6920**

**NOTIFICATION OF CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any other person to the same as highways.

TONY KELLY, M.L.C.,  
Minister for Lands

Description

*Local Government Area of Wellington;  
Land Districts of Wellington and Molong*

Lot 1, DP 1143623, Parish of Narragal, County of Gordon (not being land under the Real Property Act).

File No.: DB05 H 706.

Note: On closing, the title for Lot 1 shall vest in the State of New South Wales as Crown Land.

Description

*Local Government Area of Warrumbungle;  
Land District of Dunedoo*

Lot 1, DP 1143624, Parish of Terraban, County of Bligh (not being land under the Real Property Act).

File No.: DB05 H 314.

Note: On closing, the title for Lot 1 shall vest in the State of New South Wales as Crown Land.

Description

*Local Government Area of Warrumbungle;  
Land District of Dunedoo*

Lot 4, DP 1144256, Parish of Cobbora, County of Lincoln (not being land under the Real Property Act).

File No.: DB05 H 330.

Note: On closing, the title for Lot 4 shall vest in the State of New South Wales as Crown Land.

Description

*Local Government Area of Warrumbungle;  
Land District of Dunedoo*

Lot 1, DP 1143622, Parish of Dapper, County of Lincoln (not being land under the Real Property Act).

File No.: DB05 H 427.

Note: On closing, the title for Lot 1 shall vest in the State of New South Wales as Crown Land.

Description

*Local Government Area of Warrumbungle;  
Land District of Dunedoo*

Lot 1, DP 1144256, Parish of Wallaroo, County of Lincoln (not being land under the Real Property Act).

File No.: DB05 H 330.

Note: On closing, the title for Lot 1 shall vest in the State of New South Wales as Crown Land.

Description

*Local Government Area of Wellington;  
Land District of Wellington*

Lots 1-3, DP 1144254, Parish of Curra, County of Gordon (not being land under the Real Property Act).

File No.: DB05 H 302.

Note: On closing, the titles for Lots 1-3 shall vest in the State of New South Wales as Crown Land. Lot 4 in DP 1144254 was closed via *New South Wales Government Gazette* notification of the 23rd August 1899, Folio 6377.

**GOULBURN OFFICE**

**159 Auburn Street (PO Box 748), Goulburn NSW 2580**

**Phone: (02) 4824 3700**

**Fax: (02) 4822 4287**

**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.

**TONY KELLY, M.L.C.,  
Minister for Lands**

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Goulburn Mulwaree Council.	Cookbundoon Sports Fields (R83605) Reserve Trust.	Reserve No.: 83605. Public Purpose: Public recreation. Notified: 1 December 1961. File No.: GB80 R 74/3.

**Term of Office**

For a term commencing the date of this notice.

**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.

**TONY KELLY, M.L.C.,  
Minister for Lands**

**Description**

*Parish – Boyle; County – St Vincent;  
Land District – Braidwood; L.G.A. – Palerang*

Road Closed: Lot 10, DP 1102342 (not being land under the Real Property Act).

File No.: GB06 H 97:JK.

**Schedule**

On closing, the title for the land in Lot 10, DP 1102342 remains vested in the State of New South Wales as Crown Land subject to easement created by the deposited plan.

**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.

**TONY KELLY, M.L.C.,  
Minister for Lands**

**SCHEDULE 1**

*Parish and Town – Grabben Gullen; County – King;  
Land District – Crookwell; Shire – Upper Lachlan Shire*

Description: Crown road as shown in black on diagram below.



**SCHEDULE 2**

Roads Authority: Upper Lachlan Shire.

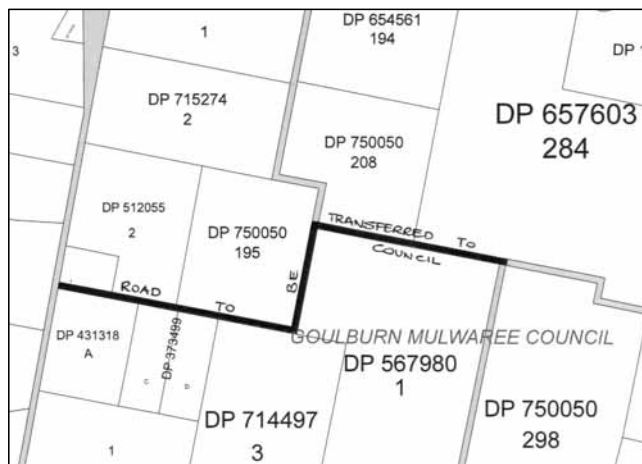
Council’s Reference: 0959 (order no.).

File No.: 09/18148.

**SCHEDULE 1**

*Parish – Towrang; County – Argyle;  
Land District – Goulburn;  
Shire – Goulburn Mulwaree Council*

Description: Crown road as shown in black on diagram below.



**SCHEDULE 2**

Roads Authority: Goulburn Mulwaree Council.

Council’s Reference: DA/0340/0809 and 310/0607/DA.

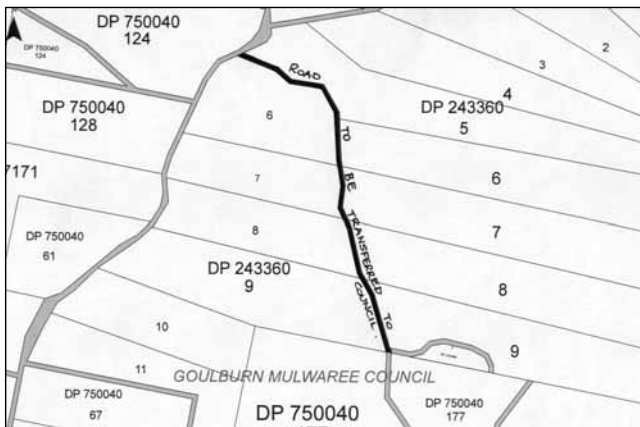
File Nos: 09/18150 and 09/18153.



## SCHEDULE 1

*Parish – Norrong; County – Argyle;  
Land District – Goulburn;  
Shire – Goulburn Mulwaree Council*

Description: Crown road as shown in black on diagram below.



## SCHEDULE 2

Roads Authority: Goulburn Mulwaree Council.  
Council's Reference: 358/0708/DA.  
File No.: 09/18151.

## ERRATUM

THE notice appearing in the *New South Wales Government Gazette* No. 160 on 6 November 2009, Folio 5601, under the heading "Revocation of Reservation of Crown Land" and under the subheading "Schedule" the reference to "DP 754900" in Column 2 should be replaced with "DP 754889".

File No.: GB06 H 632.

TONY KELLY, M.L.C.,  
Minister for Lands

**GRAFTON OFFICE**  
**76 Victoria Street (Locked Bag 10), Grafton NSW 2460**  
**Phone: (02) 6640 3400 Fax: (02) 6642 8124**

**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 roads specified in Schedule 1 is hereby transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from the date, the road specified in Schedule 1, ceases to be Crown road.

TONY KELLY, M.L.C.,  
Minister for Lands

**SCHEDULE 1**

*Parish – Valley Valley; County – Raleigh;  
Land District – Bellingen;  
Shire – Nambucca Shire Council*

Crown road within Lot 160, DP 755560.

Width to be Transferred: Whole width.

**SCHEDULE 2**

Roads Authority: Nambucca Shire Council.

Department of Lands Reference: 09/9457.

**SCHEDULE 1***Column 1*

Melissa Ann  
WRIGHT  
(re-appointment),  
Teresa May  
HEMSLEY  
(re-appointment),  
Duncan HEMSLEY  
(new member),  
Paul FENWICK  
(re-appointment),  
Carol Dawn FENWICK  
(re-appointment).

*Column 2*

Rileys Hill War  
Memorial Reserve  
Trust.

*Column 3*

Dedication No.: 540085.  
Public Purpose: War Memorial  
(hall site).  
Notified: 8 June 1951.

Dedication No.: 540088.  
Public Purpose: War Memorial  
(hall site) addition.  
Notified: 3 May 1957.  
File No.: GF96 R 114.

**Term of Office**

For a term commencing the date of this notice and expiring 19 November 2014.

**SCHEDULE 2***Column 1*

Michael John  
BROOKE  
(new member),  
Robert Charles  
JARMAN  
(re-appointment),  
Malcolm William WALLIS  
(re-appointment).

*Column 2*

Kyogle Recreation  
Area (R69556)  
Reserve Trust.

*Column 3*

Reserve No.: 69556.  
Public Purpose: Public  
recreation.  
Notified: 27 September 1940.  
File No.: GF02 R 74.

**Term of Office**

For a term commencing the date of this notice and expiring 19 November 2011.

**SCHEDULE 3***Column 1*

Neal Andrew  
TAYLOR  
(new member),  
Donald Bruce  
JOHNSTON  
(re-appointment),  
James Gerard FRASER  
(new member),  
David Walter WHITNEY  
(re-appointment),  
Christopher James WHITNEY  
(re-appointment),  
Paul Arthur JOHNSTON  
(re-appointment),  
John Stuart ALLEN  
(new member).

*Column 2*

Bonalbo  
Showground  
Trust.

*Column 3*

Dedication No.: 540074.  
Public Purpose: Showground  
addition.  
Notified: 1 February 1929.

Dedication No.: 540075.  
Public Purpose: Showground  
addition.  
Notified: 16 January 1931.

Dedication No.: 540073.  
Public Purpose: Showground  
addition.  
Notified: 18 February 1927.  
File No.: GF80 R 222/2.

**Term of Office**

For a term commencing the date of this notice and expiring 19 November 2014.

**REVOCATION OF APPOINTMENT OF RESERVE TRUST**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**SCHEDULE***Column 1*

North Coast Accommodation  
Trust.

*Column 2*

Reserve No.: 24495.  
Public Purpose: Public  
recreation.  
Notified: 25 July 1896.  
File No.: GF01 R 5/2.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**NOTIFICATION OF CLOSING OF ROAD**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are

extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

TONY KELLY, M.L.C.,  
Minister for Lands

\_\_\_\_\_  
Description

*Land District – Lismore; L.G.A. – Richmond Valley*

Road Closed: Lots 1, 2 and 3, DP 1140364 at Swan Bay, Parish Bungawalbin, County Richmond.

File No.: GF05 H 250.

Schedule

On closing, the land within Lots 1, 2 and 3, DP 1140364 remains vested in the State of New South Wales as Crown Land.

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

**ERRATUM**

IN the notice appearing in the New South Wales Government Gazette of the 30th October 2009, Folio 5526, under the heading of "ADDITION TO RESERVED CROWN LAND" this notice did not revoke the lots described in Column 1 from Reserve 53334 for drainage.

File No.: HY83 H 11.

TONY KELLY, M.L.C.,  
Minister for Lands

Schedule

On closing, title for the land comprised in Lot 1, DP 1141688 remains vested in the State of New South Wales as Crown Land.

\_\_\_\_\_  
Description

*Land District of Hay; L.G.A. – Hay*

Lot 1 in DP 1140350, Parishes of Wyoming and Wallaby, County of Waradgery.

File No.: HY90 H 370.

Schedule

On closing, title for the land comprised in Lot 1, DP 1140350 remains vested in the State of New South Wales as Crown Land.

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

TONY KELLY, M.L.C.,  
Minister for Lands

\_\_\_\_\_  
Description

*Land District of Balranald South; L.G.A. – Wakool*

Lot 1 in DP 1141688, Parishes of Coobool and Toolmah, County of Wakool.

File No.: HY98 H 120.

\_\_\_\_\_

**MAITLAND OFFICE****Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9306 Fax: (02) 4934 8417****NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**Description**

*Parish – Kahibah; County – Northumberland;  
Land District – Newcastle;  
Local Government Area – Lake Macquarie*

Road Closed: Lots 1, 2, and 3, DP 1129463 and Lot 5, DP 1121882 at Charlestown.

File No.: MD06 H 390.

**Schedule**

On closing, the land within Lots 1, 2, and 3, DP 1129463 and Lot 5, DP 1121882 remains vested in Lake Macquarie City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: F2006/01610.

**Description**

*Parish – Wybong; County – Brisbane;  
Land District – Muswellbrook;  
Local Government Area – Muswellbrook*

Road Closed: Lots 2 and 4, DP 1142149 at Wybong.

File No.: MD05 H 399.

**Schedule**

On closing, the land within Lots 2 and 4, DP 1142149 remains vested in Muswellbrook Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 580.040.

**Description**

*Parish – Fingal; County – Durham;  
Land District – Maitland; L.G.A. – Dungog*

Road Closed: Lots 1, 2 and 3, DP 1138813 (not being land under the Real Property Act).

File No.: 07/1062.

**Schedule**

On closing, the land within Lots 1, 2 and 3, DP 1138813 remains vested in the State of New South Wales as Crown Land.

**MOREE OFFICE****Frome Street (PO Box 388), Moree NSW 2400****Phone: (02) 6750 6400 Fax: (02) 6752 1707****REVOCATION OF RESERVATION OF CROWN LAND**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**SCHEDULE***Column 1*

Land District: Bingara.  
Local Government Area:  
Gwydir Shire Council.  
Locality: Bingara.  
Reserve: Parts of Parish  
Reserve 754819.  
Public Purpose: Future  
public requirements.  
Notified: 29 June 2007.  
File No.: ME94 H 203.

*Column 2*

The parts (18 lots in total) being all of Lots 1 to 4 and 6 to 10, section 5, DP 758111; Lots 6 to 10, section 12, DP 758111 and Lots 1 and 9, 10, 11, section 23, DP 758111, Parish of Bingara, County of Murchison, having a total area of approximately 5.66 hectares.

Note: Subsequent to this revocation it is intended that the land described in Column 2 above be sold to Gwydir Shire Council who is the licensed occupier of this land under Licence 412702.

**NOWRA OFFICE**  
**5 O’Keefe Avenue (PO Box 309), Nowra NSW 2541**  
**Phone: (02) 4428 9100 Fax: (02) 4421 2172**

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
Minister for Lands

Description

*Parish Numbugga; County – Auckland;*  
*Land District – Bega;*  
*Local Government Area – Bega Valley*

Road Closed: Lot 1, DP 1143481 at Numbugga.  
 File No.: 08/7106.

Schedule

On closing, the lands within Lot 1, DP 1143481 remain vested in 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, 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.

TONY KELLY, M.L.C.,  
Minister for Lands

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Terrence John OSTINI (re-appointment), Jennifer Elaine OSTINI (re-appointment).	Mullion Creek Public Hall and Recreation Reserve Trust.	Reserve No.: 51071. Public Purpose: Public recreation. Notified: 20 October 1915.
		Reserve No.: 57687. Public Purpose: Public hall. Notified: 19 December 1924. File No.: OE80 R 82/4.

Term of Office

For a term commencing this day and expiring 23 July 2014.

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

**ROADS ACT 1993****ORDER**

Transfer of Crown Road to a Council

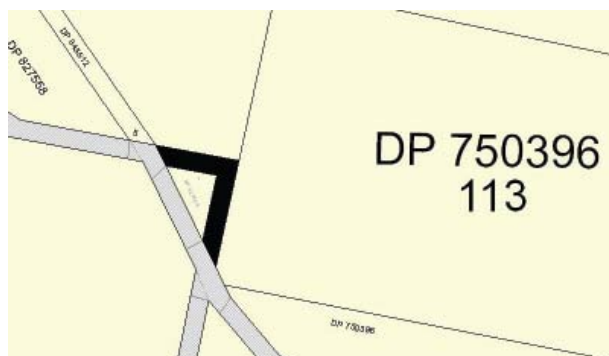
IN pursuance of the provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown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

TONY KELLY, M.L.C.,  
 Minister for Lands

**SCHEDULE 1**

*Parish – Milburn; County – Bathurst;  
 Land District – Cowra; Local Government Area – Cowra*

Crown public road north of Lot 1, DP 827558 and west of Lot 113, DP 750396, as shown by solid black shading on the diagram below.

**SCHEDULE 2**

Roads Authority: Cowra Shire Council.  
 File No.: 08/9901.

**SCHEDULE 1**

*Parish – Goimbla; County – Ashburnham;  
 Land District – Molong;  
 Local Government Area – Cabonne*

Crown public road being Lot 10, DP 1127864, as shown by solid black shading on the diagram below.

**SCHEDULE 2**

Roads Authority: Cabonne Shire Council.

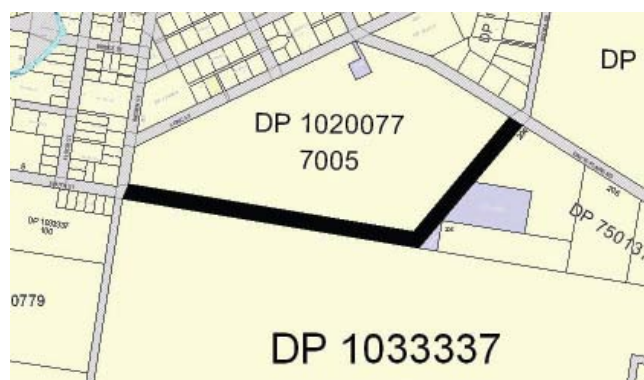
Council's Reference: 72.1362.

File No.: 09/1003.

**SCHEDULE 1**

*Town – Cudal; Parish – Boree Cabonne;  
 County – Ashburnham; Land District – Molong;  
 Local Government Area – Cabonne*

Crown public road south and east of Lot 7005, DP 1020077, as shown by solid black shading on the diagram below.

**SCHEDULE 2**

Roads Authority: Cabonne Shire Council.

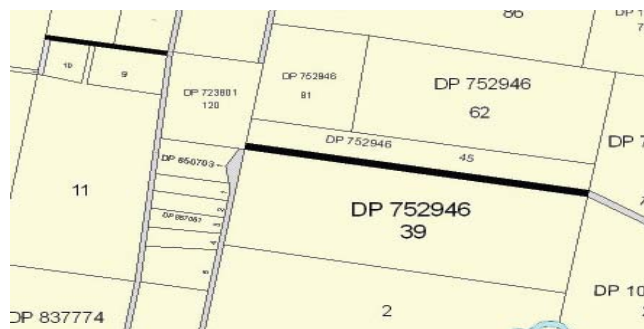
Council's Reference: 147515.

File No.: 09/10917.

**SCHEDULE 1**

*Parish – Merriganowry; County – Forbes;  
 Land District – Cowra;  
 Local Government Area – Cabonne*

Crown public road north of Lot 39, DP 752946 and north of Lots 9 and 10, DP 837774, as shown by solid black shading on the diagram below.

**SCHEDULE 2**

Roads Authority: Cowra Shire Council.

Council's Reference: GB:RC:R.03.00.00.

File No.: 08/10747.



**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, 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.

TONY KELLY, M.L.C.,  
Minister for Lands

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
William James GIBSON (re-appointment), Bruce Lawrence HODGES (re-appointment), Keith WOODHOUSE (re-appointment), Peter John Raymond HUGHES (re-appointment).	Baldry Showground and Reserve Trust.	Reserve No.: 97409. Public Purpose: Community purposes. Notified: 31 August 1984.
		Reserve No.: 57571. Public Purpose: Racecourse, recreation and showground. Notified: 7 November 1924. File No.: OE80 R 133/4.

**Term of Office**

For a term commencing this day and expiring 19 November 2014.

**ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,  
Minister for Lands

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Land District: Forbes. Local Government Area: Forbes Shire Council. Locality: Forbes. Lot 1634, DP No. 750158, Parish Forbes, County Ashburnham. Area: 481 square metres. File No.: OE94 R 18/1.	Reserve No.: 16809. Public Purpose: Public recreation. Notified: 3 December 1892. Lot 7073, DP No. 1019970, Parish Forbes, County Ashburnham. New Area: 1.566 hectares.

Note: The affected part of R.750158 for future public requirements, notified 29 June 2007 (addition *New South Wales Government Gazette*, 7 August 2009), is revoked.

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**Description**

*Land District – Blayney; L.G.A. – Cowra*  
Road Closed: Lot 1, DP 1143988 at Roseberg, Parish Roseberg, County Bathurst.  
File No.: CL/00443.

**Schedule**

On closing, the land within Lot 1, DP 1143988 remains vested in the State of New South Wales as Crown Land.

**Description**

*Parish – Calvert; County – Bathurst;*  
*Land District – Blayney; L.G.A. – Blayney*  
Road Closed: Lot 6 in Deposited Plan 1101081.  
File No.: 07/5082.

**Schedule**

On closing, the land within Lot 6, DP 1101081 remains vested in Blayney Shire Council as operational land for the purposes of the Local Government Act 1993.

Council Reference: 223820.

**SYDNEY METROPOLITAN OFFICE**  
**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150**  
**(PO Box 3935, Parramatta NSW 2124)**  
**Phone: (02) 8836 5300 Fax: (02) 8836 5365**

**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.

TONY KELLY, M.L.C.,  
Minister for Lands

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Vale of Avoca Recreational (R60499) Reserve Trust.	Reserve No.: 60499. Public Purpose: Public recreation. Notified: 15 June 1928. File No.: MN86 R 33.

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

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**Description**

*Land District – Tamworth; L.G.A. – Tamworth Regional*  
 Road Closed: Lot 1, DP 1142251 at Moore Creek, Parish Moonbi, County Inglis.  
 File No.: 07/0679.

**Schedule**

On closing, the land within Lot 1, DP 1142251 remains vested in the State of New South Wales as Crown Land.

**Description**

*Land District – Tamworth; L.G.A. – Tamworth Regional*  
 Road Closed: Lot 1, DP 1143672 at Woodsreef, Parish Nangahrah, County Darling.  
 File No.: TH06 H 128.

**Schedule**

On closing, the land within Lot 1, DP 1143672 remains vested in the State of New South Wales as Crown Land.

**TAREE OFFICE**  
**98 Victoria Street (PO Box 440), Taree NSW 2430**  
**Phone: (02) 6591 3500 Fax: (02) 6552 2816**

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, M.L.C.,  
Minister for Lands

**Description**

*Land District – Taree; L.G.A. – Greater Taree*  
 Road Closed: Lot 1, DP 1144486 at Khatambuhl, Parish Khatambuhl, County Macquarie.  
 File No.: TE05 H 69.

**Schedule**

On closing, the land within Lot 1, DP 1144486 remains vested in the State of New South Wales as Crown Land.



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

**GRANTING OF A WESTERN LANDS LEASE**

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

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder.

The land is to be used only for the purpose of Residence.

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

The Conditions and Reservations annexed to such leases are those Conditions published in the *New South Wales Government Gazette* of 25 May 2007, Folios 29740 2975 (identified by a \*) or the *New South Wales Government Gazette* of 20 March 2009, Folios 1416 1418 (identified by a #).

All amounts due and payable to the Crown *must* be paid to the Department of Lands by the due date.

TONY KELLY, M.L.C.,  
Minister for Lands

SCHEDULE

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

WLL No.	Name of Lessee	File No.	Folio Identifier	Area (m2)	Term of Lease	
					From	To
WLL 16131 *	Gail Ann DUNCAN	08/5772	420/1076808	1380	10 November 2009	9 November 2029
WLL 16244 *	Pauline JACKSON	08/10364	26/1057617	2511	12 November 2009	11 November 2029
WLL 16374 #	Heidi MONCH	09/10729	32/1065215	2682	16 November 2009	15 November 2029
WLL 14999 *	Cheryll Ann DIGGLE	07/5145	163/1076808	1571	16 November 2009	15 November 2029
WLL 14691 *	Leon Arthur NOEL	07/4159	100/1076808	2369	16 November 2009	15 November 2029
WLL 16353 #	Allen James GIDDINGS	09/09172	54/1065215	2452	16 November 2009	15 November 2029
WLL 16354 #	Janeen Patricia GIDDINGS	09/09173	55/1065215	2371	16 November 2009	15 November 2029

**ERRATUM**

IN the notification appearing in the *New South Wales Government Gazette* of 13 November 2009, Folio 5657, appearing under the heading “Granting of a Western Lands Lease”, the Name of Lessee of Western Lands Lease 16130 should read “Peter John Stuart MACDONALD”.

**ALTERATION OF CONDITIONS OF A WESTERN LANDS LEASE**

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

TONY KELLY, M.L.C.,  
Minister for Lands

Description

*Administrative District – Cobar; Shire – Cobar;  
Parish – Weltie; County – Robinson*

The conditions of Western Lands Lease 2582, being the land contained within Folio Identifier 6020/1135968 have been altered by the inclusion of the special conditions following.

Special Condition 1

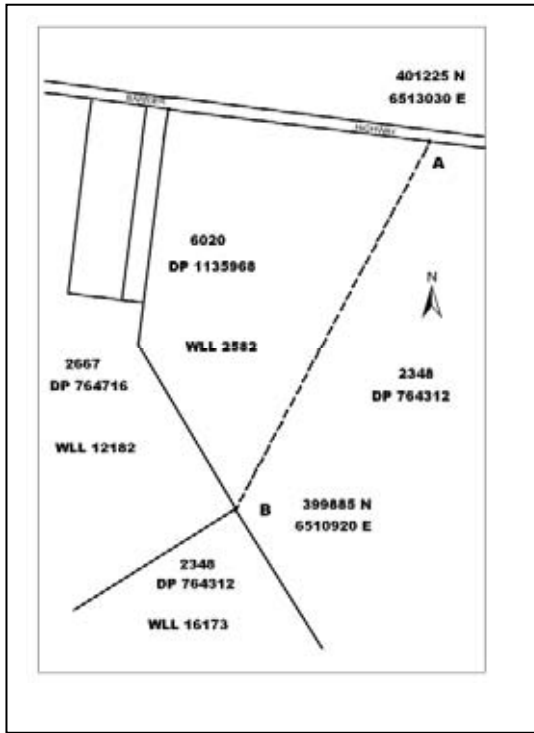
The lessee shall not obstruct or interfere with the holders of Lot 2348, DP 764312 (Western Lands Lease 16173) or any person authorised by them:

- (a) travelling, by any reasonable means, along the established track identified (10 metres wide) as A to B being on the diagram hereunder to get to or from Lot 2348, DP 764312 (Western Lands Lease 16173), and
- (b) entering upon the lease and taking anything onto the lease and carrying out work within the site of the track such as constructing, placing, repairing or maintaining trafficable surfaces or structures, and
- (c) in the event of any dispute arising between the lessee and the holder of Lot 2348, DP 764312 (Western Lands Lease 16173), regarding special conditions a) and b) the matter in dispute shall be determined by the Local Land Board, and
- (d) These conditions apply to any heirs, assigns and successors in title.
- (e) special conditions a), b), c) and d) may only be removed with the consent of the holder of Lot 2348, DP 764312 (Western Lands Lease 16173).

**ERRATUM**

IN the New South Wales Government Gazette of 8 May 2009, Folio 2019, under the heading "WITHDRAWAL OF LANDS FROM WESTERN LANDS LEASES", the area withdrawn from lease 3155 (Column 2) should have read 93.95 (Column 4) resulting in a new lease area of 38868 (Column 5).

TONY KELLY, M.L.C.,  
Minister for Lands



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## Department of Primary Industries

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### RURAL LANDS PROTECTION ACT 1998

#### Appointment of Authorised Officers

I, GEORGE DAVEY, Deputy Director-General, Primary Industries, with the delegated authority of the Director-General of the Department of Industry and Investment pursuant to section 241 of the Rural Lands Protection Act 1998 (“the Act”), do by this instrument pursuant to section 185 of the Act:

1. revoke the appointments made in the instrument of Appointment of Authorised Officers dated 2 October 2008 and published in NSW Government Gazette No. 130 of 10 October 2008 at pages 9912 to 9913 and any appointment revived as a result of this revocation; and
2. appoint the persons named in the Schedule below as authorised officers for the purposes of the Act.

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#### SCHEDULE

Chris ADRIAANSEN  
Haikou WANG  
James Daniel WOODMAN  
Walter SPRATT  
Edward David DEVESON  
Heath David McRAE  
Peter Alfred SPURGIN  
Paul Geoffery STORY  
Ian David WRIGHT  
John Patrick NOLAN  
Scott Colin MANDER  
Clare MULCAHY  
Andrew Keith COLEMAN  
Laurie Tomas SANCHEZ  
Robin Denis GRAHAM

Dated this 23rd day of October 2009.

GEORGE DAVEY,  
Deputy Director-General, Primary Industries  
Department of Industry and Investment

## Roads and Traffic Authority

### ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: November 2009.

PETER VLATKO,  
General Manager,  
Young Shire Council  
(by delegation from the Minister for Roads)

#### SCHEDULE

**1. Citation**

This Notice may be cited as Young Shire Council 25 Metre B-Double Route Notice No. 1/2009.

**2. Commencement**

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

**3. Effect**

This Notice remains in force until 30th September 2010 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
Bribbaree Road.	8.95km west of Henry Lawson Way (Dutton Park), Young.	Quandialla Road, Bribbaree.
Quandialla Road, Bribbaree.	Bribbaree Road, Bribbaree.	150m from Bribbaree Road at grain silo access road.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

JERILDERIE SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

CRAIG MOFFITT,  
General Manager,  
Jerilderie Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Jerilderie Shire Council Notice No. 01/2009.

**2. Commencement**

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

**3. Effect**

This Notice remains in force until 30th September 2010 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
RT.	00.	Willows Road.	Newell Highway (H17).	Woodhams Lane intersection.	1 November – 31 December.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

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

Dated: 11 November 2009.

CHRIS CHAPMAN,  
General Manager,  
Wakool Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wakool Shire Council 25 Metre B-Double Route Notice No. 1/2009.

**2. Commencement**

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

**3. Effect**

This Notice remains in force until 30th September 2010 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25m.	Balpool Road.	Shire boundary(Conargo Shire), Balpool Bridge over Edward River.	Intersection with MR319 Balpool Lane.
25m.	Balpool Lane.	Intersection with Balpool Road.	End Point of Balpool Lane (entire Length).

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

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

Dated: 11 November 2009.

CHRIS CHAPMAN,  
General Manager,  
Wakool Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wakool Shire Council 25 Metre B-Double Route Notice No. 2/2009.

**2. Commencement**

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

**3. Effect**

This Notice remains in force until 30th September 2010 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25m.	Noorong Road.	Intersection with MR67 (Swan Hill/Balranald Road).	Intersection with MR319 (Barham/Maude Road).
25m.	Tulla Road.	Intersection with MR319 (Barham/Maude Road).	Intersection with MR94 (Deniliquin/Barham Road).

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

JERILDERIE SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 16 November 2009.

CRAIG MOFFITT,  
General Manager,  
Jerilderie Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Jerilderie Shire Council. Road Train Vehicle Route Notice No. 02/2009.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30th September 2010 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those Road Train vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
RT.	00.	Mabins Well Road.	Conargo Shire Boundary.	Wilson Road Intersection.	Seasonal 1 November to 30 May.
RT.	00.	Wilson Road.	Mabins Well Road Intersection.	McLennons Bore Road Intersection.	Seasonal 1 November to 30 May.
RT.	00.	McLennons Bore Road.	Wilson Road Intersection.	Cadell Road Intersection.	Seasonal 1 November to 30 May.
RT.	00.	Cadell Road.	McLennons Bore Road Intersection.	Kidman Way (MR321) Intersection.	Seasonal 1 November to 30 May.



**ROAD TRANSPORT (GENERAL) ACT 2005**

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

ORANGE CITY COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 4.6 metre high vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 16 November 2009.

GARRY STYLES,  
General Manager,  
Orange City Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Orange City Council 4.6 metre high Vehicle Route Notice No. 3/2009.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those 4.6 metre high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
573.	Burrendong Way, Orange.	Northern Distributor Road.	Dawson Gate Road.	Both Directions.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

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

Dated: 16 November 2009.

GARRY STYLES,  
General Manager,  
Orange City Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Orange City Council B-Double Route Notice No. 3/2009.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	573.	Burrendong Way, Orange.	Northern Distributor Road.	Dawson Gate Road.	Both Directions.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

ORANGE CITY COUNCIL, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which B-Doubles may be used.

Dated: 16 November 2009.

GARRY STYLES,  
General Manager,  
Orange City Council  
(by delegation from the Minister for Roads)

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SCHEDULE

**1. Citation**

This Notice may be cited as the Orange City Council B-Doubles Repeal Notice No. 2/2009.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Amendment**

The General B-Double Permit Notice 2005 is amended by omitting the following from that Notice:

<i>Type</i>	<i>Road</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Direction</i>
25.	William Street, Orange.	Mitchell Highway.	Byng Street.	North bound only.
25.	William Street, Orange.	Byng Street.	Dalton Street.	Both Directions.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

ORANGE CITY COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 4.6 metre high vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 16 November 2009.

GARRY STYLES,  
General Manager,  
Orange City Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Orange City Council 4.6 metre high Vehicle Route Notice No. 2/2009.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those 4.6 metre high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
286.	William Street, Orange.	Mitchell Highway.	Dalton Street.	Both Directions.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

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

Dated: 16 November 2009.

GARRY STYLES,  
General Manager,  
Orange City Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Orange City Council B-Double Route Notice No. 2/2009.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

**4. Application**

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	286.	William Street, Orange.	Mitchell Highway.	Dalton Street.	Both Directions.

## ROADS ACT 1993

Notice of Dedication of Land as Public Road at Haberfield, Ashfield, Croydon and Summer Hill  
in the Ashfield Municipal Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

T D Craig  
Manager, Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL that piece or parcel of land situated in the Ashfield Municipal Council area, Parishes of Concord and Petersham, County of Cumberland, shown as:

<u>Description</u>	<u>Title Particulars</u>
Lot 6 Deposited Plan 221596	Certificate of Title Volume 6038 Folio 183
Lot 12 Deposited Plan 364004	Folio Identifier 12 / 364004
Lot 7 Deposited Plan 221596	Folio Identifier 11 / 364004
Lot 5 Deposited Plan 221596	Folio Identifier A / 100913
Lot 4 Deposited Plan 221596	Auto Consol 9742-132
Lot 3 Deposited Plan 221596	Folio Identifier 3 / 221596
Lot 14 Deposited Plan 536886	Certificate of Title Volume 9164 Folio 138
Lot 13 Deposited Plan 536886	Certificates of Title: Volume 3075 Folio 207; and Volume 3075 Folio 208
Lot 12 Deposited Plan 536886	Folio Identifier 12 / 536886
Lot 11 Deposited Plan 536886	Folio Identifier 17/4612
The area of $\frac{3}{4}$ perches shown on Deposited Plan 434017 being part of the land in Transfer Dealing D936129 registered at Land and Property Information and being also part of Lot A Deposited Plan 4774.	Certificate of Title Volume 2863 Folio 241
Lot 3 Deposited Plan 738178	Folio Identifier 3 / 738178
Lot 4 Deposited Plan 738178	Folio Identifier 4 / 738178
Lot 8 Deposited Plan 11724	Auto Consol 3567 - 6
Lot 9 Deposited Plan 11724	
Lot 1 Deposited Plan 225280	Certificate of Title Volume 4742 Folio 116
Lot 5 Deposited Plan 402957	Folio Identifier 5 / 402957
Lot 1 Deposited Plan 397489	Certificate of Title Volume 1742 Folio 216
The area of $\frac{1}{4}$ perch shown on Deposited Plan 347331 being part of the land in Transfer Dealing D160733 registered at Land and Property Information and being part of Lot 1 Deposited Plan 934613	Certificate of Title Volume 2026 Folio 249
The area of 2 perches shown on Deposited Plan 346791 being part of the land in Transfer Dealing D133833 registered at Land and Property Information	Certificate of Title Volume 2227 Folio 70

*Continued over page*

*Continued from previous page*

<u>Description</u>	<u>Title Particulars</u>
The area of 1 $\frac{3}{4}$ perches shown on Deposited Plan 346955 being part of the land in Transfer Dealing D140620 registered at Land and Property Information	Certificate of Title Volume 2026 Folio 248
The area of $\frac{3}{4}$ perches shown on Deposited Plan 346954 being part of the land in Transfer Dealing D140048 registered at Land and Property Information	Certificate of Title Volume 2023 Folio 9
Lot 3 Deposited Plan 632809	Certificate of Title
Lot 2 Deposited Plan 632809	Volume 8377 Folio 133
Lot 1 Deposited Plan 324797	Folio Identifier 1/324797
Lot 1 Deposited Plan 320883	Folio Identifier 1 / 320883
Lot 1 Deposited Plan 322963	Folio Identifier 1 / 322963
Lot A Deposited Plan 320507	Certificate of Title Volume 4156 Folio 223
Lot 1 Deposited Plan 316411	Folio Identifier 1 / 316411
Lot 1 Deposited Plan 317256	Folio Identifier 1 / 317256
Lot 1 Deposited Plan 336562	Certificate of Title Volume 3421 Folio 220
Lot 1 Deposited Plan 529617	Certificate of Title Volume 8374 Folio 133
Lot 2 Deposited Plan 529617	Certificate of Title Volume 9427 Folio 166
Lot 1 Deposited Plan 515009	Certificate of Title Volume 3038 Folio 157
Lot 2 Deposited Plan 515009	Certificate of Title Volume 3034 Folio 68
Lot 3 Deposited Plan 515009	Certificate of Title Volume 4658 Folio 168
The area of 16 sq feet shown on Deposited Plan 435587 being the land in Transfer Dealing F476745 registered at Land and Property Information and being also part of Lot 15, Section 8, Deposited Plan 378	Certificate of Title Volume 4653 Folio 188
The area of $\frac{3}{4}$ perch shown on Deposited Plan 439615 being part of the land in Transfer Dealing F463459 registered at Land and Property Information being also part of Lot 16, Section 8, Deposited Plan 378	Certificate of Title Volume 3144 Folio 87
The area of $\frac{1}{2}$ perch shown on Deposited Plan 435071 being part of the land in Transfer Dealing F332394 registered at Land and Property Information being also part of Lot 17, Section 8, Deposited Plan 378	Certificate of Title Volume 520 Folio 209

(RTA Papers: FPP 9M3919; RO 010.11064)

**ROADS ACT 1993**

Order -Sections 46, 49, 54 and 67

Wollongong City Council area

Dedication of Land as Public Road and Declaration as a Controlled Access Road  
of part of the Northern Distributor at Bellambi and Corrimal

I, the Minister for Transport, 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.

**HON DAVID CAMPBELL MP  
MINISTER FOR TRANSPORT**

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**SCHEDULE 1**

ALL those pieces or parcels of land situated in the Wollongong City Council area, Parish of Woonona and County of Camden shown as:

Lots 32, 35, 37 and 38 Deposited Plan 872562; and

Lots 4 and 5 Deposited Plan 861197.

The above Lots are all shown in RTA Plan 0626 497 AC 4001.

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**SCHEDULE 2**

ALL those pieces or parcels of land situated in the Wollongong City Council area, Parish of Woonona and County of Camden shown as:

Lots 20 and 21 Deposited Plan 872562;

Lots 1 and 2 Deposited Plan 861197;

Lot 1 Deposited Plan 553820;

Lot 1 Deposited Plan 319698;

Lot 23 Deposited Plan 828783; and

Lots 7 to 14 inclusive Deposited Plan 804963.

The above Lots are all shown in RTA Plan 0626 497 AC 4001.



## SCHEDULE 3

ALL those pieces or parcels of public road situated in the Wollongong City Council area, Parish of Woonona and County of Camden shown as:

Lots 19, 23 and 24 Deposited Plan 872562;

Lot 3 Deposited Plan 861197; and

Lot 100 in RTA Plan 0626 497 AC 4001.

The above Lots are all shown in RTA Plan 0626 497 AC 4001.

## 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 on RTA Plan 0626 497 AC 4001.

(RTA Papers F8/497.11328 Pt 2)

**ROADS ACT 1993**

Order – Section 257

**ERRATUM**

THE Roads and Traffic Authority of New South Wales, by this order under Section 257 of the Roads Act 1993, corrects an error in the notice published in Government Gazette No 156 of 30 October 2009 on page 5555 under the heading "Notice of Dedication of Land as Public Road at Hillsdale in the Botany Bay City Council area" by:

deleting from the schedule of the said notice the following land description;

<u>Description of Land</u>	<u>Title Particulars</u>
One of the areas of 1 perch shown on Deposited Plan 441538, being part of the land referred to in Dealing G646587 registered at Land and Property Information and being also part of Portion 234 in the said Parish	Certificates of Title: Volume 4765 Folio 192; and Volume 5441 Folio 231

and inserting in lieu thereof the land description below;

<u>Description of Land</u>	<u>Title Particulars</u>
One of the areas of 1 perch shown on Deposited Plan 441538, being part of the land referred to in Dealing G646587 registered at Land and Property Information and being also part of Portion 234 in the said Parish	Certificates of Title: Volume 4765 Folio 192; and Volume 5447 Folio 231

T D Craig  
Manager, Compulsory Acquisition & Road Dedication  
Roads and Traffic Authority of New South Wales

(RTA Papers: FPP 9M1480; RO 51.12062)

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

BLAND SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

PETA ROBERTSON,  
Acting General Manager  
Bland Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Bland Shire Council Notice No 004/2009

**2. Commencement**

This Notice takes effect on the date of publication in the NSW Government Gazette

**3. Effect**

This Notice remains in force until 31st January 2010 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT		Ariah Park Rd	Tallimba St. Tallimba	Meaghers Ln	Travel permitted until 31 January 2010 only
RT		Bashams Ln	Timothys Ln	Gunn Rd	Travel permitted until 31 January 2010 only
RT		Beatties Ln	Kolkilbertoo Rd	Overs Ln	Travel permitted until 31 January 2010 only
RT		Bimbeen Rd	MR57 (West Wyalong - Condobolin Rd)	Koops Ln	Travel permitted until 31 January 2010 only
RT		Brennans Tank Rd	Bygoo Rd	Halls Ln	Travel permitted until 31 January 2010 only
RT		Brolga Rd	Mid Western Highway	Thulloo Rd	Travel permitted until 31 January 2010 only
RT		Browns Ln	Mid Western Highway	Merrengreen Rd	Travel permitted until 31 January 2010 only
RT		Buralyang Rd	Bygoo Rd	Sandy Creek Rd	Travel permitted until 31 January 2010 only
RT		Bygoo Rd	Kikoira St Tallimba	Coolamon Shire Boundary	Travel permitted until 31 January 2010 only
RT		Calleen Ln	MR57 (West Wyalong - Condobolin Rd) south end	Merrengreen Rd	Travel permitted until 31 January 2010 only
RT		Chanters Ln	Mid Western Highway	Mud Hut Rd East	Travel permitted until 31 January 2010 only
RT		Clements Ln	Mid Western Highway	Tallimba Rd	Travel permitted until 31 January 2010 only
RT		Dagleishs Ln	Bygoo Rd	Gunn Rd	Travel permitted until 31 January 2010 only

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT		Danahers Ln	South Yalgogrin Rd	Johns Rd	Travel permitted until 31 January 2010 only
RT		Dunlops Ln	Brennans Tank Rd	Russells Ln	Travel permitted until 31 January 2010 only
RT		Euratha Rd	Mid Western Highway	Malones Ln	Travel permitted until 31 January 2010 only
RT		Fishers Ln	Kolkilbertoo Rd	Sandy Creek Rd	Travel permitted until 31 January 2010 only
RT		Flaggs Ln	Gunn Rd	Danahers Ln	Travel permitted until 31 January 2010 only
RT		Genista Rd	Kolkilbertoo Rd	Sandy Creek Rd	Travel permitted until 31 January 2010 only
RT		Gunn Rd	Sandy Creek Rd	Johns Rd	Travel permitted until 31 January 2010 only
RT		Halls Ln	Ariah Park Rd	Brennans Tank Rd	Travel permitted until 31 January 2010 only
RT		Hatelys Ln	MR57 (West Wyalong - Condobolin Rd)	Calleen Ln	Travel permitted until 31 January 2010 only
RT		Jansens Ln	Kolkilbertoo Rd	Euratha Rd	Travel permitted until 31 January 2010 only
RT		Johns Rd	Gunn Rd	Danahers Ln	Travel permitted until 31 January 2010 only
RT		Langes Ln	Clements Ln	Pfeiffers Ln	Travel permitted until 31 January 2010 only
RT		Mallons Ln	Mud Hut Rd West	Rutledges Ln	Travel permitted until 31 January 2010 only
RT		Malones Ln	Kolkilbertoo Rd	Euratha Rd	Travel permitted until 31 January 2010 only
RT		Manglesdorfs Rd	Bygoo Rd	Gunn Rd	Travel permitted until 31 January 2010 only
RT		Martens Ln	Kolkilbertoo Rd	Euratha Rd	Travel permitted until 31 January 2010 only
RT		Meaghers Ln	Tallimba Rd	Ariah Park Rd	Travel permitted until 31 January 2010 only
RT		Merrengreen Rd	MR57 (Wesy Wyalong - Condobolin Rd)	MR231 (Girral - Lake Cargelligo Rd)	Travel permitted until 31 January 2010 only
RT		Minogues Ln	Mid Western Highway	Mulga Ln	Travel permitted until 31 January 2010 only
RT		Mud Hut Rd East	Dundas Rd	Thulloo Rd	Travel permitted until 31 January 2010 only
RT		Mulga Ln	Hatelys Ln	Cattles Ln	Travel permitted until 31 January 2010 only
RT		Nariah Rd	Mid Western Highway	Lewes Rd	Travel permitted until 31 January 2010 only
RT		Overs Ln	Kolkilbertoo Rd	Beaties Ln	Travel permitted until 31 January 2010 only
RT		Oxley Rd	Mid Western Highway	Stuarts Ln	Travel permitted until 31 January 2010 only

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
RT		Paynes Rd	Mid Western Highway	Bygoo Rd	Travel permitted until 31 January 2010 only
RT		Pfeiffers Ln	Mid Western Highway	Langes Ln	Travel permitted until 31 January 2010 only
RT		Popes Ln	Bygoo Rd	Dunlops Ln	Travel permitted until 31 January 2010 only
Rt		Ridleys Ln	MR57 (Wesy Wyalong - Condobolin Rd)	Hatelys Ln	Travel permitted until 31 January 2010 only
RT		Russells Ln	Bygoo Rd	Dunlops Ln	Travel permitted until 31 January 2010 only
RT		Rutledges Ln	Dundas Rd	Talleeban Rd	Travel permitted until 31 January 2010 only
RT		Sandy Creek Rd	Lewes Rd	Genista Rd	Travel permitted until 31 January 2010 only
RT		South Yalgogrin Rd	Sandy Creek Rd	Gunn Rd	Travel permitted until 31 January 2010 only
RT		Spencers Ln	Manglesdorfs Ln	Yalgogorin Rd	Travel permitted until 31 January 2010 only
RT		Tallimba Rd	Newell Highway	Hiawatha St Tallimba	Travel permitted until 31 January 2010 only
RT		Tallimba St Tallimba	Tallimba St	Kikoira St	Travel permitted until 31 January 2010 only
RT		Timothys Ln	Bygoo Rd	Buralyang Rd	Travel permitted until 31 January 2010 only

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## Department of Water and Energy

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### WATER ACT 1912

AN application under Section 10 of Part 2 of the Water Act 1912 has been received as follows:

John Macgregor Atkin and Kathleen Anne Atkin for a 50mm pump on Blacks Creek, easement within Lot 3 DP 1053276, Parish Cudgen, County Rous for water supply for irrigation (0.5 Ha) and farming purposes (1ML). New licence, water entitlement obtained by way of permanent transfer. Ref:30SL067096

Written objections to the application specifying the grounds thereof must be lodged with the NSW Office of Water, PO Box 796, Murwillumbah NSW 2484 within 28 days of the date of publication.

D. MILLING,  
Manager Licensing

## Other Notices

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of establishing a new Vocational Training Order for the recognised traineeship vocation of Electrical Supply Industry Generation (Operations) under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Order specifies a number of matters relating to the required training for this vocation, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Order will take effect from the date of publication in the NSW Government Gazette.

A copy of the Order may be inspected at any State Training Services Regional Office of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/439.htm>

Notice is also given that the recognised trade vocations of Electricity Supply Industry Generation (Electrical/Electronic), Electricity Supply Industry Generation (Mechanical) and Electricity Supply Industry Generation (Fabrication) are now repealed.

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of establishing a new Vocational Training Order for the recognised traineeship vocation of Health Services - Non-Emergency Patient Transport under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Order specifies a number of matters relating to the required training for this vocation, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Order will take effect from the date of publication in the NSW Government Gazette.

A copy of the Order may be inspected at any State Training Services Regional Office of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/437.htm>

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of establishing a new Vocational Training Order for the recognised traineeship vocation of Spatial Information Services under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Order specifies a number of matters relating to the required training for this vocation, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Order will take effect from the date of publication in the NSW Government Gazette.

A copy of the Order may be inspected at any State Training Services Regional Office of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/438.htm>

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised traineeship vocations of:

- Construction
- Construction Pathways
- Concreting
- Steelfixing,

under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the NSW Government Gazette.

A copy of the Order may be inspected at any State Training Services Regional Office of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/435.htm>

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised traineeship vocations of:

- Telecommunications – Access and Associated Services
- Telecommunications – Cabling
- Telecommunications – Computer Telephony Integration
- Telecommunications – Digital Reception Technology
- Telecommunications – Engineering
- Telecommunications – Networks
- Telecommunications – Network Planning
- Telecommunications – Radio Communications,

under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the NSW Government Gazette.

A copy of the Orders may be inspected at any State Training Services Regional Office of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/436.htm>

**ASSOCIATIONS INCORPORATION ACT 1984**

Transfer of Incorporation Pursuant to Section 48(4)(a)

TAKE notice that the company WARATAH SKI CLUB LTD, formerly registered under the provisions of the Corporations Act 2001, is now incorporated under the Associations Incorporation Act 1984 as WARATAH SKI CLUB INCORPORATED, effective 16 November 2009.

Dated: 16 November 2009.

KERRI GRANT,  
Office of Fair Trading

**ASSOCIATIONS INCORPORATION ACT 1984**

Reinstatement of cancelled association pursuant to Section 54A

THE incorporation of MARRICKVILLE R.S.L. YOUTH SWIMMING CLUB INCORPORATED (Y2137928) cancelled on 16 October 2009 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated 18th day of November 2009.

ANTHONY DONOVAN,  
A/g Manager Financial Analysis  
Registry of Co-operatives & Associations  
Office of Fair Trading  
Department of Commerce

**GEOGRAPHICAL NAMES ACT 1966**

Erratum

IN the notice referring to the assignment of the name Ballast Point Park, Folio 5674, 13 November 2009. The **Proposed Name:** Ballast Point Park was incorrect and should read **Assigned Name:** Ballast Point Park.

This notice corrects that error.

WARWICK WATKINS,  
Chairman

Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

**GEOGRAPHICAL NAMES ACT 1966**

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

Assigned Name:	Kerryn McCann Athletic Centre
Designation:	Reserve
L.G.A.:	Wollongong
Parish:	Wollongong
County:	Camden
L.P.I. Map:	Wollongong
1:100,000 Map:	Wollongong 9029
Reference:	GNB5398

The position and the extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's Web Site at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

WARWICK WATKINS,  
Chairperson

Geographical Names Board  
PO Box 143  
Bathurst NSW 2795

**HISTORIC HOUSES ACT 1980**

Vesting of Justice and Police Museum Site in the Historic Houses Trust of New South Wales

HER Excellency the Governor, with the advice of the Executive Council has approved, pursuant to section 20 (2) of the Historic Houses Act 1980, that the Crown Land encompassing the Justice and Police Museum, situated at the corner of Albert and Phillip Streets Circular Quay, Sydney NSW 2000, being part of section 105, Parish of St James County of Cumberland, comprising 1645 square metres as shown on plan S241-858 and designated as a Water Police Office site under Half Monthly Return 1856-55, be declared as divested from the Minister of Lands and be vested in the Historic Houses Trust of New South Wales, and no longer designated for the abovementioned specific use, for an estate fee simple.

The site will revert to being Crown Land should the Historic Houses Trust of New South Wales cease to use the site as a Museum.

Dated: 15 July 2009.

NATHAN REES, M.P.,  
Premier and Minister for the Arts

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Julian Rocks Nature Reserve  
Draft Plan of Management

A draft plan of management for Julian Rocks Nature Reserve has been prepared and is on exhibition until 29th March 2010.

Copies of the plan are available free of charge from the NPWS Byron Coast Area office, Tallow Beach Road, Byron Bay (phone (02) 6620 9300) and the NPWS Northern Rivers Regional Office, 75 Main Street, Alstonville (phone (02) 6627 0200). The plan is also on the website: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au).

Written submissions on the plan must be received by The Ranger, Julian Rocks Nature Reserve, NPWS, PO Box 127, Byron Bay NSW 2481, by 29th March 2010.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request. Your comments on this plan may contain information that is defined as "personal information" under the NSW Privacy and Personal Information Protection Act 1998. The submission of personal information with your comments is voluntary.

**POISONS AND THERAPEUTIC GOODS ACT 1966**

Restoration of Drug Authority

IN accordance with the provisions of clause 175(1) of the Poisons and Therapeutic Goods Regulation 2008, a direction has been issued that the Order issued on 10 July 2001 prohibiting Ahmad Dabboussi PH089548 of 2/550 Punchbowl Road, Lakemba 2196, from supplying, or having possession of, or manufacturing any preparation, admixture or extract of a drug of addiction, as authorised by clauses 101(1) and 102 of the Regulation, for the purpose of his profession as a pharmacist, shall cease to operate from 16 November 2009.

Professor DEBORA PICONE, AM,  
Director-General

Department of Health, New South Wales  
Sydney, 13 November 2009



**UNIVERSITY OF SYDNEY ACT 1989**  
**LAND ACQUISITION (JUST TERMS)**  
**COMPENSATION ACT 1991**

Notice of Compulsory Acquisition of Crown Land for a  
Teaching Facility

THE Minister for Education and Training, with the approval of His Excellency the Lieutenant Governor, declares by delegate that the land described in the Schedule below is acquired by compulsory process under the provisions for the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the University of Sydney Act 1989.

Dated at Sydney, this 12th day of November 2009.

VERITY FIRTH, M.P.,  
Minister for Education and Training

**SCHEDULE**

An unencumbered estate in fee simple in the whole of Lot 583 in DP 729865 and in the Local Government Area and Parish of Lismore, County of Rous, known as 63-65 Uralba Street, Lismore, together with all improvements on that land and subject to the existing lease and licence of part of that land from North Coast Area Health Service to the Australian Red Cross Society, New South Wales Division, for a term of 10 years commencing 30 January 2005 (as reduced by the variation of lease) (agreed to be entered into between North Coast Area Health Service (as lessor) and the Australian Red Cross Society) and also subject to the existing rights of the University of Sydney in relation to that land.

REPORT

And

DETERMINATION

Under

SECTION 24C

of the

STATUTORY AND OTHER OFFICES  
REMUNERATION ACT, 1975

CHIEF EXECUTIVE AND SENIOR EXECUTIVE SERVICES

2 November 2009

[www.remtribunals.nsw.gov.au](http://www.remtribunals.nsw.gov.au)

## CHIEF EXECUTIVE SERVICE AND SENIOR EXECUTIVE SERVICE <sup>1</sup>

Ms Helen Wright's term of office expired on 30 June 2009. Effective from 1 July 2009 the Governor, pursuant to section 6(2) of the Statutory and Other Offices Remuneration Act 1975 (the Act), appointed Mr Christopher Raper as the new Tribunal for a term of three years.

The Governor, pursuant to section 7(1)(b) of the Act also appointed a new Assessor to the Tribunal. Ms Jade Novakovic has been appointed as the independent Assessor for a term of 3 years with effect from 1 July 2009. Ms Novakovic replaces Ms Anne Rein who served as Assessor to the Tribunal from 29 June 2005. Section 7(1) (a) of the Act provides that the Director General of the Department of Premier and Cabinet is the other Assessor appointed to assist the Tribunal. Section 7(4) of the Act provides that the Director General may appoint a deputy to act as Assessor. The Director General has advised that Ms Carolyn Walsh is the Director General's deputy in the role as Assessor to the Tribunal.

### Section 1: Background

1. Section 24C of the Statutory and Other Offices Remuneration Act 1975 (the Act) provides for the Tribunal to determine annual remuneration packages for the SES to take effect on and from 1 October in that year.
2. The SES was introduced in the NSW public sector in 1989. The key features of the SES are:
  - classified into eight remuneration levels
  - minimum and maximum of each remuneration level determined by the Tribunal
  - conditions of employment contained in the contract of employment
  - remuneration packages expressed as total cost of employment
  - each officer is required to enter into an individual performance agreement with the Minister (in the case of the CEO) or the CEO (in the case of an SES officer)
  - provision for annual increase in remuneration based on performance assessment.

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<sup>1</sup> Unless otherwise stated, the Chief Executive Service and Senior Executive Service are referred collectively in this Report and Determination as SES.

3. This Group also comprises office holders who elect to receive, and the Minister approves, access to remuneration packaging arrangements identical to the SES. These office holders, referred to collectively as 11A Office Holders, have historically been listed in the Reports and Determinations for the Chief Executive Service and Senior Executive Service (SES). The Tribunal considers that these office holders are more appropriately listed within the Public Office Holder Group, given the statutory nature of their appointment.
4. The Senior Officer (SO) classification was introduced in December 1996. The work value of SO Levels (1-3) mirrors that of SES Levels (1-3) with lower rates of remuneration for SOs intended to recognise tenured employment, superannuation and leave loading payments on behalf of the SOs by the Government.

#### **The 2008 Review**

5. The Tribunal's 2008 annual determination dated 15 September 2008 provided for a 2.5 per cent increase for each SES officer, subject to satisfactory performance. The Tribunal also provided for a further increase of 1.4 per cent subject to each CEO being satisfied that productivity improvements had occurred in their agency sufficient to fund the increase.
6. Following the making of that Determination, the Premier, the Hon. Nathan Rees MP, in his letter of 28 October 2008, directed the Tribunal to review its Annual Determination and to make a special determination, pursuant to section 24D of the Act, on the remuneration of the SES because of the prevailing economic conditions arising from the global financial downturn.
7. On 20 November 2008 the Tribunal made its Special Determination. This Determination provided for an increase of 2.5 per cent for each SES officer subject to satisfactory performance. The Tribunal also provided for an additional increase of 1.4 per cent subject to each CEO demonstrating to the satisfaction of the Director General of the Department of Premier and Cabinet that quantifiable savings sufficient to fund this additional increase had been achieved in each CEO's agency.

8. To give effect to this arrangement the Tribunal made 2 Determinations; the first increased the minimum and maximum rates for each SES remuneration level by 2.5 per cent effective from 1 October 2008 (Annexure A of that Determination); the second determination provided a further increase of 1.4 per cent to those remuneration levels (Annexure C of that Determination).

## **Section 2: Submissions**

### **Government submission**

9. The Government's Submission to the Tribunal reinforces the Government's view on wage restraint. The 2009-10 Budget was delivered on 16 June 2009 and reflects the still uncertain economic climate. The Submission notes that State revenue estimates over the 4 year period to 2011-12 have been revised down by approximately \$10 billion compared to those projected in the 2008-9 Budget. To meet these challenges the Government is looking at ways to ensure sustainable expenditure growth. One initiative, outlined in the Budget Papers, is the introduction of the whole of Government Better Services and Values Plan comprising 5 coordinated initiatives to improve service delivery and drive productivity and value for money. The first of these initiatives is the Government's commitment to maintain its wages policy.
10. The thrust of this policy is to maintain the real wage improvements previously achieved by limiting increases to 2.5 per cent. Increases beyond 2.5 per cent are to be offset by employee related savings. The Government Submission notes that major salary outcomes approved for Award and Enterprise Agreement based staff since the Tribunal's 2008 Special Determination have all required employee related savings to offset any increases beyond 2.5 per cent.
11. To reinforce the Government's commitment to this policy, the Submission further notes that a small number of employee groups have agreed to outcomes which do not include employee related savings and as such their pay increases have been confined to 2.5 per cent.

12. The Submission also outlines Government initiatives which have impacted upon the structure and operations of the SES in NSW. These include the SES reduction strategy and the creation of the super Departments.
13. In October 2008, the Government made a commitment to reduce its SES numbers by 20 per cent or 171 positions. The decision to reduce the SES by 20 per cent was driven by the need for robust ongoing appraisal of SES numbers in each NSW public sector agency as priorities and agencies change as well as the need to generate savings. The Government has advised that it has met its reduction target with 171 positions deleted by 30 June 2009 and agency budgets reduced accordingly.
14. On 27 July 2009, the *Public Sector Employment and Management (Departmental Amalgamations) Order 2009* created 13 new super Departments within the NSW public sector, effective from 1 July 2009. These reforms are designed to ensure a greater focus on clients, better integration of public services, improve service delivery, better align the bureaucracy and ensure the best value for taxpayers' dollars.
15. The Government Submission has also provided details of SES remuneration increases from other States. The submission notes that both Victoria and Queensland provided increases totalling 2.5 per cent, whereas Western Australia increased SES remuneration by 5.2 per cent from 1 July 2009.
16. The Government has recommended to the Tribunal that increases for the SES be limited to 2.5 per cent. The Government submits that this recommendation is in line with the wages policy and demonstrates the Government's commitment to wage restraint. It also acknowledges the key role the CES and SES will play in leading and driving the Government's reform agenda over the next 12 months. The submission contends

*“it will also go some way to mitigating further salary compression between the SES and Senior Officers”.*

### **Recruitment Allowance and Retention Allowance**

17. The Government submission recommends that there be no increase in the minimum and maximum rates of Recruitment and Retention Allowance. It is expected that with the continuation of the economic downturn and the recent reduction in SES numbers, recruitment and retention of suitably qualified executives will not present a problem in the short to medium term.

### **Treasury Forecasts**

18. The Government has again provided a detailed analysis from the NSW Treasury on the NSW budget strategy for the next 12 months. NSW Treasury anticipates that the Consumer Price Index (CPI) for Sydney in 2009-10 will be 2 per cent. Wages growth as measured by the Wage Price Index is expected to be 3.5 per cent in the next 12 months.
19. Treasury has also advised that the budget position is projected to return to a sustainable surplus position by 2012-13 with tight control of expenses slowing the growth in expenses to an average of around 4 per cent per annum over the next four years. A recovery in economic activity is expected to deliver stronger revenue growth.

### **Section 3: 2009 Tribunal Review**

20. The Government Submission indicates that SES officers received 2.5 per cent increase in 2008. The additional 1.4 per cent efficiency increase available under the Tribunal's determination of 20<sup>th</sup> November 2008 was not passed on to SES officers. On this basis, the Tribunal's determination for 2009 will use those rates, determined in Annexure A of the 2008 Special Determination, as the starting point for calculating the new rates.
21. In determining the quantum of increase for the SES in 2009, the Tribunal has had regard to a number of factors including salary relativities, efficiency and reforms across the sector and the current economic climate. The Tribunal has given careful consideration to the reasoning in the Government Submission as

to why the increase in 2009 should be limited to 2.5 per cent, consistent with the Government's wages policy.

22. The Tribunal has noted the current trends in public sector remuneration. Since the 2008 Special Determination, increases achieved by Allied Health Workers, Fire Fighters, Nurses and Teachers have ranged from 3.9 per cent to 4.4 per cent. In addition, Crown Employees, including SOs, received a 4 per cent increase with effect from 1 July 2009, with a further 4 per cent to be awarded from 1 July 2010. The Tribunal has also noted that the increase in the Labour Price Index for the year ending 30 June 2009 was 3.7 per cent.
23. The Government Submission has also provided details of SES remuneration increases from other States. The Tribunal is also aware that the Commonwealth Remuneration Tribunal recently determined a general increase of 3 per cent for offices under its jurisdiction.
24. In 2007 and 2008 SOs received award based pay increases of 4 per cent each year whereas SES officers received annual increases in remuneration of 2.5 per cent. The Tribunal notes that increases beyond 2.5 per cent for SOs have been met by productivity improvements and cost savings. The Tribunal is firmly of the view that the SES has had a significant role to play in delivering agency productivity improvements, leading the implementation of the Government's reform agenda and delivering cost savings. The Government Submission "*acknowledges the key role the CES and SES will play in leading and driving the Government's reform agenda over the next year.*"
25. The Tribunal has previously expressed its concern regarding salary compression between the first 3 levels of the SES and SO Grades 1-3. What is of particular concern is that the remuneration differential between tenured officers (SOs) and non tenured officers (SES), that was originally put in place to have regard to the different employment arrangements between the two groups has been and continues to be eroded by award based increases.



26. The Tribunal also notes that some of the economic assumptions in the Government Submission supporting an increase limited to 2.5 per cent were prepared earlier in the year when there was a higher level of uncertainty about the global and Australian economic recovery. Since then, Australia's economic circumstances have improved as indicated in more recent economic data. The Minutes of the Monetary Policy Meetings of the Reserve Bank Board over the past 3 months (August – October) show a steady increase in business and consumer confidence, a lower than expected rise in unemployment and housing approvals well above the lows seen in 2008. The overall assumption is that the impact of the global financial downturn on the Australian economy was not as prolonged or as deep as was first anticipated. The Reserve Bank Board is still cautious in its overall outlook because even though the Australian economy is performing well, the recovery in advanced economies was subdued. The Reserve Bank Board concluded in its meeting of 4 October 2009 that;
- “...while downside risks to the domestic economy could not be ruled out, they had diminished significantly over recent months.”*
27. This position is supported by the International Monetary Fund's World Economic Outlook of October 2009. The IMF has upgraded its forecasts for Australian growth, confirming that the economy has outperformed all advanced economies during the global recession with stronger growth and lower debt and deficits than the major advanced economies.
28. The Tribunal is also aware that the SES has been subjected to significant reform over the last 12 months. In particular, the 20 per cent reduction in overall SES numbers suggests that the responsibilities and accountabilities associated with the abolished positions will need to be performed, to a large extent, by the remaining SES. This reform suggests to the Tribunal that the SES have already delivered significant cost efficiencies and direct employee related cost savings to warrant an increase beyond 2.5 per cent.
29. All of the above suggests that an increase of 2.5 per cent for the SES is not appropriate and that a higher amount is warranted. The Tribunal will therefore make a determination which goes beyond the Government's recommendation of

limiting increases for the SES to 2.5 per cent. In doing so the Tribunal recognises the economic recovery is in its early stages and there is an ongoing need for a cautious approach. The Tribunal has had to balance that knowledge with the need to recognise the real cost savings made through reductions in SES numbers, the crucial role played and to be played by the CES and SES in meeting the Government's expenditure reduction targets and realising improvements to service delivery across NSW.

30. The Tribunal is pleased to note that in response to ongoing concerns identified in relation to salary compression between SES and Senior Officers the Department of Premier and Cabinet has reviewed Senior Executive remuneration structures in the NSW public sector. As a result the Department is currently undertaking work to examine available structural options that will ensure the NSW public sector maintains a flexible and contemporary executive leadership group. The Tribunal's view is that this issue should be addressed expeditiously so that any structural changes are in place prior to the Tribunal considering the 2010 Annual Determination. The Tribunal is willing to provide any assistance that may be sought in progressing this matter.

#### **Recruitment Allowance and Retention Allowance**

31. The Recruitment and Retention Allowances were introduced in 1996 to address the difficulties the Government was experiencing in recruiting and retaining SES officers with specialist skills, following the abolition of the specialist market rates the previous year. The Allowances were last varied in 2008 and are reviewed annually to maintain their continued relevance for the purpose for which they were introduced.
32. The Tribunal has reviewed the levels of Recruitment and Retention Allowances and considers that no change is required.

#### **Section 4: Conclusion**

33. The Tribunal determines an increase of 3 per cent for all SES officers, effective on and from 1 October 2009.

34. Payment of the increase is subject to certification of an officer's satisfactory performance by the officer's CEO or in the case of CEOs the relevant Minister.

**The Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009

## ANNEXURE A

**DETERMINATIONS OF THE REMUNERATION PACKAGES OF THE CHIEF EXECUTIVE SERVICE AND SENIOR EXECUTIVE SERVICE EFFECTIVE ON AND FROM 1 OCTOBER 2009.**

**Determination No 1.**

The remuneration package ranges for executive office holders shall be:

<u>CES/SES</u>	<u>Per annum range</u>		
Remuneration Level 8	\$377,251	to	\$435,800
Remuneration Level 7	\$300,801	to	\$377,250
Remuneration Level 6	\$267,651	to	\$300,800
Remuneration Level 5	\$231,951	to	\$267,650
Remuneration Level 4	\$212,801	to	\$231,950
Remuneration Level 3	\$187,351	to	\$212,800
Remuneration Level 2	\$174,651	to	\$187,350
Remuneration Level 1	\$149,150	to	\$174,650

**Determination No 2 - Recruitment Allowance**

To the remuneration package amounts determined above there may be added a Recruitment Allowance up to the maximum for each level as set out hereunder, subject to the approval of the Director General of the Department of Premier and Cabinet. The Allowance will apply for new SES offices and appointment renewals, where it has been established that a specific skill is necessary for recruitment purposes and the performance of the duties of the position.

**Officers in receipt of a Recruitment Allowance are not eligible for payment of a Retention Allowance.**

<u>CES/SES</u>		<u>Maximum Allowance</u>
Levels 7 and 8	up to	\$43,000
Levels 5 and 6	up to	\$30,000
Levels 3 and 4	up to	\$23,000
Levels 1 and 2	up to	\$19,000

## ANNEXURE A (Cont.)

**DETERMINATIONS OF THE REMUNERATION PACKAGES OF THE CHIEF EXECUTIVE SERVICE AND SENIOR EXECUTIVE SERVICE EFFECTIVE ON AND FROM 1 OCTOBER 2009**

**Determination No 3 - Retention Allowance**

SES Officers shall be eligible for a Retention Allowance up to the maximum for each level as set out hereunder. The Allowance will apply on and from the date of approval by the Director General of the Department of Premier and Cabinet and will accrue on an annual basis or part thereof and the total amount will be payable upon the completion of the term of appointment.

**Officers in receipt of a Retention Allowance are not eligible for payment of a Recruitment Allowance.**

<u>CES/SES</u>		<u>Maximum Allowance</u>
Levels 7 and 8	up to	\$43,000
Levels 5 and 6	up to	\$30,000
Levels 3 and 4	up to	\$23,000
Levels 1 and 2	up to	\$19,000

**Determination No 4.**

The Tribunal determines that the remuneration package ranges for offices identified as requiring specialist medical skills shall be:

<u>Specialist Medical Skills</u>	<u>Per Annum range</u>		
Remuneration Level 6	\$275,700	to	\$337,700
Remuneration Level 5	\$274,500	to	\$325,400
Remuneration Level 4	\$269,800	to	\$313,150
Remuneration Level 3	\$257,450	to	\$298,800
Remuneration Level 2	\$241,600	to	\$280,400
Remuneration Level 1	\$222,850	to	\$255,850

**Determination No 5.**

The Tribunal further determines that the remuneration package ranges for offices identified as requiring general medical skills shall be:

<b><u>General Medical Skills</u></b>	<b><u>Per annum range</u></b>		
Remuneration Level 2	\$194,000	to	\$225,100
Remuneration Level 1	\$178,300	to	\$204,650

**The Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009

REPORT

and

DETERMINATION

under

SECTION 13

of the

STATUTORY AND OTHER OFFICES  
REMUNERATION ACT, 1975

JUDGES, MAGISTRATES AND RELATED GROUP

2 November 2009

[www.remtribunals.nsw.gov.au](http://www.remtribunals.nsw.gov.au)

## **JUDGES, MAGISTRATES AND RELATED GROUP**

Ms Helen Wright's term of office expired on 30 June 2009. Effective from 1 July 2009 the Governor, pursuant to section 6(2) of the Statutory and Other Offices Remuneration Act 1975 (the Act), appointed Mr Christopher Raper as the new Tribunal for a term of three years.

The Governor, pursuant to section 7(1)(b) of the Act also appointed a new Assessor to the Tribunal. Ms Jade Novakovic has been appointed as the independent Assessor for a term of 3 years with effect from 1 July 2009. Ms Novakovic replaces Ms Anne Rein who served as Assessor to the Tribunal since 29 June 2005. Section 7(1) (a) of the Act provides that the Director General of the Department of Premier and Cabinet is the other Assessor appointed to the assist the Tribunal. Section 7(4) of the Act provides that the Director General may appoint a deputy to act as Assessor. The Director General has advised that Ms Carolyn Walsh is the Director General's deputy in the role as Assessor to the Tribunal.

### **Section 1: Background**

1. The Judges Magistrates and Related Group comprise such offices as are listed in the Schedules of the Act and, in addition are defined as judicial offices (within the meaning of the Judicial Officers Act 1986) and offices which the Government considers should belong to that Group. The Group also contains a number of other offices that are involved in the judicial system.
2. Section 13 of the Act, requires the Statutory and Other Offices Remuneration Tribunal (the Tribunal), each year, to make a determination on the remuneration to be paid to office holders on and from 1 October in that year. "Remuneration" is defined as salary or allowances paid in money.
3. A principal feature of remuneration for Judges has been the Agreement between Federal and State Governments, reached in 1989, on the relativities between the remuneration of State Supreme Court Judges and Federal Court Judges with the remuneration of a Justice of the High Court. This Agreement provides that the salary of a Judge of the Federal Court and a Judge of the State Supreme Court should not exceed 85 per cent of the salary of a Justice of the High Court of Australia. The Tribunal has consistently held that this relativity remains



acceptable only if and whilst the remuneration of a Justice of the High Court of Australia remains at an appropriate level, and the Remuneration Tribunal should have regard to the base salary plus non financial benefits (such as motor vehicles) when determining judicial remuneration.

4. Since that time, the New South Wales Tribunal has maintained the remuneration of a State Supreme Court Judge at approximately 85 per cent of the remuneration of a Justice of the High Court. The Tribunal's determination of 2008 provided a general increase of 4.3 per cent for NSW Supreme Court Judges and related office holders with effect from 1 October 2008.

## **Section 2: Submissions Received**

As part of the current review the Tribunal received 11 submissions.

5. In making this determination the Tribunal has had regard to submissions received from office holders, the Government and the Department of Justice and Attorney General and the recent determination and Statements issued by the Commonwealth Remuneration Tribunal.
6. The Tribunal, as indicated in its 2008 Report, has also considered specific matters raised by particular office holders, including the relativities between the Local Court and the District Court. As part of the current review the Tribunal requested that the Chief Magistrate provide details of the changes to the jurisdictions of the District Court and the Local Court, including any devolution of responsibilities from the District Court, over the previous 5 years.
7. Because the Commonwealth Tribunal delayed making its determination for Judges and Magistrates (see below), a number of the submissions, including those received from and on behalf of the Supreme Court, the District Court, the Local Court, the Industrial Relations Commission, and the Land and Environment Court requested that the Tribunal not adjust judicial remuneration until such time as the Commonwealth Tribunal made its determination on judicial salaries. This would allow the Tribunal to have regard to the Commonwealth Tribunal's decision when making its 2009 Determination.

8. The Tribunal also received submissions from the Crown Prosecutors, Public Defenders, Commissioners of the Land and Environment Court, Deputy Presidents of the Workers Compensation Commission and the Magistrates outlining changes in their respective jurisdictions and/or seeking an increase in remuneration.

#### **Crown Prosecutors and Public Defenders**

9. The Crown Prosecutors have submitted that an increase in their remuneration and the conveyance allowance is warranted and have provided the Tribunal with a detailed submission outlining their roles and responsibilities and the changes that have occurred since the Tribunal last considered the relativities between the Local Court and District Court in 2002. The submission also notes that due to the present economic conditions it is not appropriate to seek an adjustment in the relativities at this time. The Crown Prosecutors will reconsider their position and are likely to seek further consideration of their claim during the 2010 review.
10. The Public Defenders have advised that they are at present satisfied with the existing salary parity with Crown Prosecutors and support the existing relativities with Judicial Office Holders.

#### **Commissioners, Land and Environment Court**

11. The submission from the Senior Commissioner seeks to retain the existing relativities between officers of the Land and Environment Court. However, the Commissioners will make a more detailed submission in 2010 outlining additional responsibilities associated with changes in the jurisdiction of the Land and Environment Court.

#### **Deputy Presidents, Workers Compensation Commission**

12. The Deputy Presidents have again submitted that the current salary relativity with the Deputy Senior Crown Prosecutor and the Deputy Senior Public Defender is inappropriate. It is suggested by the Deputy Presidents that the roles of Crown Prosecutors and Public Defenders do not carry the responsibility of decision making particularly at appellate level. Because the role of the

Deputy Presidents is to hear appeals arising from decisions made by the Arbitrators of the Workers Compensation Commission, they submit that their remuneration should be equivalent to that of a District Court Judge or a comparable relativity differential between their salaries and those of the President.

### **Magistrates**

13. The Chief Magistrate has provided a detailed submission outlining the changes that have occurred in the jurisdiction of the Local Court in the last 5 years. In particular:
  - An increase in jurisdiction associated with the 2004 amendment to section 58 of the *Crimes (Sentencing Procedure) Act* 1999 which increased the length of consecutive sentences that could be imposed by a Local Court from three to five years.
  - An increase in the number of “Table offences” which are dealt with by the Local Court. In accordance with the *Criminal Procedure Act* 1986 the defendant can elect to have certain matters heard in either the local or district court. Since 2003, 72 offences have been added to the *Criminal Procedure Act*, many of which are new, which has added to the jurisdiction of the local court.
  - As of 1 January 2004, the Local Court’s civil jurisdiction limit increased from \$40,000 to \$60,000 (or \$72,000 by consent).

### **Government Submission**

14. The Government continues to support retention of the 85 per cent nexus between State and Federal judicial remuneration. In making this submission, the Government has advised that the retention of the nexus may only be appropriate as long as the Commonwealth Remuneration Tribunal does not propose large increases in federal judicial remuneration. The Government submission also recommends that the current internal relativities be retained.

### Commonwealth Remuneration Tribunal

15. The Commonwealth Tribunal ordinarily makes its Determinations on judicial remuneration in July each year. In its Statement of 19 May 2009, the Tribunal indicated that it would be delaying its determination for 2009 until after 30 September 2009. The reasons for this delay were to allow the Tribunal time to assess the state of the Australian economy arising from the Global Financial Crisis and to allow the Tribunal sufficient time to complete its review of changes to the jurisdictions of the Federal, Family and Magistrates Courts.
16. On 24 September 2009, the Federal Tribunal advised that it had determined an increase of 3 per cent, effective on and from 1 October 2009 for office holders within its jurisdiction, including Judges and Magistrates. The Tribunal also indicated that it had nearly completed its review of the Federal Courts.
17. On 13 October, the Tribunal issued a Report foreshadowing a work value increase of 6 per cent for Judges and Magistrates. The Tribunal noted that the present economic circumstances prevented the payment of the full increase at this time but that it was the Tribunal's intention to pass on 4 increases of 1.5 per cent the first taking effect on 1 November 2009 and the last being passed on by 1 May 2011.
18. The Tribunal also commented on the impact of this decision on State/Territory Tribunals in the following terms.

*"...The Tribunal is aware that the remuneration of judicial offices in the states and territories is based on remuneration in the federal court system. In making its decision, the Tribunal has taken into consideration factors pertaining specifically to judicial offices in the federal sphere. Accordingly the Tribunal is of the view that any adjustment to the remuneration of judicial offices in the states and territories would need to be based on specific issues particular to each jurisdiction."*

19. The Tribunal also commented on the impact of its decision on non judicial office holders:

*"...The Tribunal also notes that adjustments to federal judicial remuneration have no bearing on the remuneration of the non-judicial offices in the federal system. The Tribunal anticipates that its policy in this regard will be taken into account by the relevant state and territory determining authorities."*

**Section 3: 2009 Review**

20. The submissions received from the Crown Prosecutors and the Commissioners of the Land and Environment Court seek no change in the relativities of remuneration paid to these office holders at the present time. They have indicated however, that more detailed submissions will be provided for consideration during the 2010 review process. The Tribunal will have regard to submissions made at that time.
21. In respect of the Deputy Presidents of the Workers Compensation Commission the Tribunal is aware that there has been a longstanding claim from these office holders for salary equivalence with District Court Judges. The Tribunal has considered the matters raised in the Deputy Presidents' submission and reviewed previous submissions and the findings of the Tribunal. On the basis of the information provided the Tribunal can find no reason to alter the existing arrangements.
22. As foreshadowed in the 2008 review the Tribunal has also undertaken a review of the responsibilities of the Magistrates having regard to any changes in the jurisdictions of the District Court and the Local Courts.
23. The Tribunal has been informed that there is evidence of some change in the proportion of certain offences being disposed of in the Local Court relative to the District Court in the 5 year period 2004 to 2008. At the same time the Tribunal has examined material provided by the Department of Justice and Attorney General that has been compiled from the Commonwealth Government's Reports on Government Services showing civil and criminal lodgements in the Local Courts and District Court in NSW for the same period. The submission from the Department of Justice and Attorney General shows that there has been no significant case load change either within each jurisdiction or between them. The submission has also advised that there has not been a significant devolution of jurisdiction from the District Court to the Local Court.

24. The Tribunal has reviewed all the material carefully and considers that there is not sufficient justification to warrant an adjustment to the existing relativities of the Magistrates.

### **Conveyance Allowance**

25. The Tribunal has undertaken a review of the conveyance allowance. In determining the quantum of this allowance the Tribunal applies the average of leasing, on road and running costs for a range of vehicles which may be leased by NSW Judges and Magistrates. These costs are not arbitrary but are based on NSW public sector leasing methodology. While the lease and running costs may go up in one year, they may also go down the next. In setting any rate where there is a wide range of options, the most equitable approach is to provide for the average of all the relevant rates.
26. The Tribunal considers this methodology is consistent with that used for similar purposes across the public sector and therefore is appropriate for calculating the Conveyance Allowance. The Tribunal's review suggests that there is no need to increase the Conveyance Allowance.

### **Section 4: Conclusion**

27. As the Commonwealth Tribunal's did not make its determination until 23 September 2009 the Tribunal has received and had regard to supplementary submissions received from the Supreme Court, the District Court and the Industrial Relations Commission.
28. The Submission from the Supreme Court has requested that the Tribunal increase judicial salaries by 3 per cent in line with the increase granted by the Commonwealth Tribunal. In addition, if the Commonwealth Tribunal makes a further determination for an increase in the salary of a High Court Judge before the Tribunal's 2010 annual determination, the Minister should direct the Tribunal to make a determination as to whether, and if so how, its 2009 determination should be altered. This position has been supported by both the Chief Judge of the District Court and the President of the Industrial Relations

Commission. The three supplementary submissions have also provided details on the jurisdiction of these courts and the increasing complexity of matters dealt with by them.

29. The Tribunal has completed its review and is not convinced on the material before it that significant workload, complexity or work value changes have occurred within the Group as a whole to warrant any increase above that which maintains the current nexus arrangements agreed in 1989.
30. Consequently the Tribunal will award an increase to office holders in the Group that maintains the relativities that existed prior to the release of the Commonwealth Tribunal's *Report on its Review of Remuneration Relativities among Australia's Federal Courts* on 13 October. On the basis of the above the Tribunal considers that an increase of 3 per cent is appropriate and so determines.
31. In respect of the Commonwealth Tribunal's Report of 13 October 2009, this Tribunal has noted (paragraphs 18 & 19 above) the comments in respect to the jurisdiction specific basis of the Commonwealth Tribunal's deliberations. It is noted that the Determination will have to be tabled in the Federal Parliament and then either House may disallow the Determination within 15 sitting days of tabling.
32. If the Determination is not disallowed by Parliament that will represent a disturbance of relativities that have been agreed between all jurisdictions since the inter governmental agreement reached in 1989. The NSW Government will need to give consideration to this issue and advise the Tribunal of what, if any, action it considers should be taken.
33. Pursuant to Section 13 of the *Statutory and Other Offices Remuneration Act* 1975, as amended, the Tribunal determines that the remuneration to be paid to the office holders in this Group on and from 1 October 2009 shall be as set out in Determinations Nos 1-6.

34. The Tribunal has also adjusted the Acting Judges rates and the Acting Deputy Presidents of the Workers Compensation Commission rates to reflect the daily equivalent of their full time counterparts.
35. The Tribunal has also made a Report and Determination on Travel Allowances for NSW Judges and Magistrates. The Report and Determination are attached at Determination No 7.

**The Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009



**DETERMINATION No 1****REMUNERATION OF JUDGES – effective from 1 October 2009**

	Salary \$ per annum
Chief Justice of the Supreme Court	\$384,530
President of the Court of Appeal	\$360,060
President of the Industrial Relations Commission	\$360,060
Judge of the Supreme Court	\$343,640
President, Workers Compensation Commission	\$343,640
Vice-President of the Industrial Relations Commission	\$343,640
Deputy President of the Industrial Relations Commission	\$343,640
Judge of the District Court	\$309,280
Associate Judge or acting Associate Judge (under the Supreme Court Act 1970)	\$309,280

**DETERMINATION No 2****REMUNERATION OF MAGISTRATES – effective from 1 October 2009**

	Salary \$ per annum
Chief Magistrate	\$309,280
Deputy Chief Magistrate	\$261,340
State Coroner	\$261,340
Chief Industrial Magistrate	\$251,750
Magistrate	\$247,420
Chairperson Victims Compensation Tribunal (NOTE 2)	\$247,420
Children's Magistrate	\$247,420
Deputy State Coroner	\$247,420

NOTE 2: When a more senior Magistrate is appointed to the office then he or she shall retain his or her present salary level.

**DETERMINATION No 3****REMUNERATION OF RELATED OFFICE HOLDERS – effective from 1 October 2009**

	Salary \$ per annum
Chairperson, Law Reform Commission	\$343,640
Solicitor-General	\$343,640
Director of Public Prosecutions	\$343,640
Crown Advocate	\$309,280
Deputy Director of Public Prosecutions	\$309,280
Senior Crown Prosecutor	\$278,350
Senior Public Defender	\$278,350
Deputy Senior Crown Prosecutor	\$250,510
Deputy Senior Public Defender	\$250,510
Solicitor for Public Prosecutions	\$250,510
Deputy Presidents, Workers Compensation Commission	\$250,510
Senior Commissioner Land and Environment Court	\$240,550
Crown Prosecutor	\$228,860
Public Defender	\$228,860
Commissioner Land and Environment Court	\$226,800
Commissioner Industrial Relations Commission	\$226,800

**DETERMINATION No 4****ACTING JUDGES**

## Supreme Court

The following rate shall be paid for each ordinary court working day on which the Acting Judge is occupied in the performance of judicial duties.

Acting Judge of the Supreme Court \$1,490 per day

## District Court

The following rate shall be paid for each ordinary court working day on which the Acting Judge is occupied in the performance of judicial duties as designated by the Chief Judge in the District Court.

Acting Judge of the District Court \$1,340 per day

## Workers Compensation Commission

Acting Deputy President of the  
Workers Compensation Commission \$1,040 per day

**DETERMINATION No 5****CONVEYANCE ALLOWANCE**

Full time Office Holders receiving salary equivalent to a Supreme Court Judge or higher shall be entitled to a Conveyance Allowance of \$22,000 pa.

Full time Office Holders receiving salary equivalent to a District Court Judge shall be entitled to a Conveyance Allowance of \$19,800 pa.

Full time Office Holders receiving salary below that of a District Court Judge shall be entitled to a Conveyance Allowance of \$15,840 pa.

The Conveyance Allowance determined here shall not count towards Judges' pension or for superannuation purposes.

**DETERMINATION No 6****ANNUAL LEAVE LOADING OF JUDGES, MAGISTRATES AND RELATED GROUP ON – effective from 1 October 2009**

## Annual Leave Loading

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales, as set out in Section 6-16.12 to 6-16.16 of the Personnel Handbook, to each of the following office holders:

Magistrates Group listed in Determination No 2

Office Holders listed in Determination No 3 of this Determination

Deputy President of the Industrial Relations Commission (not being a judicial member)

**The Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,

Dated: 2 November 2009

Report and Determination – Travel Allowances for NSW Judges and Magistrates

**REPORT**

a) Background:

Remuneration” is defined in the Statutory and Other Offices Remuneration Act 1975, as salary and allowances payable to office holders. Judges and magistrates are holders of offices specified in Schedule 1 of the Act.

“Allowance” is defined as follows

*“allowance does not include a travelling or subsistence allowance, but includes a travelling or subsistence allowance for travel within Australia by the holder of an office specified in Schedule 1 who is:*

- (a) a Judge or Acting Judge of a court, or*
- (b) any other judicial officer (within the meaning of the Judicial Officers Act 1986) nominated by the Minister by notice in writing to the Tribunal for the purposes of this definition.*

1. The Tribunal in this determination will be setting rates for overnight stays in capital cities, for overnight stays in areas other than capital cities and meal rates for day or part of day absences from headquarters. The Tribunal has also determined the conditions upon which the rates are to be paid.

**b) Current Review:**

2. For the current review the Tribunal has had regard to movements in the travel rates as published in the Australian Taxation Office’s Ruling 2009/15 and the rates adopted for the NSW Public Sector generally. The Tribunal also undertook a survey of accommodation rates in regional New South Wales.

**c) Principles Adopted**

5. In making its determinations on travel allowance rates the Tribunal has adopted a number of guiding principles as set out hereunder.
  - a. Travelling allowances are intended to meet the costs necessarily incurred by Judges and Magistrates who are required to travel away from home/place of work on official business. Such costs include accommodation, meals and incidental expenses.

- b. Allowances are provided to ensure that an officer is not financially disadvantaged as a result of having to travel on official business.
- c. Office holders are not expected to gain or lose financially as a result of travelling on official business.
- d. Where an office holder is accommodated in private, non-commercial accommodation such as the home of a family member or friend, a rate of one third of the specified rate is payable, rounded upwards to the nearest dollar.

The rates for accommodation across NSW vary considerably from town to town. There will be some country towns where the country daily rate will be of financial advantage to the Judge and there will be some (a much lesser number) where the Judge or Magistrate could be financially disadvantaged. With the exception of Newcastle and Wollongong a common rate for Judges and a common rate for Magistrates should be maintained for the remainder of NSW in the knowledge that across a year a Judge or Magistrate will most likely be neither financially advantaged or disadvantaged.

d) Conclusions

In making its determination the Tribunal has had regard to the current travel allowance rates contained in Taxation Ruling 2009/15. Non metropolitan accommodation rates and meal rates have also been adjusted as set out in the Determination.

After reviewing the survey of intra state accommodation and meal costs, the Tribunal makes the following determination (Determination No 7) effective on and from 1 October 2009.

**Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009

**DETERMINATION No 7****TRAVEL ALLOWANCES FOR JUDGES AND MAGISTRATES- effective from 1 October 2009**

Pursuant to section 13 of the Act the Tribunal determines that the travel allowances for Judges and Magistrates will be as follows effective on and from 1 October 2009.

**A Travel necessitating an overnight stay**

Capital City Rates	
Adelaide	\$358.55
Brisbane	\$380.55
Canberra	\$379.35
Hobart	\$344.55
Perth	\$424.55
Darwin	\$414.15
Melbourne, Sydney	\$414.55
Newcastle and Wollongong	\$339.55
Other Areas	
Judges	\$247.10
Magistrates	\$210.20

**CONDITIONS**

General conditions are to be as determined from time to time by the Attorney General. In addition the following specific conditions will apply.

The full daily travel allowance rate is to be paid only where the judge/magistrate stays overnight at commercial accommodation. Where the judge/magistrate stays overnight at non commercial accommodation then one third of the daily rate is to be paid.

Where travel is for a period in excess of 24 hours then meal expenses for the final part day are to be paid.



B Meal Allowances for travel NOT involving an overnight stay

Breakfast	\$22.30
Lunch	\$25.00
Dinner	\$43.00

**Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009

REPORT

and

DETERMINATION

under

SECTION 13

of the

STATUTORY AND OTHER OFFICES  
REMUNERATION ACT, 1975

PUBLIC OFFICE HOLDER GROUP

2 November 2009

[www.remtribunals.nsw.gov.au](http://www.remtribunals.nsw.gov.au)

## **PUBLIC OFFICE HOLDERS GROUP**

Ms Helen Wright's term of office expired on 30 June 2009. Effective from 1 July 2009 the Governor, pursuant to section 6(2) of the *Statutory and Other Offices Remuneration Act 1975* (the Act), appointed Mr Christopher Raper as the new Tribunal for a term of three years.

The Governor, pursuant to section 7(1)(b) of the Act also appointed a new Assessor to the Tribunal. Ms Jade Novakovic has been appointed as the independent Assessor for a term of 3 years with effect from 1 July 2009. Ms Novakovic replaces Ms Anne Rein who served as Assessor to the Tribunal since 29 June 2005. Section 7(1) (a) of the Act provides that the Director General of the Department of Premier and Cabinet is the other Assessor appointed to assist the Tribunal. Section 7(4) of the Act provides that the Director General may appoint a deputy to act as Assessor. The Director General has advised that Ms Carolyn Walsh is the Director General's deputy in the role as Assessor to the Tribunal.

### **Section 1: Background**

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975*, (the Act), requires the *Statutory and Other Offices Remuneration Tribunal* to make a determination of the remuneration to be paid to office holders on and from 1 October in that year. "Remuneration" is defined in section 10A as salary or allowances paid in money.
2. The Public Office Holders Group comprises those public offices, listed in the Schedules of the Act (except for the Judges, Magistrates and Related Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for the majority of this Group is determined as a fixed salary amount. Employer on costs such as the Superannuation Guarantee Levy are additional to the salary amount determined. This Group also comprises office holders who, pursuant to Section 11A of the Act, have elected to receive, and the Minister has approved, access to remuneration packaging arrangements identical to the SES. These office holders, referred to collectively as 11A Office Holders, have historically been listed in the Reports and Determinations for the Chief Executive Service and Senior Executive Service (SES). The Tribunal considers that these office holders are more appropriately listed within the Public Office Holder Group, given the statutory nature of their appointment.

3. The Government considers that there should be no direct nexus with the remuneration of the Judges, Magistrates and Related Group. The Tribunal has supported this position in past Determinations.
4. The Tribunal's Report and Determination of 2008 provided a general increase of 3.9 per cent to the Public Office Holders Group.
5. The Tribunal undertook three special determinations during 2009.
6. The Tribunal made a determination in respect of the new position of Principal Claims Assessor under the Motor Accidents Compensation Act 1999. The Principal Claims Assessor is the head of the Claims Assessment and Resolution Service (CARS) of the Motor Accidents Authority.
7. The Tribunal also reviewed the remuneration payable the President and Deputy Presidents of the Mental Health Review Tribunal. Amendments to the Mental Health (Forensic Provisions) Act 1990 now require that when dealing with matters of patient release the Forensic Panel must be constituted with at least one member, being either the President or a Deputy President, who is the holder or former holder of judicial office. To reflect this new requirement the Mental Health Act 2007 was amended to expand the qualifications for the President and Deputy President to include a person who holds or has held the office of Supreme, District or Federal Court Judge.
8. The Tribunal also determined the remuneration payable to the new position of Information Commissioner. The Information Commissioner is a new independent statutory position accountable directly to the NSW Parliament. The Information Commissioner will act as an independent champion of the new open government regime established by the Government Information (Public Access) Act 2009, which will replace the Freedom of Information Act in early 2010.

## Section 2 Submissions Received

### Government Submission

9. The Government has asked the Tribunal to consider a number of factors, including the key national economic indicators and salary movements across the NSW public sector. Particular emphasis is given to the Government's commitment to wage restraint as articulated in the 2008 Mini Budget and the 2009 Budget.
  
10. The Government submission recommends that this Group receive an increase similar to that recommended for the CES and SES.

### Chairperson, Local Lands Board

11. The Chairperson of the Local Lands Board has sought an increase in remuneration to a level equivalent to that of a Senior Magistrate. In addition, the submission also seeks travel allowances and a conveyance allowance at the same level as that provided to Magistrates. The increase is sought on the basis that the Local Land Board shares much of its jurisdiction with the Local Court whose functions are exercised by a Magistrate. In addition to hearing and determining matters before the Board, the Senior Chairperson has a role in making recommendations for reform of the Local Land Board and the conduct and assigning of the functions of the role of chairing Board sittings.

### Guardianship Tribunal

12. The submission from the Presidential Members of the Guardianship Tribunal has argued that there has been a significant increase in the workload and the jurisdiction of the Guardianship Tribunal since the remuneration was last reviewed in 2000.
  
13. The submission has provided details in regard to the increased workload and associated legislative changes which have impacted upon the role and responsibilities. The submission also argues that the Guardianship Tribunal has a much broader jurisdiction than the Mental Health Review Tribunal and that the range and complexity of fact situations facing the Guardianship Tribunal are greater than those confronting the Mental Health Review Tribunal.

14. In recognition of these changes the Presidential Members of the Guardianship Tribunal now seek parity with the Presidential Members of the Mental Health Review Tribunal.

## **Section 11A Office Holders**

### **Auditor General**

15. The Minister for Public Sector Reform, the Hon John Robertson MLC, has advised the Tribunal that the Auditor General has revoked his election to receive employment benefits in accordance with section 11A of the *Statutory and Other Offices Remuneration Act 1975*.

### **Chief Executive Officer and Independent Member, Independent Pricing and Regulatory Tribunal (IPART)**

16. The former Chairman of IPART has written to the Tribunal requesting that the Tribunal review the remuneration payable to the Chief Executive Officer and Independent Member having regard to an increase in responsibilities since the position was last reviewed by Tribunal in 2005.
17. Since 2005 IPART has gained additional responsibilities associated with amendments to the Water Industry Competition Act which extends IPART's pricing powers to the private sector. In addition the Electricity Supply Amendment (Energy Savings) Bill 2009, which commenced on 1 July 2009, introduces the new Energy Savings Scheme. IPART is responsible for administering the Scheme and its associated Regulation and Rules. The expansion of IPART's roles and responsibilities is also reflected in the growth of IPART's establishment and an increase in the Budget .

### **Public Trustee**

18. Clause 10 of Schedule 1 of the NSW Trustee and Guardian Act 2009 abolished the office of Public Trustee. The office has therefore been removed from the Schedule of 11A office holders.

### **Section 3 2009 Tribunal Review**

#### **Senior Chairperson, Local Lands Board**

19. The Senior Chairperson's submission does not demonstrate to the Tribunal's satisfaction that there has been a significant change in the role and responsibilities for this position to warrant an additional increase. The amendments to the *Crown Land Act 1989* and the *Dividing Fences Act 1991* are administrative in nature and do not represent, in the Tribunal's view, a change in the role and responsibilities of the office.
20. The Tribunal accepts that the complexity of matters now considered by the Senior Chairperson has increased, but considers that increased complexity of work is a feature across most areas of public sector employment and that it does not necessarily reflect a change in the nature of the role or overall responsibilities of the position.
21. While the Senior Chairperson does have similar jurisdictional responsibilities to the Local Court the office does not have the breadth of jurisdiction of a Magistrate. On the basis of the above the Tribunal does not consider a special increase is warranted.

#### **Guardianship Tribunal**

22. The Tribunal has considered the matters raised by the Presidential Members of the Guardianship Tribunal and has found that there is not sufficient justification to increase remuneration to those levels recently provided to the Mental Health Review Tribunal.
23. The information provided indicates that there has been an increase in workload since 2000 but as the Tribunal has stated on many occasions, an increase in workload alone does not reflect a significant change in the nature of the work undertaken and hence does not support an increase in remuneration. While there have been some additional responsibilities associated with legislative amendments, the Tribunal considers that, on balance, these do not significantly increase the role and responsibilities of the President and Deputy Presidents to warrant an increase in remuneration at this time.

**Auditor General**

24. The Auditor General's decision to revoke his election to receive employment benefits means that the remuneration for this position will be reduced by an amount equivalent to the employer benefits (employer's contribution to superannuation and leave loading) which formed part of the Auditor General's remuneration package. The Tribunal has adjusted the remuneration payable to the Auditor General to reflect these changed arrangements.

**Chef Executive Officer and Independent Member, Independent Pricing and Regulatory Tribunal**

25. The Tribunal and Assessors met with the Chief Executive Officer and Independent Member to discuss the claim for additional remuneration as outlined in the former Chairperson's submission.
26. While legislative changes have increased the scope of IPART's operations, these additional activities do not demonstrate to the Tribunal a significant change in the role or responsibilities of the position or the complexity of the work performed. The Tribunal accepts that these additional activities have increased the workload for this position; however workload alone does not reflect a significant change in the nature of the work undertaken. The Tribunal notes that IPART has been provided with additional funding and resources to undertake responsibilities associated with the Water Industry Competition and the Energy Saving Scheme.
27. On the basis of the above the Tribunal does not consider a special increase is warranted.

**Section 4: Conclusion**

28. In determining the general increase for this group of office holders, the Tribunal has had regard to a number of factors including key economic indicators and the Government's recommendations relating its wages policy. The policy provides for a 2.5 per cent increase with increases beyond 2.5 per cent to be matched by productivity improvements.
29. As the Tribunal has previously noted this group of office holders, like the SES is responsible for driving the Government's expenditure reduction targets and



7

reform agenda through their particular jurisdictions. On that basis the Tribunal considers that an increase of 3 per cent is appropriate and so determines.

30. Pursuant to Section 13 of the *Statutory and Other Offices Remuneration Act 1975*, as amended, the Tribunal determines that the remuneration to be paid to office holders on and from 1 October 2009 shall be as specified in Annexure A.

**The Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009

## ANNEXURE A

**DETERMINATION OF THE REMUNERATION OF THE PUBLIC OFFICE HOLDERS GROUP ON AND FROM 1 OCTOBER 2009**

<b>Salary</b>	<b>\$ per annum</b>
Commissioner Police Integrity Commission	\$401,525
Auditor General	\$391,665
Ombudsman	\$390,660
President, Mental Health Review Tribunal	\$316,985
Deputy President Mental Health Review Tribunal	\$277,330
Information Commissioner	\$275,000
Chairperson, Consumer Trader and Tenancy Tribunal	\$257,630
President, Guardianship Tribunal	\$252,250
Principal Claims Assessor (Motor Accidents Compensation Act)	\$250,515
Deputy Chairperson Consumer Trader and Tenancy Tribunal	\$238,275
Deputy Chairperson, Law Reform Commission	\$236,555
Deputy President Administrative Decisions Tribunal	\$226,870
Registrar Workers Compensation Commission	\$220,870
Clerk of the Legislative Assembly	\$220,870
Clerk of the Parliaments	\$220,870
Senior Chairperson (Government and Related Employees Appeals Tribunal) - not being a judicial office holder	\$217,550
Commissioner, Law Reform Commission	\$212,425
Deputy President, Guardianship Tribunal	\$197,355
Senior Member, Consumer Trader and Tenancy Tribunal	\$194,470
Deputy Clerk, Legislative Assembly	\$189,600
Deputy Clerk, Legislative Council	\$189,600
Chairman, Transport Appeals Board	\$180,960
Chairman, Local Land Boards	\$180,960
Registrar, Aboriginal Land Rights Act 1983	\$175,160

## ANNEXURE A (CONT'D)

**DETERMINATION OF THE REMUNERATION OF THE PUBLIC OFFICE  
HOLDERS GROUP ON AND FROM 1 OCTOBER 2009**

Chairperson, Government and Related Employees Appeals Tribunal who is legally qualified (not being the holder of a judicial office or a magisterial office)	\$167,600
Member, Consumer Trader and Tenancy Tribunal	\$167,600
Assessor (Civil Claims)	\$167,600
Chairperson, Government and Related Employees Appeals Tribunal (not being the holder of a judicial office or a magisterial office)	\$158,245
Member of the New South Wales Aboriginal Land Council (Note 1)	\$116,675
President Mental Health Review Tribunal (part time daily rate)	\$1,315
Deputy President Mental Health Review Tribunal (part time daily rate)	\$1,150
Assessor Civil Claims (daily rate)	\$695

Note 1           The Chairperson shall receive an allowance of 10% (i.e. a total of \$128,340 per annum) and the Secretary and Treasurer shall receive an allowance of 5% (i.e. a total of \$122,510 per annum).

**LEAVE LOADING**

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales, as set out in Section 6-16.12 to 6-16.16 of the Personnel Handbook, to each of the office holders listed above who are provided, as a condition of their employment with approved annual leave.

**The Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009

**ANNEXURE B****DETERMINATION OF REMUNERATION OF PUBLIC OFFICE HOLDERS WHO HAVE ELECTED TO BE PROVIDED WITH EMPLOYMENT BENEFITS PURSUANT TO SECTION 11A OF THE ACT EFFECTIVE ON AND FROM 1 OCTOBER 2009**

The Tribunal determines that the remuneration packages per annum for Public Office Holders who have elected to be provided with employment benefits pursuant to section 11A of the Act shall be:

<b><u>Public Office Holder</u></b>	<b><u>Remuneration</u></b>
Commissioner, NSW Crime Commission	\$404,235
Full time Member and CEO, Independent Pricing and Regulatory Tribunal	\$365,060
Electoral Commissioner	\$320,810
Valuer General	\$297,960
Executive Manager Parliamentary Services	\$235,115

**The Statutory and Other Offices  
Remuneration Tribunal**

CHRIS RAPER,  
Dated: 2 November 2009

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### THE HILLS SHIRE COUNCIL

Roads Act 1993 Section 39

Closure of temporary public road linking Gungarten Close to Samantha Riley Drive, Kellyville.

THE Hills Shire Council hereby advises that pursuant to section 39 of the Roads Act 1993, it is intends to close to vehicular traffic the temporary public road linking Gungarten Close to Samantha Riley Drive, Kellyville. The temporary public road is situated on Lots 18 and 19, DP 871028. On publication of this notice the temporary public road ceases to be a public road and rights of passage and access that previously existed in relation to the road are extinguished. Dated at Castle Hill, this 16th day of November 2009. DAVE WALKER, General Manager, The Hills Shire Council, PO Box 75, Castle Hill NSW 1765.

[4934]

### TAMWORTH REGIONAL COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that Tamworth Regional Council, in pursuance of Section 162 of the Roads Act 1993, has named the road created by the subdivision of Lot 34 DP 1139052, Moore Creek Road, North Tamworth, "Semillon Drive". GLEN INGLIS, General Manager, Tamworth Regional Council, 437 Peel Street, Tamworth NSW 2340.

[4935]

### WOLLONDILLY SHIRE COUNCIL

Naming of Public Roads

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

<i>Location</i>	<i>Name</i>
Lots 16 and 17, DP 39095, new road in subdivision off Silverdale Road, Silverdale.	Donohoe Way, Silverdale.

The road name has been advertised and notified in accordance with the above Regulation. LES McMAHON, General Manager, Wollondilly Shire Council, 62-64 Menangle Street, Picton NSW 2571.

[4936]

### WYONG SHIRE COUNCIL

Water Management Act 2000

Notice of Sewer Main becoming available for Connection

WYONG SHIRE COUNCIL hereby gives notice in accordance with section 309 of the Water Management Act 2000, of a sewer main becoming available for connection to properties described in the Schedule below. Landholders of the land described in the Schedule below shall become

liable to payment of sewerage service charges after the expiration of 21 days from publication of this notice. K. YATES, General Manager, Wyong Shire Council, PO Box 20, Wyong NSW 2259.

### SCHEDULE

Lot C in Deposited Plan 31271.  
 Lot 7 in Deposited Plan 201174.  
 Lot 8 in Deposited Plan 201174.  
 Lot 9 in Deposited Plan 201174.  
 Lot 1 in Deposited Plan 201174.  
 Lot 2 in Deposited Plan 201174.  
 Lot 3 in Deposited Plan 201174.  
 Lot 4 in Deposited Plan 201174.  
 Lot 5 in Deposited Plan 201174.  
 Lot 6 in Deposited Plan 201174.

[4937]

### YASS VALLEY COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that Yass Valley Council, pursuant to the abovementioned Act, has named the following roads located within Yass Valley Council.

<i>Description</i>	<i>Name</i>
A new rural residential street, which was created as part of Development Application 5.2008.159.1. The road is located off Merryville Drive on Lots 1, 2 and 4, DP 1081372.	Baron Place.
A new rural residential street, which was created as part of Development Application 5.2008.159.1. The road is located off Merryville Drive on Lots 1, 2 and 4, DP 1081372.	Governor Drive.
A new rural residential street, which was created as part of Development Application 5.2008.159.1. The road is located off Merryville Drive on Lots 1, 2 and 4, DP 1081372.	Colonial Drive.
A new residential street, which was created as part of Development Application 5.2005.312.1. The new road is accessed off Irvine Drive in the Yass Valley LGA and is located on Lot 34, DP 1045621.	Hanley Place.
A new street, which was created as part of Development Application 5.2005.312.1. The new road is accessed off Yass River Road in the Yass Valley LGA and is located on Lot 55, DP 193420.	Triggs Close.

DAVID ROWE, General Manager, Yass Valley Council, PO Box 6, Yass NSW 2582.

[4938]

## ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of NINA THERAPOU (also known as Catherine Therapou), late of Kingsgrove, in the State of New South Wales, secretary, who died on 29 August 2009, must send particulars of the claim to the executor, Sandra Pericles, c.o. Truman Hoyle Lawyers, Level 11, 68 Pitt Street, Sydney NSW 2000, within 31 days from the publication of this notice. After that time and after six months from the date of the death of the deceased the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 12 November 2009. TRUMAN HOYLE LAWYERS, Level 11, 68 Pitt Street, Sydney NSW 2000(DX 263, Sydney), tel.: (02) 9226 9888. Reference: SR 90740.

[4939]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ELIZABETH JOAN MADDOX, late of Hornsby, in the State of New South Wales, who died on 27 March 2009, must send particulars of their claim to the executor, Lynne Catherine Hatch, c.o. Messrs Barton & Co, Solicitors, of Polaris, 128/121-133 Pacific Highway, Hornsby, within thirty days from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Letters of Administration was granted on 16 October 2007. MESSRS BARTON & CO, Solicitors, Polaris, 128/121-133 Pacific Highway, Hornsby NSW 2077 (PO Box 344, Hornsby NSW 1630), tel.: (02) 9476 1744. Reference: DFB/RS.

[4940]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of HENRY ALFRED LUKER, late of Queenscliff, in the State of New South Wales, retired, who died on 12 September 2008, must send particulars of his claim to the executor, c.o. HPL Lawyers, Level 1, 17 Albert Street, Freshwater NSW 2096, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales to Kim Meaghan Luker on 18 September 2009. HPL LAWYERS, Level 1, 17 Albert Street (PO Box 705), Freshwater NSW 2096, tel.: (02) 9905 9500.

[4941]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of DOROTHY NORMA NEWLING, late of Belrose, in the State of New South Wales, widow, who died on 14 September 2008, must send particulars of his claim to the executor, c.o. HPL Lawyers, Level 1, 17 Albert Street, Freshwater NSW 2096, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales to Geoffrey Leonard Newling on 25 September 2009. HPL LAWYERS, Level 1, 17 Albert Street (PO Box 705), Freshwater NSW 2096, tel.: (02) 9905 9500.

[4942]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of the late JOHN KENNING NIGHTINGALE late of Beecroft in the State of New South Wales, Financier, who died on the 19th of February 2009 must send particulars of their claim to the Executors, JOHN ALFRED NIGHTINGALE, LYNNE KENNING SMITH and PETER JAMES NIGHTINGALE C/- their Solicitor, DAVID M CARSON, Level 10, 99 Elizabeth Street, Sydney 2000, within one calendar month from publication of this Notice. After that time the Executors may distribute the assets of the Estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on the 14th of October 2009. DAVID M CARSON, Solicitor, Level 10, 99 Elizabeth Street, Sydney 2000, DX 1027 Sydney, tel: (02) 9222 1033, Facsimile (02) 9222 1044

[4943]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of KENNETH HAROLD PATTEN, late of 2/26A Wattle Street, Peakhurst, 2210 in the State of New South Wales, who died on 16 August 2009, must send particulars of his claim to the executor, Julie Annette Ford, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on the 10 November 2009. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX11307, Hurstville), tel.: (02) 9570 2022.

[4944]

## COMPANY NOTICES

NOTICE of final meeting of members.—W.A.S HOLDINGS PTY LTD (in liquidation), ACN 000 287 758.—Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that the final meeting of the members of the abovenamed Company will be held on 17 December 2009, 9:00 a.m. at the office of Crosbie Warren Sinclair, cnr Pacific Highway and Warabrook Boulevard, Warabrook NSW 2304, for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the Company disposed of and hearing any explanation that may be given by the Liquidator. Dated this 13 November 2009. BRENT ANTONY PERKINS, Liquidator, c.o. Crosbie Warren Sinclair, Box 29, Hunter Region Mail Centre NSW 2310, tel.: (02) 4923 4000.

[4945]

## OTHER NOTICES

### INTEGRAL ENERGY AUSTRALIA

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land at Richmond  
INTEGRAL ENERGY AUSTRALIA declares, with the approval of His Excellency the Lieutenant Governor and the Executive Council, that the land described in the Schedule of this notice is acquired by compulsory process in accordance

with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Electricity Supply Act 1995.

In so far as any Native Title rights and interests may exist over any of the Land outlined in the Schedule, the “non-extinguishment principle” as defined in section 238 of the Native Title Act 1993 (Cth) applies to the acquisition.

Dated at Huntingwood, this 27th day of October 2009.

DANIEL LUCAS,  
Acting Chief Executive Officer

Integral Energy Australia,  
51 Huntingwood Drive, Huntingwood NSW 2148.

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#### SCHEDULE

All that piece or parcel of land in the Local Government Area of Hawkesbury, locality of Richmond, Parish of Ham Common, County of Cumberland, in the State of New South Wales, being Lot 22, Deposited Plan 1127580, having an area of 3963.2 square metres, said to be owned by the State of New South Wales comprising part of Reserve D 500934, dedicated for the purpose of College of Advanced Education on 11 November 1983. The land is administered by the University of Western Sydney (UWS) and is subject to the provisions of The University of Western Sydney Act 1988.

[4946]

ISSN 0155-6320

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DENIS H. HELM, Government Printer.