



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 58**  
**Friday, 30 April 2010**

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## LEGISLATION

### Online notification of the making of statutory instruments

Week beginning 19 April 2010

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

#### Proclamations commencing Acts

NSW Lotteries (Authorised Transaction) Act 2009 No 60 (2010-127) — published LW 23 April 2010

#### Regulations and other statutory instruments

Constitution (Governor's Salary) Amendment Regulation 2010 (2010-128) — published LW 23 April 2010

Management of Waters and Waterside Lands Amendment (Penalty Notice Offences) Regulation 2010 (2010-129) — published LW 23 April 2010

Marine Safety (General) Amendment (Narrow Channels or Fairways) Regulation 2010 (2010-130) — published LW 23 April 2010

State Authorities Non-contributory Superannuation Amendment (Tatts Employment Co (NSW) Pty Ltd) Order 2010 (2010-131) — published LW 23 April 2010

State Authorities Superannuation Amendment (Tatts Employment Co (NSW) Pty Ltd) Order 2010 (2010-132) — published LW 23 April 2010

Superannuation Amendment (Tatts Employment Co (NSW) Pty Ltd) Order 2010 (2010-133) — published LW 23 April 2010

Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010 (2010-134) — published LW 23 April 2010

#### Environmental Planning Instruments

Fairfield Local Environmental Plan 1994 (Amendment No 117) (2010-138) — published LW 23 April 2010

Hastings Local Environmental Plan 2001 (Amendment No 77) (2010-139) — published LW 23 April 2010

Maclean Local Environmental Plan 2001 (Amendment No 20) (2010-140) — published LW 23 April 2010

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Miscellaneous) 2010 (2010-135) — published LW 23 April 2010

State Environmental Planning Policy (Major Development) Amendment (Maps) 2010 (2010-136) — published LW 23 April 2010

State Environmental Planning Policy (Major Development) Amendment (Three Ports) 2010 (2010-137) — published LW 23 April 2010

# OFFICIAL NOTICES

## Department of Industry and Investment

### ANIMAL RESEARCH REGULATION 2010

NOTICE is given in accordance with section 5 of Subordinate Legislation Act 1989 of the intention to re-make a regulation under the Animal Research Act 1985.

The objective of the Animal Research Act 1985 is to protect the welfare of animals used in research. It does this through requiring individuals and organisations which carry out animal research or supply animals for use in research, to be authorised, and regulates the activities of such individuals and organisations.

The Animal Research Regulation 2005 is made under the Act. The Regulation assists in achieving the objectives of the Act through prescribing requirements related to the Australian Code of Practice for the Care and Use of Animals for Scientific Purposes and qualifications for certain members of the Animal Research Review Panel; as well as setting out the constitution and procedures of animal care and ethics committees and subcommittees.

The Regulation also prescribes details for accreditation applications, licensing, and fees for research establishments, research authorities, and animal suppliers. It further sets out the conditions to be observed by the suppliers of cats and dogs for research and certain exemptions from animal supply requirements.

It is proposed to make a new Regulation under the Act the Animal Research Regulation 2010.

The proposed Regulation and Regulatory Impact Statement will be available for public comment from Wednesday 5 May to 17 June 2010 and can be accessed via the Industry and Investment NSW website <http://www.dpi.nsw.gov.au/aboutus/about/legislation-acts/review> or by contacting

Ms Frances Kumbley  
Emergencies and Animal Welfare  
Industry & Investment NSW  
Locked Bag 21  
Orange NSW 2800  
Phone: (02) 6391 3149  
Fax: (02) 6391 3570  
Email: [frances.kumbley@industry.nsw.gov.au](mailto:frances.kumbley@industry.nsw.gov.au)

Written submissions on the proposed Regulation will be accepted by mail, fax or e-mail as set out above.

Note: Submissions close at 5pm on Thursday 17 June 2010.

### FISHERIES MANAGEMENT ACT 1994

#### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

Notification under Clause 33 (4)

Proposed Ballot of Derelict Aquaculture Leases in  
Port Stephens

INDUSTRY & Investment NSW (I&I NSW), will ballot seven (7) areas of public water land in Port Stephens, for the purpose of oyster farming.

<i>Oyster Lease</i>	<i>Area (hectares)</i>	<i>Location</i>
OL70/306	1.831	Port Stephens
OL77/180	1.4628	Port Stephens
OL77/183	4.8406	Port Stephens
OL84/078	3.4381	Port Stephens
OL84/200	3.4177	Port Stephens
OL86/007	3.4620	Port Stephens
OL86/163	2.0590	Port Stephens

The ballot will be held at the Port Stephens Fisheries Institute on Thursday, 13 May 2010, at 11:00 a.m. Only derelict lease applications received by I&I NSW prior to 29 March 2010, will participate in the ballot.

Any lease granted as a result of the ballot will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit as prescribed under the Fisheries Management Act 1994, including payment of prescribed annual fees and charges. Tenure of a lease will be up to 15 years. Leases will be balloted "as is" condition, and all derelict material must be removed in accordance with a work plan approved by the District Fisheries Officer. For further details contact Katie Sachs (Policy Officer Aquaculture) on (02) 4916 3913.

BILL TALBOT,  
Director,  
Fisheries Conservation and Aquaculture,  
Industry & Investment NSW

### FISHERIES MANAGEMENT ACT 1994

#### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

Notification under Clause 33 (4)

Proposed Ballot of Derelict Aquaculture Leases in  
Brisbane Water

INDUSTRY & Investment NSW (I&I NSW), will ballot one (1) area of public water land in Brisbane Water, for the purpose of oyster farming.

<i>Oyster Lease</i>	<i>Area (hectares)</i>	<i>Location</i>
OL92/025	1.5071	Brisbane Water

The ballot will be held at the Port Stephens Fisheries Institute on Thursday, 13 May 2010 at 11:00 a.m. Only derelict lease applications received by I&I NSW prior to 29 March 2010, will participate in the ballot.

Any lease granted as a result of the ballot will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit as prescribed under the Fisheries Management Act 1994, including payment of prescribed annual fees and charges. Tenure of a lease will be up to

15 years. Leases will be balloted “as is” condition, and all derelict material must be removed in accordance with a work plan approved by the District Fisheries Officer. For further details contact Katie Sachs (Policy Officer Aquaculture) on (02) 4916 3913.

BILL TALBOT,  
Director,  
Fisheries Conservation and Aquaculture,  
Industry & Investment NSW

#### FISHERIES MANAGEMENT ACT 1994

##### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

##### Clause 37 (3) – Notice of Granting of Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

OL78/076 within the estuary of Wagonga Inlet, having an area of 0.1777 hectares to NAROOMA BRIDGE OYSTERS PTY LTD of Clifton Hill Vic, for a term of 15 years expiring on 4 December 2024.

OL84/232 within the estuary of Wallis Lake, having an area of 0.7075 hectares to SW & NL THOMPSON PTY LTD of Tuncurry Vic, for a term of 15 years expiring on 12 November 2024.

OL77/187 within the estuary of Port Stephens, having an area of 2.1895 hectares to Paul MERRICK and Debra MERRICK of Tanilba Bay NSW, for a term of 15 years expiring on 15 March 2025.

OL86/024 within the estuary of Port Stephens, having an area of 0.7951 hectares to Paul MERRICK and Debra MERRICK of Tanilba Bay NSW, for a term of 15 years expiring on 15 March 2025.

AL07/015 within the estuary of Port Stephens, having an area of 0.2064 hectares to Don ASHLEY and Geraldine ASHLEY of Oyster Cove NSW, for a term of 15 years expiring on 17 March 2025.

BILL TALBOT,  
Director,  
Fisheries Conservation and Aquaculture,  
Fisheries and Compliance,  
Primary Industries Division,  
Industry & Investment NSW

#### FISHERIES MANAGEMENT ACT 1994

##### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

##### Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL96/074 within the estuary of the Manning River, having an area of 0.4472 hectares to CLIFT OYSTERS PTY LTD of Tuncurry NSW, for a term of 15 years expiring on 31 December 2024.

OL78/181 within the estuary of Merimbula Lake, having an area of 0.5392 hectares to Mervyn HANSEN, Judith HANSEN, Kellie KNIGHT and Nicole CORONE of Pambula NSW, for a term of 15 years expiring on 23 January 2025.

OL68/172 within the estuary of Wagonga Inlet, having an area of 0.5761 hectares to Wayne DAVIES and Phillip DAVIES of Wallaga Lake NSW, for a term of 15 years expiring on 15 November 2024.

OL99/019 within the estuary of the Crookhaven River, having an area of 0.4442 hectares to Gary WALL of Greenwell Point NSW, for a term of 15 years expiring on 22 March 2025.

OL62/078 within the estuary of Wallis Lake, having an area of 0.5125 hectares to POLSON OYSTERS PTY LTD of Oxley Island NSW, for a term of 15 years expiring on 6 July 2024.

OL63/206 within the estuary of the Manning River, having an area of 0.8554 hectares to POLSON OYSTERS PTY LTD of Oxley Island NSW, for a term of 15 years expiring on 27 October 2024.

OL79/047 within the estuary of Wallis Lake, having an area of 0.3465 hectares to POLSON OYSTERS PTY LTD of Oxley Island NSW, for a term of 15 years expiring on 1 October 2024.

BILL TALBOT,  
Director,  
Fisheries Conservation and Aquaculture,  
Fisheries and Compliance,  
Primary Industries Division,  
Industry & Investment NSW

#### PLAGUE LOCUST MANAGEMENT GROUP

##### Appointment of Members

I, STEVE WHAN MP, Minister for Primary Industries

1. revoke the appointment of the person specified in Schedule 1 as members of the Plague Locust Management Group; and
2. appoint the person specified in Schedule 2 as members of the Plague Locust Management Group, for a three year period commencing on the date of this appointment.

##### SCHEDULE 1

##### Revoked Appointments

LISTER, David

##### SCHEDULE 2

##### New appointments

DONGES, Ian

Dated this 18th day of March 2010.

STEVE WHAN, M.P.,  
Minister for Primary Industries

**RURAL ASSISTANCE ACT 1989**

Appointment of Acting Chief Executive  
NSW Rural Assistance

I, STEVE WHAN, M.P., Minister for Primary Industries, pursuant to Clause 3 of Schedule 2 to the Rural Assistance Act 1989 appoint Mr STEPHEN GRIFFITH as Acting Chief Executive of the New South Wales Rural Assistance Authority from 5 May to 28 May 2010 inclusive.

Dated this 19th day of April 2010.

STEVE WHAN, M.P.,  
Minister for Primary Industries

**RURAL LANDS PROTECTION ACT 1998**

State Management Council of Livestock Health and Pest  
Authorities

Appointment of Member

I, STEVE WHAN MP, Minister for Primary Industries, pursuant to section 20 (1) (c) of the Rural Lands Protection Act 1998, appoint Ian DENNEY as a member of the State Management Council of Livestock Health and Pest Authorities, for a four year period commencing on the date of this appointment.

Dated this 11th day of March 2010.

STEVE WHAN, M.P.,  
Minister for Primary Industries

**MINERAL RESOURCES**

NOTICE is given that the following applications have been received:

**REQUEST FOR CANCELLATION OF AUTHORITY**

(T08-0080)

Exploration Licence No. 7129, LIMESTONE MINING PTY LTD, (ACN 089 190 198), County of Lincoln, area of 4 units.

APPLICATION for cancellation was received on 22 April 2010

**EXPLORATION LICENCE APPLICATIONS**

(T10-0095)

No. 3965, ENDEAVOUR MINERALS PTY LTD (ACN 063 725 708), area of 3 units, for Group 1, dated 20 April 2010. (Broken Hill Mining Division).

(T10-0096)

No. 3966, M. A. ROCHE GROUP PTY. LTD. (ACN 060 536 441), area of 4 units, for Group 2, dated 21 April 2010. (Coffs Harbour Mining Division).

(T10-0097)

No. 3967, HIGHLAKE RESOURCES PTY LTD (ACN 062 487 585), area of 53 units, for Group 1, dated 24 April 2010. (Sydney Mining Division).

(T10-0098)

No. 3968, HIGHLAKE RESOURCES PTY LTD (ACN 062 487 585), area of 53 units, for Group 1, dated 24 April 2010. (Sydney Mining Division).

(T10-0099)

No. 3969, ARASTRA EXPLORATION PTY LTD (ACN 085 025 798), area of 30 units, for Group 1, dated 26 April 2010. (Broken Hill Mining Division).

IAN MACDONALD, M.L.C.,  
Minister for Mineral and Forest Resources

NOTICE is given that the following applications have been granted:

**EXPLORATION LICENCE APPLICATIONS**

(T09-0162)

No. 3767, now Exploration Licence No. 7484, MMG AUSTRALIA LIMITED (ACN 004 074 962), Counties of Blaxland and Mouramba, Map Sheet (8032, 8033, 8133), area of 118 units, for Group 1, dated 23 March 2010, for a term until 23 March 2012. As a result of the grant of this title, Exploration Licence No. 6569 has ceased to have effect.

(T09-0175)

No. 3790, now Exploration Licence No. 7483, MMG AUSTRALIA LIMITED (ACN 004 074 962), Counties of Blaxland and Mouramba, Map Sheet (8133), area of 34 units, for Group 1, dated 23 March 2010, for a term until 23 March 2012.

(T09-0176)

No. 3791, now Exploration Licence No. 7484, MMG AUSTRALIA LIMITED (ACN 004 074 962), County of Blaxland, Map Sheet (8032, 8033, 8133), area of 118 units, for Group 1, dated 23 March 2010, for a term until 23 March 2012. As a result of the grant of this title, Exploration Licence No. 6569 has ceased to have effect.

**MINERAL CLAIM APPLICATION**

(T08-0107)

Sydney No. 24, now Mineral Claim No. 328 (Act 1992) JOHN LESLIE LOVE, Parish of Murrumbidgee, County of Harden, area of about 1.47 hectares, to mine for gold and silver, dated 24 March 2010, for a term until 24 March 2015. As a result of the grant of this title, Exploration Licence No. 6561 has partly ceased to have effect.

IAN MACDONALD, M.L.C.,  
Minister for Mineral and Forest Resources

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

(C03-0101)

Exploration Licence No. 4575, ANGLO COAL (DARTBROOK) PTY LTD (ACN 000 012 813) AND MARUBENI THERMAL COAL PTY LTD (ACN 061 468 620), area of 960.6 hectares. Application for renewal received 21 April 2010.



(Z06-0121)

Exploration Licence No. 6579, ILUKA RESOURCES LIMITED (ACN 008 675 018), area of 641 units. Application for renewal received 22 April 2010.

(Z07-0348)

Exploration Licence No. 7129, JANE MCCLURE, area of 4 units. Application for renewal received 21 April 2010.

(T08-0023)

Exploration Licence No. 7143, ANTHONY GILBERT MARTIN, area of 7 units. Application for renewal received 23 April 2010.

(T08-0023)

Exploration Licence No. 7144, ANTHONY GILBERT MARTIN, area of 140 units. Application for renewal received 23 April 2010.

(Z10-2717)

Coal Lease No. 359 (Act 1973), COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of 7.211 hectares. Application for renewal received 22 April 2010.

(Z10-2718)

Coal Lease No. 360 (Act 1973), COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of 132 hectares. Application for renewal received 22 April 2010.

IAN MACDONALD, M.L.C.,  
Minister for Mineral and Forest Resources

### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T01-0109)

Exploration Licence No. 5880, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Burnett, Map Sheet (8938), area of 2 units, for a further term until 30 July 2011. Renewal effective on and from 22 April 2010.

(T02-0791)

Exploration Licence No. 6095, JERVOIS MINING LIMITED (ACN 007 626 575), County of Flinders, Map Sheet (8234), area of 12 units, for a further term until 8 July 2011. Renewal effective on and from 13 April 2010.

(T02-0445)

Exploration Licence No. 6096, JERVOIS MINING LIMITED (ACN 007 626 575), County of Flinders, Map Sheet (8234, 8334), area of 5 units, for a further term until 8 July 2011. Renewal effective on and from 13 April 2010.

(T02-0366)

Exploration Licence No. 6106, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Murchison, Map Sheet (8937, 8938), area of 69 units, for a further term until 28 July 2011. Renewal effective on and from 22 April 2010.

(Z05-0211)

Exploration Licence No. 6479, ROCKWELL RESOURCES PTY LIMITED (ACN 107 798 998), County of Yungnulgra, Map Sheet (7436), area of 36 units, for a further term until 17 November 2011. Renewal effective on and from 1 April 2010.

(Z07-0086)

Exploration Licence No. 6803, ARASTRA EXPLORATION PTY LTD (ACN 085 025 798), County of Yungnulgra, Map Sheet (7436), area of 53 units, for a further term until 6 June 2011. Renewal effective on and from 20 April 2010.

(Z07-0136)

Exploration Licence No. 6838, CTK CONSTRUCTIONS PTY LTD (ACN 001 889 836), County of Macquarie, Map Sheet (9434), area of 5 units, for a further term until 24 July 2011. Renewal effective on and from 22 April 2010.

(Z09-7088)

Exploration Licence No. 6894, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Murchison, Map Sheet (8937, 9037, 9038), area of 18 units, for a further term until 4 October 2011. Renewal effective on and from 23 April 2010.

(Z07-0396)

Exploration Licence No. 6979, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), County of Menindee, Map Sheet (7133), area of 62 units, for a further term until 11 December 2011. Renewal effective on and from 20 April 2010.

(T02-0355)

Mining Purposes Lease No. 312 (Act 1973), B.C. OPALS PTY.LTD. (ACN 050 046 994), Parish of Wallangulla, County of Finch, Map Sheet (8439-2-S), area of 1.197 hectares, for a further term until 27 June 2014. Renewal effective on and from 24 March 2010.

IAN MACDONALD, M.L.C.,  
Minister for Mineral and Forest Resources

### REFUSAL OF APPLICATION FOR RENEWAL

NOTICE is given that the application for renewal in respect of the following authority has been refused:

(Z06-4159)

Exploration Licence No. 6745, WOLF MINERALS LIMITED (ACN 121 831 472), County of King, Map Sheet (8728), area of 6 units. The authority ceased to have effect on 16 April 2010.

IAN MACDONALD, M.L.C.,  
Minister for Mineral and Forest Resources

### CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(Z06-4183)

Exploration Licence No. 6796, ST BARBARA LIMITED (ACN 009 165 066), County of Gregory, Map Sheet (8435), area of 33 units. Cancellation took effect on 20 April 2010.

(Z06-4196)

Exploration Licence No. 6800, ST BARBARA LIMITED (ACN 009 165 066), County of Gregory, Map Sheet (8336, 8436), area of 45 units. Cancellation took effect on 20 April 2010.

(Z07-0543)

Exploration Licence No. 7132, ST BARBARA LIMITED (ACN 009 165 066), County of Gregory, Map Sheet (8335, 8435), area of 78 units. Cancellation took effect on 21 April 2010.

(T08-0040)

Exploration Licence No. 7182, ST BARBARA LIMITED (ACN 009 165 066), County of Gowen, County of Lincoln and County of Napier, Map Sheet (8734), area of 100 units. Cancellation took effect on 20 April 2010.

(T08-0251)

Exploration Licence No. 7338, UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), County of Roxburgh, Map Sheet (8832), area of 6 units. Cancellation took effect on 23 September 2009.

(T09-0035)

Exploration Licence No. 7377, ST BARBARA LIMITED (ACN 009 165 066), County of Gowen, Map Sheet (8634), area of 90 units. Cancellation took effect on 20 April 2010.

IAN MACDONALD, M.L.C.,  
Minister for Mineral and Forest Resources

## RURAL LANDS PROTECTION ACT 1998

Order Pursuant to Section 140J

Approval of Form 'AAD' as a Transported Stock Statement

I, GEORGE DAVEY, Deputy Director-General, Primary Industries, of the Department of Industry and Investment, with the delegated authority of the Director-General of the Department of Industry and Investment pursuant to section 241 (2) of the Rural Lands Protection Act 1998 ("the Act"), and pursuant to sections 140J (2) and 140J (3) of the Act approve the document specified in the Schedule ("TSS Form AAD") as a transported stock statement subject to the condition that the document must be compiled in triplicate.

Dated this 22nd day of April 2010.

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

SCHEDULE  
TSS Form AAD



**NSW TRANSPORTED STOCK STATEMENT**  
TSS Form AAD  
RURAL LANDS PROTECTION ACT 1998 PART 10A

Print a consecutive 8 digit number on each form commencing with the authority No (01-14)

**Part A** (To be completed by the owner or person in charge of the stock at the consignment property)

1. **Owner of stock** (person or trading name) \_\_\_\_\_

2. **Place of loading stock** (address) \_\_\_\_\_  
PIC: 

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3. **Destination of stock** (address) \_\_\_\_\_  
PIC: 

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4. **Consigned to** (person's name) \_\_\_\_\_  
(person's address if different to destination) \_\_\_\_\_

**5. Details of Stock**

Cattle    Sheep    Goats    Horses    Other (specify): \_\_\_\_\_

Number	Breed	Sex	Other details * (may include earmarks and brands)

\* If **sheep or goats** have not been bred on the property they are being consigned from, then all PIC characters on tags attached to the stock must be written here (or on an attached list) OR a pink post-breeder tag with the consignment property PIC must be attached to each animal.

Part A is completed by the  owner of the stock or  person in charge of the stock.

Full name: \_\_\_\_\_

Full address: \_\_\_\_\_

\_\_\_\_\_ Phone number: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Part B** (To be completed by the driver or person in charge of the stock while they are being transported)

If the stock described in Part A are being transported in more than one vehicle or load, then a copy of this form must be carried with each vehicle and load and Part B completed by each driver.

Vehicle registration no.							
Driver's name			Phone number				
Collection of stock				Delivery of stock			
Date		Time		Date		Time	

Signature \_\_\_\_\_ Date \_\_\_\_\_

Section 140E of the Rural Lands Protection Act 1998 and Part 3 of the Stock Diseases Regulation 2009 require Transported Stock Statements to be retained for specified periods of time. See the legislation for details as to the appropriate period.

# Land and Property Management Authority

## ARMIDALE OFFICE

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

Phone: (02) 6770 3100 Fax (02) 6771 5348

### ROADS ACT 1993

#### Notification of Closing of Roads

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the lands comprised therein cease to be public roads and the rights of passage and access that previously existed in relation to these roads are extinguished. Upon closing, titles to the lands, comprising the former public roads, vests in the body specified in the Schedules hereunder.

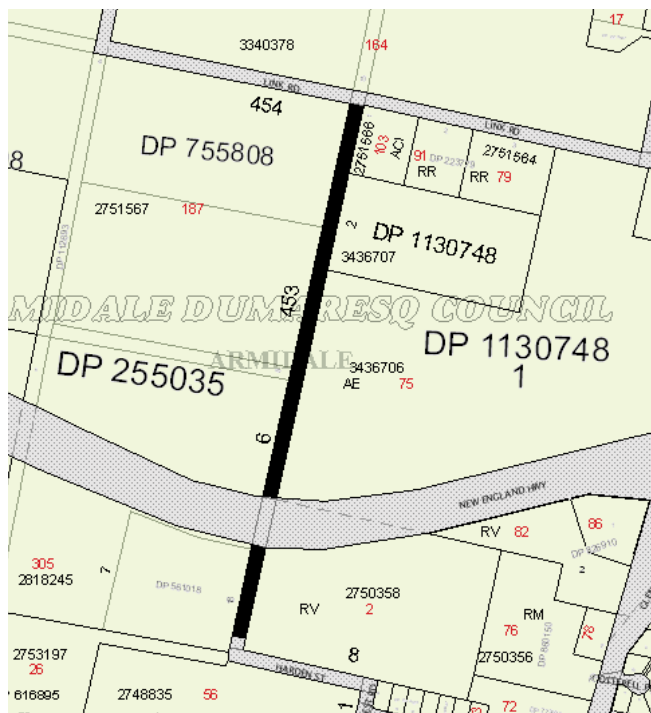
TONY KELLY, M.L.C.,  
Minister for Lands.

#### Description

*Land District – Armidale; LGA – Armidale Dumaresq*

Road closed: That part of Scholes Street as shown by solid black shading on the diagram hereunder. Parish Armidale, County Sandon. File No.: 09/10733.

Note: On closing, that part of Scholes Street, as shown by solid black shading on the diagram hereunder, remains vested in the Armidale Dumaresq Council as operational land.





**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 Gilgandra;  
Land District of Coonamble*

Lots 1-3, DP 1145482, Parishes of Eringanerin and Yalcogrin, County of Gowen (not being land under the Real Property Act). File No.: DB05 H 81.

Note: On closing, the titles for Lots 1-3 shall vest in the State of New South Wales as Crown Land.

## Description

*Local Government Area of Mid-Western Regional;  
Land District of Mudgee*

Lot 1, DP 1144255, Parish of Narragamba, County of Bligh (not being land under the Real Property Act). File No.: DB05 H 327.

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

**GOULBURN OFFICE****159 Auburn Street (PO Box 748), Goulburn NSW 2580****Phone: (02) 4824 3700 Fax: (02) 4822 4287****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>
Leslie Norman CONNELL (new member), Maree Ila KENNEDY (new member), Bruce Howard TEMPLE (new member), Elva Marie McMILLAN (re-appointment), Kevin Kennedy SMITH (re-appointment), Judith ALCOCK (re-appointment), James HEFFERNAN (new member).	Nerriga Craft and Museum Centre Trust.	Reserve No.: 97138. Public Purpose: Public recreation. Notified: 20 January 1984. File No.: GB84 R 2.

## Term of Office

For a term commencing 13 May 2010 and expiring 12 May 2015.

**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 – Newham; County – King;  
Land District – Boorowa; L.G.A. – Boorowa*

Lots 1 to 11 (inclusive), DP 1149296 (not being land under the Real Property Act). File No.: GB06 H 50:JK.

## Schedule

On closing, the title for the land in Lots 1 to 11 (inclusive), DP 1149296 remains vested in the State of New South Wales as Crown Land.

**GRAFTON OFFICE**  
**76 Victoria Street (PO Box 272), Grafton NSW 2460**  
**Phone: (02) 6640 3400 Fax: (02) 6642 5375**

**RESERVATION OF CROWN LAND**

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

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

**SCHEDULE***Column 1*

Land District: Lismore.  
Local Government Area:  
Lismore City Council.  
Locality: Broadwater.  
Lot 1, DP No. 123439,  
Parish Broadwater,  
County Rous.  
Area: About 1.275 hectares.  
File No.: GF05 R 44.

*Column 2*

Reserve No.: 1026029.  
Public Purpose: Environmental  
protection.

**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***Column 1*

Ballina Shire Holiday Parks  
Reserve Trust.

*Column 2*

Reserve No.: 75925.  
Public Purpose: Public  
recreation.  
Notified: 15 May 1953.  
Reserve No.: 82783.  
Public Purpose: Public  
recreation.  
Notified: 9 September 1960.  
Reserve No.: 84107.  
Public Purpose: Resting  
place and public recreation.  
Notified: 14 December 1962.  
File No.: 10/02778.

**APPOINTMENT OF RESERVE TRUST**

PURSUANT to section 92 (1) of the Crown Lands Act 1989, the existing reserve trust specified in Column 1 of the Schedules hereunder, is appointed as trustee of the reserves specified in Column 2 of the Schedules.

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

**SCHEDULE 1***Column 1*

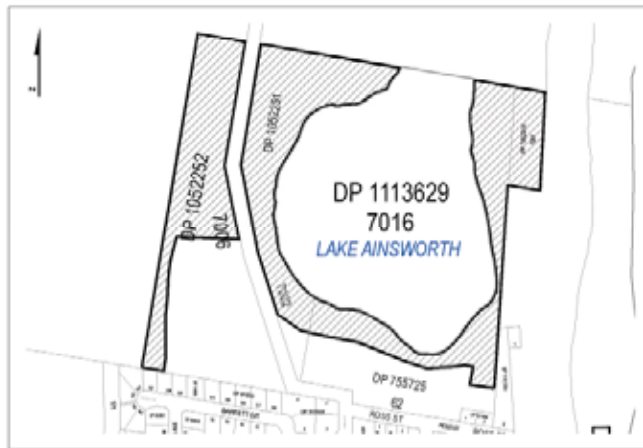
Ballina Coastal  
Reserve Trust.

*Column 2*

Part Reserve No. 84107, (being part Lot 6, section 87, DP 758047; part Lot 15, section 89, DP 758047; part Lot 7022, DP 1050837 and part Lot 7015, DP 1064316, Parish Ballina, County Rous, as shown by black hatching on the diagram hereunder).  
Public Purpose: Public recreation and resting place.  
Notified: 14 December 1962.



Part Reserve No. 82783, (being part Lot 62, DP 755725; Lot 7001, DP 1052251; part Lot 7002, DP 1052251 and part Lot 7006, DP 1052252, Parish Newrybar, County Rous, as shown by black hatching on the diagram hereunder).  
Public Purpose: Public recreation.  
Notified: 9 September 1960.



File No.: 10/02778.

Note: Any tenure agreements granted by Ballina Shire Holiday Parks Reserve Trust remain in place under Ballina Coastal Reserve Trust.

SCHEDULE 2

*Column 1*  
North Coast  
Accommodation Trust.

*Column 2*  
Reserve No.: 75925.  
Public Purpose: Public recreation.  
Notified: 15 May 1953.  
Part Reserve No. 84107, (being Lot 5, section 87, DP 758047; part Lot 6, section 87, DP 758047; Lot 2, section 89, DP 758047; part Lot 15, section 89, DP 758047; part Lot 7022, DP 1050837 and part Lot 7015, DP 1064316, Parish Ballina, County Rous, as shown by black hatching on the diagram hereunder).  
Public Purpose: Public recreation and resting place.  
Notified: 14 December 1962.



Part Reserve No. 82783, (being part Lot 62, DP 755725; part Lot 7002, DP 1052251 and part Lot 7006, DP 1052252, Parish Newrybar, County Rous, as shown by black hatching on the diagram hereunder).  
Public Purpose: Public recreation.  
Notified: 9 September 1960.



File No.: 10/02778.

Note: Any tenure agreements granted by Ballina Shire Holiday Parks Reserve Trust remain in place under North Coast Accommodation Trust.

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 – Grafton; LGA – Clarence Valley*

Road Closed: Lot 1, DP 1136789 at Tullymorgan, Parish Ashby, County Clarence. File Reference: 07/6162

Schedule

On closing, the land within Lot 1, DP 1136789 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Casino; LGA – Richmond Valley*

Roads Closed: Lots 1 & 2, DP 1144488 at Fairy Hill and Backmede, Parish Kyogle, County Rous. File Reference: GF05H664, 09/01519

Schedule

On closing, the land within Lots 1 & 2, DP 1144488 remains vested in the State of New South Wales as Crown Land.

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

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Description

*Land District – Deniliquin; L.G.A. – Conargo*

Lot 1 in DP 1149565, Parish of Thurgoon, County of Townsend. File No.: HY86 H 365.

Schedule

On closing, title for the land comprised in Lot 1, DP 1149565 remains vested in the State of New South Wales as Crown Land.

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MAITLAND OFFICE

Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323

Phone: (02) 4937 9300 Fax: (02) 4934 2252

ERRATUM

IN the notice which appeared in the New South Wales Government Gazette No. 54 of the 16 April 2010, Folio 1887 under the heading "RESERVATION OF CROWN LAND", the heading should have read "RESERVATION OF LAND WHICH MAY BE DEALT WITH AS IF IT WERE CROWN LAND SUBJECT TO THE CROWN LANDS ACT".

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

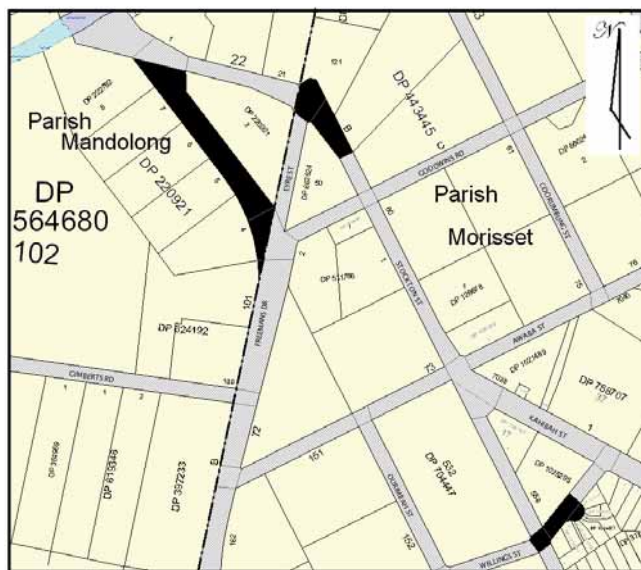
SCHEDULE 2

Roads Authority: Wyong Shire Council. Council's Reference: F2004/06601. Lands File Reference: 09/19240.

SCHEDULE 1

Parishes - Mandolong and Morisset; County - Northumberland; Land District - Gosford; Local Government Area - Lake Macquarie City Council

The Crown public roads as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Lake Macquarie City Council. Council's Reference: F2009/02076. Lands File Reference: 10/00433.

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

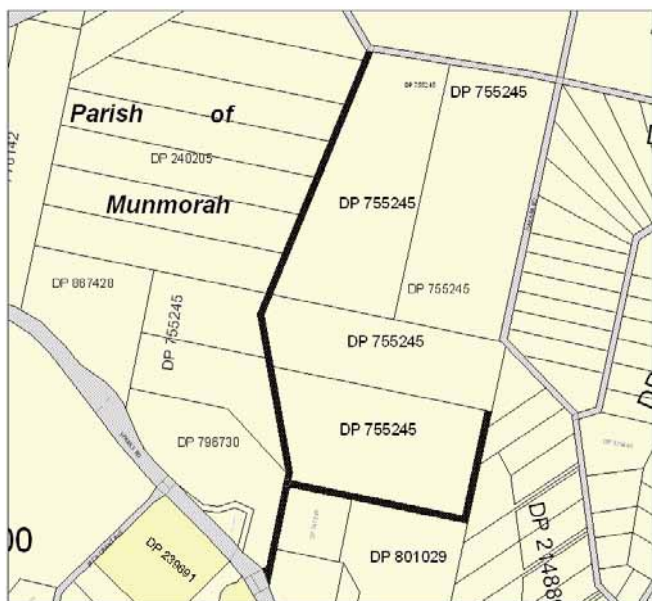
IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the road specified in Schedule 1 ceases to be a Crown road.

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

SCHEDULE 1

Parish - Munmorah; County - Northumberland; Land District - Gosford; Local Government Area - Wyong

The Crown public roads as shown by solid black shading on the diagram hereunder.



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.

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

Description

Parish - Butterwick; County - Durham; Land District - Maitland; LGA - Port Stephens

Road closed: Lots 1 & 2, DP 1147028 (not being land under the Real Property Act). File No.: MD05H93

Schedule

On closing, the land within Lots 1 & 2, DP 1147028 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 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

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Description

*Parish – Coolamin; County – Northumberland;  
Land District – Maitland; LGA – Cessnock*

Road closed: Lots 1 & 2, DP 1145189 (not being land under the Real Property Act). File No.: 07/3161

Schedule

On closing, the land within Lots 1 & 2, DP 1145189 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**

<i>Column 1</i>	<i>Column 2</i>
Land District: Bingara.	The part being Lot 338, DP
Local Government Area: Gwydir Shire Council.	No. 822887, Parish Bingara, County Murchison;
Locality: Bingara.	Lot 337, DP No. 822887, Parish Bingara, County
Reserve No.: 29608.	Murchison;
Public Purpose: Travelling stock.	Lot 336, DP No. 822887, Parish Bingara, County
Notified: 15 July 1899.	Murchison, of an area of
File No.: ME85 R 13.	2.1191 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.

**WITHDRAWAL OF RESERVE FROM CONTROL OF  
LIVESTOCK HEALTH AND PEST AUTHORITY**

PURSUANT to section 86(1) of the Rural Lands Protection Act 1998, the part of the reserve specified in Column 1 of the Schedule hereunder, is withdrawn from the control of the authority 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: Bingara.	North West Livestock Health
Livestock Heath and Pest Authority District: North West.	and Pest Authority.
Local Government Area: Gwydir Shire Council.	
Locality: Bingara.	
Part Reserve No. 29608, for the public purpose of travelling stock, notified in the <i>New South Wales</i> <i>Government Gazette</i> of 15 July 1899, being an area of about 2.1191 hectares and identified by Lots 336, 337 and 338, DP 822887, Parish of Bingara, County of Murchison, revoked this day.	
File No.: ME85 R 13.	

**NOTIFICATION OF CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are 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 roads is extinguished. On road closing, title to the land comprising the former public roads vest in the body specified in the Schedule hereunder.

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

**Description**

*Land District – Warialda; Council – Inverell Shire;  
Parish – Ellis; County – Arrawatta*

Road Closed: Lot 1 in DP 1150806. File No.: 07/4664.

**Schedule**

On closing, title to the land within Lot 1 in DP 1150806 remains vested in the State of New South Wales as Crown Land.

**Description**

*Land District – Warialda; Council – Gwydir Shire  
Parish – Murgo; County – Burnett*

Roads Closed: Lots 1 and 2 in DP 1145484. File No.: ME05 H 240.

**Schedule**

On closing, title to the land within Lots 1 and 2 in DP 1145484 remains vested in the State of New South Wales as Crown Land.

**Description**

*Land District – Narrabri; Council – Narrabri Shire;  
Parish – Cowimangarah; County – Jamison*

Road Closed: Lot 1 in DP1129669. File No.: ME05 H 190.

**Schedule**

On closing, title to the land within Lot 1 in DP 1129669 remains vested in the State of New South Wales as Crown Land.

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

**NOTIFICATION OF CLOSING OF 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 – Narira; Land District – Bega;  
Local Government Area – Bega Valley*

Road Closed: Lot 1-2, DP 1149330 at Cobargo. File Nos: 07/6106 and 09/17851.

Schedule

On closing, the land within Lot 1-2, DP 1149330 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Murrabrine; County – Dampier;  
Land District – Bega;  
Local Government Area – Bega Valley*

Road Closed: Lot 1, DP 1145632 at Cobargo. File No.: NA06 H 10.

Schedule

On closing, the land within Lot 1, DP 1145632 remains vested in the State of New South Wales as Crown Land.

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

**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

<i>Column 1</i>	<i>Column 2</i>
Land District: Rylstone. Local Government Area: Mid-Western Regional Council. Locality: Rylstone. Reserve No.: 755426. Public Purpose: Future public requirements. Notified: 29 June 2007. File No.: 10/05483.	The whole being Lot 155, DP No. 755426, Parish Dabee, County Phillip; Lot 156, DP No. 755426, Parish Dabee, County Phillip; Lot 157, DP No. 755426, Parish Dabee, County Phillip; Lot 164, DP No. 42885, Parish Dabee, County Phillip, of an area of 26.26 hectares.

**ROADS ACT 1993**

**ORDER**

Transfer of Crown Road to 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 – Mulyan; County – Forbes;*  
*Land District – Cowra*

Road west Lot 2, DP 709267; Lot 12, DP 802770 and Lot 2, DP 560968.

SCHEDULE 2

Roads Authority: Cowra Shire Council

LPMA File: CL/00476

Council Reference: 47825

**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 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 – Calvert; County – Bathurst;*  
*Land District – Blayney; L.G.A. – Blayney*

Road Closed: Lot 5 in Deposited Plan 1101081.  
File No.: 07/5082.

Schedule

On closing, title to the land comprised in Lot 5 remains vest in the Crown as Crown Land.

Description

*Parish – Hartley; County – Cook;*  
*Land District – Lithgow;*  
*Local Government Area – Lithgow*

Road Closed: Lot 1, DP 1146955 at Little Hartley.  
File No.: 08/10412.

Schedule

On closing, title to the land comprised in Lot 1, DP 1146955 will vest in the Crown as Crown Land.

**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**

**ESTABLISHMENT OF RESERVE TRUST**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Barton Park (R78232) Reserve Trust	Reserve 78232 notified for public recreation on 30-Dec-1955 (File No.: 09/15189)

**APPOINTMENT OF CORPORATION TO MANAGE A 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>
Parramatta City Council	Barton Park (R78232) Reserve Trust	Reserve 78232 notified for public recreation on 30-Dec-1955 (File No.: 09/15189)

**NOTIFICATION OF CLOSING OF ROAD**

IN pursuance of the provisions of the Roads Act 1993 the road hereunder specified are closed and the road ceases to be public road and the rights of passage and access that previously existed in relation to the road are extinguished.

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

Descriptions

*Land District – Metropolitan; L.G.A. – Blacktown*

Lots 1, 2 & 3, DP 1148968, at Doonside, Parish Prospect, County Cumberland. File No.: MN04H212

Notes (1) On closing, title for the land in lots 1, 2 & 3 remains vested in Blacktown City Council as operational land.

(2) The road is closed subject to the easement for underground cables 2 wide as shown in DP 1148968.

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons specified in Column 1 of the Schedule hereunder are appointed, for a term 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>
Hon. Michael CLEARY, Susan CLEARY, Jeremy GILLING, Robert Edward McKEOWN, John Joseph MORRIS	Wentworth Park Sporting Complex Trust	Dedication No. D500010 Area at Glebe proclaimed a public park in the NSW <i>Government Gazette</i> of 10 November 1885.
Ex_officio Members: General Manager, Sydney City Council or nominee; Chief Executive, Land and Property Management Authority or nominee; Director General, Communities NSW or nominee; General Manager, Operations Greyhound Breeders Owners and Trainers Association NSW or nominee; Chairman, Greyhound Breeders Owners and Trainers Association; Director, Greyhound Breeders Owners and trainers Association.		

Term of Office

For the period commencing on 27 May, 2010 and ending on 26 May 2013. File No.: MIN10/2128/1



**ESTABLISHMENT OF RESERVE TRUST**

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

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Waterfall Reserve (R1023768) Reserve Trust	Reserve 1023768 notified for Urban Services on 13 November, 2009. File Reference: 10/05678

**APPOINTMENT OF CORPORATION TO MANAGE  
A 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>
Sutherland Shire Council	Waterfall Reserve (R1023768) Reserve Trust	Reserve 1023768 notified for Urban Services on 13 November 2009. File Reference: 10/05678

### TAMWORTH OFFICE

25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340

Phone: (02) 6764 5100 Fax: (02) 6766 3805

#### NOTIFICATION OF CLOSING OF A ROAD

IN pursuance to the provisions of the Roads Act 1993, the road hereunder specified 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.

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

#### Description

*Locality – Curlewis; Land District – Gunnedah;  
L.G.A. – Gunnedah*

Road Closed: Lot 1 in Deposited Plan 1147870, Parish Curlewis, County Pottinger. File No.: 07/1724.

Note: On closing, title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

#### Description

*Locality – Quirindi; Land District – Quirindi;  
L.G.A. – Liverpool Plains*

Road Closed: Lot 1 in Deposited Plan 1149890, Parish Gunnadilly, County Buckland. File No.: 07/2691.

Note: On closing, title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

#### Description

*Locality – Rangiri; Land District – Gunnedah;  
L.G.A. – Gunnedah*

Road Closed: Lot 1 in Deposited Plan 1149870, Parish Rangira, County Nandewar. File No.: 07/1573.

Note: On closing, title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

#### Description

*Localities – Blandford and Scotts Creek;  
Land District – Quirindi; L.G.A. – Upper Hunter*

Road Closed: Lot 1 in Deposited Plan 1149896, Parish Temi, County Brisbane. File No.: 07/0995.

Note: On closing, title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

#### Description

*Locality – Emerald Hill; Land District – Gunnedah;  
L.G.A. – Gunnedah*

Road Closed: Lot 1 in Deposited Plan 1149885, Parishes Dubbleda and Gunnedah, County Pottinger. File No.: 08/2030.

Note: On closing, title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

#### ESTABLISHMENT OF RESERVE TRUST

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

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

#### SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Moore Creek Dam Reserve Trust.	Reserve No.: 200012. Public Purpose: Future public requirements. Notified: 30 October 1987. File No.: 10/05651.

#### 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>
Lands Administration Ministerial Corporation.	Moore Creek Dam Reserve Trust.	Reserve No.: 200012. Public Purpose: Future public requirements. Notified: 30 October 1987. File No.: 10/05651.

For a term commencing 30 April 2010.

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

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose name is specified in Column 1 of the Schedule hereunder, is appointed for the term of office specified, as a member 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>
Gerard McDONAGH (re-appointed), Peter GRAIG (re-appointed), John WEATE (re-appointed), Claire PONTIN (new appointment), Councillor of Great Lakes Council (ex officio).	Tuncurry Public Hall Reserve Trust.	Reserve No.: 54151. Public Purpose: Public hall. Notified: 10 September 1920. File No.: TE80 R 193.

Term of Office

For a term commencing 22 April 2010 and expiring on 21 April 2015.

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

**WITHDRAWAL OF LANDS FROM WESTERN LANDS LEASES**

PURSUANT to section 35Q of the Western Lands Act 1901, the lands described in Column 1 of the Schedule hereunder, are withdrawn from the leases described in Column 2 of the Schedule for the purpose of being dedicated as public roads.

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

SCHEDULE

Descriptions

*Counties of Mootwingee, Farnell, Evelyn, Yantara and Tongowoko;  
Administrative Districts of Broken Hill and Milparinka; Unincorporated Area*

Column 1 Land Withdrawn From Lease (Lot/DP)	Column 2 Lease Affected by Withdrawal	Column 3 Title Affected	Column 4 Area Withdrawn From Lease (ha)	Column 5 Lease Area Following Withdrawal (ha)
5/1148680	WLL 4404	2211/764218	7.458	9706
6/1148680 7/1148680 8/1148680 9/1148680 10/1148680	WLL1020	5694/768594 5695/768595	34.20	1469
11/1148680 13/1148680 15/1148680	WLL 4401	2212/764219	36.53	19475
17/1148680	WLL 824	5766/768666	6.590	2343
18/1148680	WLL 4400	2213/764220	21.79	25707
19/1148680	WLL 5585	3305/765561	42.41	7456
20/1148680 22/1148680 25/1148680 27/1148680	WLL 5586	3304/765560	61.13	7736
28/1148680	WLL 1378	5700/768600	37.26	1553
29/1148680	WLL 5584	3303/765559	18.91	3734
30/1148680	WLL 6121	3306/765562	60.52	40121
31/1148680	WLL 5582	3300/765556	27.64	22509
32/1148680	WLL 5581	3299/765555	28.18	7990
33/1148680	WLL 4408	2216/764132	47.45	8445
34/1148680	WLL 3119	1121/762452	42.01	9970
35/1148680	WLL 3120	1122/762453	41.71	11888
36/1148680 38/1148680	WLL 6667	3671/766053	105.5	26732
39/1148680	WLL 6524	3672/766054	29.87	12316
40/1148680	WLL 2570	5822/768720	21.85	4122
41/1148680	WLL 2569	5821/768719	23.57	4120
42/1148680	WLL 2568	5834/768732	30.59	3650
43/1148680	WLL 170	5833/768731	20.31	1978

44/1148680 45/1148680	WLL 2471	538/761514	18.80	6370
46/1148680 47/1148680	WLL 1645	5832/768730 5830/768728	20.00	4124
52/1148680 54/1148680	WLL 830	4862/769124	132.9	61680
55/1148680 56/1148680	WLL 1150	5853/768751 5854/768752	53.37	8393
57/1148680	WLL 1151	5858/768756	25.95	4191
58/1148680	WLL 5133	2967/765167	55.84	8337
61/1148680	WLL13962	6723/822083	70.44	8819
62/1148680	WLL 8113	3985/766458	100.2	19913
63/1148680	WLL12317	4743/766457	40.00	9618
64/1148680	WLL 1413	6147/768987	14.32	2317
65/1148680	WLL 657	6146/768986	7.517	1087
66/1148680	WLL 477	6148/768988	28.41	4066
67/1148680 69/1148680	WLL 504	4898/769230	45.02	8197
70/1148680	WLL 102	6743/822064	17.84	2544
75/1148680	WLL 5264	4845/769229	49.61	18788
76/1148680	WLL 211	5040/44254	20.19	4293
78/1148680	WLL 209	5759/768659	20.36	4124
79/1148680	WLL 4543	2382/764345	10.69	6253

File No.: 09/18021.

### DEDICATION OF CROWN LAND AS PUBLIC ROAD

PURSUANT to section 12 of the Roads Act 1993, the Crown land described hereunder is, from the date of publication of this notice, dedicated as public road. The public road hereby dedicated is declared not to be Crown road within the meaning of the Roads Act 1993.

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

#### Descriptions

*Counties of Mootwingee, Farnell, Evelyn, Yantara  
and Tongowoko;  
Administrative Districts of Broken Hill and Milparinka;  
Unincorporated Area*

Lot 1, DP 1148680; Lot 2, DP 1148680; Lot 3, DP 1148680; Lot 4, DP 1148680; Lot 5, DP 1148680; Lot 6, DP 1148680; Lot 7, DP 1148680; Lot 8, DP 1148680; Lot 9, DP 1148680; Lot 10, DP 1148680; Lot 11, DP 1148680; Lot 13, DP 1148680; Lot 15, DP 1148680; Lot 17, DP 1148680; Lot 18, DP 1148680; Lot 19, DP 1148680; Lot 20, DP 1148680; Lot 22, DP 1148680; Lot 25, DP 1148680; Lot 27, DP 1148680; Lot 28, DP 1148680; Lot 29, DP 1148680; Lot 30, DP 1148680; Lot 31, DP 1148680; Lot 32, DP 1148680; Lot 33, DP 1148680; Lot 34, DP 1148680; Lot 35, DP 1148680; Lot 36, DP 1148680; Lot 38, DP 1148680; Lot 39, DP

1148680; Lot 40, DP 1148680; Lot 41, DP 1148680; Lot 42, DP 1148680; Lot 43, DP 1148680; Lot 44, DP 1148680; Lot 45, DP 1148680; Lot 46, DP 1148680; Lot 47, DP 1148680; Lot 48, DP 1148680; Lot 49, DP 1148680; Lot 52, DP 1148680; Lot 54, DP 1148680; Lot 55, DP 1148680; Lot 56, DP 1148680; Lot 57, DP 1148680; Lot 58, DP 1148680; Lot 59, DP 1148680; Lot 60, DP 1148680; Lot 61, DP 1148680; Lot 62, DP 1148680; Lot 63, DP 1148680; Lot 64, DP 1148680; Lot 65, DP 1148680; Lot 66, DP 1148680; Lot 67, DP 1148680; Lot 68, DP 1148680; Lot 69, DP 1148680; Lot 70, DP 1148680; Lot 75, DP 1148680; Lot 76, DP 1148680; Lot 78, DP 1148680 and Lot 79, DP 1148680;

Note: Affected parts of Crown Reserves 358, 562, 29031, 49362, 88473 and 1013817 are hereby revoked.

File No.: 09/18021.

### ESTABLISHMENT OF RESERVE TRUST

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

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



## SCHEDULE

*Column 1*Wilcannia Hospital Reserve  
Trust.*Column 2*Dedication No.: 1027208.  
Public Purpose: Hospital  
site.  
Notified: 6 January 1880.  
File No.: 08/1143.**EASEMENTS FOR ACCESS, MAINTENANCE AND  
REPAIR OF THE BORDER FENCE**

PURSUANT to section 35UB of the Western Lands Act 1901, the easements described in Schedule 1 below are vested in the Wild Dog Destruction Board subject to the terms and conditions set out in Schedule 2.

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

## SCHEDULE 1

Easements for access, repairs and maintenance 100 metres wide, affecting parts of the lands described in the Table of Affected Lands below and shown as 'proposed easement for access, repairs and maintenance 100 metres wide' in Deposited Plan 1146082.

## SCHEDULE 2

## Terms and Conditions of Easements

1. The Wild Dog Destruction Board or any person authorised by the Wild Dog Destruction Board may:
  - (a) Do anything on any land burdened by this easement for the purpose of exercising or performing any of its powers, authorities, duties or functions conferred by the Wild Dog Destruction Act 1921,
  - (b) Construct, maintain and repair on any land burdened by this easement whatever works are necessary in the opinion of the chairperson of the Wild Dog Destruction Board for the purpose of the stabilisation of land or sand as may be required for the preservation, construction, maintenance or repair of the dog-proof fence as defined in the Wild Dog Destruction Act 1921; and
  - (c) Do anything reasonably necessary for those purposes, including but not limited to:
    - entering, passing across and camping on the burdened land, and
    - taking anything on to the burdened land, and
    - carrying out work within the land burdened by this easement, such as grading or earthworks to improve the apron of the said fence and the service track along the fence; clay capping land or sand to stabilise it; constructing, placing, repairing or maintaining trafficable surfaces, driveways or any structures; removal of clay, soil or gravel from borrow pits; weed control work on the said fence apron, including clearing with a grader or dozer and spraying; and pest control, including baiting, trapping and shooting.

2. The provisions of clause 1 of this easement apply according to their tenor notwithstanding that any matter or powers contained in the said clause 1 are also contained in or conferred by the Wild Dog Destruction Act 1921.
3. The owner or lessee of the lot burdened must not:
  - (a) interfere with the batter, embankment or apron or the support it offers, or
  - (b) use the site of this easement, or any other part of the lot burdened, or any other land, in a way which may detract from the stability of or the support provided by the batter, embankment or apron.
4. The Wild Dog Destruction Board in exercising any of its powers under this easement must:
  - (a) ensure all work is done properly, and
  - (b) cause as little inconvenience as is practicable to the owner or lessee of the lot burdened, and
  - (c) cause as little damage as is practicable to the lot burdened and any improvement on it, and
  - (d) restore the lot burdened as nearly as is practicable to its former condition, and
  - (e) make good any collateral damage.
5. The land burdened by this easement is all of the land described in the Table of Burdened Lands set out below and shown as 'Proposed easement for access, repairs and maintenance 100 wide' in the plan registered as Deposited Plan 1146082.

Table of Burdened Lands

2553/764577	6700/762524	5047/43591
3454/769386	6699/762525	8/762531
2554/764578	6698/762526	4789/769127
3452/765779	4800/769097	992/762226
2555/764579	6997/762527	990/762224
3457/765746	4801/769097	2885/765045
2556/764580	3807/766220	2886/765046
3458/765747	6696/762528	16/1/758093
2557/764581	4325/767159	17/1/758093
3460/765749	6695/762893	18/1/758093
480/761347	4790/769096	19/1/758093
7001/1128113	3236/765441	9/16/758093
482/761341	2670/764720	10/16/758093
2558/764582	3237/765442	11/16/758093
3776/766189	2043/763929	12/16/758093
3769/766182	3231/765436	13/16/758093

# Roads and Traffic Authority

## ROAD TRANSPORT (GENERAL) ACT 2005

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

WARRUMBUNGLE SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading and 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: 22 April 2010.

ROBERT GERAGHTY,  
General Manager,  
Warrumbungle Shire Council  
(by delegation from the Minister for Roads)

### SCHEDULE

#### 1. Citation

This Notice may be cited as the Warrumbungle Shire Council B-Doubles Notice No. 1/ 2010.

#### 2. Commencement

This Notice takes effect on the date of Gazettal.

#### 3. Effect

This Notice remains in force until 2 May 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 to the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 to 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>
25.	000.	Edwards Street, Coonabarabran.	John Street (Newell Highway – H17).	Namoi Street.	Only applicable on Sunday, 2 May 2010.
25.	000.	Namoi Street, Coonabarabran.	Edwards Street.	Baradine Road (MR129).	Only applicable on Sunday, 2 May 2010.
25.	000.	Saleyards Road, Coonabarabran.	Baradine Road (MR129).	Gardener Street.	Only applicable on Sunday, 2 May 2010.
25.	000.	Gardener Street, Coonabarabran.	Saleyards Road.	Newell Highway (H17).	Only applicable on Sunday, 2 May 2010.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

OBERON 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: 23 April 2010.

BRUCE FITZPATRICK,  
General Manager,  
Oberon Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Oberon Council 25 Metre B-Double Notice No. 1/2010.

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

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	42.	Isabella Road, Oberon Council.	Abercrombie Road.	"Laska" Cattle yards.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

NARRANDERA 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: 27 April 2010.

MARK AMIRTHARAJAH,  
General Manager,  
Narrandera Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Narrandera Shire Council 25 Metre B-Double Route Notice No. 1/2010.

**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 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>
25.	Strontian Road, Narrandera.	HW14 Sturt Highway.	Narrandera Urana Shire Boundary, Boundary Road.
25.	Sandigo Boree Creek Road, Narrandera.	HW14 Sturt Highway.	Narrandera Urana Shire Boundary, Boundary Road.
25.	Kywong Boree Creek Road, Narrandera.	HW14 Sturt Highway.	Narrandera Urana Shire Boundary, Boundary Road.
25.	Colinroobie Leeton Road, Narrandera.	MR7608 Narrandera Borellen Road.	Narrandera Leeton Shire Boundary, approx 1.8km south of Middle Road.
25.	Binya Erigolia Road, Narrandera.	Binya Road.	Narrandera Carrathool Shire Boundary, approx 1.6km south of Foy's Road.
25.	Dellapool Road, Narrandera.	Buckingbong Road.	Entire length, approx 2.3km from Buckingbong Road.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

ALBURY 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: 27 April 2010.

LES TOMICH,  
General Manager,  
Albury City Council  
(by delegation from the Minister for Roads)

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SCHEDULE

**1. Citation**

This Notice may be cited as the Albury City Council B-Doubles Repeal Notice No. 1/2010.

**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>
25m.	Eames Street.	North Street.	Tribune Street.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

GLEN INNES SEVERN 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 25 metre B-Double vehicles may be used.

Dated: 28 April 2010.

HEIN BASSON,  
General Manager,  
Glen Innes Severn Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as the Glen Innes Severn Council 25metre B-Double Repeal Notice No. 01/2010.

**2. Commencement**

This Notice takes effect on the date of the gazettal.

**3. Amendment**

The General B Double Permit Notice 2005 is amended by omitting the following from Appendix 2 of that Notice:

<i>Type</i>	<i>Road</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	Strathbogie Road, Glen Innes.	Coronation Avenue.	Inverell Road, Emmaville.



**ROAD TRANSPORT (GENERAL) ACT 2005**

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

GLEN INNES SEVERN 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: 28 April 2010.

HEIN BASSON,  
General Manager,  
Glen Innes Severn Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Glen Innes Severn Council 25 Metre B-Double Route Notice No. 02/2010.

**2. Commencement**

This Notice takes effect on the date of the 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 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>
25.	Strathbogie Road, Glen Innes.	Martin Street.	Inverell Street, Emmaville.
25.	Inverell Street, Emmaville.	Strathbogie Road.	Moore Street.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

GLEN INNES SEVERN 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 4.6 High Vehicles may be used.

Dated: 28 April 2010.

HEIN BASSON,  
General Manager,  
Glen Innes Severn Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as the Glen Innes Severn Council, 4.6 Metre High Vehicle Route Repeal Notice No. 01/2010.

**2. Commencement**

This Notice takes effect on the date of the gazettal.

**3. Amendment**

The 4.6 high Vehicle Route Notice, 2008 is amended by omitting the following from that Notice:

<i>Type</i>	<i>Road</i>	<i>Starting Point</i>	<i>Finishing Point</i>
4.6.	Strathbogie Road, Glen Innes.	Gordon Road.	Martin Street.
4.6.	Strathbogie Road, Glen Innes.	Coronation Avenue.	Inverell Street, Emmaville.
4.6.	Emmaville Inverell Road, Emmaville.	Emmaville Road (MR7706).	Gordon Road.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

GLEN INNES SEVERN 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: 28 April 2010.

HEIN BASSON,  
General Manager,  
Glen Innes Severn Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Glen Innes Severn Council 4.6 Metre High Vehicle Route Notice No. 02/2010.

**2. Commencement**

This Notice takes effect on the date of the gazettal.

**3. Effect**

This Notice remains in force until 31st December 2012 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 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>
4.6.	Grafton Street, Glen Innes.	Coronation Avenue.	Derby Street.
4.6.	Martin Street, Glen Innes.	Derby Street.	Strathbogie Road.
4.6.	Strathbogie Road, Glen Innes.	Martin Street.	Inverell Street, Emmaville.
4.6.	Inverell Street, Emmaville.	Strathbogie Road.	Moore Street.

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road at Westmead and Wentworthville and South Wentworthville  
in the Holroyd City 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 those pieces or parcels of land situated in the Holroyd City Council area, Parish of St John and County of Cumberland, shown as:

<u>Description</u>	<u>Title Particulars</u>
The parts of Lots 24, 25 and 26 Deposited Plan 15158 remaining after the excision of that part of Lot 1 Deposited plan 598980 within the said Lots 24, 25 and 26, being part of the land referred to in Notice of Resumption Dealing C614570	Certificate of Title Volume 4121 Folio 165
The area of 1 <sup>3</sup> / <sub>10</sub> perches shown on RTA Plan 0005 205 SS 0288, being part of the land resumed and vested in the Commissioner for Main Roads by notification in Government Gazette No 157 dated 22 October 1937, page 4283, being also part of Portion 288, Parish of St John and County of Cumberland	Government Gazette No 157 dated 22 October 1937, page 4283
Lot 1 Deposited Plan 434719	Certificate of Title Volume 5555 Folio 136
Lot 2 Deposited Plan 434719	Certificate of Title Volume 5555 Folio 135
Lot 3 Deposited Plan 434719	Certificate of Titles: Volume 5343 Folio 52; and Volume 5343 Folio 53
The area of 22 perches resumed and vested in the Commissioner for Main Roads by notification in Government Gazette No 173 dated 9 September 1949, page 2667 which is delineated on Plan marked 'Y' annexed to Memorandum of Transfer Dealing F125592	Deed of Conveyance No 820 Book 2985; and Certificate of Title Volume 4790 Folio 216
Lot 1 Deposited Plan 380939	Certificate of Title Volume 3158 Folio 227
Lot 1 Deposited Plan 369517	Certificate of Title Volume 6579 Folio 15
Lot 1 Deposited Plan 383643	Certificate of Title Volume 5483 Folio 156
The whole of the land remaining in Certificate of Title Volume 5483 Folio 156 after the excision of the area of 18 <sup>1</sup> / <sub>4</sub> perches shown on Deposited Plan 437612 (which is the land referred to in Memorandum of Transfer Dealing F911322), being part of Lot 4 Deposited Plan 16535	Certificate of Title Volume 5483 Folio 156
Lot 1 Deposited Plan 188859	Certificate of Title Volume 4495 Folio 184
Lot 93 Deposited Plan 108360	Certificate of Title Volume 1310 Folio 42
Lot 67 Deposited Plan 706748	Certificate of Title Volume 1600 Folio 114
Lot 86 Deposited Plan 108360	Certificate of Title Volume 4134 Folio 198
Lot 85 Deposited Plan 108360	Certificate of Title Volume 5552 Folio 51
Lot 84 Deposited Plan 108360	Certificate of Title Volume 5563 Folio 202
The area of 2 perches shown on Plan marked 'A' annexed to Memorandum of Transfer Dealing D557499, being part of Lot 63 Deposited Plan 14951	Certificate of Title Volume 5484 Folio 142
Lot 1 Deposited Plan 360739	Certificate of Title Volume 5666 Folio 141

(Continued over page)

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## SCHEDULE

ALL those pieces or parcels of land situated in the Holroyd City Council area, Parish of St John and County of Cumberland, shown as :

<u>Description</u>	<u>Title Particulars</u>
Lot 83 Deposited Plan 108360	Certificate of Title Volume 5420 Folio 156
Lot 82 Deposited Plan 108360	Certificate of Title Volume 4283 Folio 144
Lot 81 Deposited Plan 108360	Certificate of Title Volume 4406 Folio 49
Lot 80 Deposited Plan 108360	Certificate of Title Volume 3867 Folio 44
Lot 79 Deposited Plan 108360	Certificate of Title Volume 3762 Folio 151
The area of 3 ½ perches shown on Plan marked 'A' annexed to Memorandum of Transfer Dealing F 477108, being part of Lot 5 Deposited Plan 10054	Certificate of Title Volume 3090 Folio 207
Lot 1 Deposited Plan 369378	Certificate of Title Volume 5877 Folio 18
The area of 10 ¾ perches shown on Deposited Plan 108360, being part of the land in Memorandum of Transfer Dealing F1078 and also being part of Lots 7, 8 and 9 Deposited Plan 10054	Certificate of Title Volume 4340 Folio 137
Lot 78 Deposited Plan 108360	Certificate of Title Volume 4501 Folio 175
The area of 3 ½ perches shown on Deposited Plan 432859, being part of Lot 11 Deposited Plan 10054	Certificate of Title Volume 5193 Folio 10
The area of 3 ½ perches shown on the Plan marked 'A' annexed to Memorandum of Transfer Dealing D589063, being part of Lot 12 Deposited Plan 10054	Certificate of Title Volume 5516 Folio 60
Lot 77 Deposited Plan 108360	Certificate of Title Volume 3259 Folio 21
Lot 76 Deposited Plan 108360	Certificate of Title Volume 3871 Folio 45
Lot 1 Deposited Plan 361348	Certificate of Title Volume 3818 Folio 93
Lots 74 and 75 Deposited Plan 108360	Certificate of Title Volume 4495 Folio 165
Lot 73 Deposited Plan 108360	Certificate of Title Volume 5830 Folio 120
Lot 72 Deposited Plan 108360	Certificate of Title Volume 3768 Folio 191
Lot 71 Deposited Plan 108360	Certificate of Title Volume 4797 Folio 8
Lot 91 Deposited Plan 108360	Certificate of Title Volume 4904 Folio 126
Lot 90 Deposited Plan 108360	Certificate of Title Volume 4102 Folio 162
Lot 89 Deposited Plan 108360	Certificate of Title Volume 4212 Folio 3
Lot 24 Deposited Plan 706749	Folio Identifier 24 / 706749
Lot 1 Deposited Plan 340111	Certificates of Title: Volume 3832 Folio 141; Volume 3686 Folio 38; Volume 3588 Folio 44; and Volume 3569 Folio 238
Lot 26 Deposited Plan 800104	Certificate of Title Volume 3799 Folio 66
Lot 87 Deposited Plan 108360	Folio Identifier 87 / 108360
Lot 25 Deposited Plan 800104	Folio Identifier 25 / 800104
Lot 1 Deposited Plan 363090	Folio Identifier 1 / 363090
Lot 19 Deposited Plan 1037917	Folio Identifier 19 / 1037917
The area of 2 ½ perches shown on Plan marked 'A' annexed to Memorandum of Transfer Dealing F281676, being part of Lot 2 Deposited Plan 8956	Certificate of Title Volume 2963 Folio 242

*Please Note: The Memorandum of Transfer Dealings, Deposited Plans and Title Particulars referred to above and on 1<sup>st</sup> page of this notice are available at Land and Property Management Authority of New South Wales*

(RTA Papers: FPP 9M3019; RO 205.11119)

**ROADS ACT 1993****LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land at Banora  
Point in the Tweed Shire Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

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

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**SCHEDULE**

ALL those pieces or parcels of land situated in the Tweed Shire Council area, Parish of Terranora and County of Rous, shown as Lots 11 and 14 Deposited Plan 1138459, being the whole of the land in Certificate of Title 102/873296, excluding from the compulsory acquisition of Lots 11 and 14 any existing easements.

The land is said to be in the possession of Reysson Pty Limited (registered proprietor) and Her Majesty Queen Elizabeth II (caveator).

(RTA Papers: 9M3587; RO 10/438.11157)



## Other Notices

### ANTI-DISCRIMINATION ACT 1977

#### Exemption Order

Under the provisions of section 126 of the Anti-Discrimination Act 1977, exemptions are given:

1. To Tranby Aboriginal College and the University of Technology, Sydney, from section 17 of the Anti-Discrimination Act 1977, in relation to Gilbert and Tobin's Indigenous Youth Program.
2. To Gilbert & Tobin Lawyers, Tranby Aboriginal College and the University of Technology, Sydney, from section 19 of the Anti-Discrimination Act 1977, in relation to Gilbert and Tobin's Indigenous Youth Program.
3. To Gilbert & Tobin Lawyers, from section 8 of the Anti-Discrimination Act 1977, in relation to its Indigenous Employment Strategy cadetship program.

Each of these exemptions will remain in force for a period of ten years from the date given.

Dated this 23rd day of April 2010.

STEPAN KERKYASHARIAN, AM,  
President,  
Anti-Discrimination Board of NSW

### ASSOCIATIONS INCORPORATION ACT 1984

#### Reinstatement of Cancelled Association pursuant to Section 54A

THE incorporation of ASSOCIATION FOR THE STUDY OF LITERATURE AND ENVIRONMENT – AUSTRALIA AND NEW ZEALAND INCORPORATED (INC9881325), cancelled on 24 April 2009, is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated: 22nd day of April 2010.

ANTHONY DONOVAN,  
A/Manager,  
Financial Analysis,  
Registry of Co-operatives and Associations,  
NSW Fair Trading

### ASSOCIATIONS INCORPORATION ACT 1984

#### Reinstatement of Cancelled Association pursuant to Section 54A

THE incorporation of RECREATION AND PEER SUPPORT INC (Y1149924) cancelled on 10 October 2008 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated: 28 April 2010.

ANTHONY DONOVAN,  
A/Manager,  
Financial Analysis,  
Registry of Co-operatives and Associations,  
NSW Fair Trading

### DISTRICT COURT ACT 1973

#### District Court of New South Wales

#### Direction

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Grafton, 10.00 a.m., 10 May 2010 (2 weeks)  
Special Fixture

Dated this 28th day of April 2010.

R. O. BLANCH,  
Chief Judge

### DISTRICT COURT ACT 1973

#### District Court of New South Wales

#### Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Newcastle, 10:00 a.m., 18 October 2010  
(sittings cancelled).

Dated this 16th day of April 2010.

R. O. BLANCH,  
Chief Judge

### DISTRICT COURT ACT 1973

#### District Court of New South Wales

#### Direction

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Bega, 10:00 a.m., 15 June 2010 (2 weeks).  
Parkes, 10:00 a.m., 17 May 2010 (1 week),  
in lieu of 10 May 2010 (2 weeks).  
Queanbeyan, 10:00 a.m., 15 June 2010 (2 weeks)  
(sittings cancelled).

Orange, 10:00 a.m., 17 May 2010 (3 weeks),  
in lieu of 24 May 2010 (2 weeks).

Dated this 22nd day of April 2010.

R. O. BLANCH,  
Chief Judge

### GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the names listed hereunder as geographical names.

Any person wishing to make comment upon these proposals may within one (1) month of the date of this notice, write to the Secretary of the Board with that comment.

Proposed Name:	Missingham Creek.	Proposed Name:	Clarkes Gorge.
Designation:	Creek.	Designation:	Gorge.
L.G.A.:	Wingecarribee Shire Council.	L.G.A.:	Tumut.
Parish:	Yarrawa.	Parish:	Murray.
County:	Camden.	County:	Cowley.
L.P.I. Map:	Robertson.	L.P.I. Map:	Peppercorn.
1:100,000 Map:	Kiama 9028.	1:100,000 Map:	Tantangara 8626.
Reference:	GNB 5394.	Reference:	GNB 5434.
Proposed Name:	Notts Hill.	Proposed Name:	Coleman Falls.
Designation:	Hill.	Designation:	Falls.
L.G.A.:	Wingecarribee Shire Council.	L.G.A.:	Tumut.
Parish:	Mittagong.	Parish:	Coleman.
County:	Camden.	County:	Cowley.
L.P.I. Map:	Mittagong.	L.P.I. Map:	Peppercorn.
1:100,000 Map:	Burratorang 8929.	1:100,000 Map:	Tantangara 8626.
Reference:	GNB 5427.	Reference:	GNB 5434.
Proposed Name:	Notts Hill.	Proposed Name:	Nichols Gorge.
Designation:	Urban Place.	Designation:	Gorge.
L.G.A.:	Wingecarribee Shire Council.	L.G.A.:	Tumut.
Parish:	Mittagong.	Parish:	Murray.
County:	Camden.	County:	Cowley.
L.P.I. Map:	Mittagong.	L.P.I. Map:	Rules Point.
1:100,000 Map:	Burratorang 8929.	1:100,000 Map:	Tantangara 8626.
Reference:	GNB 5427.	Reference:	GNB 5434.
Proposed Name:	Ferry Crossing Park.	Proposed Name:	Wilkinsons Gorge
Designation:	Reserve.	Designation:	Gorge
L.G.A.:	Eurobodalla Shire Council.	L.G.A.:	Tumut
Parish:	Wagonga.	Parish:	Coleman
County:	Dampier.	County:	Cowley
L.P.I. Map:	Narooma.	L.P.I. Map:	Peppercorn
1:100,000 Map:	Narooma 8925.	1:100,000 Map:	Tantangara 8626
Reference:	GNB 5424.	Reference:	GNB 5434
Proposed Name:	Bartlett Cycleway.	Proposed Name:	Pirrama Park.
Designation:	Track.	Designation:	Reserve.
L.G.A.:	Port Stephens Council.	L.G.A.:	City of Sydney Council.
Parish:	Tomaree.	Parish:	St Andrew.
County:	Gloucester.	County:	Cumberland.
L.P.I. Map:	Port Stephens.	L.P.I. Map:	Parramatta River.
1:100,000 Map:	Port Stephens 9332.	1:100,000 Map:	Sydney 9130.
Reference:	GNB 5425.	Reference:	GNB 5441.
Proposed Name:	The Crossing Place.	Proposed Name:	Brendon Sturgeon Oval.
Designation:	Historic Site.	Designation:	Reserve.
L.G.A.:	Richmond Valley Council.	L.G.A.:	Orange City Council.
Parish:	North Casino.	Parish:	Orange.
County:	Rous.	County:	Wellington.
L.P.I. Map:	Casino.	L.P.I. Map:	Orange.
1:100,000 Map:	Lismore 9540.	1:100,000 Map:	Orange 8731.
Reference:	GNB 5426.	Reference:	GNB 5416.
Proposed Name:	Judd Greedy Park.	Proposed Name:	Beauty Point Park.
Designation:	Reserve.	Designation:	Reserve.
L.G.A.:	Maitland City Council.	L.G.A.:	Mosman Council.
Parish:	Heddon.	Parish:	Willoughby.
County:	Northumberland.	County:	Cumberland.
L.P.I. Map:	Beresfield.	L.P.I. Map:	Parramatta River.
1:100,000 Map:	Newcastle 9232.	1:100,000 Map:	Sydney 9130.
Reference:	GNB 5431.	Reference:	GNB 5436.
Proposed Name:	Vera Lovelock Park.	Proposed Name:	Bob Gordon Reserve.
Designation:	Reserve.	Designation:	Reserve.
L.G.A.:	Armidale Dumaresq Council.	L.G.A.:	North Sydney Council.
Parish:	Armidale.	Parish:	Willoughby.
County:	Sandon.	County:	Cumberland.
L.P.I. Map:	Dumaresq.	L.P.I. Map:	Parramatta River.
1:100,000 Map:	Armidale 9236.	1:100,000 Map:	Sydney 9130.
Reference:	GNB 5432.	Reference:	GNB 5438.

Proposed Name: Suspension Bridge Reserve.  
 Designation: Reserve.  
 L.G.A.: North Sydney Council.  
 Parish: Willoughby.  
 County: Cumberland.  
 L.P.I. Map: Parramatta River.  
 1:100,000 Map: Sydney 9130.  
 Reference: GNB 5438.

Proposed Name: Carradah Park.  
 Designation: Reserve.  
 L.G.A.: North Sydney Council.  
 Parish: Willoughby.  
 County: Cumberland.  
 L.P.I. Map: Parramatta River.  
 1:100,000 Map: Sydney 9130.  
 Reference: GNB 5438.

Proposed Name: John Tucker Park.  
 Designation: Reserve.  
 L.G.A.: Dungog Shire Council.  
 Parish: Houghton.  
 County: Durham.  
 L.P.I. Map: Paterson.  
 1:100,000 Map: Newcastle 9232.  
 Reference: GNB 5435.

Proposed Name: Vacy Memorial Green.  
 Designation: Reserve.  
 L.G.A.: Dungog Shire Council.  
 Parish: Houghton.  
 County: Durham.  
 L.P.I. Map: Paterson.  
 1:100,000 Map: Newcastle 9232.  
 Reference: GNB 5439.

Proposed Name: Skipline Park  
 Designation: Reserve  
 L.G.A.: Dungog Shire Council  
 Parish: Barford  
 County: Durham  
 L.P.I. Map: Paterson  
 1:100,000 Map: Newcastle 9232  
 Reference: GNB 5440

Proposed Name: Jeaffreson Jackson Reserve.  
 Designation: Reserve.  
 L.G.A.: North Sydney Council.  
 Parish: Willoughby.  
 County: Cumberland.  
 L.P.I. Map: Parramatta River.  
 1:100,000 Map: Sydney 9130.  
 Reference: GNB 5438.

Proposed Name: Gresford Sporting Complex.  
 Designation: Reserve.  
 L.G.A.: Dungog Shire Council.  
 Parish: Gresford.  
 County: Durham.  
 L.P.I. Map: Gresford.  
 1:100,000 Map: Dungog 9233.  
 Reference: GNB 5442.

The position and the extent for these features are 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).

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

WARWICK WATKINS, AM,  
 Chairperson

Geographical Names Board,  
 PO Box 143, Bathurst NSW 2795.

#### GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of section 7(1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical name listed hereunder as recorded names. GNB5112.

Assigned Name: Little Lovett Bay.  
 Designation: Bay.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Mona Vale.  
 100,000 Map: Sydney 9130.

Assigned Name: Towlers Lookout.  
 Designation: Lookout.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Broken Bay.  
 100,000 Map: Sydney 9130.

Assigned Name: Pugnose Point.  
 Designation: Point.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Broken Bay.  
 100,000 Map: Sydney 9130.

Assigned Name: Halls Wharf.  
 Designation: Wharf.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Mona Vale.  
 100,000 Map: Sydney 9130.

Assigned Name: Morning Bay Wharf.  
 Designation: Wharf.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Mona Vale.  
 100,000 Map: Sydney 9130.

Assigned Name: Bonnie Doon Wharf.  
 Designation: Wharf.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Broken Bay.  
 100,000 Map: Sydney 9130.

Assigned Name: Carols Wharf.  
 Designation: Wharf.  
 L.G.A.: Pittwater Council.  
 Parish: Narrabeen.  
 County: Cumberland.  
 L.P.I. Map: Mona Vale.  
 100,000 Map: Sydney 9130.

Assigned Name: Third Head.  
 Designation: Head.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Mona Vale.  
 100,000 Map: Sydney 9130.

Assigned Name: Second Head.  
 Designation: Head.  
 L.G.A.: Pittwater Council.  
 Parish: Broken Bay.  
 County: Cumberland.  
 L.P.I. Map: Broken Bay.  
 100,000 Map: Sydney 9130.

Assigned Name: Station Beach.  
 Designation: Beach.  
 L.G.A.: Pittwater Council.  
 Parish: Narrabeen.  
 County: Cumberland.  
 L.P.I. Map: Broken Bay.  
 100,000 Map: Sydney 9130.

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

WARWICK WATKINS,  
 Chairperson

Geographical Names Board,  
 PO Box 143, Bathurst NSW 2795.

## LOCAL GOVERNMENT ACT 1993

### REPORT AND DETERMINATION OF THE

### LOCAL GOVERNMENT REMUNERATION TRIBUNAL UNDER SECTIONS 239 AND 241

### OF THE LOCAL GOVERNMENT ACT 1993

15 April 2010

Local Government Remuneration Tribunal  
 2010 Annual Review  
 Report

#### BACKGROUND

1. Pursuant to Section 241 of the Local Government Act 1993 (the Act) the Local Government Remuneration Tribunal hereby determines in each category of council, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.
2. On 26 November 2009 the Tribunal wrote to all mayors advising of the commencement of the 2010 annual review. In respect of this review the Tribunal advised councils that it would be undertaking a review of the minimum and maximum fee levels for each category but would not be reviewing the categories at this time.
3. In accordance with Section 239 of the Act the Tribunal is required to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a fundamental review of the categories of councils in 2009. In undertaking that review the Tribunal found that there was no strong case

to significantly alter the current categories of councillor and mayoral offices or to move individual councils between categories. While the groupings remain unchanged, the Tribunal decided to apply descriptive titles to the categories which more accurately reflect the nature of the differences between the various groups.

4. The next review of categories is scheduled to take place during the 2012 review. Until then the Tribunal does not expect to move councils within categories unless there is a significant change in the role and responsibilities of individual councils.
5. The Tribunal also wrote to the Presidents of the Local Government and Shires Associations (LGSA) in similar terms, and subsequently met with the Presidents. The Tribunal wishes to place on record its appreciation to the Presidents for making time to see the Tribunal.

#### 2010 REVIEW

6. The LGSA provided a submission on fees and related matters. As in previous years, the LGSA have recommended that fees be set as a percentage of the annual salary paid to NSW Members of Parliament. The LGSA has also provided information on the impact of State Government planning reforms on councillors' workloads and the additional responsibilities associated with the integrated planning and reporting amendments to the Act.
7. The Tribunal received 22 submissions from individual councils. The majority of those submissions supported an increase in the fees payable to councillors and mayors. The submissions also addressed the following issues:
  - integrated planning and reporting reform
  - planning reforms, including the Joint Regional Planning Panels
  - interstate comparisons
  - categorisation
  - workload
  - attracting high quality candidates to nominate for election to local government.

#### Integrated Planning and Reporting Reform

8. The Act was amended on 1 October 2009 to provide for an integrated planning and reporting framework. These reforms replace the requirement for councils to prepare separate Management Plans and Social Plans with an integrated plan. It also includes a new requirement to prepare a long-term Community Strategic Plan and Resourcing Strategy. A number of submissions have argued that there are additional responsibilities associated with the implementation of these reforms. In addition, councillors, it is argued, face additional challenges associated with the intricacies of further legislative reform.
9. The 2009 amendments build on the reforms in the 1993 Act. One of the features of the 1993 Act was the devolution of council management to the newly created General Manager position. Councillors were meant to set the broad policy directions for councils and the General Manager was to implement them.
10. The Tribunal is not convinced that the introduction of the Integrated Planning and Reporting (IP&R) reforms impose any additional workload on councillors. Rather,



the reforms represent a shift in the way councils undertake their planning and reporting functions. The reforms aim to streamline and simplify the planning and reporting process, as well as assist councillors to focus their attention on the issues of strategic importance to their community. The new planning and reporting framework is a tool to enable councillors to focus strategically on social, economic, environmental and civic issues.

#### Planning reforms

11. The Tribunal has examined the impact of State Government planning reforms on the role and responsibilities of councillors. These reforms include the introduction of the Planning Assessment Commission, the Joint Regional Planning Panels (JRPP), the NSW Housing Code and other initiatives of the NSW Government.
12. A number of submissions have commented on the impact these changes have on the roles and responsibilities of councillors and mayors. The Tribunal is advised that the role of a councillor as a council-appointed member of a Joint Regional Planning Panel (JRPP) is provided for under the Environmental Planning and Assessment Act 1979 (EP&A Act). This role is both separate and additional to the role of a councillor under the Local Government Act. While there may be some additional work for the appointed councillor, there should be minimal, if any, change in the work for other councillors. Councillors appointed to the JRPPs are paid a fee covering increase in responsibility.
13. The NSW Housing Code came into effect on 27 February 2009. The purpose of the Code is to simplify the planning process for new houses and alterations and additions to existing homes. Dwellings complying with the provisions of the Code can bypass formal council Development Application (DA) procedures and receive approval in 10 days or less from an accredited certifier. The Department of Planning has published figures which show that in 2008, 90 per cent of new detached houses required the lodgement of a Development Application (DA) and that the average time taken for a council to process a DA in Sydney ranged from 34 to 254 days.
14. The Housing Code provides a streamlined alternative to the DA process because it is not based on a 'merit-based' assessment. Under the Housing Code, any complying development proposal which satisfies the standards in the Code must be approved.
15. It is expected that the Housing Code provisions will significantly reduce the number of DAs requiring council approval. The Department of Planning's information sheet makes the following assessment of the impact of the Code,

*"...The increasing use of exempt or complying development will reduce local councils' development assessment workload. This will save councils time and money and free up council resources to concentrate on more complex development applications and strategic planning for their local government area.*

The Tribunal emphasises that strategic planning is a key role of councillors.

16. The Tribunal considers that on balance the new planning reforms should result in Councils having a reduced role in local planning decisions.

#### Interstate comparisons

17. A number of submissions, including that received by the LGSA, continue to support a shift to a remuneration model similar to that applied in Queensland, ie, that remuneration for councillors and mayors be determined as a percentage of the salary of a Member of Parliament.
18. The Tribunal has considered this matter previously and provided its reasons for rejecting such a proposal in its 2008 Report (paragraphs 20 to 25). The submission has not provided any additional information which would warrant a change in the Tribunal's view on this matter.

#### Categorisation

19. The Tribunal has received a number of submissions from councils seeking categorisation to another category or the creation of a new category. The Tribunal last undertook a fundamental review of the categories of councils in 2009. In undertaking that review the Tribunal found that there was no strong case to significantly alter the current categories of councillor and mayoral offices or to move individual councils between categories. As noted above, the Tribunal did change the titles of the various categories to more accurately describe each category.
20. The next review of categories is scheduled to take place during the 2012 review. Until then the Tribunal does not expect to move councils within categories unless there is a significant change in the role and responsibilities of individual councils. On the basis of the information received, the Tribunal finds that there is no compelling case to further adjust the categories at this time.

#### Workload

21. A number of submissions have sought an adjustment in fees to reflect the increasing amount of time councillors are spending on council business. As the NSW Local Government Act 1993 provides for a high level of delegation to council staff, the amount of time devoted to local government is largely within the discretion of councils themselves. An increase in time spent does not of itself necessarily indicate any change in the roles and responsibilities of councillors.

#### The ability to attract suitable candidates to stand for election

22. The Tribunal has again considered whether the level of fees is sufficient to attract quality candidates to stand for election. It has been repeatedly argued that the lack of an adequate fee means that better quality candidates are not seeking election. The Tribunal has yet to see any submission suggesting criteria which might reasonably be used to assess the quality of candidates.
23. The Act does not provide for any formal qualifications to stand for election to council. Section 232 of the Act provides that councillors perform a dual role. As a member of the governing body of the council, a councillor's duties include:
  - to provide a civic leadership role in guiding the development of the community strategic plan for the area and to be responsible for monitoring

the implementation of the council's delivery program

- to play a key role in the creation and review of the council's policies and objectives and criteria relating to the exercise of the council's regulatory functions
- to review the performance of the council and its delivery of services, and the delivery program and revenue policies of the council.

As an elected person, the role of a councillor includes:

- to represent the interests of the residents and ratepayers
- to provide leadership and guidance to the community
- to facilitate communication between the community and the council.

24. From information contained in the Division of Local Government's Candidates and Councillors 2008: Report on the survey of Local Government Elected Members and Candidates for elections held in September 2008, the Tribunal notes that nearly 50 percent of councillors elected in the 2008 election listed their occupation as either, "Professional" or "Self Employed." While the number of candidates seeking election for local government fell slightly, when compared with the number standing in the previous two local government elections, there were on average 3 candidates for every councillor position.
25. On the basis of such information, the Tribunal is not convinced that the fee levels are an impediment either to the quality or number of candidates seeking election to local government in NSW.
26. In determining the level of increase for the 2010 review the Tribunal has had regard to the improving economic conditions as Australia emerges from the Global Financial Crisis and key economic indicators, including the Consumer Price Index and the Labour Price Index.
27. Having regard to the above, and after taking the views of the Assessors into account, the Tribunal considers that an increase of 3.0 per cent in the fees for councillors and mayors is appropriate and so determines.

Dated: 15 April 2010.

HELEN WRIGHT,  
Local Government Remuneration Tribunal  
Determination Pursuant to Section 239  
of Categories of Councils and County Councils  
Effective from 1 July 2010

Category – Principal City (1)

Sydney

Category – Major City (3)

Newcastle  
Parramatta  
Wollongong

Category – Metropolitan Major (2)

Blacktown  
Penrith

Category – Metropolitan Centre (16)

Bankstown	Liverpool
Campbelltown	North Sydney
Fairfield	Randwick
Gosford	Ryde
The Hills	Sutherland
Hornsby	Warringah
Hurstville	Willoughby
Lake Macquarie	Wyong

Category – Metropolitan (21)

Ashfield	Lane Cove
Auburn	Leichhardt
Botany	Manly
Burwood	Marrickville
Camden	Mosman
Canada Bay	Pittwater
Canterbury	Rockdale
Holroyd	Strathfield
Hunters Hill	Waverley
Kogarah	Woollahra
Ku-ring-gai	

Category – Regional Rural (32)

Albury	Greater Taree
Armidale Dumaresq	Griffith
Ballina	Hawkesbury
Bathurst	Kempsey
Bega Valley	Lismore
Blue Mountains	Maitland
Broken Hill	Orange
Byron	Port Macquarie-Hastings
Cessnock	Port Stephens
Clarence Valley	Shellharbour
Coffs Harbour	Shoalhaven
Dubbo	Tamworth
Eurobodalla	Tweed
Great Lakes	Wagga Wagga
Goulburn Mulwaree	Wingecarribee
Queanbeyan	Wollondilly

Category – Rural (77)

Balranald	Lachlan
Bellingen	Leeton
Berrigan	Lithgow
Bland	Liverpool Plains
Blayney	Lockhart
Bogan	Mid-Western
Bombala	Moree Plains
Boorowa	Murray
Bourke	Murrumbidgee
Brewarrina	Muswellbrook
Cabonne	Nambucca
Carrathool	Narrabri
Central Darling	Narrandera
Cobar	Narromine
Conargo	Palerang
Coolamon	Parkes
Cooma-Monaro	Oberon
Coonamble	Richmond Valley
Cootamundra	Singleton
Corowa	Snowy River
Cowra	Temora
Deniliquin	Tenterfield



Dungog	Tumbarumba
Forbes	Tumut
Gilgandra	Upper Hunter
Glen Innes Severn	Upper Lachlan
Gloucester	Uralla
Greater Hume	Urana
Gundagai	Wakool
Gunnedah	Walcha
Guyra	Walgett
Gwydir	Warren
Harden	Warrumbungle
Hay	Weddin
Inverell	Wellington
Jerilderie	Wentworth
Junee	Yass Valley
Kiama	Young
Kyogle	

Total General Purpose Councils 152

Category – County Councils Water (5)

Central Tablelands	Riverina Water
Goldenfields Water	Rous
MidCoast	

Category – County Councils Other (9)

Castlereagh – Macquarie	Richmond River
Central Murray	Southern Slopes
Far North Coast	Upper Hunter
Hawkesbury River	Upper Macquarie
New England Tablelands	

Total County Councils 14

Determination Pursuant to Section 241 of  
Fees for Councillors and Mayors

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to councillors, mayors, members and chairpersons of county councils effective on and from 1 July 2010 are determined as follows:

	<i>Councillor/Member Annual Fee</i>		<i>Mayor/Chairperson Additional Fee*</i>	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
Principal City	21,770	31,930	133,190	175,250
Major City	14,500	23,950	30,840	69,780
Metropolitan Major	14,500	23,950	30,840	69,780
Metropolitan Centre	10,880	20,320	23,130	53,980
Metropolitan	7,250	15,970	15,430	34,860
Regional Rural	7,250	15,970	15,430	34,860
Rural	7,250	9,570	7,700	20,890
County Council – Water	1,440	7,980	3,090	13,110
County Council – Other	1,440	4,780	3,090	8,710

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249 (2)).

Dated: 15 April 2010.

HELEN WRIGHT,  
Local Government Remuneration Tribunal

**NATIONAL PARKS AND WILDLIFE ACT 1974**

PROCLAMATION

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Climate Change, by this my Proclamation declare the lands described hereunder to be a wildlife refuge for the purposes of the abovementioned Act.

To be known as “Fethers Wildlife Refuge”.

Signed and sealed at Sydney, this 14th day of April 2010.

MARIE BASHIR,  
Governor

By Her Excellency’s Command,

FRANK SARTOR, M.P.,  
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

Description

*Land District – Queanbeyan; Council – Palerang*

County of Murray, Parish of Goorooyarroo, 17.5 hectares, being Lots 1 and 2, DP 1003986.

DECCW FIL09/15430.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

PROCLAMATION

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment, Climate Change and Water, by this my Proclamation declare the lands described hereunder to be part of Glenorie Wildlife Refuge for the purposes of the abovementioned Act.

To be known as “Glenorie Wildlife Refuge”.

Signed and sealed at Sydney, this 14th day of April 2010.

MARIE BASHIR,  
Governor

By Her Excellency’s Command,

FRANK SARTOR, M.P.,  
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

Description

*Land District – Windser; Council – The Hills Shire*

County of Cumberland, Parish of Maroota, 9.0 hectares, being Lot 601, DP 805899.

DECCW FIL05/25315.

**PESTICIDES ACT 1999**

Notice under Section 48 (4)

NOTICE is hereby given, pursuant to section 48 (4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

SEAN NUNAN,  
Team Leader,  
Licensing and Registration,  
Department of Environment and Climate Change NSW  
(by delegation)

**SCHEDULE**

Pilot (Pesticide Rating) Licence

<i>Name and address of Licensee</i>	<i>Date of Granting of Licence</i>
Mr Scott JARRON, 4 Tudor Court, Alexandra Hills Qld 4161.	23 April 2010.

**THREATENED SPECIES CONSERVATION  
ACT 1995**

Notice of Preliminary Determinations

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

Proposed Additions or Amendments to the Schedules

**Vulnerable Ecological Community** (Part 2 of Schedule 2)  
Castlereagh Scribbly Gum Woodland in the Sydney Basin  
Bioregion

Proposed Removal from the Schedule

**Endangered Species** (Part 1 of Schedule 1)  
*Macrozamia johnsonii* D. Jones & K. Hill

Any person may make a written submission regarding these Preliminary Determinations. Send submissions to Suzanne Chate, Scientific Committee, PO Box 1967, Hurstville BC 1481. Submissions close 25th June 2010.

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

Dr RICHARD MAJOR,  
Chairperson



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# **Working With Children Check Guidelines for Operators**

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# Working With Children Check

## Guidelines for Operators

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## **Guideline 1: ASA and Commission functions**

### **A: Approved Screening Agencies**

#### ***Apply Guidelines and Standards approved by the Minister under the CCYP Act***

It is important that our external partners recognise our requests for information as Working With Children Check requests. For this reason, these Guidelines propose a standard template to use when seeking information from third parties. All operators should use these templates, modified as appropriate but retaining the Working With Children Check references.

There are also a number of standard forms attached to the Guidelines. All ASAs should use the standard forms – on-line or in hard copy – modified as necessary to suit the ASA or its systems but without loss of the salient content of the standard form.

In other matters, it is important that employers and applicants have consistent processing of the Check from all ASAs. For this reason, there are templates for employer and applicant communications. ASAs may add additional sector specific information to these templates, or vary them as long as the salient information specified in the templates remains in the letters.

#### ***Exchange information with other ASAs***

ASAs and the Commission may obtain or disclose information for the purpose of the Working With Children Check in accordance with Part 7 of the *Commission for Children and Young People Act 1998* despite any other Act or law to the contrary.

When an applicant signs a consent for the Working With Children Check he or she acknowledges that any information obtained during the Working With Children Check may be collected and used by and/or disclosed to the Commission for Children and Young People, any ASA or employer-related body for the purposes of the Check.

The Commission and ASAs should aim to provide the information asked for within a week, to help get a speedy result for the applicant and the employer.

#### ***Provide information on the WWCC, and participate in audits, forums and workshops run by the Commission for Children and Young about the Working With Children Check***

ASAs should provide volume and outcome data on the Check required by the Commission for Children and Young People. ASAs should also engage in the development and support activities arranged by the Commission for operators of the Working With Children Check.

## **B: Commission for Children and Young People**

### ***Maintain and update the Guidelines***

The Commission for Children and Young People will provide ASAs with copies of approved Ministerial Guidelines.

The Commission will keep both internal and Ministerial Guidelines up to date for all operators of the Working With Children Check.

The Commission will consult with partners and stakeholders, including ASAs, on Guidelines.

The Commission will consult with the ASAs through quarterly forums, special meetings or through correspondence on proposals that would lead to significant changes in practice in the Working With Children Check.

### ***Negotiate contracts with CrimTrac and other providers***

CrimTrac supplies ASAs with criminal record information for the Working With Children Check. Where ASAs obtain their Working With Children Check criminal records through the Commission's database (Employment Screening System or ESS), the Commission negotiates the contract with CrimTrac. The Commission will work with and consult these ASAs during contract negotiations. The Commission for Children and Young People will liaise with ASAs before finalising relevant contracts.

### ***Promote the Check***

The Working With Children Check can be effective only if all relevant organisations and individuals fulfil their responsibilities. The Commission for Children and Young People promotes the Working With Children Check directly and through the ASAs to raise awareness of it and help participants and partners understand their responsibilities.

### ***Report to Parliament on the Program***

The Commission for Children and Young People reports annually to the NSW Parliament on the Working With Children program.

### ***Provide Working With Children Check IT systems***

The Commission for Children and Young People provides IT systems through which relevant information flows to CrimTrac, Police and ASAs for background checking. The IT system includes the ESS database which stores:

- completed Relevant Employment Proceedings;
- Relevant Apprehended Violence Orders;
- outcomes for individuals who have been previously checked (where ASAs feed CrimTrac requests through ESS); and
- employment decisions where the Estimate of Risk outcome led the employer not to engage the applicant.

The Commission for Children and Young People is responsible for maintaining the ESS database. This includes updating and correcting the information stored on the database.

### ***Operate the Prohibited Employment System***

The Commission for Children and Young People manages the process of reviewing prohibited status.

Further information on applying for a review of prohibited person status and how the Commission undertakes a review is available from the Commission for Children and Young People's website at [www.kids.nsw.gov.au](http://www.kids.nsw.gov.au). Follow the links to "Working With Children".

### ***Audit the program***

Under Section 33S of the *Commission for Children and Young People Act 1998*, the Commission for Children and Young People may audit and monitor compliance with requirements and procedures relating to prohibited persons.



Under Section 36(f) of the *Commission for Children and Young People Act 1998*, the Commission for Children and Young People may monitor and audit compliance with the procedures and standards for background checking.

Section 15B of the *Commission for Children and Young People Act 1998* gives the Commission for Children and Young People the power to compel the production of information we need to fulfil our monitoring and audit function.

The Commission for Children and Young People will notify ASAs when it proposes to audit an ASA. The notice will state when the audit will be carried out and which information the Commission will review during the audit. Once the Commission for Children and Young People has completed the audit, it will send the ASA the draft report and recommendations for comment. When the final draft is then completed, ASAs will be asked to provide a management response. The final report will include this ASA management response.

In addition to an annual audit program, the Commission for Children and Young People may audit an ASA outside the planned audit program. The Commission for Children and Young People will follow the same procedure as a planned audit.

## Guideline 2: Registering Employers

### A: New Employers

All child-related employers need to be registered before their Checks can be processed. ASAs need to obtain all the data listed on the standard [Employer Registration Form](#) to register a new child-related employer.

Once the data is entered on ESS or the equivalent ASA database, ASAs should send a formal acknowledgement of registration to the employer. A template is available for this purpose: [Acknowledgement of Employer Registration](#).

Employers should be registered to the appropriate ASA. If an employer is registered to the wrong ASA, ASAs should consult with the appropriate ASA, then transfer the registration data and inform the employer of the change. The Commission will help to resolve any uncertainties about which ASA is the best one for an employer. If an ASA has commenced a Check or an Estimate of Risk for an employer wrongly registered with them, they should complete that Check or Estimate of Risk before transferring the employer to the correct ASA.

### B: Existing Employers - changing registration details

The information needed when employers change their registration details is in the standard form [Amendment to Employer Registration Details](#). ASAs need to obtain all the data required on this template when they change registration details.

### C: When a business has a new owner

When a registered employer sells or transfers their operations to a new employer, the background checks already carried out remain valid. ASAs should follow the steps for *Existing Employers – changing registration details* (Guideline 2B) to change the recorded details for this employer. ASAs should provide the new owner with a record of previously completed Checks if the new owner wants this.

## Guideline 3: Background Checking

### A: Verifying validity of requests

References to forms in these Guidelines include references to ASA on-line systems incorporating data requirements of the forms.

ASAs can only process Working With Children Checks that are within the statutory authority of the *Commission for Children and Young People Act 1998*. These are Checks that are mandatory under section 37 and 45 of the Act. Requests for invalid Checks must not be processed.

Employers seeking a mandatory Check need to follow the Working With Children Check Guidelines. Before ASAs process a check they should be sure that:

- the position applied for is primary child-related employment under s37 or requires background checking under s45; note that new Checks mandated by the Wood Inquiry amendments to the *Commission for Children and Young People Act 2010* come into effect on 31 March 2010.. The Checks that commence on 31 March 2010 are:
  - provision of prescribed children's services
  - management or control of prescribed children's services
  - assessment officer under S27A of the *Children and Young Persons (Care and Protection) Act 1998*
  - principal officers of foster care and adoption agencies
  - contractors, subcontractors, their employees and self employed persons for DET, TAFE and Community Services
  - students on placement in Community Services
  - volunteers mentoring disadvantaged children
  - volunteers providing intimate personal care to disabled children
  - adult household members of foster carers, family day carers and other home-based carers
- the Check is for a preferred applicant
- the Check is not for an existing employee
- all the required data on the [Volunteer/Student Declaration](#), [Applicant Declaration And Consent](#) or [Adult Household Member Consent](#) is completed
- the employer has completed all the required data on the [Employer Request for a Background Check](#) including that they have verified the applicant's identity

If any of these factors is unclear, seek further information from the employer. A telephone request may resolve the issue; a template letter is also available: [Working With Children Check not Available](#). If the employer is unsure whether the position should be checked, ask them to mark up [Tables 1 to 4](#) in the [Working With Children Check Employer Guidelines](#) to work it out.

Where a request for a Check is not valid, contact the employer to explain why it cannot be processed. There is a template letter that can be used to advise employers when a Check is not available: [Working With Children Check not Available](#).

Keep records of conversations and copies of correspondence.

### B: Transmitting Check requests to the Commission

The Commission will keep all ASAs advised from time to time of its requirements for transmitting data to and from ESS.

## C: Receiving Check responses

When the criminal history information, AVO and REP matches are provided, ASAs need to take the following steps:

- Send outcome letter (if no Criminal, AVO or REP matches), using the template: [Outcome letter – applicant has no relevant records](#)
- Update in-house and/or ESS databases for secondary clears, and generate outcome letter to employer (until automated by NSS)
- Review matches to ensure they are relevant records; if the records are not relevant, follow the secondary clear process.
- Where a relevant record is found, follow the initial risk estimate processes in **Guideline 4 Estimating Risk**.
- If the record includes records for probity checking, follow the records management process in **Guideline 5 Managing Records**.

## D: Vetting processes for Working With Children Check criminal record matches

NSW Police Criminal Records Branch vets criminal records and excludes those that are not relevant records under the Commission's legislation. The vetting process currently captures all NSW records, and all records from multiple jurisdictions.

Until the commencement of CrimTrac's NSS:

- where the only records emanate from a single non-NSW jurisdiction, NSW Police do not vet them for relevance
- ASAs may accordingly receive more records than they can legally use in these cases, and will need to apply additional vetting to determine that they are relevant records for the Working With Children Check;
- to vet these records, ASAs should review the nature of the offence and verify the age of the victim to determine whether the records are relevant. If they are not, the Check needs to be marked as "clear" for the Working With Children Check, unless there are relevant AVOs or REPs

After the commencement of CrimTrac's NSS the vetting process undertaken by the NSW Police Criminal Records Branch will capture and vet all records whether from NSW or other jurisdictions.

## E: Where CrimTrac cannot verify a criminal records match

### ***More identifying information is needed***

CrimTrac may need more information about the applicant to determine a match. ASAs should obtain additional information from the applicant and provide it to CrimTrac. The type of information that can help determine a match for CrimTrac includes, for example:

- driver's licence number
- photograph
- previous addresses

### ***Identity is still not matched***

In some instances, CrimTrac cannot determine whether a criminal record belongs to the applicant without a fingerprint match. CrimTrac will send you a fax requesting the applicant's fingerprint. CrimTrac will not provide information about the nature of the record at this stage.

If it is necessary for the applicant to provide fingerprints and the applicant is willing to do this contact the applicant's local police station to confirm that they have the appropriate facilities and available

resources to take fingerprints. If the local police station is not able to take fingerprints, ask them to refer you to the nearest police station which can take fingerprints. Alternatively you may ask the applicant to make these arrangements direct through their local police station.

There is a template letter available to advise applicants of the need for fingerprint identification: [Applicant Advice re Fingerprint Identification](#). Police have asked that ASAs use a standard letter advising local police of the request for fingerprint identification. This letter is page two of the Applicant letter template. The applicant needs to deliver this letter to Police when he or she attends the police station for fingerprinting.

Keep a copy of both of these letters on file.

## **F: Identifying Relevant AVOs and Relevant Employment Proceedings**

The ESS database contains information on Relevant Apprehended Violence Orders (AVOs) and Relevant Employment Proceedings. The Commission provides ASAs with results of the AVO and REP database checks.

## **G: Completing Checks where there are no relevant records**

There is a template letter to inform employers when a Check has found no relevant records: [Outcome letter – applicant has no relevant records](#).

When there is a “clear” result, send this letter to the employer. ASAs may edit this template to add sector specific information. Where databases are not automatically updated, ASAs must also update database records to show that the Check is completed, and that the outcome was “clear”.

## Guideline 4: Estimating risk

An Estimate of Risk is required when a valid Working With Children Check reveals relevant records. The exception to this is where the applicant is a prohibited person. There are several steps ASAs need to take to determine whether to conduct an estimate of risk. When ASAs have confirmed that an estimate of risk is required, ASAs must use the approved risk estimate tool, AWARE (**A** **W**ORKPLACE AND **A**PPPLICANT **R**ISK **E**STIMATE). The Commission separately provides business rules for AWARE.

In the pre-risk estimate steps, ASAs need information from the employer and the applicant. All communication about an applicant and their relevant records is confidential; correspondence must be marked as confidential.

## A: Verifying that the Check is valid

Validity is tested against the law as it stands at the date of verification, so Checks enabled by the Wood Inquiry amendments to the *Commission for Children and Young People Act 1998*, will be validly undertaken following the commencement of these amendments on 31 March 2010, but not before that date.

During an estimate of risk, ASAs may telephone the employer and ask them for the signed [Applicant Declaration and Consent](#) or [Adult Household Member Consent](#). Until CrimTrac's NSS commences, ASAs may still process Checks on forms from the 2006 *Working With Children Check Employer Guidelines*: the old *Working With Children Background Check Consent* is acceptable for Checks submitted before NSS commences.

If there is any uncertainty about whether the role is child-related employment, ASAs should make further inquiries. These inquiries could involve discussions with the employer or applicant or obtaining a formal role statement for the position, or other measures.

If these inquiries involve obtaining written information from the employer, ASAs can use the template: [Letter to employer to confirm cre](#).

Use this information to confirm that the applicant is the preferred applicant for child-related employment under section 34 or a background check under section 45 of the Act.

If the applicant is not the preferred applicant for such employment or background check, the Check is invalid and the risk estimate must be terminated. There is a template letter to advise employers of this outcome: [Working With Children Check not available](#).

Given the importance of a timely Check outcome, ASAs are encouraged to continue progressing the estimate of risk while awaiting the documents that verify the validity of a Check. The estimate of risk must be terminated as soon as it becomes clear that a Check is not valid.



## B: Confirming that relevant records belong to the applicant

ASAs must always take into account any relevant records that CrimTrac and ESS has matched to the applicant and prepare the Estimate of Risk accordingly. ASAs must not proceed with an estimate of risk without confirming the applicant's relevant records disclosed by the Check.

Contact the applicant and explain that during the Check, a relevant record has come up. Ask the applicant whether they agree that the record(s) relate to them.

If the applicant agrees that the record(s) belongs to them, confirm with the applicant that the basic facts of the record are consistent with their own understanding of their history, particularly the action and the outcome. This applies to each type of relevant record.

To do this, you may ask a question such as *“Do you have any charges or convictions (or disciplinary matters) for sex offences, or for violence offences against people under 18?”* If yes, ask the applicant to provide details of those matters and the outcome in relation to each matter.

If the applicant does not agree that the relevant record(s) applies to them, seek information from the applicant that would establish that they are not the person with this record.

### Criminal Records

Contact CrimTrac and advise that the applicant is disputing the record. CrimTrac will send a National Criminal History Dispute form asking for identifying details. Complete this form and send back to CrimTrac. If CrimTrac cannot confirm that the record belongs to the applicant, they will ask for fingerprints to be taken.

If fingerprints need to be taken, CrimTrac will issue a letter for the applicant to take to their police station. The ASA forwards this letter and the standard letter *ASA Letter to Applicant – fingerprint required* to the applicant. The applicant then attends their local police station for fingerprints to be taken. Police will then forward the fingerprints for comparison and the result will be provided to CrimTrac.

The onus is on the applicant to prove that they are not the person named in the records.

### AVO and REP Records

Approaches to clarifying whether the applicant is the record holder of an AVO or REP include:

- the applicant seeking clarification from police (for AVOs), and providing the outcome to the ASA
- the applicant providing photo or other id that could confirm their identity with the notifying employer of an REP.

The employer has an interest in a timely Check outcome, so the employer should be advised of there is a likelihood of excessive delay.

If Police or the notifying employer (for REPs) agree that the applicant is not the record holder, note this in ESS or the ASA inhouse database for future reference, and complete the Check without reference to these records. If there are other relevant records, use them to complete AWARE. If there are no other relevant records, inform the employer of the “clear” outcome. ASAs may use the template: [Outcome letter – applicant has no relevant records](#) for this.

If the Police or the notifying employer (for REPs) cannot confirm that the applicant is the record holder, and the applicant does not agree that the records are his or hers, the ASA may

- complete the risk estimate on the basis of the disputed records, or
- advise the employer that the Check cannot be completed.

ASAs must advise the applicant which course they are taking, and should advise the applicant that the Employer might decide not to proceed if the Check cannot be completed. There is a template letter to employers for use when a Check cannot be completed: [Outcome Letter - Check cannot be completed](#). Where the Check cannot be completed because the records are very old, or minor and have been destroyed, you may wish to adjust the template letter to provide additional information to the employer.

## C: Removing prohibited persons from the process

Prohibiting provisions do not apply for applicants for a background check under s45 of the Act. Prohibiting convictions do not apply to adult household members of foster carers, family day carers or home based carers from these roles. Do not eliminate adult household members from the risk estimate process even if they have a "prohibiting" conviction.

A relevant record may include a conviction that prohibits the holder from child-related employment. ASAs first need to check with the Commission for Children and Young People whether the applicant has been granted an Order that removes their prohibited status. There are several possible outcomes to this enquiry set out below.

### ***The applicant has an unconditional Order***

If the applicant has an unconditional review order and no offences subsequent to the granting of their Order, he or she is not a prohibited person. Their relevant records have been fully assessed in the process leading to the granting of an Order. The Order means that the person has been found not to present a risk to children. This determination means there is no role for the standard risk estimate process. Complete the "clear" outcome processes.

### ***The applicant has an Order, but has subsequent relevant records***

If the subsequent records make the applicant a prohibited person, then the review order is automatically void and the applicant has committed an offence in seeking child related employment. Follow the steps in the section "The applicant has no Order" below.

If the subsequent records do not make the applicant a prohibited person, there may still be cause to revoke the Order. Notify the Commission for Children and Young People who will review the new records and decide whether to seek a revocation of the Order. The Commission will advise you of its decision. The estimate of risk will need to be deferred pending this decision.

If the Commission seeks a revocation of the Order, the estimate of risk must be deferred until the revocation decision is made. Contact the applicant to advise him /her of the delay and reasons for it.

If the Order is revoked, the applicant becomes a prohibited person. The Commission will advise you and the applicant of the outcome of the revocation process. The Commission will also notify the employer if the applicant becomes a prohibited person through revocation of his or her Order.

If the Commission decides not to seek revocation, or the revocation is not granted, proceed to an estimate of risk.

### ***The applicant has a conditional Order***

These situations are rare, and will require individualised approaches based on the conditions themselves. The principle is that if the applicant has complied with the conditions, he or she is not a prohibited person and the steps set out for a person with an unconditional Order would apply. If the applicant has breached the conditions, he or she is subject to the revocation processes referred to above.

ASAs are encouraged to consult with the Commission for individual approaches to these cases.

### ***The applicant has no Order***

Contact the applicant and ask whether they know that they have a conviction that prohibits them from child-related employment. Make a file note of your conversation.

The suggested script for this telephone call is:

*"You recently applied for a position which involves working with children. Your Working With Children Check found a conviction which may prohibit you from working with children. Are you aware of this? Do you have an order that allows you to apply for work with children?"*

It is an offence for a prohibited person to apply for child-related employment or to sign a declaration that they are not a prohibited person. You must tell the applicant that they may be in breach of the law. In your conversation with the applicant, make sure you cover the following points (where relevant):

- it is an offence for a prohibited person *to apply for or otherwise attempt to obtain, undertake, or remain in*, child-related employment;
- they may have committed an offence by signing a Declaration;
- the employer is not allowed by law to offer a position in child-related employment to a prohibited person;
- the applicant is/is not able to seek a review of this prohibition; if successful they can legally obtain child-related employment and sign the Declaration.

When you are sure the applicant is a prohibited person, you need to take the next steps;

- Advise them they cannot proceed with child-related employment and send the template letter: [Advice to prohibited person](#).
- Advise the employer that their preferred applicant is not eligible for child-related employment; but may remain in employment that is not child-related. Advise the employer that the applicant may be eligible to seek a review of their status. Do not disclose the nature of the applicant's offence to the employer. There is a template letter to use in advising the employer: [Outcome letter – applicant is not eligible](#).
- Obtain a copy of the applicant's signed Declaration. An employer may be in breach of the Commission's legislation if they do not have this document.

Advise the Commission you have identified a prohibited person seeking child-related employment attaching the applicant's Declaration. Advise the Commission if the employer has been unable to provide the Declaration. The template [Details of a Prohibited Person Applying for CRE](#) shows the information the Commission needs to notify Police. The Commission will advise police of the possible breach of our Act.

## D: Verifying the relevance of a record

### ***Where the record is a criminal record***

Check the list of Relevant Criminal Records provided by the Commission. This list is a guide rather than a complete or comprehensive list. This is because criminal offences change over time when legislation is amended.

If the offence does not appear in the list of Relevant Criminal Records, or for any reason ASAs are uncertain about the relevance of the record, contact the Commission for Children and Young People for clarification. The Commission will amend the list of Relevant Criminal Records to include new ones identified.

If the record is not a relevant criminal record, and there are no other records that are relevant, notify the employer using the template: [Outcome letter – applicant has no relevant records](#).

### ***Where the record is an Apprehended Violence Order***

If ASAs cannot determine whether the AVO is relevant, contact the court where the AVO originated. They will look at the record to determine whether it is a relevant record for the purposes of the Working With Children Check. If the court is unable to make this determination, contact the AVO unit at NSW Police for assistance. The contact number is (02) 8835 7719.

If the record is not a relevant AVO, and there are no other records that are relevant, notify the employer using the template: [Outcome letter – applicant has no relevant records](#).

The AVO database is intended to hold only AVOs that protect a child. If an ASA finds that an AVO did not include a child to be protected, it should advise the Commission. The Commission will arrange for that AVO to be removed from the ESS database.

### ***Where the record is an employment proceeding***

Occasionally, employers may notify employment proceedings that should not have been notified, or notify them in the wrong category.

For this reason, ASAs should review the appropriateness of relevant employment proceedings before starting the risk estimate. Where there is doubt about the appropriateness of the notification, contact the Commission's Manager, WWC Assessments for advice.

If the Commission for Children and Young People decides the matter is not a relevant employment proceeding, it can:

- correct the ESS database;
- inform the employer who made the notification;
- inform the applicant who was the subject of the employment proceeding; and
- notify the ASA of the outcome of the review.

## E: Obtaining details about the Relevant Records

### ***Obtaining information from a previous risk estimate***

Check on ESS if the applicant has previously been the subject of an estimate of risk. If there has been a previous estimate of risk, the ASA file may have all the details you need to complete this risk estimate. Request the file from that ASA.

ASAs receiving this request should provide all the documentation they hold on the relevant records. ASAs receiving a full suite of information from another ASA may commence their risk estimate without obtaining any additional records.

### ***Obtaining information on Criminal Records***

There are two key tools for obtaining additional information about relevant criminal records:

#### **Template letters to NSW agencies**

A number of NSW agencies can provide background information about relevant criminal records. To help them recognise the statutory requests under the Commission's legislation, there are template letters to these agencies that should be used: [Information request to NSW agency](#).

ASAs may only request information from the Supreme Court when the court is sitting in its Original Jurisdiction, or as an Appellate Court where there is an appeal on sentence. In all other instances we approach the District Court. In its original jurisdiction the Supreme Court covers:

- Sections 12, 19a, 21, 22A and 24 of the Crimes Act 1900, which includes deposition of the Sovereign, punishment for murder, child murder by mother and infanticide; and
- Offences for which the maximum penalty is life imprisonment in a case in which either the DPP (Commonwealth) or DPP (NSW) has formed the opinion that a life sentence may be appropriate.

Before approaching the Supreme Court, check the website of the Court of Criminal Appeal ([www.lawlink.nsw.gov.au](http://www.lawlink.nsw.gov.au)) for the judgment to see if a new sentencing report was ordered. Note that the information provided by the Supreme Court may not contain witness statements.

To help the Supreme Court recognise the statutory requests under the Commission's legislation, there are template letters that should be used: [Information request to NSW Supreme Court](#).

#### **Circumstances Information from NSW Police**

The NSW Police iAsk system presents an alternative for ASAs to obtain NSW circumstances information. Police provide information direct to ASAs on how to become an iAsk system user. Once ASAs have access to iAsk, they may submit requests via iAsk for circumstances information to NSW Police, Operational Information Agency (OIA).

#### **Circumstances Information from Interstate**

Where an ASA seeks circumstances information from interstate they may obtain it under the *Inter-Governmental Agreement for the Exchange of Criminal History Information for People Working with Children*, by completing the [Request for Secondary Information – ECHIPWC](#) template and sending it to the relevant Police jurisdiction. Police will treat each record as a separate request, though several records may be listed on a single request form. The Commission will provide ASAs with contact details for these requests. ASAs should be aware that interstate police charge for this information according to the schedule of charges in the *Inter-Governmental Agreement for the Exchange of Criminal History Information for People Working with Children*.

Where ASAs have access to interstate circumstances information through other channels, they may continue to use these channels.

### ***Obtaining information about a relevant employment proceeding***

If the REP was notified later than 22 February 2010, ASAs should first contact the Commission to obtain a copy of the [Relevant Employment Proceedings Notification And Summary](#).

If the Commission does not have this form, or if the form does not contain enough information for conducting a risk estimate, ASAs will need to obtain information from the notifying employer. Advise the employer why the ASA is seeking information and ask them to send:

- documentation supporting their decision to notify the relevant employment proceeding (for example their investigation report)
- the new [Relevant Employment Proceedings Notification And Summary](#)

Support your request with faxed, emailed or posted letter requesting all the relevant documentation. There is a template letter ASAs may use for this: [Information Request to Employer](#). Follow up the employer's response regularly to ensure the estimate of risk is not delayed.

It is an offence under section 41 of the Commission's Act for an employer not to respond to a notice from the Commission compelling the production of information sought on a relevant employment proceeding for an estimate of risk. If the employer does not respond to a request within two weeks, ASAs may ask the Commission to issue an enforcement notice to the employer.

If the employer is unable to produce information, and is covered by Part 3A of the *Ombudsman Act 1974*, the Commission may be able to obtain information to support a risk estimate from the Ombudsman. Please advise the Commission when these circumstances arise, using the template in the attachment to these Guidelines.



## **F: Conducting an Estimate of Risk**

Risk Estimates should only be undertaken by appropriately qualified staff.

ASAs must use the Estimate of Risk Model approved by the Commission for Children and Young People. This supports consistency for employers in the Working With Children program.

When ASAs notify the employer of the results of an Estimate of Risk based on an IRE 2 or IRE 3 outcome, they should include a copy of the template: [Rejected Applicant Notification](#).

## **G: Comparing current and previous Estimates of Risk outcomes**

If an ASA finds a significant difference in the outcome of the new Estimate of Risk and the previous one, review them to:

- identify if an error has been made; or
- confirm the difference is consistent with the model.

If an ASA finds an anomaly, make a file note and provide a brief to the Commission for Children and Young People outlining:

- the details of the different results (including a rationale for the differences);
- advice exchanged between the ASAs that had undertaken these risk estimates
- the outcome of the previous background check, including if you know whether the applicant was employed. You could find this out by contacting the applicant or employer, or it might be stated in the applicant's resume; and

ASAs cannot redo the original Estimate of Risk because it is only relevant at the point in time when it was done. It would also be a breach of our legislation to disclose the new results to a previous employer.

## Guideline 5: Managing Records

### A: Relevant standards

#### Commission for Children and Young People Act 1998

No other legislation can override the *Commission for Children and Young People Act 1998* in relation to undertaking the Working With Children Check.

Section 48B states that it is an offence to disclose information obtained as part of the Working With Children Check, unless the disclosure:

- is made in good faith for the purposes of background checking or the exercise of a function under Part 7 of the *Commission for Children and Young People Act 1998*;
- is made with the consent of the person from whom the information was obtained;
- is ordered by a court, or any other body or person exercising judicial functions, for the purposes of the hearing or determination by the court, body or person of any matter; or
- is made with other lawful excuse.

Section 48B also makes it an offence to dishonestly obtain confidential information relating to the Working With Children Check.

A person found guilty of any of these offences may be imprisoned for six months and/or fined.

#### Other legislation

The Check is also bound by relevant Commonwealth and NSW legislation. Applicable legislation includes:

##### *Privacy and Personal Information Protection Act 1998 (NSW)*

- applies to NSW state and local government agencies;
- sets privacy standards for dealing with personal information;
- is administered by Privacy NSW, [www.lawlink.nsw.gov.au/pc](http://www.lawlink.nsw.gov.au/pc).

The government agencies that operate as ASAs must adhere to the standards set in this Act.

##### *Privacy Act 1988 (Cth)*

- applies to private sector organisations (including not-for-profits) across Australia;
- sets privacy standards for dealing with personal information;
- is administered by the Office of the Federal Privacy Commissioner, [www.privacy.gov.au](http://www.privacy.gov.au).

The Catholic Commission for Employment Relations must adhere to the privacy standards set in the *Privacy Act 1988 (Cth)*

##### *Freedom of Information Act 1989 (NSW)*

- applies to all government agencies and all employers submitting relevant employment proceedings
- sets standards for the release of information held by agencies
- is administered by the NSW Ombudsman.

#### Records Disposal Authority

Retention and Disposal of WWCC records (other than CHI provided by CrimTrac) is set out in the NSW State Records Authority *General Retention and Disposal Authority GA 26 Records Relating to the Conduct of Working With Children Check by Approved Screening Agencies*. The Commission has provided this document to Approved Screening Agencies.

## **B: Secure Handling of Criminal History Information**

Criminal history information is confidential. ASAs must

- keep criminal history information confidential
- protect the privacy of applicants
- ensure that only authorised ASA staff handle criminal history information and restrict access to this information on a strict 'need-to-know' basis
- keep criminal history information secure and protected by implementing safeguards to prevent loss, unauthorised access or use, modification, unauthorised disclosure, or other misuse, including unauthorised reproduction by any means.

Safeguards for secure storage of information must include:

- accountable documents;
- documents to be placed on numbered files;
- information to be filed on separate files independently of other information;
- files to be marked 'Personnel-In-Confidence';
- the use of lockable filing systems;
- access to information restricted to Authorised Personnel; and
- procedures that ban secure and confidential documents being removed from offices without appropriate safeguards and rapid return.

### **Handling of CHI**

- use a dedicated facsimile machine for the receipt of CHI (until commencement of CrimTrac's NSS, when this requirement becomes redundant)
- prevent unauthorised officers from accessing CHI
- verify CHI received against WWCC requests
- where the CHI does not match the CrimTrac reference number, record this and destroy the CHI immediately.

### **Circumstances Information**

Circumstances information is provided direct to screening units by police forces and other agencies. Circumstances information may only be used for the Working With Children Check, and may not be disclosed to third parties except as allowable under the *Commission for Children and Young People Act 1998* and the other instruments listed in the Working With Children Operator Guidelines.

Circumstances information is subject to the same confidentiality requirements as all other information obtained to undertake the Working With Children Check. But it is not captured by Screening Agencies' CrimTrac contracts, so does not need to be destroyed within six months.

### **Handling of Criminal History Information (CHI)**

ASAs must comply with the requirements stipulated in the CrimTrac contract for the handling and destruction of Criminal History Information (CHI).

## **C: Releasing CHI for lawful purposes, including FOI**

The Commission and ASAs must:

- consult with CrimTrac in the first instance where CHI is subject to release for a lawful purpose, including but not limited to a subpoena or Freedom of Information request.
- record the date and outcome of the consultation with CrimTrac on the Applicant file.
- record the date, the name of the person and agency to whom the CHI is released, the method of release, and the reason for release on the Applicant file.

### **Releasing information under FOI**

The requirements of the FOI Act should be applied for all applications under that Act.

Where an applicant seeks information about themselves held by an ASA, the ASA should apply the principles of the FOI Act in determining whether they may release the information. Applicants subject to REPs have an entitlement under S43 of the Commission's Act to "apply for access under the *Freedom of Information Act 1989* to any documents of an agency containing information about those proceedings". ASAs accordingly will need to consider such applications. ASAs may not charge a fee for these FOI applications.

The AWARE Guidelines may be released under FOI even though they are an internal working document, because release is in the public interest. ASAs are requested to refer requests for these Guidelines to the Commission for Children and Young People for determination.

Only the IRE and supplementary IRE information should be released to applicants under FOI. PRE and ORE information is considered confidential to the employer and its release is not considered to be in the public interest. This is because employers may not engage with the PRE and ORE process if we do not keep their responses confidential.

## **D: Release of Criminal History Information (CHI) for Probity Checking**

**This Guideline is used where the Working With Children Check includes a request for general criminal records used for probity checking**

### **Who can receive CHI for probity checking**

CHI for probity checking may only be used by the ASA or an employer authorised in an ASA's CrimTrac contract to receive CHI. CrimTrac contract obligations on both the ASA and the receiving employer must be met.

Where CHI is to be released for probity checking, the ASA's /Employer's *Applicant Declaration and Consent* must explicitly cover the release of the appropriate range of criminal history information to the employer.

### **What records can be released**

The records that can be released for general probity checking are unspent convictions and pending charges. All charges other than pending charges are to be excluded from release for general probity checking

For Category A probity checking, NSW spent convictions released by NSW Police may also be released.

NSW Police vet out non-relevant records from the C Check and spent convictions for non-relevant records from B checks. Jurisdictional police mark relevant convictions that are spent (under the ECHIPWC Agreement) with "S" or "Spent".

### **Required Business Rules**

ASAs must have documented and auditable business rules to ensure that Criminal History Information is used for probity checking only when the following requirements are met:

- Spent convictions are removed from general probity checking records
- Police advise on spent convictions that are not available for Category A probity checks
- Charges other than pending charges are removed
- Appropriate records are retained
- Any external agencies receiving CHI are approved on the ASA's CrimTrac contract to receive it, and the requirements of the contract are met
- CHI is transported securely
- Personnel accessing the full record for WWCC risk assessment do not undertake the probity risk assessment.

## **E: Retention and Destruction of Records**

When retaining or destroying records, ASAs must comply with the Functional Disposal Authority for the Working With Children Check and the CrimTrac contract.

### ***Criminal History Information (CHI)***

ASAs must not keep criminal history information (originals or copies) provided by as part of permanent records. Generally the time limit for retaining criminal history information for the WWCC is six months. Only officers authorised to access criminal history information may cull or destroy these records. The records must be destroyed in such a way that will prevent the applicant from being identified from the residue.

To facilitate the timely destruction of these records, ASAs must:

- record the date on which CHI is received
- provide for the required secure filing of CHI during the estimate of risk process.
- store CHI in a secure manner: hard copy to be locked away when not in use, and soft copy to be accessible only to authorised officers.
- seek approval from CrimTrac to retain CHI beyond the six month limit if an estimate of risk is expected to take longer than six months.
- mark any agreed extension period on the appropriate file or database

When destroying CHI, ASAs must:

- require an officer authorised to handle CHI to check applicant files on closure to make sure the CHI is destroyed
- allow only officers authorised to handle CHI to destroy CHI
- destroy CHI preferably by shredding or by any other means whereby the residue cannot be reconstituted.
- record the date of CHI destruction, the officer doing it and the method of destruction on the applicant file.
- destroy CHI not passed on for probity checking once the WWCC procedures are completed.

Refer to the CrimTrac contract for details on retaining criminal history information.

### ***Estimate of Risk reports and associated documents***

ASAs must keep a hard copy of each Estimate of Risk on file permanently. Keep file notes of all conversations with the applicant, employer or other people providing information for an estimate of risk.

Attach all documents securely to the file in date order. Back up electronic records regularly.

### ***Prohibited Employment records***

ASAs must keep a permanent copy of any documentation created or obtained while determining if the applicant is a prohibited person.

Attach all documents securely to the file in date order. Back up electronic records at least twice a week.



## Guideline 6: Collecting data on employment decisions

Under Section 40 of the *Commission for Children and Young People Act 1998*, employers must notify the Commission when they decide not to employ an applicant because of the risk estimate under the Working With Children Check. Employers must use the Rejected Applicant Notification for this.

The Commission and ASAs follow up employers in their sectors to find out whether the employer has rejected an applicant.

Steps:

- Advise employers of the notification requirements with their risk estimate outcome letter
- Check with employers four weeks after the risk estimate outcome was sent, whether the applicant was rejected
- Remind employers of the obligation to send a Rejected Applicant Notification to the Commission or the ASA
- Remind employers that the Commission may follow up further on applicants employed
- Sending completed Rejected Applicant Notifications to the Commission
- Report to the Commission on the outcome of these follow up call within four weeks of the end of each quarter. The Commission will provide details of the information required.

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### CARRATHOOL SHIRE COUNCIL

Roads Act 1993, Section 162

Road Naming

NOTICE is hereby given that Carrathool Shire Council, in pursuance of section 162 of the Roads Act 1993, has named the following roads within the Village of Rankins Springs:

<i>Location</i>	<i>New Road Name</i>
Unnamed lane, between Boree Street and Ninti Street, Rankins Springs.	Evans Lane.
Unnamed lane, between Ninti Street and Boree Street, Rankins Springs.	Frazer Lane.
Unnamed lane, between Ninti Street and Moa Road, Rankins Springs.	Cunningham Lane.
Unnamed lane, between Moa Road and Ninti Street, Rankins Springs.	Oxley Lane.

Authorised by resolution of Council on 20 April 2010. The above road names have been advertised and notified. KEN CROSKELL, General Manager, Carrathool Shire Council, Cobram Street (PO Box 12), Goolgowi NSW 2652. [5214]

### PORT STEPHENS COUNCIL

Roads Act 1993, Section 162 (1)

Naming of Road

NOTICE is hereby given that pursuant to section 162 (1) Roads Act 1993, Port Stephens Council after having received no objections following notification and advertising has named the following roads.

<i>Description</i>	<i>Name</i>
At Raymond Terrace	
Extension of an existing road Closebourne Way as part of a new subdivision of Lots 1 and 2, DP 195426 at Raymond Terrace.	Closebourne Way.
New road created within the subdivision of Lots 1 and 2, DP 195426 at Raymond Terrace.	Edward Windeyer Way.
Extension of an existing road Joseph Sheen Drive as part of a new subdivision of Lots 1 and 2, DP 195426 at Raymond Terrace.	Joseph Sheen Drive.

Council contact: C. Johnson, telephone (02) 4980 0265. P. GESLING, General Manager, PO Box 42, Raymond Terrace NSW 2324. Council File: PSC2010-01983. [5215]

### SHOALHAVEN CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Shoalhaven City Council declares, with the approval of Her Excellency the Governor, that the land and easement described in the Schedule below, excluding mines and deposits of minerals within the land, are acquired by

compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for sewerage purposes. Dated at Nowra, this 18th day of December 2009. RUSSELL PIGG, General Manager, Shoalhaven City Council, Bridge Road, Nowra NSW 2541.

#### SCHEDULE

Land

Lot 1 in Deposited Plan 1134134.

Interest in Land

'(A) PROPOSED EASEMENT FOR SEWER PIPELINE 5 WIDE' shown in Deposited Plan 1134141.

Terms of Easement for drainage of sewage

1. The body having the benefit of this easement may:
  - (a) drain sewage, sullage and other fluid wastes in pipes through each lot burdened, but only within the site of this easement, and
  - (b) do anything reasonably necessary for that purpose, including:
    - entering the lot burdened, and
    - taking anything on to the lot burdened, and
    - using any existing line of pipes, and
    - carrying out works, such as constructing, placing, repairing or maintaining pipes and equipment.
2. In exercising those powers, the body having the benefit of this easement must:
  - (a) ensure all work is done properly, and
  - (b) cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened, and
  - (c) cause as little damage as is practicable to the lot burdened and any improvement on it, and
  - (d) restore the lot burdened as nearly as is practicable to its former condition, and
  - (e) make good any collateral damage.

[5216]

### SHOALHAVEN CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Public Road

NOTICE is hereby given that, pursuant to section 10 of the Roads Act 1993, the land described in the Schedule below is dedicated as public road. R. PIGG, General Manager, Shoalhaven City Council, Bridge Road, Nowra NSW 2541. File 31039E.

#### SCHEDULE

Lot 2, Deposited Plan 1076384, Parish Farnham, County of St. Vincent – Sussex Inlet Road, Sussex Inlet.

[5217]

**THE HILLS SHIRE COUNCIL**

Roads Act 1993, Section 10

NOTICE is hereby given that The Hills Shire Council dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993. GENERAL MANAGER, The Hills Shire Council, 129 Showground Road, Castle Hill NSW 2154.

**SCHEDULE**

All that piece or parcel of land known as Lot 200 in DP 1044173 in The Hills Shire Council, Parish of Castle Hill, County of Cumberland and as described in Folio Identifier 200/1044173. [5218]

**WOLLONGONG CITY COUNCIL**

Local Government Act 1993

Section 50, Vesting of Drainage Reserve

THE land in the Schedule hereunder is hereby vested in Wollongong City Council pursuant to subsections 50 (3) and 50 (4) of the Local Government Act 1993. DAVID FARMER, General Manager, Wollongong City Council, Locked Bag 8821, South Coast Mail Centre NSW 2521.

**SCHEDULE**

Lot 212 in D 13182 being part Volume 3536, Folio 80, Municipality of Wollongong, Parish of Woonona, County of Camden. [5220]

**WARRUMBUNGLE SHIRE COUNCIL**

Roads Act 1993, Section 162

Roads Regulation 2008

Naming of Public Roads

NOTICE is hereby given that Warrumbungle Shire Council, in pursuance of section 162 of the Roads Act 1993 and the Roads Regulation 2008, has renamed the road described hereunder:

Description Name

Monks Road (Mendooran) be changed to Bona Vista Road to be consistent with the road portion in Gilgandra Shire LGA.

R. J. GERAGHTY, General Manager, Warrumbungle Shire Council, PO Box 191, Coonabarabran NSW 2357.

[5219]

**JERILDERIE SHIRE COUNCIL**

Local Government Act 1993, Section 713

Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the persons named hereunder that the Council of the Shire of Jerilderie has resolved in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder by way of public auction of which the persons named appear to be the owners or in which they appear to have an interest, and on which account the amount of rates stated in each case, as at 28 February 2010, is unpaid.

<i>Owner or person having interest in the land</i>	<i>Description of land</i>	<i>Amount of rates &amp; charges (including extra charges) overdue for more than five (5) years</i>	<i>Amount of all other rates &amp; charges (excluding interest) payable &amp; unpaid</i>	<i>Amount of other interest accrued not shown in column (d)</i>	<i>Total</i>
(a)	(b)	(c)	(d)	(e)	(f)
Trevor Wayne McGillivray, ANZ Banking Group Ltd	Lot 19, DP 6664 99 Jerilderie Street Jerilderie NSW 2716	\$5,488.38	\$6,244.64	\$3,308.56	\$15,041.58

In default of payment to the Council of the amount stated in column (f) above and any other (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for the sale, the said land will be offered for sale by public auction conducted by Arthur Real Estate, at the Jerilderie Civic Hall, 33 Jerilderie Street, Jerilderie, on Saturday, 7 August, 2010 commencing at 10.00 am. CRAIG MOFFITT, General Manager, Jerilderie Shire Council, 35 Jerilderie Street, Jerilderie NSW 2716. [5221]

**ESTATE NOTICES**

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of MARY CIANTAR, late of Dundas, in the State of New South Wales, who died on 4 March 2010, must send particulars of the claim to the legal representative for the estate at care of Fordham Lawyers, Solicitors, Highbury, 12 Station Street, West Ryde NSW 2114, not more than 30 days after publication of this notice. After that time the legal representative intends to distribute the property in the estate unless an application or notice of intended application for a family provision order is received by the legal representative. New South Wales Grant made on 15 April 2010. FORDHAM LAWYERS, Solicitors, Highbury, 12 Station Street, West Ryde NSW 2114 (PO Box 107, West Ryde NSW 1685) (DX 27551, West Ryde), tel.: (02) 9858 1533. [5222]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of BRONWEN JANE DALTON, late of Collaroy, in the State of New South Wales, widow, who died on 1 March 2010, 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 David Morgan Tuckerman on 20 April 2010. HPL LAWYERS, Level 1, 17 Albert Street (PO Box 705), Freshwater NSW 2096, tel.: (02) 9905 9500. [5223]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of CHARLES FRANCIS MONTAGNAT, late of Eastwood, in the State of New South Wales, retired accountant, who died on 6 December 2009, must send particulars of the claim to the executor, Gabrielle Sharman, care of 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 executor has notice. Probate was granted in New South Wales on 21 April 2010. TRUMAN HOYLE LAWYERS, Level 11, 68 Pitt Street, Sydney NSW 2000 (DX 263 Sydney), tel.: (02) 9226 9888. Reference: SR 90982. [5224]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of MARJORIE WINIFRED OVERETT, late of Caringbah, in the State of New South Wales, widow, who died on 1 December 2009, must send particulars of the claim to the executors, Judith Elizabeth Johnston and David Nielsen Overett, c.o. Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney NSW 2000, within thirty-one (31) days from publication of this notice. After that time and after 6 months from the date of death 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 15 April 2010. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney NSW 2000, tel.: (02) 9223 6544. Reference: DLT:24509. [5225]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of PATRICIA MARY STRATTON, late of Toongabbie, in the State of New South Wales, who died on 25 November 2009, must send particulars of the claim to the legal representative for the estate at care of Fordham Lawyers, Solicitors, Highbury, 12 Station Street, West Ryde NSW 2114, not more than 30 days after publication of this notice. After that time the legal representative intends to distribute the property in the estate unless an application or notice of intended application for a family provision order is received by the legal representative. New South Wales Grant made on 16 April 2010. FORDHAM LAWYERS, Solicitors, Highbury, 12 Station Street, West Ryde NSW 2114 (PO Box 107, West Ryde NSW 1685) (DX 27551, West Ryde), tel.: (02) 9858 1533. [5226]

**COMPANY NOTICES**

NOTICE of final meeting of members. – In the matter of the Corporations Act 2001 and in the matter of COMPLETE REAL ESTATE (CONCORD) PTY LTD (in liquidation) ACN 000 861 058. – 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 at 9:00 am on 31 May 2010, in the office of Crosbie Warren Sinclair, cnr Pacific Highway & Warabrook Boulevarde, 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 27 April 2010. BRENT ANTONY PERKINS, Liquidator, Crosbie Warren Sinclair, Box 29, Hunter Region Mail Centre NSW 2310, tel.: (02) 4923 4000. [5227]

NOTICE of final general meeting. – DOMINION SALES PTY LIMITED, (in voluntary liquidation) ACN 000 079 112. – In accordance with section 509 of the Corporations Act 2001, notice is hereby given that the final general meeting of the abovenamed company will be held at 2/131 Clarence Street, Sydney, NSW, on 8 June 2010 at 10:00 a.m., for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the manner in which the assets of the company have been distributed and a hearing of an explanation of the account by the liquidator and to authorise the liquidator to destroy all books and records of the company on completion of all duties. Dated 27 April 2010. F. MACDONALD, Liquidator, c.o. K. B. Raymond & Co., Level 2, 131 Clarence Street, Sydney NSW 2000 (GPO Box 4684, Sydney NSW 2001), tel.: (02) 9299 6521. [5228]

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