



# *Government Gazette*

of the State of  
New South Wales

**Number 44**  
**Friday, 3 June 2016**

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

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# GOVERNMENT NOTICES

## Miscellaneous Instruments

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### CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

GOVERNOR

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 224 (1) and 224 (2) of the *Crimes (Administration of Sentences) Act 1999*, do, by this Proclamation, declare the the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon) to be a correctional complex within the meaning of the *Crimes (Administration of Sentences) Act 1999* and I further declare that the correctional complex shall be known as Berrima Correctional Complex, viz.:

All that piece or parcel of land situate in the local government area of Wingecarribee, Parish of Berrima and County of Camden, being Lot 447 Deposited Plan 751252, and Lot 7304 Deposited Plan 1146099, shown by the shading on Plan Catalogue No 57396 in the Plan Room of the NSW Department of Finance, Services & Innovation, reproduced hereunder and having a total area of 2.206 hectares or thereabouts.

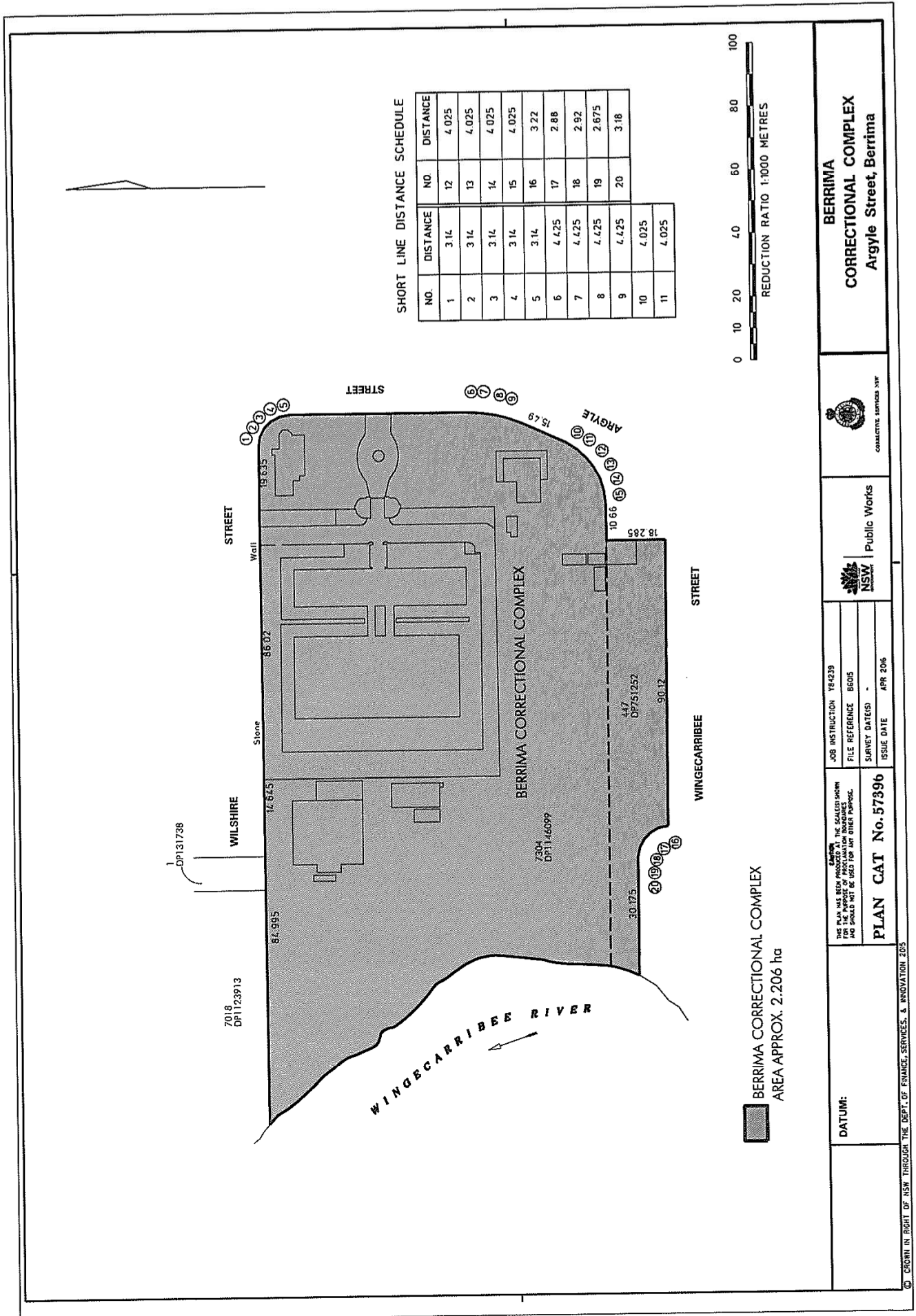
This proclamation is to take effect on and from the date of publication in the *NSW Government Gazette*.

Signed and sealed at Sydney, this 25th day of May 2016.

By His Excellency's Command.

DAVID ELLIOTT, MP  
Minister for Corrections

GOD SAVE THE QUEEN!



<p><b>DATUM:</b></p>	<p>PLAN CAT No. 57396</p>	<p>JOB INSTRUCTION 744239</p> <p>FILE REFERENCE B605</p> <p>SURVEY DATES -</p> <p>ISSUE DATE APR 2016</p>	<p>NSW Public Works</p>	<p><b>BERRIMA CORRECTIONAL COMPLEX</b> Argyle Street, Berrima</p>
	<p>7018 DP1123973</p>	<p>7304 DP1146099</p>	<p>447 DP751252</p>	<p>90.12</p>

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

GOVERNOR

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 225 (1) and 225 (3) of the *Crimes (Administration of Sentences) Act 1999*, do, by this Proclamation, declare the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon) to be a correctional centre within the meaning of the *Crimes (Administration of Sentences) Act 1999* and I further declare that the correctional centre shall be known as Berrima Correctional Centre, viz.:

All that piece or parcel of land situate in the local government area of Wingecarribee, Parish of Berrima and County of Camden, being part of Lot 7304 Deposited Plan 1146099, shown by the shading on Plan Catalogue No 57395 in the Plan Room of the NSW Department of Finance, Services & Innovation, reproduced hereunder and having a total area of 6430 square metres or thereabouts.

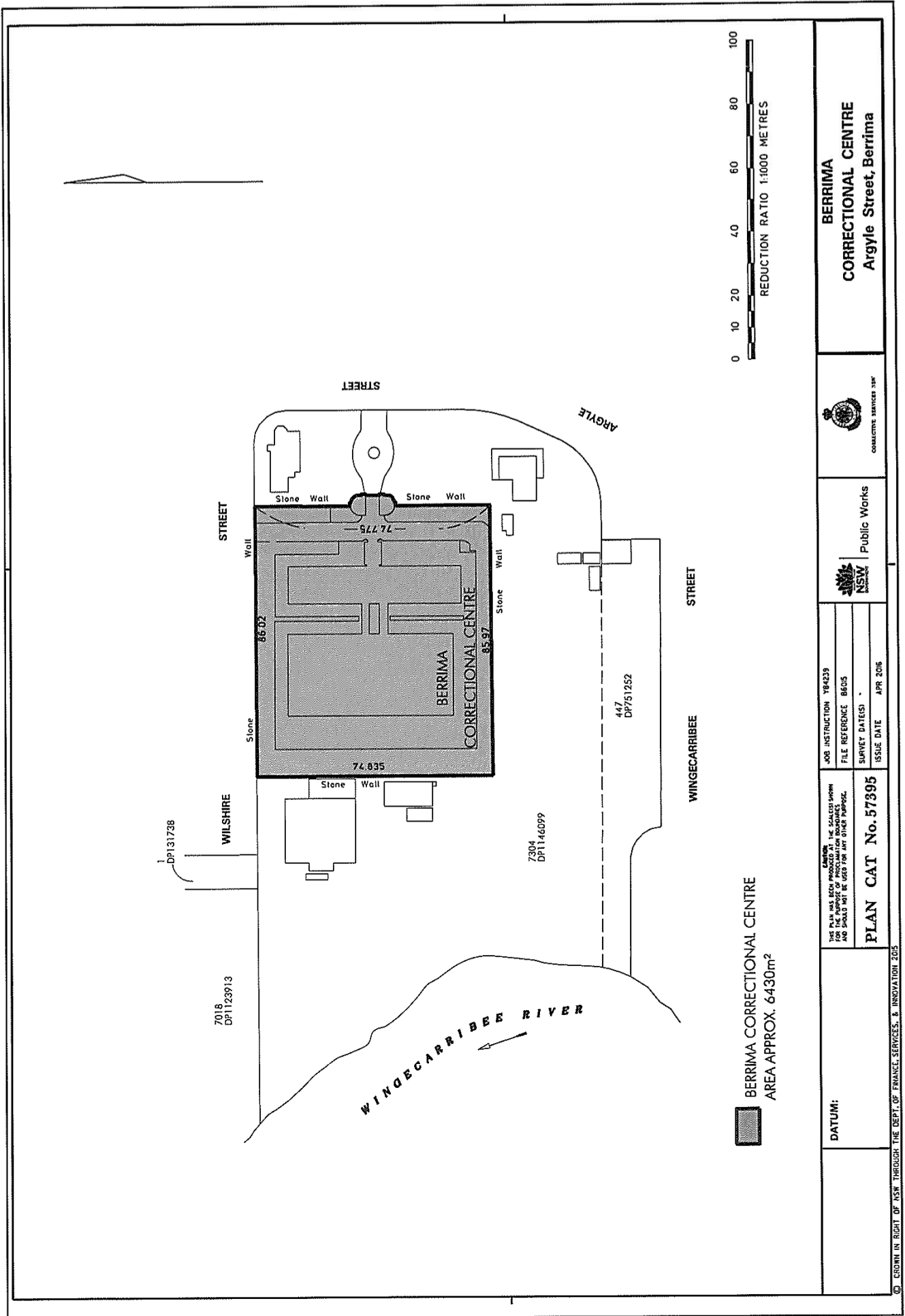
This proclamation is to take effect on and from the date of publication in the *NSW Government Gazette*.

Signed and sealed at Sydney, this 25th day of May 2016.

By His Excellency's Command.

DAVID ELLIOTT, MP  
Minister for Corrections

GOD SAVE THE QUEEN!



**BERRIMA CORRECTIONAL CENTRE**  
 AREA APPROX. 6430m<sup>2</sup>

<p><b>DATUM:</b></p>	<p>THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE PUBLIC WORKS ACT 1912 AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.</p>	<p>JOB INSTRUCTION Y84239</p>	<p><b>BERRIMA CORRECTIONAL CENTRE</b>                  Argyle Street, Berrima</p>
	<p><b>PLAN CAT No. 57395</b></p>	<p>FILE REFERENCE BEGS</p>	
<p>© FRONTIER RIGHT OF NSW THROUGH THE DEPT. OF EMPOWERMENT SERVICES &amp; INNOVATION 2015</p>		<p>SURVEY DATES) *                  APR 2016</p>	<p>NSW                  PUBLIC WORKS</p>

## Appointments

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### CONSTITUTION ACT 1902

Ministerial Arrangements for the Minister for the Environment, Minister for Heritage and Assistant Minister for Planning

Pursuant to section 36 of the *Constitution Act 1902*, His Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable R G STOKES, MP to act for and on behalf of the Minister for the Environment, Minister for Heritage and Assistant Minister for Planning for the period from 4 June to 6 June 2016, inclusive.

Dated: 1 June 2016

MIKE BAIRD, MP  
Premier

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### FISHERIES MANAGEMENT ACT 1994

Ministerial Fisheries Advisory Council  
Appointment of Chair

I, Niall Blair, MLC, Minister for Primary Industries, make the following re-appointment to the Ministerial Fisheries Advisory Council for a term commencing on 1 August 2016 and expiring on 31 July 2019:

Pursuant to section 229 of the Act and clauses 298 (1) & (2) of the *Fisheries Management (General) Regulation 2010*, I re-appoint Richard STEVENS OAM as the Chairperson of the Ministerial Fisheries Advisory Council.

Dated this 23rd day of May 2016

The Hon NIALL BLAIR, MLC  
Minister for Primary Industries

### FISHERIES MANAGEMENT ACT 1994

Ministerial Fisheries Advisory Council  
Appointment of Member

I, Niall Blair, MLC, Minister for Primary Industries, make the following appointment to the Ministerial Fisheries Advisory Council for a term commencing on the date of this appointment and expiring on 31 March 2019:

Pursuant to section 229 of the Act and clause 287 (1) (b) of the *Fisheries Management (General) Regulation 2010*, being satisfied that they will represent recreational fishing interests, I appoint Mr Stan KONSTANTARAS.

Dated this 9th day of May 2016

The Hon NIALL BLAIR, MLC  
Minister for Primary Industries

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### WATER MANAGEMENT ACT 2000

Appointment

His Excellency, the Governor, with the advice of the Executive Council, and in pursuance of clauses 5 and 22 of Schedule 5 to the *Water Management Act 2000*, appoint Mr Douglass McKAY to the position of President of the Cobar Water Board for a period of 5 years commencing 25 May 2016.

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

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# Planning and Environment Notices

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## CONTAMINATED LAND MANAGEMENT ACT 1997

### Section 11

Environment Protection Authority

Declaration of Significantly Contaminated Land

Declaration Number 20141108; Area Number 3367

The Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the *Contaminated Land Management Act 1997* (“the Act”):

**1. Land to which this declaration applies (“the site”)**

This notice applies to the portion of the Former Caltex Refinery, Kurnell, which is located at 2 Solander Street, Kurnell as shown on Figure 1 (attached).

**2. Nature of contamination affecting the site:**

The EPA reasonably suspects that the site is potentially contaminated with one or more of the following substances (“the contaminants”):

- Petroleum hydrocarbons (TPH);
- Benzene, Toluene, Ethylbenzene and Xylenes (BTEX);
- Polycyclic aromatic hydrocarbons (PAH) including naphthalene;
- Ammonia, phosphorus, phosphate and nitrate.

It is reported that firefighting foams have been used at the site however sampling and analysis for perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA), which are commonly associated with firefighting foams, are yet to be finalised at the site.

**3. Nature of harm that the contaminants may cause:**

The EPA has considered the matters in s12 of the Act and has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act for (including but not limited to) the following reasons:

- there are sources of contamination on the site including incidental fuel leaks and spills, waste storage and disposal which have resulted in the contamination of the land. While current management is effective at mitigating the impact of the contamination, these sources of contamination have the potential to impact on users of the groundwater and the natural environment;
- groundwater is contaminated with benzene, toluene and naphthalene at concentrations exceeding ANZECC/ARMCANZ trigger values and total petroleum hydrocarbons which includes phase separated hydrocarbons in groundwater;
- there are potential exposure pathways via any leaks of the pipelines and sewers which have the potential to impact on waters off-site;
- Ammonia and nitrate exceed ANZECC/ARMCANZ trigger values and ammonia, phosphorus, phosphate and nitrate have been detected off-site. The source of ammonia and nitrate may be a diffuse source that is contributed from the surrounding land, however this requires confirmation through continued monitoring.

**4. Further action under the Act**

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA.

**5. Submissions invited**

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites  
Environment Protection Authority  
PO Box A290  
SYDNEY SOUTH NSW 1232

or faxed to 02 9995 6603

by not later than 20 June 2016

Date: 23 May 2016

NIALL JOHNSTON  
Manager Contaminated Sites  
Environment Protection Authority

**Note:**

**Management order may follow**

If management of the site or part of the site is required, the EPA may issue a management order under s.14 of the Act.

**Amendment/Repeal**

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (s 44 of the Act).

**Information recorded by the EPA**

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

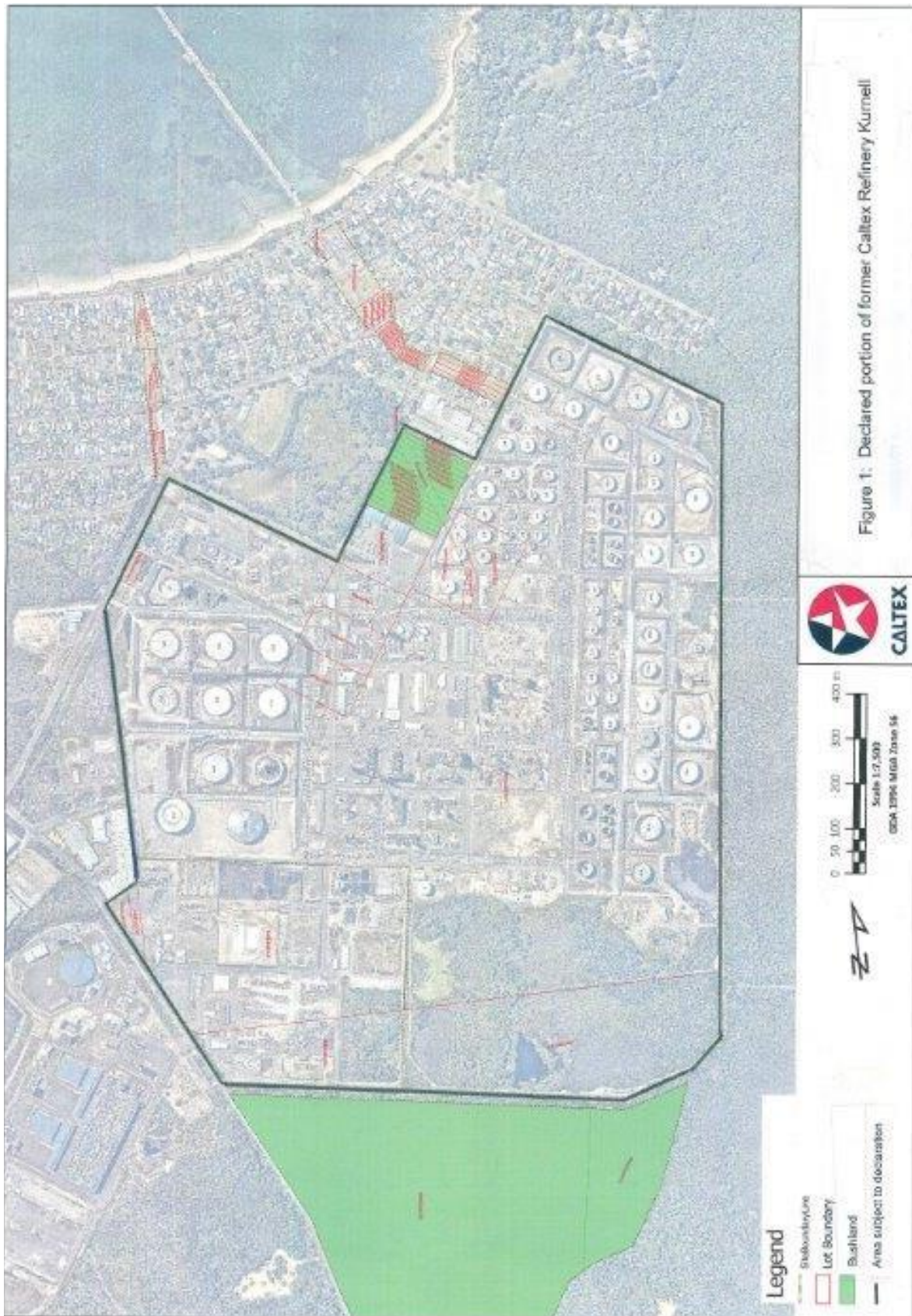
**Information recorded by councils**

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s149 (2) of the *Environmental Planning and Assessment Act 1979* that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s149 (2) certificate is no longer required.

**Relationship to other regulatory instrument**

This declaration does not affect the provisions of any relevant environmental planning instruments which apply to the land or provisions of any other environmental protection legislation administered by the EPA





## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

## Instrument of Delegation

I, the Minister for Planning, under section 23 of the *Environmental Planning and Assessment Act 1979* (the Act), delegate my functions referred to in Column 2 of Schedule 1 to this Instrument to the employees of the Department of Planning and Environment holding or acting in an office, or assigned (including temporarily) to a role, identified in Column 3 of Schedule 1 to this Instrument.

I revoke all previous delegations of my functions the subject of this Instrument of Delegation.

Dated: 18th April 2016

The Hon ROBERT STOKES, MP  
Minister for Planning

## Schedule 1

Item	Function	Delegate
<b>Environmental Planning and Assessment Act 1979</b>		
1.	All my functions under <b>section 93F</b> of the Act including the following: <ul style="list-style-type: none"> <li>entering into, amending or revoking a planning agreement;</li> <li>approving a planning authority entering into a planning agreement that excludes the application of section 94EF of the Act; and</li> <li>approving any person to be an additional party to a planning agreement and to receive a benefit under the agreement on behalf of the State.</li> </ul>	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs
2.	All my functions under a planning agreement entered into under section 93F of the Act.	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs (c) Director, Contributions
3.	My functions under <b>section 94A (2A)</b> of the Act in relation to approving the imposition of a condition by a consent authority under section 94A of the Act on development on land within a special contributions area.	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs
4.	My functions under <b>section 94CA</b> of the Act to approve the imposition of a condition under section 94 or 94A of the Act for the provision of a public amenity or public service on land in another State or Territory.	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs
5.	All my functions under <b>section 94EE (4)</b> of the Act in relation to consultation, and in particular the following: <ul style="list-style-type: none"> <li>determining who are the relevant stakeholders for the purpose of consulting under section 94EE (4) of the Act;</li> <li>consulting with owners of land in the special contributions area and other relevant stakeholders;</li> <li>publicly exhibiting a proposal in relation to the level of development contributions and seeking submissions within a reasonable time in relation to that proposal; and</li> <li>establishing a panel that, in the Minister's opinion, represents the interests of the various relevant stakeholders and consulting with that panel.</li> </ul>	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs
6.	All my functions under a determination made under <b>section 94EE</b> of the Act.	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs (c) Director, Contributions
7.	My function under <b>section 94EF (3)</b> of the Act to impose a condition referred to in section 94EF (1) if the consent authority fails to do so.	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs

Item	Function	Delegate
8.	My functions under <b>section 94EF (5)</b> of the Act to: <ul style="list-style-type: none"> <li>consent to a consent authority (other than the Minister) accepting the dedication of land or the provision of a material public benefit in part or full satisfaction of a condition requiring a special infrastructure contribution; and</li> <li>as a consent authority, accept the dedication of land or the provision of a material public benefit in part or full satisfaction of a condition requiring a special infrastructure contribution.</li> </ul>	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs
9.	My functions under <b>section 94EG (4)</b> of the Act including: <ul style="list-style-type: none"> <li>determining what peak industry organisations are relevant for the purpose of consulting under section 94EG (4) of the Act; and</li> <li>consulting with those peak industry organisations.</li> </ul>	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs
10.	My functions under <b>section 94EH</b> of the Act to direct a consent authority to sell all or part of any land it receives under Subdivision 4 of Division 6 of Part 4 of the Act or to transfer any such land to a public authority.	(a) Secretary
<b>Environmental Planning and Assessment Regulation 2000 (the Regulation)</b>		
11.	All my functions as a planning authority under <b>clause 25D</b> regarding the giving of public notice of a proposed planning agreement or an agreement to amend or revoke a planning agreement.	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs
12.	All my functions as a planning authority under <b>clause 25E</b> of the Regulation regarding the preparation and exhibition of an explanatory note.	(a) Secretary (b) Deputy Secretary, Growth, Design & Programs

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Instrument of Delegation

I, the Secretary of the Department of Planning and Environment, under section 23 of the *Environmental Planning and Assessment Act 1979* (the Act), delegate my functions identified in Column 2 of Schedule 1 to this Instrument to the employees of the Department of Planning and Environment assigned, or temporarily assigned, to the roles identified in Column 3 of Schedule 1 to this Instrument.

I revoke all previous delegations of my functions the subject of this Instrument of Delegation.

Dated: 6 May 2016

CAROLYN McNALLY  
Secretary, Department of Planning and Environment

**Schedule 1**

Item	Function	Delegate
<b>Environmental Planning and Assessment Act 1979 (the Act)</b>		
1.	My functions under a provision of an environmental planning instrument that prohibits a consent authority from granting development consent unless the Secretary has certified that satisfactory arrangements have been made for the provision of particular kinds of public infrastructure, facilities or services.	(a) Deputy Secretary, Growth, Design & Programs
2.	My functions under <b>section 94C (3)</b> of the Act to deal with a dispute between councils concerning cross-boundary issues (including giving directions).	(a) Deputy Secretary, Growth, Design & Programs

Item	Function	Delegate
3.	All my functions under a determination made under <b>section 94EE</b> of the Act.	(a) Deputy Secretary, Growth, Design & Programs (b) Executive Director within the Growth, Design & Programs Division with responsibility for developer contributions (c) Director within the Growth, Design & Programs Division with responsibility for developer contributions
4.	Administration of the Special Contributions Areas Infrastructure Fund established under <b>section 94EJ</b> of the Act.	(a) Chief Financial and Operating Officer (b) Deputy Secretary, Growth, Design & Programs
<b>Environmental Planning and Assessment Regulation 2000 (the Regulation)</b>		
5.	Giving public notice of a proposed agreement, amendment or revocation under <b>clause 25D (2A)</b> of the Regulation.	(a) Deputy Secretary, Growth, Design & Programs
<b>North Sydney Local Environmental Plan 2013</b>		
6.	My functions under <b>clause 6.5</b> of the <i>North Sydney Local Environmental Plan 2013</i> that prohibits the consent authority from granting development consent unless the Secretary has certified that satisfactory arrangements have been made for railway infrastructure that will provide for the increased demand for railway infrastructure generated by the development.	(a) Deputy Secretary, Growth, Design & Programs
<b>Miscellaneous</b>		
7.	All my functions under a planning agreement entered into under section 93F of the Act.	(a) Deputy Secretary, Growth, Design & Programs (b) Executive Director within the Growth, Design & Programs Division with responsibility for developer contributions (c) Director within the Growth, Design & Programs Division with responsibility for developer contributions

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Curiosity Rocks Aboriginal Place

Pursuant to section 84 of the *National Parks and Wildlife Act 1974*, I, the Minister for Environment, being of the opinion that the place known as Curiosity Rocks is, and was, of special significance to Aboriginal culture, declare the lands described in Schedule "A" as an Aboriginal Place.

Curiosity Rocks is significant to Aboriginal culture because it is in sight of Kalkite Mountain and adjacent to a camping area and ceremonial grounds situated along the traditional travel pathways up the Snowy River to the Mt Twynam area.

The place is rich in stone resources and sites providing widespread evidence of long occupation and use of the area by Ngarigo ancestors. The area holds a deep spiritual connection for these ancestors to the Ngarigo lands and waters, the knowledge of which continues to be passed down across generations through the stories of the elders to the community of today. The Ngarigo people continue to acknowledge the cultural integrity of this place and the importance of protecting its cultural values for future generations.

The use of Curiosity Rocks Aboriginal Place for water storage by Snowy Hydro Limited and any lawful activities associated with such use, including activities which cause the rise and fall of water within the Aboriginal Place, do not constitute harm or desecration of the Aboriginal Place.

Signed at Sydney this 7th day of April 2016

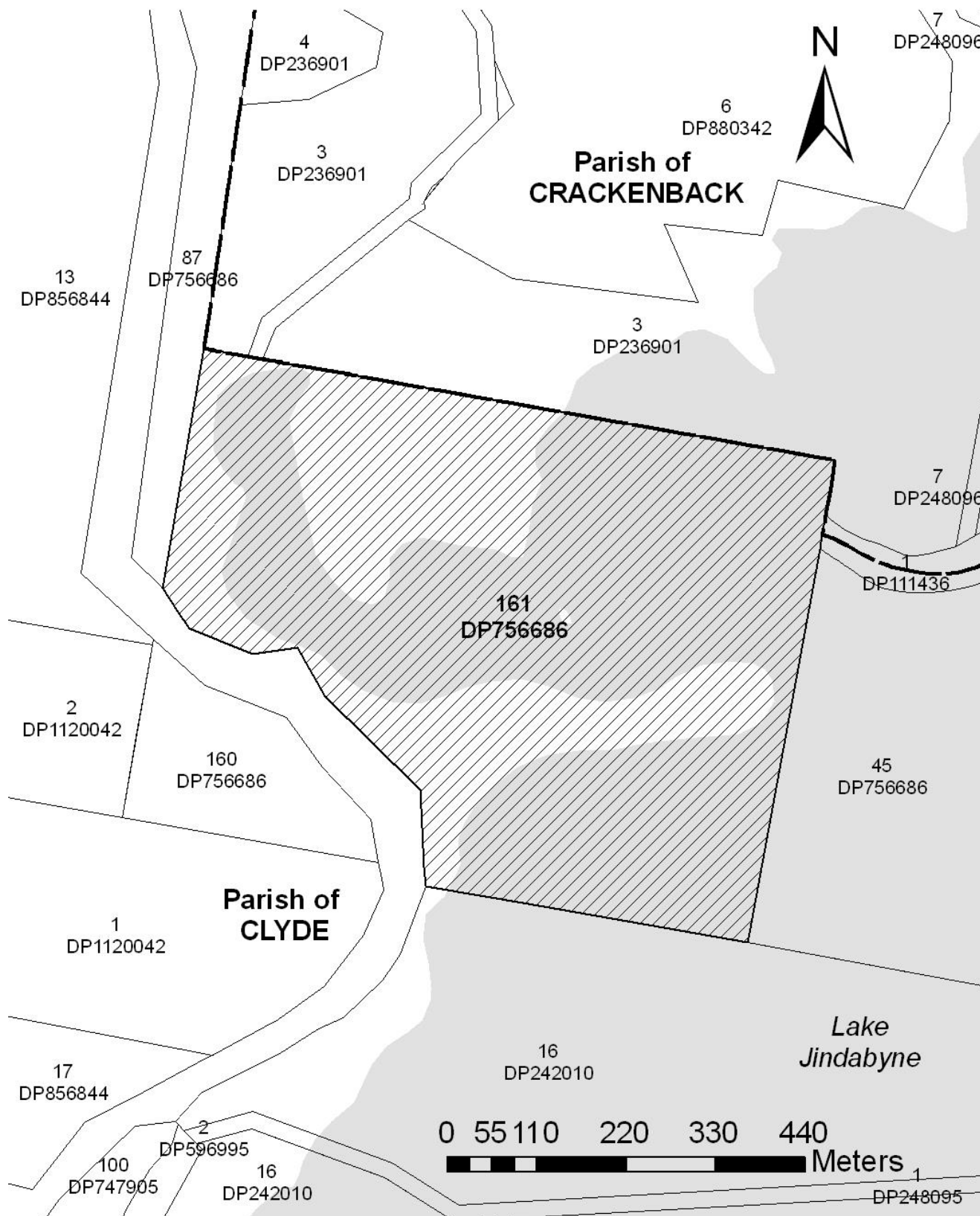
MARK SPEAKMAN SC, MP  
Minister for the Environment

Schedule "A"

Land District – Cooma; LGA – Snowy River

County of Wallace, Parish of Clyde, Lot 161 DP 756686, approximately 40 hectares, being the area shown by hatching in the diagram following

Papers: DOC15/338052



## PESTICIDES REGULATION 2009

### Exemption Order under Clause 7

#### Name of Order

1. This Order is to be known as the Electricity Pole Inspection Exemption Order.

#### Commencement

2. This Order commences on publication in the *NSW Government Gazette* and has effect for a period of one year from that date.

#### Authority for the Exemption Order

3. The Environment Protection Authority pursuant to clause 7 of the *Pesticides Regulation 2009* grants the following exemption.

#### Consolidation of previous Exemption Orders

4. This Order replaces Exemption Orders 006/14, 007/14, and 008/14 issued by WorkCover NSW under clause 684 of the *Work Health and Safety Regulation 2011* and consolidates the requirements for the three electricity distributors under one Exemption Order.

#### Objects of the Exemption

5. The objects of this Exemption Order are to:
  - (a) Authorise those persons described in clause 9 to use approved pesticide products to control timber pests when inspecting timber electricity poles without the need to obtain an EPA pest management technician licence.
  - (b) Specify the chemical accreditation that is required by those persons in clause 9 who use pesticide products to control timber pests in timber electricity poles in NSW.

#### Background

6. Licensing arrangements for pest management technicians and fumigators were transferred from WorkCover NSW to the EPA and on 1 September 2015 the EPA took full responsibility for issuing these licences. WorkCover had previously issued exemption orders which are recognized under clause 7 of the *Pesticides Regulation 2009*. Three of these exemption orders apply to electricity distributors.

Under clause 5 of the *Pesticides Regulation 2009* pest management technician work is prescribed. All persons working for an electricity distributor that use pesticides to control timber pests in power poles are carrying out pest management technician work and as such are required to hold an EPA pest management technician licence. To exempt such persons from the licensing requirements, the EPA can issue an exemption order under clause 7 of the *Pesticides Regulation 2009*.

#### Application

7. The Order exempts persons specified under clause 9 from meeting the licensing requirements for a pest management technician licence as required under section 45 of the *Pesticides Act 1999*.

#### Definitions

8. In this Order –

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

*Electricity distributor* means the electricity transmission or distribution network operators whom have responsibility of maintaining the electricity pole and wire infrastructure in NSW. They are only the companies Ausgrid, TransGrid, Endeavour Energy and Essential Energy. Should any of these companies change or modify their company name or the functionality in regards to servicing electricity poles be bestowed upon another company, then that company name also applies for the purpose of this exemption order.

*EPA* means the Environment Protection Authority (NSW).

*Supervisor* means a person that is responsible for overseeing and instructing employees and contractors on operational procedures in respect to the use of pesticides. Supervision can be indirect only where the supervisor has established an employee or contractor is competent to use pesticides without direct (onsite) supervision.

*Timber pest* means any insect or fungal organism that is structurally damaging timber electricity poles.

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

#### Persons authorised

9. Persons authorised under this exemption are employees or contractors of an electricity distributor that:
  - a) meet the appropriate training requirements of clause 10 of this order; and
  - b) have been determined by the electricity distributor to be competent to carry out pole asset inspections; and
  - c) use pesticides to control timber pests in timber power poles.

**Requirements for exemption**

10. (1) A person that is the supervisor of employees and/or contractors who are authorised under clause 9 must:
- a) have obtained a Level 4 Chemical user's qualification issued in accordance with the Australian Qualifications Framework (AQF) that includes the competency units AHCCHM401A- Minimise risks in the use of chemicals and AHCCHM402A- Plan and implement a chemical use program or a competency that supersedes AHCCHM401A and AHCCHM402A; and
  - b) have undergone and successfully completed one of the following:
    - (i) Pole Inspectors Training Course (TAFE Course No 27510 or 357-27510V02); or
    - (ii) Competency unit UETTDRLS57A Conduct visual checking and treatment of power system poles and structures; or
    - (iii) Competency unit UETTDREL18A Inspect and treat poles and inspect electrical apparatus; and
  - c) instruct persons who use pesticides on how to safely use pesticides and to be compliant with the requirements of the *Pesticides Act 1999* and its Regulations; and
  - d) ensure those persons are made aware of the application and limitations of this Exemption Order.
- (2) A person authorised under clause 9 to use pesticides to control timber pests must:
- a) not be less than eighteen (18) years of age; and
  - b) have obtained Level 3 Chemical user's qualification issued in accordance with of the Australian Qualifications Framework (AQF) AHCCHM303A- Prepare and apply chemicals and AHCCHM304A- Transport, handle and store chemicals or a competency that supersedes AHCCHM303A and AHCCHM304A; and
  - c) have undergone and successfully completed one of the following:
    - (i) Pole Inspectors Training Course (TAFE Course No 27510 or 357-27510V02); or
    - (ii) Competency unit UETTDRLS57A Conduct visual checking and treatment of power system poles and structures; or
    - (iii) Competency unit UETTDREL18A Inspect and treat poles and inspect electrical apparatus; and
  - d) be able to communicate to a level that enables them to perform their duties safely.

Dated 27 May 2016

CRAIG LAMBERTON

Director

Hazardous Incidences and Environmental Health

New South Wales Environment Protection Authority

# Roads and Maritime Notices

## ROAD TRANSPORT ACT 2013

Section 143

### ORDER

#### Sydney CBD Special Tow-Away Area

By this Order, pursuant to section 143 of the *Road Transport Act 2013*, I, Craig Moran, General Manager Road Network Operations, a delegate of Roads and Maritime Services, establish a special tow-away area:

- (i) as depicted in the diagram in Part 1 of Schedule 1 to this Order and bounded by the roads listed in Part 2 of Schedule 1 to this Order; and
- (ii) from 31 May 2016 until revoked; and
- (iii) which does not apply to a vehicle standing lawfully in the area.

This special tow-away area may be referred to as the ‘Sydney CBD special tow-away area’.

#### Revocation

This Order revokes and replaces the Order made on 2 October 2015 establishing the Sydney CBD special tow-away area.

Dated this 31 day of May 2016

CRAIG MORAN  
General Manager, Road Network Operations  
Roads and Maritime Services

#### Schedule 1

##### Part 1 – diagram depicting Sydney CBD special tow-away area



For further information:  
[mysydney.nsw.gov.au](http://mysydney.nsw.gov.au)

For service and timetable information  
for Train, Bus, Ferry and Light Rail  
please visit [transportnsw.info](http://transportnsw.info)





**Part 2 – list of roads bounding the Sydney CBD special tow-away area**

The Sydney CBD special tow-away area is the area bounded by the roads or lines listed below. Except as indicated, each road forms part of the area.

List of roads:

- Cleveland St from Elizabeth St to Abercrombie St – forms part of the boundary but is not part of the area
- Abercrombie St from Cleveland St to Broadway – forms part of the boundary but is not part of the area
- Broadway along its length from Wattle Street to Mountain Street as a projection from the remainder of the area
- Wattle St from Broadway to Fig St – forms part of the boundary but is not part of the area
- Fig St from Wattle St to Harris St
- Harris St along its length from Fig St to Pyrmont Bridge Rd as a projection from the remainder of the area
- Fig St from Harris St to the point of its intersection with the Western Distributor Freeway – forms part of the boundary but is not part of the area
- The Western Distributor Freeway from its intersection with Fig St to the point where it crosses above Wheat Rd – forms part of the boundary but is not part of the area
- Wheat Rd from the point where the Western Distributor Freeway crosses above it to Shelley Rd
- Shelley Rd from Wheat Rd to King St
- King St from Shelley Rd, across Lime St and along a line to the Promenade on Darling Harbour
- The Promenade on Darling Harbour northwards from King St to a point level with High St along its East-West reach where it meets the base of the Agar Steps at the intersection with Kent St
- The line drawn from the Promenade on Darling Harbour to a point level with High St and along its East-West reach where it meets the base of the Agar Steps at the intersection with Kent St
- The Agar Steps from Kent St to Upper Fort St
- The line from the Agar Steps at the intersection with Upper Fort St to the Cahill Expressway where it crosses above Harrington St – forms part of the boundary but is not part of the area
- The Cahill Expressway from Harrington St to the point where it crosses above Macquarie St – part of the boundary but not the area
- Macquarie St from the point where the Cahill Expressway crosses above it to Prince Albert Rd
- Prince Albert Rd from Macquarie St to College St
- St Marys Road along its length from College Street to Yurong Parkway
- College St from Prince Albert Rd to Liverpool St
- Wentworth Avenue from Liverpool St to Elizabeth St
- Elizabeth St from Wentworth St to Cleveland St

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**ROADS ACT 1993**

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

Notice of Compulsory Acquisition of Land at Lawrence in the Clarence Valley Council Area

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

K DURIE

Manager, Compulsory Acquisition & Road Dedication  
Roads and Maritime Services

**Schedule**

All that piece or parcel of land situated in the Clarence Valley Council area Parish of Lawrence and County of Clarence shown as Lot 105 Deposited Plan 1218893, being part of the land in Certificate of Title 338/751386.

The land is said to be in the possession of the Clarence Valley Council.

(RMS Papers: SF2016/052522; RO SF2015/018734)

## Mining and Petroleum Notices

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Notice is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T16-1048)

No 5292, QUINIX INVESTMENTS PTY LTD (ACN 163 249 634), area of 45 units, for Group 1, dated 24 May 2016. (Wagga Wagga Mining Division).

(T16-1049)

No 5293, ALLIANCE (NSW) PTY LTD (ACN 096 947 223), area of 2 units, for Group 1, dated 25 May 2016. (Orange Mining Division).

(T16-1050)

No 5294, ALLIANCE (NSW) PTY LTD (ACN 096 947 223), area of 100 units, for Group 1, dated 25 May 2016. (Orange Mining Division).

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

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Notice is given that the following applications have been granted:

### EXPLORATION LICENCE APPLICATIONS

(T15-1087)

No 5211, now Exploration Licence No 8427, OXLEY RESOURCES LIMITED (ACN 129 777 260), County of Nicholson, Map Sheet (8031), area of 16 units, for Group 1, dated 26 February 2016, for a term until 26 February 2021.

(T15-1107)

No 5229, now Exploration Licence No 8426, PEEL MINING LIMITED (ACN 119 343 734), County of Mouramba, Map Sheet (8133), area of 10 units, for Group 1, dated 17 February 2016, for a term until 17 February 2019.

(T15-1122)

No 5241, now Exploration Licence No 8433, OXLEY EXPLORATION PTY LTD (ACN 137 511 141), County of Mouramba, Map Sheet (8134), area of 1 units, for Group 1, dated 18 May 2016, for a term until 18 May 2019.

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

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

(16-0915)

Exploration Licence No 6789, NEO RESOURCES LIMITED (ACN 007 708 429), area of 6 units. Application for renewal received 27 May 2016.

(15-0888)

Mining Lease No 1394 (Act 1992), SIBELCO LIME (NSW) PTY LTD (ACN 004 776 989), area of 75.01 hectares. Application for renewal received 25 May 2016.

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

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## Primary Industries Notices

### FISHERIES MANAGEMENT ACT 1994

#### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2012

##### Clause 31 (3) – Notice of Granting of Class 1 Aquaculture Lease

The Minister has granted the following Class 1 Aquaculture Lease:

OL59/244 within the estuary of the Hawkesbury River, having an area of 2.5550 hectares to Adam Norman MILLWARD of Brooklyn, NSW, for a term of 15 years expiring on 23 February 2031.

OL84/091 within the estuary of Brisbane Water, having an area of 0.9849 hectares to Whittens Organic Oyster Farms Pty Ltd of West Gosford, NSW, for a term of 15 years expiring on 5 August 2030.

OL83/088 within the estuary of Brisbane Water, having an area of 1.2198 hectares to Whittens Organic Oyster Farms Pty Ltd of West Gosford, NSW, for a term of 15 years expiring on 23 November 2030.

OL86/039 within the estuary of Brisbane Water, having an area of 0.8343 hectares to Whittens Organic Oyster Farms Pty Ltd of West Gosford, NSW, for a term of 15 years expiring on 23 November 2030.

OL67/341 within the estuary of the Macleay River, having an area of 0.8022 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL68/107 within the estuary of the Macleay River, having an area of 1.1219 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL68/233 within the estuary of the Macleay River, having an area of 0.8039 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL72/135 within the estuary of the Macleay River, having an area of 0.2866 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL73/218 within the estuary of the Macleay River, having an area of 0.4679 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL74/141 within the estuary of the Macleay River, having an area of 0.1915 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL74/204 within the estuary of the Macleay River, having an area of 0.8841 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL80/104 within the estuary of the Macleay River, having an area of 0.7071 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL83/012 within the estuary of the Macleay River, having an area of 0.6981 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL85/103 within the estuary of the Macleay River, having an area of 1.8108 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 8 September 2030.

OL86/231 within the estuary of the Macleay River, having an area of 0.4587 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL91/011 within the estuary of the Macleay River, having an area of 0.9624 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL95/006 within the estuary of the Macleay River, having an area of 0.6337 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL96/038 within the estuary of the Macleay River, having an area of 0.8419 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

OL96/049 within the estuary of the Macleay River, having an area of 2.6866 hectares to Rainbow Reach Oyster Company of Rainbow Reach, NSW, for a term of 15 years expiring on 17 February 2031.

ANDREW GOULSTONE  
Group Director Commercial Fisheries & Aquaculture  
Fisheries Division  
NSW Department of Primary Industries

### FISHERIES MANAGEMENT ACT 1994

#### FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2012

##### Clause 33 (4) – Notice of Aquaculture Lease Renewal

The Minister has renewed the following class 1 Aquaculture Leases:

OL70/328 within the estuary of Port Stephens, having an area of 1.6558 hectares to Oyster Bay (NSW) Pty Ltd of Bobs Farm, NSW, for a term of 15 years expiring on 31 December 2030.

OL84/253 within the estuary of Port Stephens, having an area of 4.2586 hectares to Oyster Bay (NSW) Pty Ltd of Bobs Farm, NSW, for a term of 15 years expiring on 22 September 2030.

OL85/060 within the estuary of Port Stephens, having an area of 0.1906 hectares to Oyster Bay (NSW) Pty Ltd of Bobs Farm, NSW, for a term of 15 years expiring on 29 July 2030.

OL85/061 within the estuary of Port Stephens, having an area of 4.2647 hectares to Oyster Bay (NSW) Pty Ltd of Bobs Farm, NSW, for a term of 15 years expiring on 31 December 2030.

OL70/614 within the estuary of the Hastings River, having an area of 0.9056 hectares to Aubrey Charles DICK of Port Macquarie, NSW, for a term of 15 years expiring on 20 April 2031.

OL85/081 within the estuary of the Moruya River, having an area of 0.2497 hectares to Anoma Don Manuwellge DON of Narooma, NSW, for a term of 15 years expiring on 10 April 2031.

OL68/367 within the estuary of the Hawkesbury River, having an area of 2.2507 hectares to CE & Y Moxham Pty Ltd of Brooklyn, NSW, for a term of 15 years expiring on 15 October 2028.

OL83/153 within the estuary of the Hawkesbury River, having an area of 2.7512 hectares to CE & Y Moxham Pty Ltd of Brooklyn, NSW, for a term of 15 years expiring on 17 December 2028.

OL85/184 within the estuary of Wapengo Lake, having an area of 2.7479 hectares to Rodney RUTTER and Robert SHERLOCK of Tathra, NSW, for a term of 15 years expiring on 7 March 2031.

OL70/565 within the estuary of the Pambula River, having an area of 0.2718 hectares to Gregory DAWSON of Greigs Flat, NSW, for a term of 15 years expiring on 21 March 2031.

OL71/001 within the estuary of the Clyde River, having an area of 0.2971 hectares to C & J Single Seed Oysters Pty Ltd of Batemans Bay, NSW, for a term of 15 years expiring on 25 March 2031.

OL90/015 within the estuary of Wallis Lake, having an area of 0.5066 hectares to Karen EHLEFELDT and Glen McLEAN of Nahiack, NSW, for a term of 15 years expiring on 12 March 2031.

OL83/283 within the estuary of the Clyde River, having an area of 1.8084 hectares to Bay Rock Oysters Pty Ltd of Nelligen, NSW, for a term of 15 years expiring on 6 May 2028.

OL84/247 within the estuary of the Clyde River, having an area of 1.6080 hectares to Audrey THORS of Nelligen, NSW, for a term of 15 years expiring on 18 November 2029.

OL86/097 within the estuary of the Pambula River, having an area of 0.6298 hectares to Black Bull Pastoral Co Pty Ltd of Pambula, NSW, for a term of 15 years expiring on 4 January 2031.

OL87/139 within the estuary of Wallis Lake, having an area of 3.0468 hectares to MW & EA Sciacca Pty Ltd of Tuncurry, NSW, for a term of 15 years expiring on 1 May 2031.

OL71/195 within the estuary of Wallis Lake, having an area of 0.4179 hectares to MW & EA Sciacca Pty Ltd of Tuncurry, NSW, for a term of 15 years expiring on 12 July 2031.

OL85/149 within the estuary of the Hastings River, having an area of 0.7142 hectares to Graham & Jennifer LABONE of Port Macquarie, NSW, for a term of 15 years expiring on 8 May 2031.

OL96/062 within the estuary of Wallis Lake, having an area of 0.6007 hectares to Dean, Douglas & Sharon HOLDEN of Tinonee, NSW, for a term of 15 years expiring on 13 April 2031.

OL87/085 within the estuary of Wapengo Lake, having an area of 0.1994 hectares to Andrew BURHOP of Tathra, NSW, for a term of 15 years expiring on 4 April 2031.

OL71/026 within the estuary of the Hastings River, having an area of 0.6013 hectares to Whittens Organic Oyster Farms Pty Ltd of West Gosford, NSW, for a term of 15 years expiring on 20 January 2031.

ANDREW GOULSTONE  
Group Director Commercial Fisheries & Aquaculture  
Fisheries Division  
NSW Department of Primary Industries

# Crown Lands Notices

1300 886 235 [www.crownland.nsw.gov.au](http://www.crownland.nsw.gov.au)

## DUBBO OFFICE

### ROADS ACT 1993

#### ORDER

Transfer of a Crown Road to a Council

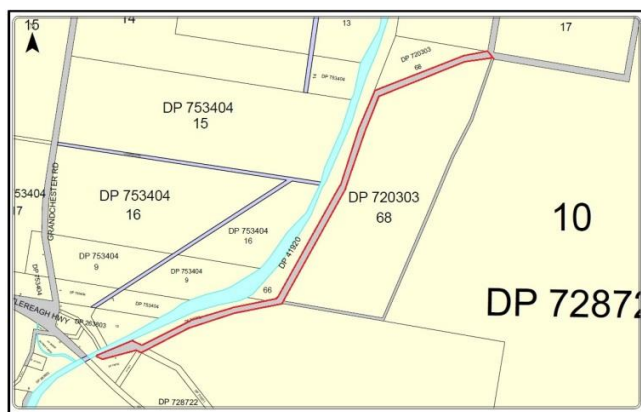
In pursuance of the provisions of section 151, *Roads Act 1993*, the Crown road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date the roads specified in Schedule 1 cease to be a Crown road.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule 1

Parish – Richardson; County – Lincoln  
Land District – Warrumbungle  
LGA – Warrumbungle Shire Council

Crown road highlighted red on diagram hereunder.



#### Schedule 2

Road Authority: Warrumbungle Shire Council  
File Ref: 16/03630 – W566598  
Council Ref: 200/1415

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

##### Column 1

Grazing

##### Column 2

Reserve No 45022  
Public Purpose:  
Trigonometrical Purposes  
Notified: 16 March 1910  
File Reference: 16/00961

## GOULBURN OFFICE

### RESERVATION OF CROWN LAND

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

##### Column 1

Land District: Crookwell  
LGA: Upper Lachlan Shire  
Council  
Locality: Crookwell  
Lot 1 DP 1186548  
Parish: Kiamma  
County: Georgiana  
Area: 4095m<sup>2</sup>  
File Reference: 16/04807

##### Column 2

Reserve No: 1038808  
Public Purpose: Urban  
Services

### APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

##### Column 1

Upper Lachlan Shire  
Council Crown  
Reserves Reserve Trust

##### Column 2

Reserve No: 1038808  
Public Purpose: Urban  
Services  
Notified: This day  
File Reference: 16/04807

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
Grazing	Reserve No 2208 Public Purpose: Public Recreation Notified: 28 August 1886 File Reference: 10/05401
	Reserve No 2213 Public Purpose: Public Buildings Notified: 28 August 1886 File Reference: 10/05401
	Reserve No 2214 Public Purpose: Public Buildings Notified: 28 August 1886 File Reference: 10/05401
	Reserve No 756822 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 10/05401
	Reserve No 9427 Public Purpose: Public Health Notified: 3 August 1889 File Reference: 15/08039
	Reserve No 9433 Public Purpose: Public Recreation Notified: 3 August 1889 File Reference: 15/08039
	Reserve No 91388 Public Purpose: Future Public Requirements Notified: 9 February 1979 File Reference: 15/08039
	Reserve No 93439 Public Purpose: Future Public Requirements Notified: 15 August 1980 File Reference: 15/01087
	Reserve No 755901 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/01087

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
Pipeline; Pump Site; Grazing	Reserve No 90060 Public Purpose: Access Notified: 11 February 1972 File Reference: 15/01087

**GRAFTON OFFICE**

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Lismore; County – Rous  
Land District – Lismore; LGA – Lismore*

Road Closed: Lot 5 DP 1216940

File No: 12/04936

**Schedule**

On closing, the land within Lot 5 DP 1216940 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Wee Bulla Bulla, Menadool  
County – Courallie  
Land District – Moree; LGA – Moree Plains*

Road Closed: Lot 3 DP 1219915

File No: ME05H152

**Schedule**

On closing, the land within Lot 3 DP 1219915 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Moree, Wee Bulla Bulla, Menadool, Tycannah  
County – Courallie; Land District – Moree  
LGA – Moree Plains*

Road Closed: Lot 1 DP 1219913

File No: ME05H152

**Schedule**

On closing, the land within Lot 1 DP 1219913 remains vested in the State of New South Wales as Crown land.

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**ROADS ACT 1993**

**ORDER**

**Correction of Defective Instrument**

As per the notification of “Notification of Closing of a Road” which appeared in *Government Gazette* dated 20 May 2016, folio 1113, part of the description is hereby amended. Under heading of “Description” the words “LGA – Armidale Dumaresq” are deleted and replaced with “LGA – Armidale Regional Council”. Ref: AE07H88

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Brewarrena; County – Mitchell  
Land District – Narrandera; LGA – Narrandera*

Road Closed: Lots 1–2 DP 1215601

File No: 08/7447

**Schedule**

On closing, the land within Lots 1–2 DP 1215601 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Bowning; County – Harden  
Land District – Yass; LGA – Yass Valley*

Road Closed: Lot 1 DP 1214454

File No: 07/3565

**Schedule**

On closing, the land within Lot 1 DP 1214454 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Mullengandra; County – Goulburn  
Land District – Albury; LGA – Greater Hume*

Road Closed: Lots 3–4 DP 1215961

File No: 14/09847

**Schedule**

On closing, the land within Lots 3–4 DP 1215961 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Walcha; County – Vernon  
Land District – Walcha; LGA – Walcha*

Road Closed: Lots 11–12 DP 1218466

File No: 14/11277

**Schedule**

On closing, the land within Lots 11–12 DP 1218466 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Mullengandra; County – Goulburn  
Land District – Albury; LGA – Greater Hume*

Road Closed: Lots 1–2 DP 1215960

File No: 14/09848

**Schedule**

On closing, the land within Lots 1–2 DP 1215960 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – North Gundagai; County – Clarendon  
Land District – Gundagai; LGA – Gundagai*

Road Closed: Lot 1 DP 1216806  
File No: 15/07520

**Schedule**

On closing, the land within Lot 1 DP 1216806 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Tarcutta; County – Wynyard  
Land District – Wagga Wagga; LGA – Wagga Wagga*

Road Closed: Lot 11 DP 1213932  
File No: 14/10015

**Schedule**

On closing, the land within Lot 11 DP 1213932 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Rushforth; County – Clarence  
Land District – Grafton; LGA – Clarence Valley*

Road Closed: Lot 1 DP 1218735  
File No: GF06H301

**Schedule**

On closing, the land within Lot 1 DP 1218735 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Everett; County – Hardinge  
Land District – Armidale; LGA – Armidale Regional*

Road Closed: Lots 1–3 DP 1212122  
File No: 14/07589

**Schedule**

On closing, the land within Lots 1–3 DP 1212122 remains vested in the State of New South Wales as Crown land.

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**ROADS ACT 1993**

**ORDER**

Correction of Defective Instrument

As per the notification of “Notification of Closing of a Road” which appeared in *Government Gazette* dated 27 May 2016, folio 1158, part of the description is hereby amended. Under heading of “description” the words “LGA – Cootamundra”; are deleted and replaced with “LGA – Gundagai”. Ref: 15/02647

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**ROADS ACT 1993**

**ORDER**

Correction of Defective Instrument

As per the notification of “Notification of Closing of a Road” which appeared in *Government Gazette* dated 27 May 2016, folio 1158, part of the description is hereby amended. Under heading of “description” the words “LGA – Tumut”; are deleted and replaced with “LGA – Snowy Valleys”. Ref: 15/03738

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**ROADS ACT 1993**

**ORDER**

Correction of Defective Instrument

As per the notification of “Notification of Closing of a Road” which appeared in *Government Gazette* dated 27 May 2016, folio 1158, part of the description is hereby amended. Under heading of “description” the words “LGA – Tumut”; are deleted and replaced with “LGA – Snowy Valleys”. Ref: 15/01769



**ROADS ACT 1993**

**ORDER**

Correction of Defective Instrument

As per the notification of "Notification of Closing of a Road" which appeared in *Government Gazette* dated 27 May 2016, folio 1159, part of the description is hereby amended. Under heading of "description" the words "LGA – Tumut"; are deleted and replaced with "LGA – Snowy Valleys". Ref: 15/03736

**ROADS ACT 1993**

**ORDER**

Correction of Defective Instrument

As per the notification of "Notification of Closing of a Road" which appeared in *Government Gazette* dated 27 May 2016, folio 1159, part of the description is hereby amended. Under heading of "description" the words "LGA – Urana"; are deleted and replaced with "LGA – Federation". Ref: 15/03360

**ROADS ACT 1993**

**ORDER**

Correction of Defective Instrument

As per the notification of "Notification of Closing of a Road" which appeared in *Government Gazette* dated 27 May 2016, folio 1158, part of the description is hereby amended. Under heading of "description" the words "LGA – Urana"; are deleted and replaced with "LGA – Federation". Ref: 15/03746

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Bulgan; County – Clarendon  
Land District – Wagga Wagga; LGA – Wagga Wagga*

Road Closed: Lot 1 DP 1206844

File No: WA06H76

**Schedule**

On closing, the land within Lot 1 DP 1206844 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished.

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Gwynne; County – Clarendon  
Land District – Wagga Wagga; LGA – Junee*

Road Closed: Lot 1 DP 1219594

File No: 16/01130

**Schedule**

On closing, the land within Lot 1 DP 1219594 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Toolond; County – Rous  
Land District – Murwillumbah; LGA – Byron*

Road Closed: Lot 5 DP 1218978

File No: 09/04243

**Schedule**

On closing, the land within Lot 5 DP 1218978 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Everett; County – Hardinge  
Land District – Armidale; LGA – Armidale Regional*

Road Closed: Lot 4 DP 1212122

File No: 14/10651

**Schedule**

On closing, the land within Lot 4 DP 1212122 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Rushforth; County – Clarence  
Land District – Grafton; LGA – Clarence Valley*

Road Closed: Lot 1 DP 1219591  
File No: 16/01039

**Schedule**

On closing, the land within Lot 1 DP 1219591 remains vested in the State of New South Wales as Crown land.

**ROADS ACT 1993**

**ORDER**

**Correction of Defective Instrument**

As per the notification of “Notification of Closing of a Road” which appeared in *Government Gazette* dated 27 May 2016, folio 1158, part of the description is hereby amended. Under heading of “Description” the words “LGA – Cootamundra”; are deleted and replaced with “LGA – Gundagai”. Ref: 15/02653

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Gateway To The Rainforest Reserves Trust	Reserve No 81500 Public Purpose: Public Recreation Notified: 3 April 1959 File Reference: GF98R3

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Pump Site; Pipeline	Reserve No 752820 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/06565

**MAITLAND OFFICE**

**ROADS ACT 1993**

**ORDER**

**Transfer of a Crown Road to a Council**

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

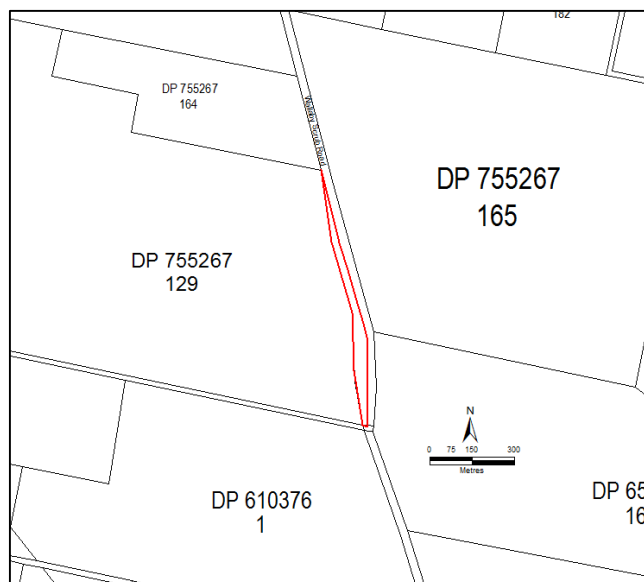
The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule 1**

*Parish – Morisset; County – Northumberland  
Land District – Gosford  
Local Government Area – Lake Macquarie*

Part Crown public road known as Wallaby Scrub Road extending approx. 934 metres south from the north eastern boundary to the south east boundary of Lot 129 DP 755267 (as highlighted in red in the diagram below).

**Schedule 2**



Roads Authority: Singleton Council  
Council’s Reference: 15/0271  
Lands File Reference: 16/03824

**ROADS ACT 1993**

**ORDER**

Transfer of a Crown Road to a Council

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

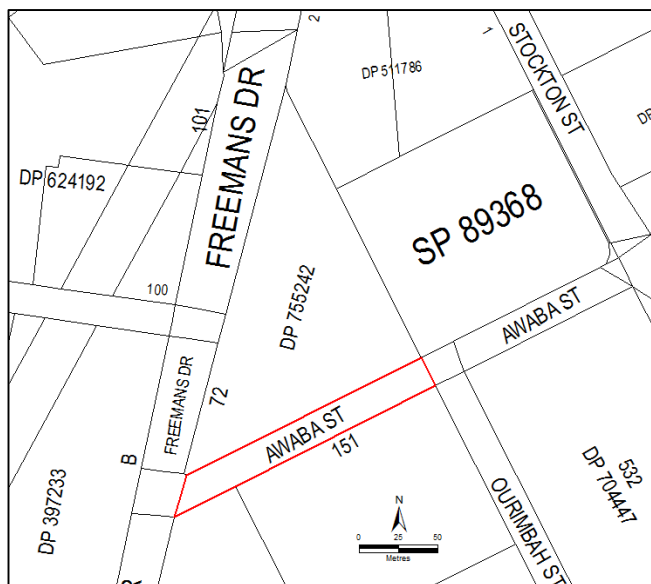
The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule 1**

*Parish – Morisset; County – Northumberland  
Land District – Gosford  
Local Government Area – Lake Macquarie*

Part Crown public road known as Awaba Street from the intersection with Freemans Drive extending approx. 188 metres north east, terminating at the intersection with Ourimbah Street (as highlighted in red in the diagram below).

**Schedule 2**



Roads Authority: Lake Macquarie City Council  
Council's Reference: DO7738591  
Lands File Reference: 16/00996

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Grazing

**Column 2**

Reserve No 752459  
Public Purpose: Future  
Public Requirements  
Notified: 29 June 2007  
File Reference: 14/11261

**NEWCASTLE OFFICE**

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Neurea; County – Gordon  
Land District – Wellington  
LGA – Western Plains Regional (formerly Wellington)*

Road Closed: Lots 1–2 DP 1217458  
File No: 08/11537

**Schedule**

On closing, the land within Lots 1–2 DP 1217458 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Windeyer; County – Wellington  
Land District – Mudgee; LGA – Mid-Western Regional*

Road Closed: Lots 1–2 DP 1219653  
File No: DB06H66

**Schedule**

On closing, the land within Lots 1–2 DP 1219653 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished.

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Hall; County – Darling  
Land District – Tamworth; LGA – Tamworth Regional*

Road Closed: Lot 1 DP 1218780

File No: 15/09868

**Schedule**

On closing, the land within Lot 1 DP 1218780 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Morongla; County – Forbes  
Land District – Cowra; LGA – Cowra*

Road Closed: Lot 1 DP 1215708

File No: 15/05622

**Schedule**

On closing, the land within Lot 1 DP 1215708 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Tanja; County – Dampier  
Land District – Bega; LGA – Bega Valley*

Road Closed: Lot 1 DP 1219619

File No: 15/10549

**Schedule**

On closing, the land within Lot 1 DP 1219619 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access

that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Gnupa; County – Auckland  
Land District – Bega; LGA – Bega Valley*

Road Closed: Lot 1 DP 1218854

File No: 14/02925

**Schedule**

On closing, the land within Lot 1 DP 1218854 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Waugoola; County – Bathurst  
Land District – Cowra; LGA – Cowra*

Road Closed: Lot 1 DP 1217044

File No: 09/00627

**Schedule**

On closing, the land within Lot 1 DP 1217044 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Rowan; County – Wynyard  
Land District – Wagga Wagga; LGA – Wagga Wagga*

Road Closed: Lot 1 DP 1217813

File No: 15/01741

**Schedule**

On closing, the land within Lot 1 DP 1217813 becomes vested in the State of New South Wales as Crown Land.

Council's reference: Off Ivydale Rd, Gregadoo

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**NOTIFICATION OF CLOSING OF A ROAD**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Walbrook; County – Georgiana  
Land District – Bathurst; LGA – Oberon*

Road Closed: Lot 1 DP 1218021  
File No: 11/10943

**Schedule**

On closing, the land within Lot 1 DP 1218021 remains vested in the State of New South Wales as Crown land.

**NOWRA OFFICE**

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Sporting Event	Reserve No 79310 Public Purpose: Public Recreation, Resting Place Notified: 1 February 1957 File Reference: 16/02694
	Reserve No 93445 Public Purpose: Public Recreation Notified: 22 August 1980 File Reference: 16/02694
	Reserve No 180014 Public Purpose: Promotion of the Study and Conservation of Native Flora and Fauna Notified: 10 April 1987 File Reference: 16/02694
	Reserve No 750236 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 16/02694

**ORANGE OFFICE**

**REVOCATION OF RESERVATION  
OF CROWN LAND**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Land District: Bathurst Local Government Area: Bathurst Regional Council Locality: South Bathurst Reserve No 91227 Public Purpose: Parking Notified: 11 August 1978 File Reference: 16/02159 Notes: Vest in GPNSW	The whole being Lot 277 DP No 821883 Parish Bathurst County Bathurst of an area of 1.259ha

**REVOCATION OF RESERVATION  
OF CROWN LAND**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Land District: Bathurst Local Government Area: Bathurst Regional Council Locality: Bathurst Reserve No 190102 Public Purpose: Government Purposes Notified: 21 August 1992 File Reference: 16/02159 Notes: Vest in GPNSW	The whole being Lot 279 DP No 823425 Parish Bathurst County Bathurst of an area of 1.634ha

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

Column 1	Column 2	Column 3
The person for the time being holding the office of President, Grenfell Pony Club (ex-officio member)	Grenfell Showground Trust	Reserve No 57168 Public Purpose: Public Recreation, Showground Notified: 27 June 1924
Peter Andrew BROWN (new member)		Reserve No 47889 Public Purpose: Agricultural Hall Notified: 19 June 1912
For a term commencing the date of this notice and expiring 26 February 2019.		File Reference: OE80R192

Column 1	Column 2
Pipeline; Grazing	Reserve No 91107 Public Purpose: Future Public Requirements Notified: 14 April 1978 File Reference: 15/07890
	Reserve No 91111 Public Purpose: Water Supply Notified: 14 April 1978 File Reference: 15/07890
	Reserve No 93696 Public Purpose: Future Public Requirements Notified: 26 September 1980 File Reference: 15/07890
	Reserve No 93697 Public Purpose: Future Public Requirements Notified: 26 September 1980 File Reference: 15/07890

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

Column 1	Column 2
Environmental Studies; Environmental Protection	Reserve No 2283 Public Purpose: Water Supply Notified: 16 October 1886 File Reference: 16/03766
	Reserve No 89898 Public Purpose: Future Public Requirements Notified: 20 August 1976 File Reference: 16/03766
	Dedication No 590131 Public Purpose: Public Recreation Notified: 15 August 1871 File Reference: 16/03766
	Reserve No 753049 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 16/03766

**Schedule**

Column 1	Column 2
Environmental Rehabilitation	Reserve No 190027 Public Purpose: Public Recreation Notified: 30 January 1987 File Reference: 16/03558
	Reserve No 1012828 Public Purpose: Future Public Requirements Notified: 8 December 2006 File Reference: 16/03558

**SYDNEY METROPOLITAN OFFICE**

**REMOVAL FROM OFFICE OF CORPORATION MANAGER OF RESERVE TRUST**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule 1**

Lands Administration Ministerial Corporation

**Schedule 2**

Land Titles Office Building (R1014349) Reserve Trust

**Schedule 3**

Reserve No 1014349  
Public Purpose: Government Purposes  
Notified: 21 December 2007  
File Reference: 16/04139

**DISSOLUTION OF RESERVE TRUST**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Land Titles Office Building (R1014349) Reserve Trust	Reserve No 1014349 Public Purpose: Government Purposes Notified: 21 December 2007 File Reference: 16/04139

**REVOCATION OF RESERVATION OF CROWN LAND**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Land District: Metropolitan Local Government Area: Council of the City of Sydney Locality: Sydney Reserve No 1014349 Public Purpose: Government Purposes Notified: 21 December 2007 File Reference: 16/04139	The whole being Lot 1863 DP No 1000001 Parish St James County Cumberland Lot 1864 DP No 1000002 Parish St James County Cumberland of an area of 6767m <sup>2</sup>

Notes: Vest in GPNSW

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

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

**WAGGA WAGGA OFFICE**

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2	Column 3
Nicole Mary WHITTAKER (new member)  For a term commencing the date of this notice and expiring 16 October 2019.	Downside Recreation Reserve And Public Hall Trust	Reserve No 97653 Public Purpose: Public Hall, Public Recreation Notified: 11 January 1985 File Reference: WA86R2-02

**WESTERN REGION OFFICE**

**FORFEITURE OF A CONDITIONAL LEASE**

It is hereby notified for public information that in pursuance of section 129 (1) (b) of the *Crown Lands Act 1989*, the Conditional Lease particularised hereunder has been forfeited.

NIALL BLAIR, MLC  
Minister for Lands and Water

Conditional Lease No:	3013
Name of Lessee:	Walter Clarence Garner, Ivor Morton Garner
Area Forfeited:	Lot 23 DP 751177 of 48.56 ha
Administrative District:	Balranald
Shire:	Balranald
Date of Forfeiture:	3 June 2016
Reason for Forfeiture:	Non payment of rent

**ADDITION TO A WESTERN LANDS LEASE**

It is hereby notified that in pursuance of section 35C of the *Western Lands Act 1901*, the land particularised hereunder has been added to the undermentioned Western Lands Lease.

NIALL BLAIR, MLC  
Minister for Lands and Water

Western Lands Lease No: 592  
Name of Lessee: L E McKenzie Holdings Pty Ltd  
Area Added: Lot 23 DP 751177 Parish of Bugarie County of Cairn of 48.56 ha (Folio Identifier 23/751177)  
Total Area Following addition: Lot 23 DP 751177 Parish of Bugarie County of Cairn, Lot 5309 DP 768224, Lot 5310 DP 768225, Parish of Glen Emu County of Cairn of 4192.56 ha (Folio Identifiers 23/751177, 5309/768224, 5310/768225.)  
Date of Addition: 3 June 2016  
Administrative District: Balranald  
Shire: Balranald  
Conditions: Unchanged

**GRANTING OF A WESTERN LANDS LEASE**

It is hereby notified that under the provisions of section 28A of the *Western Lands Act 1901*, the Western Lands Lease of the land specified has been granted to the undermentioned persons.

The lease is subject to the provisions of the *Western Lands Act 1901* and the Regulations thereunder and to the special conditions, provisions, exceptions, covenants and reservations set out hereunder.

The land is to be used only for the purpose for which the lease is granted.

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

*Administrative District – Broken Hill  
Shire – Broken Hill  
Parish – Picton, County – Yancowinna*

Western lands Lease 15243 was granted to Ricky James Green and Tracey Alana Green, comprising Lot 1622 DP 757298 (folio identifier 1622/757298) of 4047 square metres at Broken Hill, for the purpose of “Accommodation Paddock” for a term of 20 years commencing 1 May 2016.

Papers: WLL 15243

**Conditions and Reservations Attached to Western Lands Lease 15243**

1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the *Western Lands Act 1901*, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of

the Department of Primary Industries—Lands as the Minister may from time to time approve.

- 2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the *Western Lands Act 1901* (“the Act”) in accordance with section 4 (2) of the Act.
- 3)
  - a. For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents, servants, employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
  - b. The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
  - c. The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
  - d. The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- 4) The rent of the lease shall be assessed in accordance with Part 6 of the *Western Lands Act 1901*.
- 5) The rent shall be due and payable annually in advance on 1 July in each year.
  - a. “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.  
“GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
  - b. Notwithstanding any other provision of this Agreement:
    - i. If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
    - ii. If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or



- indirectly as a consequence of the abolition of or reduction in taxes.
- 6) The lessee must pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
  - 7) The lessee must hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
  - 8) The lessee must not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
  - 9) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
  - 10) The land leased must be used only for the purpose of Accommodation Paddock.
  - 11) The lessee must maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and must permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
  - 12) The lessee must not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local government area.
  - 13) The lessee must ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
  - 14) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee must leave the land in a clean and tidy condition free from rubbish and debris.
  - 15) Where the Crown has paid a contribution under section 217–219 of the *Roads Act 1993* in respect of the land leased, the lessee must pay to the Crown the amount of that contribution within 3 months of being called upon to do so.
  - 16) The lessee must, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
  - 17) The lessee must undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Service.
  - 18) If the lessee is an Australian registered company then the following conditions shall apply:

- a. The Lessee will advise the Commissioner of the name, address and telephone number of the Lessee's company secretary, that person being a person nominated as a representative of the company in respect of any dealings to be had with the company. The Lessee agrees to advise the Commissioner of any changes in these details.
- b. Any change in the shareholding of the Lessee's company which alters its effective control of the lease from that previously known to the Commissioner shall be deemed an assignment by the Lessee.
- c. Where any notice or other communication is required to be served or given or which may be convenient to be served or given under or in connection with this lease it shall be sufficiently executed if it is signed by the company secretary.
- d. A copy of the company's annual financial balance sheet or other financial statement which gives a true and fair view of the company's state of affairs as at the end of each financial year is to be submitted to the Commissioner upon request.

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**ERRATUM**

In the New South Wales *Government Gazette* of 20 April 2012, folios 962–963 under the heading "Notification of Creation of Easement", the reference to the purpose of Right of Access should have read Right of Way.

File Reference: 10/15728

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

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**ERRATUM**

In the New South Wales *Government Gazette* of 20 August 2010, folio 3917 under the heading "Notification of Creation of Easement", the reference to the purpose of Right of Access should have read Right of Way.

File Reference: 09/02419

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

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**ORDER**

Authorisation of Additional Purpose under s121A

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Tourist Facilities And Services; Accommodation; Heritage Purposes; Public Recreation; Future Public Requirements

**Column 2**

Reserve No 1024168  
Public Purpose: Opal Mining and Exploration and Public Access  
Notified: 4 December 2009  
File Reference: 09/18582-02

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Mooring Pile

**Column 2**

Reserve No 84334  
Public Purpose: Generally  
Notified: 22 March 1963  
File Reference: 16/00420  
Reserve No 1011268  
Public Purpose: Future  
Public Requirements  
Notified: 3 February 2006  
File Reference: 16/00420

## Water Notices

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### WATER ACT 1912

An Application under Part 8 of the Water Act 1912,  
being within a Proclaimed (Declared) Local Area  
under Section 5 (4) of the Water Act 1912

Application(s) for approval of controlled works under section 167 of the *Water Act 1912* within the proclaimed local area(s) described hereunder has been received as follows:

#### Lower Namoi Floodplain

COOMALGAH PTY LTD for an existing supply channel, existing levees and existing storages on Lots 13, 14, 16, 17, 18 and 22 all of DP 753925, and Lot 2 DP 250530, Parish of Denham, County of Jamison and all controlled works authorised under 90CW801503 on the property “Nowley” for prevention of inundation of land, irrigation and drainage development and storage (replacement of existing Approval 90CW801503). Written objections from any local occupier or statutory authority to the application specifying the grounds and how their interests are affected must be lodged with the DPI Water, PO Box 550, Tamworth NSW 2340 within 28 days of the date of publication (90CW811072). Any inquiries should be directed to (02) 6763 1465.

CHRIS BINKS  
Water Regulation Officer  
Department of Primary Industries (DPI) Water

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### WATER ACT 1912

An application for a license under section 10 of Part 2 of the *Water Act 1912* has been received from JAANS NOMINEES PTY LIMITED for one pump on Branch Creek on Lot 2 DP 534917, Parish Comboyne, County Macquarie for water supply for irrigation (new licence application – entitlement by way of permanent transfer). (30SL067335)

Objections to the granting of this licence must be registered in writing to DPI Water, PO Box 796, Murwillumbah NSW 2484 within 28 days of this notice. The objection must include your name and address and specify the grounds of objection. Any queries please call (02) 6676 7381.

BRETT McCULLOCH  
Water Regulation Officer  
Department of Primary Industries (DPI) Water

## Other Government Notices

### ASSOCIATIONS INCORPORATION ACT 2009

#### Cancellation of Registration Pursuant to Section 76

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

APEX CLUB OF TAMWORTH INC	Y0258140	REDEEMING THE TIME MINISTRIES INCORPORATED	INC9890135
AUBURN CALVARY ASSEMBLIES OF GOD CHURCH INCORPORATED	INC9882778	RICOCHET WORKING PRODUCTIONS INCORPORATED	Y2953745
BLAYNEY BEARS RUGBY LEAGUE CLUB INCORPORATED	INC9877664	RIDGE RIDERS ADULT HORSERIDING CLUB INCORPORATED	INC9891169
BOMADERRY SWAMP RATS RUGBY LEAGUE FOOTBALL CLUB INCORPORATED	INC9883604	RIVERINA YOUNG PEOPLE'S THEATRE INCORPORATED	INC9879970
BOWRAL HOCKEY CLUB INC	Y1502010	ROMANIAN ORTHODOX PARISH "SFANTUL APOSTOL ANDREI" NEWCASTLE INCORPORATED	INC9891153
BROKEN HILL SPEEDWAY CLUB INCORPORATED	Y2451237	SANDON POINT UNITED SOCCER CLUB INCORPORATED	INC9891001
BULLI AND DISTRICTS TENNIS ASSOCIATION INC	Y0470538	SEEDS OF AFRICA INCORPORATED	INC9890896
BYABARRA FOOTBALL CLUB INC	Y0259529	STRATHFIELD LADIES LINE DANCING INC	INC9890691
CHEKKA UNITY ASSOCIATION INCORPORATED	INC9877790	STUDENTS' HELP AND EDUCATIONAL FORUM OF AUSTRALIA (SHEFA) INCORPORATED	INC9890754
EAST GRIFFITH SOCCER CLUB INC	Y1377614	SUDAN LOST BOYS ASSOCIATION OF AUSTRALIA INCORPORATED	INC9889906
FORAYS RALLYSPORT INCORPORATED	INC9879681	SUDANESE AUSTRALIAN WOMEN FEDERATION (SAWF) INCORPORATED	INC9891496
HOPE NEWCASTLE CHRISTIAN CHURCH INCORPORATED	Y2847546	SUDANESE CULTURAL GROUPS INCORPORATED	INC9891218
LA PEROUSE UNITED JUNIOR RUGBY LEAGUE FOOTBALL CLUB INCORPORATED	Y1952803	SUDANESE FRIENDS AUSTRALIA GROUP INCORPORATED	INC9891337
MACQUARIE FIELDS HAWKS JRLFC INCORPORATED	Y2239721	SUN RISING CHURCH INCORPORATED	INC9891563
MUSLIM STUDENTS ASSOCIATION INCORPORATED	INC9891454	SURFING MID NORTH COAST INCORPORATED	INC9891427
NORTH COAST SPORTS ASSOCIATION INCORPORATED	INC9881457	SUSS INCORPORATED	INC9891064
ORGANISATION OF SERBIAN CHETNIKS RAVNA GORA LOCAL COMMITTEE SYDNEY INCORPORATED	INC9891099	SYDNEY CHINESE STUDENT ALUMNI INCORPORATED	INC9891282
OXLEY VALE ATTUNGA FOOTBALL CLUB INC	Y1042019	SYDNEY ISLAMIC SOCIETY INCORPORATED	INC9891079
PAPAGUNYA INCORPORATED	INC9887299	SYDNEY MUSLIM WOMEN'S NETWORK INCORPORATED	INC9891081
PENINSULAR JUNIOR GOLF ASSOCIATION INCORPORATED	INC9879370	SYDNEY PEACE GROUP INCORPORATED	INC9890653
		SYDNEY STALLIONS FOOTBALL CLUB INCORPORATED	INC9890314

SYDNEY TIGERS FOOTBALL CLUB INCORPORATED	INC9890530
SYDNEY TWINS BASEBALL CLUB INCORPORATED	INC9891262
SYDNEY VEDA PATASALA INCORPORATED	INC9889679
SYDNEY YEOL BANG CHURCH INCORPORATED	INC9890769
SYDNEY-SRI LANKAN STUDENTS ASSOCIATION INCORPORATED	INC9891087
TABERNACLE PRAISE HEALING MINISTRIES INCORPORATED	INC9890774
TAMILNADU MUSLIM ASSOCIATION SYDNEY INCORPORATED	INC9890453
TARANAA INCORPORATED	INC9889742
TAREE LEAGUES CRICKET CLUB INCORPORATED	INC9876578
THE AUSTRALIA & NEW ZEALAND (AUNEW) PEOPLE'S ASSOCIATION FOR FRIENDSHIP WITH FOREIGN COUNTRIES INCORPORATED	INC9890466
THE AUSTRALIAN ASSOCIATION FOR THE INJURED INC	Y1575414
THE AUSTRALIAN COPTIC YOUTH ASSOCIATION INC	INC9891139
THE BANGABANDHU VISION AUSTRALIA INCORPORATED	INC9891394
THE BRAITHE FUTURE FUND INCORPORATED	INC9889749
THE CENTRAL COAST SPEED SKATING CLUB INCORPORATED	INC9891034
THE CITY OF CANTERBURY & DISTRICT SUPPORT GROUP FOR MEN LIVING WITH HIV-AIDS INCORPORATED	INC9889700
THE DIVINE LAND ARTISTIC INCORPORATED	INC9890322
THE GAP ROAD ACTION GROUP INCORPORATED	INC9891381
THE GENERAL LEAGUE OF NATIONAL AUSTRALIAN-LEBANESE INCORPORATED	INC9891143
TIEN VE INCORPORATED	INC9882891
TIGERS JUNIOR SOCCER CLUB INCORPORATED	INC9875660
UWS BANKSTOWN SPORTS BARBARIANS RUGBY CLUB INCORPORATED	INC9885018

VARSITY TOUCH ASSOCIATION INCORPORATED	INC9886862
WILCANNIA BOOMERANGS RUGBY LEAGUE INCORPORATED	INC9889166
WORKSMART COMMUNITY PROJECTS INCORPORATED	INC9878477

Cancellation is effective as at the date of gazettal.

Dated this 3rd day of June 2016

CHRISTINE GOWLAND  
 Delegate of the Commissioner  
 NSW Fair Trading

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Registration Pursuant to Section 80

Take notice that AUSTRALIAN SELF-MEDICATION INDUSTRY INCORPORATED (Y0024419) became registered under the *Corporations Act 2001* (of the Commonwealth) as AUSTRALIAN SELF-MEDICATION INDUSTRY LIMITED – ACN 607 233 116, a public company limited by guarantee on the tenth day of August 2015, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Dated: 26 May 2016

ROBYNE LUNNEY  
 Delegate of the Commissioner  
 NSW Fair Trading

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Registration Pursuant to Section 80

Take notice that BUNGREE ABORIGINAL ASSOCIATION INCORPORATED (Y2212015) became registered under the *Corporations Act 2001* (of the Commonwealth) as BUNGREE ABORIGINAL ASSOCIATION LIMITED – ACN 610 130 606, a public company limited by guarantee on the first day of February 2016, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Dated: 26 May 2016

ROBYNE LUNNEY  
 Delegate of the Commissioner  
 NSW Fair Trading

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Registration Pursuant to Section 80

Take notice that NORTHNET INCORPORATED (Y0234944) became registered under the *Corporations Act 2001* (of the Commonwealth) as NORTHNET LIMITED – ACN 160 943 180, a public company limited by guarantee on the twenty-fifth day of October 2012, and accordingly its

registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Dated: 26 May 2016

ROBYNE LUNNEY  
 Delegate of the Commissioner  
 NSW Fair Trading

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Registration Pursuant to Section 80

Take notice that THE AUSTRALIAN ASSOCIATION OF YOGA IN DAILY LIFE INCORPORATED (Y1381432) became registered under the *Corporations Act 2001* (of the Commonwealth) as YOGA IN DAILY LIFE AUSTRALIA LTD – ACN 604 677 474, a public company limited by guarantee on the nineteenth day of March 2015, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Dated: 26 May 2016

ROBYNE LUNNEY  
 Delegate of the Commissioner  
 NSW Fair Trading

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Registration Pursuant to Section 80

Take notice that THE AUSTRALIAN INSTITUTE OF FOOD SCIENCE AND TECHNOLOGY INCORPORATED (Y2445915) became registered under the *Corporations Act 2001* (of the Commonwealth) as THE AUSTRALIAN INSTITUTE OF FOOD SCIENCE AND TECHNOLOGY LIMITED – ACN 602 767 019, a public company limited by guarantee on the seventeenth day of November 2014, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Dated: 26 May 2016

ROBYNE LUNNEY  
 Delegate of the Commissioner  
 NSW Fair Trading

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Registration Pursuant to Section 80

Take notice that UROGYNAECOLOGICAL SOCIETY OF AUSTRALASIA INCORPORATED (INC9893063) became registered under the *Corporations Act 2001* (of the Commonwealth) as UROGYNAECOLOGICAL SOCIETY OF AUSTRALASIA LIMITED – ACN 607 896 275, a public company limited by guarantee on the twenty seventh day of August 2015, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Dated: 26 May 2016

ROBYNE LUNNEY  
 Delegate of the Commissioner  
 NSW Fair Trading

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Registration Pursuant to Section 80

Take notice that WOODVILLE COMMUNITY SERVICES INCORPORATED (Y1877540) became registered under the *Corporations Act 2001* (of the Commonwealth) as WOODVILLE ALLIANCE LIMITED – ACN 606 387 231, a public company limited by guarantee on the twenty-ninth day of June 2015, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Dated: 26 May 2016

ROBYNE LUNNEY  
 Delegate of the Commissioner  
 NSW Fair Trading

**BETTING AND RACING ACT 1998**

Order for Prescription as Sports Controlling Body – Approval

I, Feargus O’Connor, Executive Director – Regulatory Operations of Liquor & Gaming NSW, pursuant to sections 17B (1) and 34 of the *Betting and Racing Act 1998*, do hereby approve the following organisations in Column 1 to be the sports controlling bodies for the sports in Column 2:

Organisation	Sport
Australian Football League	Australian Rules Football

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

Dated this 27th day of May 2016

FEARGUS O’CONNOR  
 Executive Director – Regulatory Operations  
 Liquor & Gaming NSW

**COMPANION ANIMALS REGULATION 2008**

ORDER

Organisations Approved by the Chief Executive, Local Government under Clause 16 (d)

Pursuant to clause 16 (d) of the *Companion Animals Regulation 2008*, the organisation listed in Schedule 1 is hereby approved, subject to the conditions contained in Schedule 2.

**Schedule 1**

Name of organisation	Address of organisation
Cat Defence Network	25 Boronia Street South Wentworthville NSW 2145

**Schedule 2**

1. The exemption under clause 16 (d) of the *Companion Animals Regulation 2008* from the requirements of section 9 of the *Companion Animals Act 1998* only applies to an animal in the custody of an organisation listed in Schedule 1:
  - a) if the organisation is holding that animal for the sole purpose of re-housing the animal with a new owner; and

- b) if the organisation maintains appropriate records that show compliance with the *Companion Animals Act 1998*, *Companion Animals Regulation 2008* and the Guidelines for Approval to be an Organisation Exempt from Companion Animal Registration under clause 16 (d) of the *Companion Animals Regulation 2008*; and
  - c) if the organisation maintains a register that is made available to the relevant local council and the Office of Local Government as requested. The Register must list the names of all carers involved in the rehoming of animals and the locations of all animals received under the exemption while in the custody of the organisation.
2. The exemption under clause 16 (d) of the *Companion Animals Regulation 2008* from the requirements of section 9 of the *Companion Animals Act 1998* expires five years from the date of this order, unless revoked or varied at an earlier time.

Date: 25 May 2016

MARK HELY  
Acting Director, Investigations and Sector Performance  
Office of Local Government

**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      10am      15 August 2016 (3 weeks)

Dated this 30th day of May 2016

Justice D PRICE AM  
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:

Nowra      10am      27 June 2016 (1 week)

Dated this 1st day of June 2016

Justice D PRICE AM  
Chief Judge

**INFRASTRUCTURE NSW ACT 2011**

Project Authorisation Order

I, Michael Baird, Premier:

- 1. Nominate the Western Sydney Stadium project, being the redevelopment of the stadium site including the Pirtek Stadium, surface car parking to the immediate north and

west of the Stadium, located at 11–13 O’Connell Street Parramatta, and the preparation of a master plan for the Western Sydney Stadium Precinct bounded by the Parramatta River (south & west), O’Connell Street (east) and the Parramatta Leagues Club (north), as a major infrastructure project for the purposes of the *Infrastructure NSW Act 2011* as I am of the opinion that it is a special project requiring oversight or co-ordination by Infrastructure NSW; and

- 2. In pursuance of sections 30 and 32 of the *Infrastructure NSW Act 2011*, do, by this Order declare Infrastructure NSW to be responsible for Venues NSW functions in relation to the carrying out of the Western Sydney Stadium project.

Dated this 27 day of May 2016

The Hon MICHAEL BAIRD, MP  
Premier

**STATUTORY AND OTHER OFFICES  
REMUNERATION ACT 1975**

Report and Determination: Auditor-General

**Report:**

- 1. The Premier, the Hon Mike Baird MP, has written to the Statutory and Other Offices Remuneration Tribunal (“the Tribunal”) advising that the Auditor-General, Ms Margaret Crawford, has elected to receive remuneration benefits pursuant to section 11A of the *Statutory and Other Offices Remuneration Act 1975* (“SOOR Act”). The Premier approved Ms Crawford’s election and nominated the position of Auditor-General as one to which section 11A of the Act applies.

**Background:**

- 2. When the Senior Executive Service was introduced in 1989 the Government considered that some Statutory Office Holders, exercising independent functions (excluding judicial officers) should be able to receive employment benefits similar to those provided to senior executives. Section 11A of the SOOR Act provides that remuneration for such office holders is to be determined on a total cost basis rather than as a salary only. This Group is known collectively as “11A Office Holders”.
- 3. Unlike senior executives, office holders are not subject to contractual employment provisions or performance agreements. In addition, the remuneration for these office holders is determined as a fixed amount rather than a range, which applies to the levels or bands or senior executive employment.

**Review:**

- 4. The Auditor-General is responsible for audits and related services under the *Public Finance and Audit Act 1983* (PFA Act), other NSW Acts and the Corporations Law. The Auditor-General also provides certain assurance services in respect of Commonwealth grants, taxation and other payments to the State under Commonwealth legislation.
- 5. The Auditor-General is also the chief executive of the Audit Office of New South Wales, which is established by the PFA Act. The Auditor-General forms part of the accountability mechanism whereby the Parliament

holds the Government accountable for fulfilling its responsibilities.

6. The primary objectives of the Auditor-General are to undertake the statutory obligation of the role of Auditor-General to plan and direct the audit of NSW public sector agencies' financial reports and the Total State Sector Accounts, to plan and direct the annual programme of performance ("value-for-money") audits and to provide any other particular audit or audit-related service to Parliament, Ministers and the Treasurer.
7. For remuneration purposes the position of Auditor-General is listed in Schedule 1 of the SOOR Act. For the purposes of this determination the relevant annual salary is that which applies from 1 July 2015 being \$456,240.
8. In determining a package the Tribunal has applied the standard methodology and considers that a total remuneration package of \$477,348 would be appropriate and so determines.
9. This determination shall apply only to Ms Crawford's appointment as Auditor-General. Should any future appointees to the office of Auditor-General wish to receive employment benefits and receive a total remuneration package, he or she would be required to make an election, pursuant to section 11A of the SOOR Act, and the Tribunal be directed to determine a total remuneration package.

**Determination:**

Pursuant to section 14 (1) of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the total remuneration package for Ms Margaret Crawford, Auditor-General, shall be \$477,348 per annum with effect from the date of this determination.

30 May 2016

RICHARD GRELLMAN AM  
Statutory and Other Offices Remuneration Tribunal

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**SUBORDINATE LEGISLATION ACT 1989**

Proposed Biofuels Regulation 2016

Invitation to Make a Submission

Notice is given in accordance with section 5 of the *Subordinate Legislation Act 1989* of the intention to make a regulation under the *Biofuels Act 2007*.

The proposed *Biofuels Regulation 2016* will replace the *Biofuels Regulation 2007* and includes provisions that will support the operation of the Biofuels Act as amended by the *Biofuels Amendment Act 2016*.

The proposed Regulation and Regulatory Impact Statement will be available for public comment until 28 June 2016. A copy of the proposed Regulation and the Regulatory Impact Statement can be downloaded from the NSW Fair Trading website at <http://www.fairtrading.nsw.gov.au> or requested via one of the addresses below.

Written submissions on the proposed Regulation or the Regulatory Impact Statement can be provided to NSW Fair Trading by email or mail to:

Email: [biofuels.regulation@finance.nsw.gov.au](mailto:biofuels.regulation@finance.nsw.gov.au)  
Mail: Biofuels Regulation 2016  
NSW Fair Trading Policy  
PO Box 972  
Parramatta NSW 2124

**Submissions close at 5pm on Tuesday 28 June 2016.**

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**SUBORDINATE LEGISLATION ACT 1989**

Proposed Funeral Funds Regulation 2016

The *Funeral Funds Regulation 2011* will be automatically repealed on 1 September 2016. The Government has released a copy of the draft *Funeral Funds Regulation 2016* for public consultation.

The draft Regulation is intended to replace the existing Regulation and provide the administrative detail necessary to support the *Funeral Funds Act 1979*. The Act regulates the long term management of funeral pre-payments made by consumers.

The main objectives of the proposed *Funeral Funds Regulation 2016* are to:

- set out additional conditions and rules for the operation and management of a funeral fund;
- ensure consumers are given adequate information about the contracts that they are entering into; and
- specify information to be included in an actuary's report on the financial position of funds.

The draft *Funeral Funds Regulation 2016* and a Regulatory Impact Statement are available on the NSW Fair Trading website or by calling 13 32 20. Members of the public are invited to make comments and submissions on the proposed Regulation. Submissions close on 1 July 2016 and can be made to:

Email (preferred): [policy@finance.nsw.gov.au](mailto:policy@finance.nsw.gov.au)

Or mail to:

Funeral Funds Regulation  
Policy and Legislation  
c/- NSW Fair Trading  
PO Box 972  
Parramatta NSW 2124

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**SUBORDINATE LEGISLATION ACT 1989**

Proposed Smoke-free Environment Regulation 2016

NSW Ministry of Health

The Ministry of Health proposes to make the *Smoke-free Environment Regulation 2016*.

In accordance with the requirements of the *Subordinate Legislation Act 1989*, a regulatory impact statement has been prepared to discuss the details of the proposed Regulation and its costs and benefits.



To facilitate public consultation, a copy of the regulatory impact statement and proposed Regulation may be obtained from the Ministry of Health's internet site <http://www.health.nsw.gov.au/legislation/Pages/regulations.aspx> or by contacting the Ministry's Centre for Population Health by email at [tobacco@doh.health.nsw.gov.au](mailto:tobacco@doh.health.nsw.gov.au).

Comments and submissions on the proposed Regulation and regulatory impact statement will be accepted until 5 pm on 1 July 2016.

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**SURVEYING AND SPATIAL  
INFORMATION ACT 2002**

Registration of Surveyors

Pursuant to the provisions of the *Surveying and Spatial Information Act 2002*, section 10 (1) (a), the undermentioned persons have been Registered as a Land Surveyor in New South Wales under the *Mutual Recognition Act 1992* from the dates shown.

Name	Address	Effective Date
BLACKADDER Paul Richard	PO Box 168 Huskisson 2540	17 May 2016

DJ MOONEY  
President

MC SPITERI  
Registrar

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**SURVEYING AND SPATIAL  
INFORMATION ACT 2002**

Registration of Surveyors

Pursuant to the provisions of the *Surveying and Spatial Information Act 2002*, section 10 (1) (a), the undermentioned persons have been Registered as a Land Surveyor in New South Wales under the *Mutual Recognition Act 1992* from the dates shown.

Name	Address	Effective Date
MILLARD Aaron Douglas	PO Box 9082 Harris Park 2150	23 May 2016

DJ MOONEY  
President

MC SPITERI  
Registrar

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**MURDER**

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

On 25 November 1993, the decomposed body of Graham Kelvin BOURKE was located in the boot of his vehicle in Hornsby, New South Wales. Mr BOURKE was last seen alive on 25 October 1993.

Notice is hereby given that a reward of up to one hundred thousand dollars (\$100,000) will be paid by the Government of New South Wales for information leading to the arrest and conviction of the person or persons responsible for the murder of Graham BOURKE.

The allocation of this reward will be at the sole discretion of the Commissioner of Police.

The urgent assistance and co-operation of the public is especially sought in the matter. Any information, which will be treated as confidential, may be given at any time of the day or night at any Police Station or by telephone -

Police Headquarters telephone (02) 9281 0000  
or Crime Stoppers on 1800 333 000

Dated 1 June 2016

The Hon TROY GRANT, MP  
Minister for Justice and Police

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**MURDER**

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

On the 29th June 2003, the body of Shoukat MOHAMMED aged 31, was found inside a sleeping bag in a wheelie bin on James Street, Redfern. On the 17th January 2005, an arrest warrant was issued for Basheeruddin MOHAMMED.

Notice is hereby given that a reward of up to one hundred thousand dollars (\$100,000) will be paid by the Government of New South Wales for information leading to the arrest and capture of Basheeruddin MOHAMMED for the death of Shoukat MOHAMMED.

The allocation of this reward will be at the sole discretion of the Commissioner of Police.

The urgent assistance and co-operation of the public is especially sought in the matter. Any information, which will be treated as confidential, may be given at any time of the day or night at any Police Station or by telephone -

Police Headquarters telephone (02) 9281 0000  
or Crime Stoppers on 1800 333 000

Dated 31st May 2016

The Hon TROY GRANT, MP  
Minister for Justice and Police



Independent Pricing and Regulatory Tribunal

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## **Transport – maximum fares for Opal Services**

**Determination No. 1, 2016**

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The Tribunal members for this review are:

Dr Peter J Boxall AO, Chairman

Ms Catherine Jones

Mr Ed Willett

Independent Pricing and Regulatory Tribunal of New South Wales  
PO Box K35, Haymarket Post Shop NSW 1240  
Level 15, 2-24 Rawson Place, Sydney NSW 2000  
T (02) 9290 8400 F (02) 9290 2061  
[www.ipart.nsw.gov.au](http://www.ipart.nsw.gov.au)

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## Preliminary

### 1 Background

#### 1.1 Passenger Transport Act

- (a) Under section 123(1) of the Passenger Transport Act, the Minister may refer to IPART, with the approval of the Minister administering the IPART Act, all or any of the services provided by one or more public passenger services for determination of, or a recommendation as to:
  - (1) appropriate maximum fares for the services;
  - (2) appropriate maximum fares for specified fares or classes of fares for the service or services.
- (b) Under section 124(1) of the Passenger Transport Act, IPART is to conduct investigations and report to the Minister on the appropriate maximum fares if a referral is made under section 123(1).
- (c) By letter dated 19 June 2015, IPART received a referral from the Minister, with the approval of the Minister administering the IPART Act, to investigate and report on the determination of appropriate maximum fares for Opal Services.

[Note: By letter dated 9 March 2016, the Minister extended the date by which IPART is to submit its final report and determination under the referral.]
- (d) By letter dated 29 April 2016, Transport for NSW notified IPART of the NSW Government's policy position on Opal Services.
- (e) In making this determination, IPART has had regard to a broad range of matters, including matters:
  - (1) specified by the Minister in the referral pursuant to section 123(2)(b) of the Passenger Transport Act including the letter dated 29 April 2016 from Transport for NSW; and
  - (2) set out in section 124(3) of the Passenger Transport Act.

#### 1.2 IPART Act

- (a) The following provisions of the IPART Act apply in making a determination under Part 7 of the Passenger Transport Act:
  - (1) sections 13A-14A (in relation to the approaches to be applied in making pricing determinations); and
  - (2) Divisions 6 and 7 of Part 3 (in relation to the publication of reports and conduct of investigations).
- (b) In accordance with section 13A of the IPART Act, IPART has fixed a maximum Fare for Opal Services by fixing the maximum weighted average change across Fares during the Determination Period.

## **2 Application of this determination**

- (a) This determination sets out the formulae to be applied to determine maximum Fares for Opal Services.
- (b) This determination commences on the later of:
  - (1) 1 July 2016; and
  - (2) the date that it is published in the NSW Government Gazette, (**Commencement Date**).
- (c) This determination applies from the Commencement Date until the earlier of:
  - (1) 30 June 2019; and
  - (2) the date on which this determination is replaced, (**Determination Period**).

## **3 Replacement of Determination No. 5, 2012**

This determination replaces Determination No. 5, 2012 from the Commencement Date (to the extent it has not already been replaced). The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under Determination No. 5, 2012 prior to its replacement.

## **4 Replacement of Determination No. 6, 2012**

This determination replaces Determination No. 6, 2012 from the Commencement Date (to the extent it has not already been replaced). The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under Determination No. 6, 2012 prior to its replacement.

## **5 Replacement of Determination No. 7, 2013**

This determination replaces Determination No. 7, 2013 from the Commencement Date (to the extent it has not already been replaced). The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under Determination No. 7, 2013 prior to its replacement.

## **6 Replacement of Determination No. 4, 2014**

This determination replaces Determination No. 4, 2014 from the Commencement Date (to the extent it has not already been replaced). The replacement does not affect anything done or omitted to be done, or rights or obligations accrued, under Determination No. 4, 2014 prior to its replacement.

## **7 Compliance with this determination**

Under section 125(2) of the Passenger Transport Act, Transport for NSW may not determine a Fare under a fares order that exceeds any maximum Fare determined by IPART, or that is determined otherwise than in accordance with a methodology determined by IPART, under Part 7 of the Passenger Transport Act.

## **8 Schedules**

- (a) Schedule 1 sets out the formulae to be applied to determine maximum Fares for:
  - (1) Trips on Opal Services under an Opal Card; and
  - (2) Trips on Opal Services under a Ticket.
- (b) Schedule 2 sets out definitions and interpretation provisions used in this determination.

## Schedule 1 Maximum change in Fares

### 1 Application

This Schedule 1 sets out the formulae to be applied to determine the maximum Fare for:

- (a) Trips on Opal Services under an Opal Card; and
- (b) Trips on Opal Services under a Ticket,

by fixing the maximum weighted average change in Adult Fares during the Determination Period.

### 2 Maximum average change in Adult Fares

- (a) Transport for NSW must ensure that the maximum Adult Fares it determines for:

- (1) Trips on Opal Services under an Opal Card; and
- (2) Trips on Opal Services under a Ticket,

comply at all times with the formulae (as applicable) set out below.

- (b) For the Period 2016-17:

$$Pav_i \leq 1.066 \times Pav_{2015-16}$$

- (c) For the Period 2017-18:

$$Pav_i \leq 1.13 \times Pav_{2015-16}$$

- (d) For the Period 2018-19:

$$Pav_i \leq 1.13 \times Pav_{2015-16}$$

Where:

$Pav_{2015-16}$  is the average Adult Fare charged during the Period 2015-16 for a Trip on Opal Services under an Opal Card or Ticket, after any rebate has been applied (including any multi Mode transfer rebate, daily, weekly or weekend cap, or travel reward such as a frequent travel discount), calculated using the Approved Trip Distribution for 2015-16.

$Pav_i$  is the average Adult Fare payable during the relevant Period  $i$ , or part thereof, for a Trip on Opal Services under an Opal Card or Ticket, after any



rebate has been applied (including any multi Mode transfer rebate, daily, weekly or weekend cap or travel reward such as a frequent travel discount), calculated using the Approved Trip Distribution for Period *i*.

For the purposes of *Pav*<sub>2015-16</sub>, and *Pav*<sub>*i*</sub>:

- (a) Trips on Opal Services using Concession Opal Cards, Child/Youth Opal Cards or Tickets (and including any other types of Opal Card or Ticket notified by IPART during the Determination Period) are to be included at the applicable Adult Fare for that Trip in the calculation of the average Adult Fare.
- (b) Trips on Opal Services using Free Travel Opal Cards, Gold Opal Cards and School Opal Cards (and including any other types of Opal Card or Ticket notified by IPART during the Determination Period) are to be excluded from the calculation of the average Adult Fare.

*Approved Trip Distribution for Period i* is a weighting approved by IPART for the relevant Period *i* or part thereof by reference to the number of Trips taken for an Adult Fare as a proportion of total Trips taken for that relevant Period *i*. In the event that there is no Approved Trip Distribution for Period *i* during the Determination Period for that Period *i*, Transport for NSW must ensure that Fares do not exceed the maximum Fares for Opal Services as set out in the most recent pricing proposal approved by IPART under clause 4.

*Period i* means one of the following: Period 2016-17, Period 2017-18 or Period 2018-19.

*Approved Trip Distribution for 2015-16* is a weighting approved by IPART for Period 2015-16 by reference to the number of Trips taken for an Adult Fare as a proportion of total Trips taken for that period. In the event that there is no Approved Trip Distribution for 2015-16 approved by IPART, Transport for NSW must ensure that Fares do not exceed the Fares for Opal Services applicable at the Commencement Date.

### 3 Other Opal Fares

- (a) This clause 3 applies to maximum Fares for Opal Services other than Adult Fares for Opal Services.
- (b) Transport for NSW must ensure that the maximum Fare for a Trip on Opal Services under an Opal Card or Ticket does not exceed the applicable Adult Fare (determined in accordance with clause 2 above) for the same Trip under an Opal Card or Ticket (as applicable).

## 4 Requirement to submit pricing proposal

- (a) If, after the Commencement Date, Transport for NSW proposes to:
- (1) increase an Adult Fare;
  - (2) modify any of the parameters used to calculate the Fare for a Trip (including any change in daily or weekly caps, distance bands, travel concessions, travel rewards or discounts);
  - (3) introduce one or more new Tickets or Opal Cards, where there is a corresponding increase in an Adult Fare; or
  - (4) discontinue one or more existing Tickets or Opal Cards,
- (each a **Proposed Fare Change Event**), Transport for NSW must submit to IPART, in accordance with this clause 4, a pricing proposal at least 20 Business Days (or by such later date as agreed by IPART) before the Proposed Fare Change Event is intended to take effect.
- (b) The pricing proposal submitted by Transport for NSW under clause 4(a) must contain the following information:
- (1) proposed and existing Fares for Opal Services;
  - (2) proposed Trip distribution based on price and Trip data on the use of Opal Services available to Transport for NSW; and
  - (3) any additional data or information necessary, or requested by IPART, so as to undertake the analysis for the approval of the Approved Trip Distribution for Period i and the Approved Trip Distribution for 2015-16 under clause 2.
- (c) Transport for NSW is not required to submit a pricing proposal under this clause 4 if Transport for NSW is proposing only to reduce an existing Adult Fare.
- (d) Transport for NSW must provide any information IPART reasonably requires to satisfy itself that Transport for NSW's proposed Adult Fares comply with this determination.
- (e) IPART may publish a pricing proposal submitted under this clause 4 on its website.

## 5 IPART assessment of pricing proposal

- (a) IPART will use its reasonable endeavours to notify Transport for NSW within 20 Business Days of its response to a pricing proposal submitted under clause 4.
- (b) IPART may publish this notice on its website.

## 6 Worked Example

Consider a hypothetical example where there are two Fares for two different types of Trips. In 2015-16, the average Adult Fare is calculated multiplying the Fares for a particular Trip by the proportion of the passengers paying (or are deemed to pay) that Fare, and summing the products, as shown in the table below.

### Fares for 2015-16

Trip	Fare	Number of Trips taken	Proportion of Trips	Price x proportion of Trips
A	\$4.00	60	60%	\$2.40
B	\$6.00	40	40%	\$2.40
Sum		100	100%	<b>Average Adult Fare: \$4.80</b>

To check compliance with our determination in the first year (2016-17) in the table below we multiply the proposed Fares for a particular Trip by the proportion of the number of passengers that would pay (or are deemed to pay) that Fare, and sum the products. In the example below, the average Adult Fare would be \$5.10, which is a 6.3% increase compared to 2015-16. These proposed Fares would comply because the average change in Adult Fares is less than 6.6%.

### Fares for 2016-17

Trip	Fare	Number of Trips taken	Proportion of Trips	Price x proportion of Trips
A	\$4.20	66	55%	\$2.31
B	\$6.20	54	45%	\$2.79
Sum		120	100%	<b>Average Adult Fare: \$5.10</b>

In the second year (2017-18) the average Fare is \$5.22, which is 8.8% higher than 2015-16. These proposed Fares would also comply because the average change in Adult Fares is less than 13%.

### Fares for 2017-18

Trip	Fare	Number of Trips taken	Proportion of Trips	Price x proportion of Trips
A	\$4.30	80	58%	\$2.49
B	\$6.50	58	42%	\$2.73
Sum		138	100%	<b>Average Adult Fare: \$5.22</b>

## Schedule 2 Definitions and interpretation

### 1 Definitions

#### 1.1 General definitions

**Adult Fare** is the Fare payable for the use of Opal Services by the holder of an Adult Opal Card, adult Ticket or equivalent proof of entitlement for the use of Opal Services.

**Adult Opal Card** has the meaning given in the Opal Terms of Use and includes an Opal Card made available to persons aged 16 years or older.

**Airport Station Access Fee** is the fee imposed on behalf of Airport Link Corporation when a passenger commences or concludes their Trip at either the Domestic Airport train station or the International Airport train station.

**Bus Service Contract** means a contract between a contract holder and Transport for NSW under Part 3 of the Passenger Transport Act for the provision of Bus Services.

**Bus Services** means the services described in paragraphs (e) and (f) of the definition of Opal Services.

**Business Day** means a day other than a Saturday, a Sunday or a public holiday or bank holiday in all of New South Wales.

**Child/Youth Opal Card** has the meaning given in the Opal Terms of Use and includes an Opal Card made available to: a) a child aged 4 to 15 years (inclusive); or b) a full-time NSW/ACT school student aged 16 and older with a NSW Senior Secondary Student Concession card or other proof of entitlement as issued by or on behalf of Transport for NSW.

**Commencement Date** has the meaning given in clause 2(b) of the Preliminary section of this determination.

**Concession Opal Card** includes an Opal Card offering concession travel to the following eligible persons (as determined at the discretion of Transport for NSW): eligible tertiary students, eligible apprentices/trainees and eligible job seekers.

**Departure Point** means:

- (a) for Opal Services, other than Sydney Ferries Services on the Manly to Circular Quay route:
  - (1) the train station;
  - (2) the bus stop;
  - (3) the light rail stop; or
  - (4) the ferry wharf,at which a passenger commences a Trip, by either:
  - (1) in the case of an Opal Card, tapping on at an Opal Card reader; or
  - (2) in the case of a Ticket, entering the Paid Area of a Ferry Wharf or the Restricted Area of a Railway Station, or embarking on a train, bus, light rail vehicle or ferry, as applicable, and
- (b) for Sydney Ferries Services on the Manly to Circular Quay route, either:
  - (1) Circular Quay, in the case of an Opal Card, if the passenger commences a Trip by tapping on at an Opal Card reader or, in the case of a Ticket, a Trip by entering the Paid Area of a Ferry Wharf at Circular Quay; or
  - (2) Manly Wharf, if the passenger commences a Trip by embarking on a ferry at Manly Wharf.

**Destination Point** means, for Opal Services:

- (a) the train station;
- (b) the bus stop;
- (c) the light rail stop; or
- (d) the ferry wharf,

at which a passenger completes a Trip, by either:

- (a) in the case of an Opal Card, tapping off at an Opal Card reader, or disembarking from a ferry if on a Sydney Ferries Services on the Manly to Circular Quay route; or
- (b) in the case of a Ticket, leaving the Paid Area of a Ferry Wharf or the Restricted Area of a Railway Station, or disembarking from a train, bus, light rail vehicle or ferry, as applicable.

**Determination No. 5, 2012** means IPART's Determination No. 5, 2012 titled "Sydney Ferries services".

**Determination No. 6, 2012** means IPART's Determination No. 6, 2012 titled "CityRail and Multi Modal tickets from January 2013".

**Determination No. 7, 2013** means IPART's Determination No. 7, 2013 titled "Sydney Metropolitan and Outer Metropolitan Bus Services".

**Determination No. 4, 2014** means IPART's Determination No. 4, 2014 titled "Stockton Ferry Service".

**Determination Period** has the meaning given in clause 2(c) of the Preliminary section of this determination.

**Fare** means any consideration paid or given to use Opal Services (whether or not it is paid or given to the operator or driver) and includes any surcharge or levy imposed by, or passed through to passengers by, Transport for NSW. For the avoidance of doubt, the Airport Station Access Fee is excluded.

**Free Travel Opal Card** has the meaning given in the Opal Terms of Use.

**Gold Opal Card** means an Opal Card issued by Transport for NSW to eligible persons entitled to discounted travel on Opal Services as determined by Transport for NSW. These eligible persons currently include holders of: a NSW Seniors Card; a Pensioners Concession Card; a NSW War Widow/ers Card, as well as asylum seekers.

**GST** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**IPART** means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

**IPART Act** means the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW).

**Minister** means the Minister administering the Passenger Transport Act.

**Minister administering the IPART Act** means the Premier.

**Mode** means the form of public passenger service used for the Trip, being transport by one of the following:

- (a) train;
- (b) bus;
- (c) light rail vehicle;
- (d) ferry operated under the authority of a service contract with Transport for NSW (known as 'Sydney Ferries'); or
- (e) ferry operated in the Newcastle area (known as the 'Stockton Ferry Service').

**NSW Trains** means the subsidiary corporation referred to in clause 32 of the *Transport Administration (General) Regulation 2013* (NSW).

**NSW Trains Services** means the services described in paragraph (b) of the definition of Opal Services.

**Opal Card** has the meaning given in clause 3(1) of the *Passenger Transport Regulation* and includes any smartcard issued by Transport for NSW for use on Opal Services.

**Opal Services** means:

- (a) train services operated by Sydney Trains;
- (b) NSW Trains services operated under the business name NSW TrainLink Intercity;
- (c) Sydney Ferries services operated under the authority of a service contract with Transport for NSW;
- (d) the ferry service operated in the Newcastle area known as the 'Stockton Ferry Service';
- (e) bus services operated under the authority of a Sydney Metropolitan Bus Service Contract with Transport for NSW;
- (f) bus services operated under the authority of an Outer Sydney Metropolitan Bus Service Contract with Transport for NSW; and
- (g) the Sydney Light Rail Service.

**Opal Terms of Use** means the terms and conditions published by Transport for NSW that apply to the use of the Opal Card and Opal Services, including any amendments or variations made from time to time.

**Outer Sydney Metropolitan Bus Service Contract** means a contract with Transport for NSW for the provision of selected bus services outside the Sydney metropolitan area specified by Transport for NSW in that contract.

**Paid Area of a Ferry Wharf** means the "paid area of a ferry wharf" as defined in clause 3(1) of the *Passenger Transport Regulation*.

**Passenger Transport Act** means the *Passenger Transport Act 2014* (NSW).

**Passenger Transport Regulation** means the *Passenger Transport Regulation 2014* (NSW).

**Period 2015-16** or **2015-16** means the period commencing on 1 July 2015 and ending on 30 June 2016.

**Period 2016-17** or **2016-17** means the period commencing on 1 July 2016 and ending on 30 June 2017.

**Period 2017-18** or **2017-18** means the period commencing on 1 July 2017 and ending on 30 June 2018.

**Period 2018-19** or **2018-19** means the period commencing on 1 July 2018 and ending on the last day of the Determination Period.

**Proposed Fare Change Event** has the meaning given in clause 4 of Schedule 1 of this Determination.

**Restricted Area of a Railway Station** means the “restricted area of a railway station” as defined in clause 3(1) of the Passenger Transport Regulation.

**School Opal Card** has the meaning given in the Opal Terms of Use and includes an Opal Card made available to eligible school students to provide free or subsidised travel between home and school.

**Sydney Ferries Services** means the services described in paragraph (c) of the definition of Opal Services.

**Sydney Light Rail Service** means a light rail service within the meaning of section 104M of the *Transport Administration Act 1988* (NSW) (but does not include any such service outside of Sydney).

**Sydney Metropolitan Bus Service Contract** means a contract with Transport for NSW for the provision of selected bus services within the Sydney metropolitan area specified by Transport for NSW in that contract.

**Sydney Trains** means the subsidiary corporation referred to in clause 10 of the *Transport Administration (General) Regulation 2013* (NSW).

**Sydney Train Services** means the services described in paragraph (a) of the definition of Opal Services.

**Ticket** means proof of entitlement to undertake a Trip on an Opal Service (including a valid debit or credit card used by the passenger to pay their Fare) but does not include an Opal Card.

**Transport for NSW** means Transport for NSW as constituted under the *Transport Administration Act 1988* (NSW).

**Transport Administration Act** means the *Transport Administration Act 1988* (NSW).



**Trip** means travel using a single Mode under an Opal Card or a Ticket between a Departure Point and a Destination Point, and does not include travel from a second Departure Point (unless travel to a further Destination Point is deemed to be a single Trip by the conditions of travel for the relevant Mode).

## 2 Interpretation

### 2.1 General provisions

In this determination:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule or annexure to, clause of, or table in this determination unless otherwise indicated;
- (c) words importing the singular include the plural and vice versa;
- (d) a reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacements of them;
- (e) where a word is defined, other grammatical forms of that word have a corresponding meaning;
- (f) a reference to a day is to a calendar day;
- (g) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation), replacements and assigns;
- (h) a reference to an officer includes a reference to the officer which replaces it or which substantially succeeds to its powers or functions;
- (i) a reference to a body, whether statutory or not:
  - (1) which ceases to exist; or
  - (2) whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions.

## **2.2 Explanatory notes, worked examples and clarification notices**

- (a) Explanatory notes and worked examples do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.
- (b) IPART may publish a clarification notice in the NSW Government Gazette to correct any manifest error in or to clarify any part of this determination. Such a clarification notice is taken to form part of this determination.

## **2.3 Fares exclusive of GST**

Fares determined by Transport for NSW under this determination exclude GST.

# Parliamentary Remuneration Tribunal

## Annual Report and Determination

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*Report and determination of salary and additional entitlements for  
Members of the Parliament of New South Wales pursuant to the  
Parliamentary Remuneration Act 1989*

**20 May  
2016**

## Parliamentary Remuneration Tribunal

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## Parliamentary Remuneration Tribunal

### Introduction

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Section 11 of the *Parliamentary Remuneration Act 1989* (“the Act”) prescribes that the Parliamentary Remuneration Tribunal (“the Tribunal”) shall make an annual Determination as to the additional entitlements for Members and Recognised Office Holders (as defined under the Act) on or before 1 June in each year or on such later date as the President of the Industrial Relations Commission of New South Wales determines.

Section 14(H)(1) of the Act requires that the Tribunal make a report to the President of the Industrial Relations Commission of New South Wales for each Determination made by the Tribunal. The President is then required, as soon as practicable after receipt of the report, to forward it to the Minister (see section 14(H)(2)).

As part of the 2015 annual review the Tribunal was asked by the Presiding Officers to consider considerable changes aimed at simplifying and reducing the cost of the administration of allowances, while providing greater flexibility. The Tribunal was of the view that the Presiding Officers’ proposals had merit but required further review, including extensive consultation with Members, to ensure any new model is compliant with the intent of the Act and is able to meet both the needs of Members and the Parliament, and be in keeping with public expectations. For that reason the Tribunal determined that a thorough review of the proposals raised by the Presiding Officers would be undertaken as part of the 2016 annual review.

The Presiding Officers’ proposal has been reviewed in consultation with Members. The Tribunal’s deliberations in respect to the Presiding Officers’ submission on proposed changes to additional entitlements and general matters raised are contained in **Section 1** of the Report.

The Report also addresses general matters raised as part of the annual review and those issues that, in the Tribunal’s view, merit further consideration and/or comment. **Section 2** of the Report provides a general summary of the Determination.

## Parliamentary Remuneration Tribunal

# Section 1

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### 1. Basic Salary

In accordance with section 4(2) of the Act the Tribunal is required to determine the basic salary of Members.

#### NSW Government wages policy

In determining the basic salary the Tribunal is required, pursuant to section 4(3), to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (“the IR Act”) when making or varying awards or orders relating to the conditions of employment of public sector employees.

The current policy on wages pursuant to section 146(1)(a) of the IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (“the IR Regulation”). The effect of the IR Regulation is that public sector wages cannot increase by more than 2.5 per cent. Clause 6 of the IR Regulation provides the following clarification in relation to superannuation employment benefits:

“...Other policies

(1) *The following policies are also declared, but are subject to compliance with the declared paramount policies:*

(a) *Public sector employees may be awarded increases in remuneration or other conditions of employment but only if employee-related costs in respect of those employees are not increased by more than 2.5 % per annum as a result of the increases awarded together with any new or increased superannuation employment benefits provided (or to be provided) to or in respect of the employees since their remuneration or other conditions of employment were last determined.*

(4) *In subclause (1)(a), **new or increased superannuation employment benefits** means any new or increased payments by an employer to a superannuation scheme or fund of an employee as a consequence of amendments to the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth or the State Authorities Non-contributory Superannuation Act 1987.”*

## Parliamentary Remuneration Tribunal

### 2016 basic salary increase

The Tribunal notes that no further adjustments in the compulsory superannuation guarantee contributions are expected until 1 July 2021 and on that basis the basic salary for Members may be increased by 2.5 per cent to \$157,112 per annum.

## 2. Additional entitlements subject to change

### Background

The current additional entitlements are specified in Section 3 of the Tribunal's 2015 Annual Determination and are listed below.

<b>Section 3 (4) Additional entitlements in the nature of allowances</b>	<b>Section 3 (5) Additional entitlements in the nature of fixed allocations</b>
<ul style="list-style-type: none"> <li>• Electoral Allowance</li> <li>• Sydney Allowance</li> <li>• Committee Allowances</li> </ul>	<ul style="list-style-type: none"> <li>• Electorate to Sydney Allowance</li> <li>• Logistics Support Allowance</li> <li>• Electorate Communication Allowance</li> <li>• Electorate Charter Transport for Members of the Legislative Assembly</li> <li>• Travelling Allowances for Recognised Office Holders</li> <li>• Equipment, Services and Facilities</li> </ul>

In the 2015 Annual Determination the Tribunal provided an overview of proposed changes to some of the above additional entitlements as requested by the Presiding Officers. The Tribunal foreshadowed that the 2016 annual review would commence earlier than usual to allow the Tribunal to thoroughly review the Presiding Officers' suggested changes to additional entitlements as outlined in their submission of 19 June 2015:

*"... As part of the 2015 annual review the Tribunal has been asked by the Presiding Officers to consider considerable changes aimed at simplifying and reducing the cost of the administration of allowances, while providing greater flexibility. The suggested changes, if adopted, would result in the abolition of a number of existing allowances to create new allowances. Those allowances would incorporate much of the existing entitlements but could provide greater flexibility in their application and/or administration. The proposal put forward by the Presiding Officers would not result in an overall increase in the quantum of allowances available to Members or the overall cost to the Parliament. Instead the suggested changes, if approved, should result in improved efficiencies and administrative processes.*

*.... The Tribunal is of the view that the Presiding Officers' proposals have merit but require further review, including extensive consultation with Members, to ensure*



## Parliamentary Remuneration Tribunal

*any new model is compliant with the intent of the PR Act and is able to meet both the needs of Members and the Parliament, and be in keeping with public expectations.*

*On that basis, the Tribunal will undertake a thorough review of the proposals raised by the Presiding Officers as part of the 2016 annual review. To ensure that sufficient time is available to undertake this review, the Tribunal will commence the 2016 review immediately following the making of the 2015 Annual Determination. The Tribunal will consult further with the Presiding Officers to clarify their proposals and then write to Members to seek their views."*

### 2016 review

The Tribunal delayed the early commencement of the 2016 review on advice that the Presiding Officers would be requesting the Premier to consider directing the Tribunal to make a special determination, prior to the making of the 2016 Annual Determination. The Tribunal was subsequently advised that a special determination direction would not be forthcoming and that the Presiding Officers intended to revise their submission of 19 June 2015, following a consultation process with Members. The Tribunal received the Presiding Officers' revised submission on 18 December 2015.

The revised submission from the Presiding Officers proposed the abolition of some additional entitlements, changes to existing entitlements and the creation of new entitlements as summarised below.

<b>Abolish/Change</b>	<b>Create/Revise</b>
<ol style="list-style-type: none"> <li>1. Logistics Support Allowance (LSA):                             <ol style="list-style-type: none"> <li>a. Communications electronic</li> <li>b. Communications non-electronic</li> <li>c. Printing &amp; Stationary</li> <li>d. Transport</li> </ol> </li> <li>2. Electoral Communication Allowance (ECA)</li> <li>3. Electorate Charter Transport Allowance</li> <li>4. Electoral Allowance</li> <li>5. Recognised Office Holder and Other Member Entitlements (Schedule 3):                             <ol style="list-style-type: none"> <li>a. LSA-Communications electronic</li> <li>b. LSA-Communications non-electronic</li> <li>c. LSA-Printing and Stationary</li> <li>d. LSA-Transport</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Communications Allowance:                             <ol style="list-style-type: none"> <li>a. Base Allocation</li> <li>b. Additional Allocation</li> </ol> </li> <li>2. General Travel Allowance:                             <ol style="list-style-type: none"> <li>a. Base Allocation</li> <li>b. Additional Allocation</li> </ol> </li> <li>3. Electoral Allowance:                             <ol style="list-style-type: none"> <li>a. Base Allowance</li> <li>b. Additional Allowance</li> <li>c. Recognised Office Holder Allowance (except Independents)</li> <li>d. Independents Allowance</li> </ol> </li> <li>4. Recognised Office Holder and Other Member Entitlements (Schedule 3):                             <ol style="list-style-type: none"> <li>a. General Travel Allowance (Base Allocation)</li> <li>b. Communications Allowance (Base Allocation)</li> </ol> </li> </ol>

## Parliamentary Remuneration Tribunal

On 6 January 2016, the Tribunal wrote to each Member of Parliament in respect to the 2016 annual review and provided a copy of the Presiding Officers' submission of 18 December 2015. In respect to the Presiding Officers' submission, Members were invited to make written submissions in relation to the following additional entitlements that are subject to the proposed changes:

- Electoral Allowance
- Logistic Support Allocation (LSA)
- Electronic Communication Allowance
- Electorate Charter Transport Allowance

### **Presiding Officers' proposal - impact on existing entitlements**

The most significant impact will be on the Logistic Support Allocation (LSA).

The LSA is an amount of money allocated to Members from which they can purchase products or services associated with undertaking their parliamentary duties. The LSA is notionally comprised of the following four components - transport (other than electorate or electorate to Sydney transport); electronic communication; non-electronic communication; and printing, stationery, office supplies and services. While the total funds identify notional amounts for each of the groups, in practise Members can determine at their own discretion what their LSA funds are used for, subject to the terms and conditions of the LSA.

The Presiding Officers proposed that the LSA cease to exist and that the funds allocated for the purchase of items and/or services from this account be transferred to other entitlements.

The following components will transfer to the existing **Electoral Allowance**:

- LSA - printing, stationery, office supplies and services
- LSA - communication - electronic

Two new entitlements will be created which will combine the remaining components of the LSA with the electronic communication allowance and the electorate charter transport allowance as follows:

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### General Transport Allowance (GTA)

- LSA – transport
- Electorate charter transport allowance

### Communications Allowance (CA)

- LSA – communication – non-electronic
- Electorate communication allowance

The reasons for proposing each of these changes is summarised below.

### General Transport Allowance (GTA)

Members currently use their LSA for transport costs (but not transport within the electorate or electorate to Sydney travel). This includes all modes of transport, accommodation, some staff travel and approved relative travel.

The Members of the 6 most remote electorates in NSW (and the Member of Port Macquarie) also receive an electorate charter transport allowance. This allowance is provided for the purpose of travel within the electorate.

Both of these entitlements have limitations in respect of providing for staff travel, access to travel providers which are based outside of an electorate, and apportioning costs when Members combine travel with electorate to Sydney travel or other travel associated with their recognised office holder responsibilities.

The General Travel Allowance (GTA) would encompass all transport costs associated with Members undertaking their parliamentary duties including costs for staff travel. This will include transport within the electorate and intrastate and interstate travel, providing Members with greater flexibility to meet all travel costs associated with their role as a Member of Parliament. The ability to claim transport costs within the electorate will provide Members with greater flexibility to use their Electorate Allowance for other purposes.

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### Communications Allowance (CA)

Members may use their LSA for the cost of postage and delivery services (including letters and e-communication i.e. websites) associated with undertaking their parliamentary duties. Members of the Legislative Assembly are also provided with the electorate communications allowance (ECA) for the purposes of communicating with their constituents. Communication with constituents from the ECA is limited to matters affecting the Member's electorate.

The Presiding Officers propose that the communication – non-electronic component of the LSA and the ECA be combined to form a new entitlement – the Communications Allowance (CA). The Communications Allowance (CA) will be used to meet the production and distribution costs of communicating with constituents including newsletters, brochures, the printing of letterheads, flyers, e-publications, developing, hosting and maintaining a website and/or other social media, email distribution services, advertisements and any other forms of communication approved by the Parliament.

The establishment of the Communications Allowance (CA) is intended to streamline the administrative practices currently associated with the use of the LSA and ECA. The Tribunal notes that the Parliament will need to amend the Publication Guidelines and establish social media guidelines to ensure compliance with the Determination. It is envisaged that the new global communication allocation will make it easier for Members to communicate with their constituents.

### Electoral Allowance (EA)

The electoral allowance is paid to all Members for the performance of parliamentary or electoral duties and is paid to cover incidental expenditure incurred in discharging these responsibilities. The electoral allowance can be used by a member in undertaking either parliamentary or electorate duties.

Members are not required to account for the use of this allowance to the Parliament. Instead Members are subject to the substantiation rules determined by the Australian Taxation Office (ATO). If the allowance is not fully expended or the expenditure incurred is not allowed as a tax deduction by the ATO, that portion is subject to the same tax rates as normal income.

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Members currently use their LSA for the cost of telephone and internet services and the provision of office supplies and equipment (including mobile phones and other portable devices) not otherwise supplied by the Parliament.

In the majority of cases, Members are required to establish personal accounts with a range of suppliers/providers. Upon incurring an eligible expense, the Member then submits a claim for the cost to be met. There are a high number of low value claims associated with these entitlements.

As the Parliament is an end-user in the entire process, i.e. responsible for processing and paying eligible claims, it is proposed the amounts designated for these expenses be paid directly to the Members in the form of additional Electoral Allowance. The onus will then solely rest with the Member to expend the funds in accordance with ATO Tax Ruling 1999/10 and to determine the appropriate level of resources to be allocated to tasks associated with their parliamentary duties and the functioning of their office(s).

The proposal is aimed at giving Members greater flexibility and control over their expenditure while reducing the cost of the administration of these entitlements.

### Recognised Office Holders

Recognised office holders receive additional allowances for the following components of the existing LSA – transport, communication non-electronic and printing and stationery. The additional allowances are expressed as a percentage and are outlined in Schedule 3 of the Tribunal’s 2015 Annual Determination.

The Presiding Officers have proposed that these allowances will continue to be provided under the new arrangements at their existing rates.

In respect of the Electoral Allowance the recognised office holder loadings that apply to the former printing and stationery component of the LSA will be expressed as a monetary amount in the following format (2015 amounts used for illustrative purposes):

Electoral Group	Base Allowance	Additional Allowance	Recognised Office Holder Allowance (except Independents)	Independents Allowance
Group 1	\$46,325	\$13,980	\$3,610	\$1,805

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In respect of the Communications Allowance (CA) and General Travel Allowance (GTA) the recognised officer loadings will continue to be expressed as percentages in the following terms:

Recognised Office Holder	General Travel Allowance - Base Allocation	Communications Allowance - Base Allocation
Presiding Officer	30%	55% (A) 175% (C)
Leader of the Opposition	20%	140% (A) 175% (C)

### Findings

For a number of years the Tribunal has received submissions, from both Members and the Parliament, seeking a simplification of the administrative procedures associated with the provision of additional entitlements. Members have argued that the Parliament's compliance requirements are not clear and create an administrative burden for staff and the Member. The Parliament has advised that the use and provision of entitlements requires a high level of oversight from the Parliament's administrative staff to ensure that Members use entitlements appropriately. There is considerable scrutiny of the use of Members entitlements from the media and integrity agencies such as the NSW Audit Office and the Independent Commission Against Corruption. The Parliament's administrative procedures are in place to ensure that the use of entitlements complies with the Tribunal's Determination, the relevant legislation and the NSW Audit Office requirements.

The Tribunal has encouraged the Parliament to work with Members to simplify and streamline the existing administrative practices and procedures to reduce the administrative burden for Members and the Parliament's administrative staff.

The Tribunal has carefully examined the Presiding Officers' proposal and has considered the views expressed by Members. The Tribunal supports the Presiding Officers proposed changes which are aimed at simplifying and reducing the cost of administration of allowances, while providing Members with greater flexibility. The Determination has been amended to reflect the new entitlement model.

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The Tribunal received three submissions from the major parties that addressed, to varying degrees, the Presiding Officers' proposed changes to additional entitlements. Two submissions supported the proposed changes and one submission considered that some of the Presiding Officers' proposed changes had considerable merit and some should be changed. In respect to suggested changes, it was submitted that both components of the proposed Communications Allowance (CA) should carry over at the end of each financial year, until such time as the Parliament is dissolved. Also, that the LSA-Transport allocation should be added to the proposed Communications Allowance (CA) or the Electoral Allowance (EA), rather than the proposed General Travel Allowance (GTA), to provide greater flexibility for Members. In respect to the proposed Electoral Allowance - Additional Allowance, it was submitted that three different systems should operate for the administration of this allowance to cater for the different views of Members.

The Tribunal has considered the alternative models put forward but finds that they are unlikely to achieve the proposed savings or reduce administrative complexity.

The new entitlement model will not significantly alter the overall cost of providing allowances, entitlements and services to Members.

With the exception of the Communications Allowance (CA), there is no overall monetary increase to additional entitlements resulting from the Presiding Officers' proposed changes as the current amounts will be re-allocated to the new entitlements (with the addition of the 2.5 per cent increase).

The Communications Allowance (CA) will increase by an amount of more than 2.5 per cent as a result of an increase of more than 2.5 per cent in the additional allocation component of this entitlement. The additional allocation component is calculated on the basis of constituent numbers and an original costing factor (OCF). The additional allocation component will increase by more than 2.5 per cent because of an increase in the number of enrolled voters and the Tribunal's decision to vary the OCF to part reflect increased postal costs.

From 1 January 2016 the cost of an ordinary postage stamp increased from \$0.70 to \$1. An increase in the OCF to \$1 was not considered appropriate as the OCF is comprised of both production and postage factors. Members can access discounted postal rates which

## Parliamentary Remuneration Tribunal

are available for bulk mail outs. In addition, the Communications Allowance (CA) additional allocation is not solely provided for traditional paper-based modes of communication. A portion of this entitlement is used by Members for electronic forms of communication which incur no postal charges. Importantly, it was found that an increase in the OCF to \$1 would increase the overall cost of the Communications Allowance (CA) by an amount which is inconsistent with public expectations and likely to offset any proposed savings resulting for the revised administrative arrangements.

Instead the OCF will increase from \$0.71 to \$0.75 to part reflect the increase in postal costs. The overall increase in the Communications Allowance (CA) is estimated at \$580,631 or 6.5 per cent over the amount provided in 2015. If there had been no adjustment in the OCF the increase would have been 4.2 percent (2.5 per cent plus revised constituent numbers). The additional increase is therefore only \$205,244 or 2.3 per cent which is considered reasonable given the additional costs associated with communicating with constituents.

An adjustment in this allowance to reflect higher postal costs was requested by the Presiding Officers, the Liberal Party, The Nationals and the Labor Party.

The Tribunal notes that it does not intend to adjust the OCF component of the additional allocation on an annual basis. This is consistent with the historic treatment of this entitlement. The OCF has been increased on three occasions since it was introduced in 1992 – twice to reflect increases in the cost of an ordinary stamp and once in line with the general increase provided to all entitlements.

The Tribunal notes that the Parliament will need to vary some of its administrative procedures and guidelines to ensure compliance with the Determination and the Act in respect of both the Communications Allowance (CA) and the General Travel Allowance (GTA).

There will also be some minor changes in costs associated with how some entitlements are provided and managed at the end of each financial year. The unexpended portion of the LSA associated with printing and stationery and communication – electronic costs will not be forfeited to the Parliament at the end of the parliamentary term. Instead Members will retain these amounts as part of the revised electoral allowance. However, additional



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savings should be realised in the additional entitlements provided to recognised office holders. The recognised office holder loadings on transport and communication non-electronic will no longer carry over to the end of the parliamentary term. Instead any unspent funds will be forfeited at the end of the financial year.

### 3. Additional entitlements remaining the same

The Tribunal has reviewed the additional entitlements that are not included in the Presiding Officer's submission. The Tribunal determines that the following additional entitlements will increase by 2.5 per cent consistent with the increase in the basic salary.

- Sydney Allowance
- Committee Allowances
- Electorate to Sydney Allowance

### 4. Other matters

#### Allocation of staff

The Tribunal has received a submission requesting that all Members in the Legislative Assembly (LA) be entitled to the same staff allocation on the basis that all Members undertake the same role and functions. Under the existing arrangement each Member of the LA elected as an Independent or a Cross Bench Member is entitled to an additional staff member employed at his/her electoral office. The submission argues this is unfair and is based on historic reasoning that is no longer applicable.

The Tribunal determines the allocation of staff to Members of the LA and Members of the Legislative Council (LC). A thorough review of the allocation of staff was undertaken as part of the 2013 annual review and the existing entitlements are specified on pages 50 and 51 of the 2015 Annual Determination. A summary is shown below.

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Member of the LA (not elected as an Independent or Cross Bench Member)	The equivalent of two full time staff Members employed at the electorate office. Plus, a budget specific for the recruitment of temporary staff. The budget is to provide for an additional staff member to work in the electorate office or at Parliament House. The budget is to be the equivalent of the salary of a Senior Electorate Officer for a period of 70 days per annum. Within this budget, Members have the flexibility to use this entitlement to employ additional staff.
Member of the LA elected as an Independent or Cross Bench Member	The equivalent of three full time staff Members employed at the electorate office
Member of the LC, who is not a Minister	One staff member
Member of the LC, who is not a Minister and who is elected as a Cross Bench Member	Two staff Members
The Whip of each recognised political party of not less than 10 Members	One additional staff member

The matter of extending the allocation of the ATS to a third full time staff member has been raised with the Tribunal on a number of occasions and found to be not warranted. In the 2014 Annual Determination the Tribunal made the following comments:

*“During 2013 the Tribunal undertook a review of the allocation of staff to Members of Parliament.*

*The Tribunal found that, overall, there was a need for additional support in electorate offices. This was based on the increase in constituent numbers and innovations in technology and communication which have an impact on the number of interactions Members and electorate staff have with electors and the wider community.*

*While the Tribunal found that additional support was warranted, it was not satisfied that the workload is sufficient to warrant the additional salary, on-costs and the cost of reconfiguring electorate offices for the existing Additional Temporary Staff (ATS) entitlement to be extended to a third full time electorate officer. Instead the Tribunal determined that the existing additional staff entitlement increase from a budget of 61 days per annum to 70 days per annum.*

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*The Tribunal also determined that Members of the Legislative Assembly who are elected as a member of a minor party will receive the same entitlement to staff as those elected as independents members..*

*...The Tribunal has again received submissions requesting that the Tribunal extend the allocation of the ATS to a third full time member of staff for all Members of the Legislative Assembly. One submission has suggested that the third full time staff member could be a trainee, which could reduce the salary costs associated with this entitlement and provide employment opportunities for young people.*

*The Tribunal finds that since undertaking the 2013 there has been no significant changes to warrant a further extension of the ATS at this time.”*

The Tribunal has not received sufficient information to warrant a further change to the existing staff allocation entitlements. The Tribunal would be prepared to consider this matter again during the 2017 annual review. Similar to previous staffing reviews, any potential increase in staffing would require a thorough work value assessment across a larger number of both rural and metropolitan electorates and consideration of financial impacts.

### **Auditor-General’s Report - Loyalty and Incentive Schemes**

In the 2015 Annual Determination the Tribunal noted a recommendation contained in the *Auditor-General’s Report to the Parliament on the Additional Entitlements for Members of Parliament (Volume Three 2015)* in respect to loyalty and incentive schemes.

The Tribunal foreshadowed that it would consider the Auditor-General’s recommendation as part of the 2016 annual review:

*“Additional entitlements are provided subject to the guidelines and conditions as specified in the Tribunal’s determination. If particular Members do not comply with this condition, or any other condition, the Tribunal will consider introducing a new condition which will prohibit the provision of further entitlements until such time as the Member complies. The Tribunal will consider this step as part of its general review of members’ entitlements for the 2016 determination.”*

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The Tribunal remains of the view that Members must comply with the conditions contained within the Determination and complete an annual declaration form provided by the Parliament's administration at the end of the financial year or within 30 days of ceasing to be a Member declaring that they have not used loyalty/reward benefits accrued through the use of their additional entitlements for non-parliamentary or electorate purposes.

However, the proposal to consider suspending the payment of additional entitlements in cases of non-compliance is not considered appropriate for 2016/17 given the scale of the changes to entitlements. The Parliament may wish to consider including advice to Members about these requirements in any new guidance associated with the General Travel Allowance (GTA). The Tribunal will monitor compliance during 2016/17 and will consider the matter again during the 2017 annual review.

### **Family reunion travel**

The Tribunal has again received a submission requesting that in limited circumstances a Member be entitled to use the LSA for 'family reunion travel' to enable his or her spouse or nominee, dependent child(ren) and designated person(s) to accompany or join the Member on travel within NSW on parliamentary, electorate or official business.

The example provided to the Tribunal to support this request is the case of a Member with a young child (2 years or less). If the Member's spouse and child accompany him/her when travelling in connection with official parliamentary duties, he/she can use his/her LSA entitlement to meet the official costs of one person only, that being the "the approved relative". It is submitted that the Member should have capacity when needed to take his/her spouse and child when travelling in connection with official parliamentary duties, and use their LSA entitlement to meet the official travel cost of both spouse and child.

In respect of the use of additional entitlements the Tribunal notes that the following general condition applies to all additional entitlements:

*"2.2 Conditions*

*9. The various allowances determined here, as well as the Logistic Support Allocation are for the sole use of the Member and are not to be transferred to*

## Parliamentary Remuneration Tribunal

*other persons or organisations including Members. The Member may use his/her entitlements to meet official costs of the approved relative and/or staff employed by the Parliament when that expenditure is in connection with official parliamentary duties.”*

The meaning that applies to the term “approved relative” is contained in the definitions as follows:

### *“1. Definitions*

*“Approved relative” is a person who meets one of the following criteria:*

- *Wife or husband of the Member*
- *A person living in a domestic relationship as defined in the Property (Relationships) Act 1984*
- *Single or widowed Members may nominate a Member of their immediate family (parents, siblings, children who are not minors i.e. below 16 years of age) as an approved relative.*

*Under special circumstances a Member may apply through the Presiding Officers to the Tribunal for an exception to the criteria. This will need to be based on the ability of the Member to meet their parliamentary duties and individual circumstances that apply at the time.”*

It is proposed that the family reunion travel entitlement be provided to allow Members to balance their work and family responsibilities and to reconcile the need for them to be away from home for long periods with their family obligations, similar to that provided to Federal Members of Parliament. While it is not intended that it be a general travel entitlement for a Member’s spouse or nominee, dependent children or designated persons, it is suggested that the Federal Members’ entitlements for Family Reunion Travel be adapted for State Members.

It is open to the Tribunal to extend the use of a Member’s entitlements to meet the official cost of the dependent child(ren) for the purposes of a family reunion, including a definition for the ‘dependent child(ren)’ and appropriate conditions. However, the Tribunal has not received sufficient information to warrant any deviation from the current

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arrangement. On this basis the Tribunal will seek the views of all Members and the Presiding Officers during the 2017 annual review.

### Electoral Groupings

Electorates are classified into groups, categories or zones for the purposes of determining certain additional entitlements.

An anomaly exists in the 2015 Annual Determination in respect of the classification of the electorate of Kiama for the purposes of receiving the electoral allowance. Under the current arrangements the electorate of Kiama is classified for the purposes of receiving the electoral allowance into Legislative Assembly (LA) electoral Group 3. Members of the Legislative Council (LC) do not have electorates but the quantum of entitlements they receive is based on the electorate they reside in. For the LC, electorates are similarly grouped but those groups are referred to as zones. For the LC Kiama is classified in Zone 2. LA electoral groups and LC electoral zones are identical with the exception of Kiama. This anomaly may have arisen as Kiama was classified differently for the purposes of determining eligibility for the Sydney Allowance as outlined in the 2009 Annual Determination.

The reasons for treating Kiama differently for the purposes of the Sydney Allowance are no longer relevant as eligibility is now based on the distance from the Parliament to the Members principal place of residence, rather than on an identified list of electorates determined by the Tribunal.

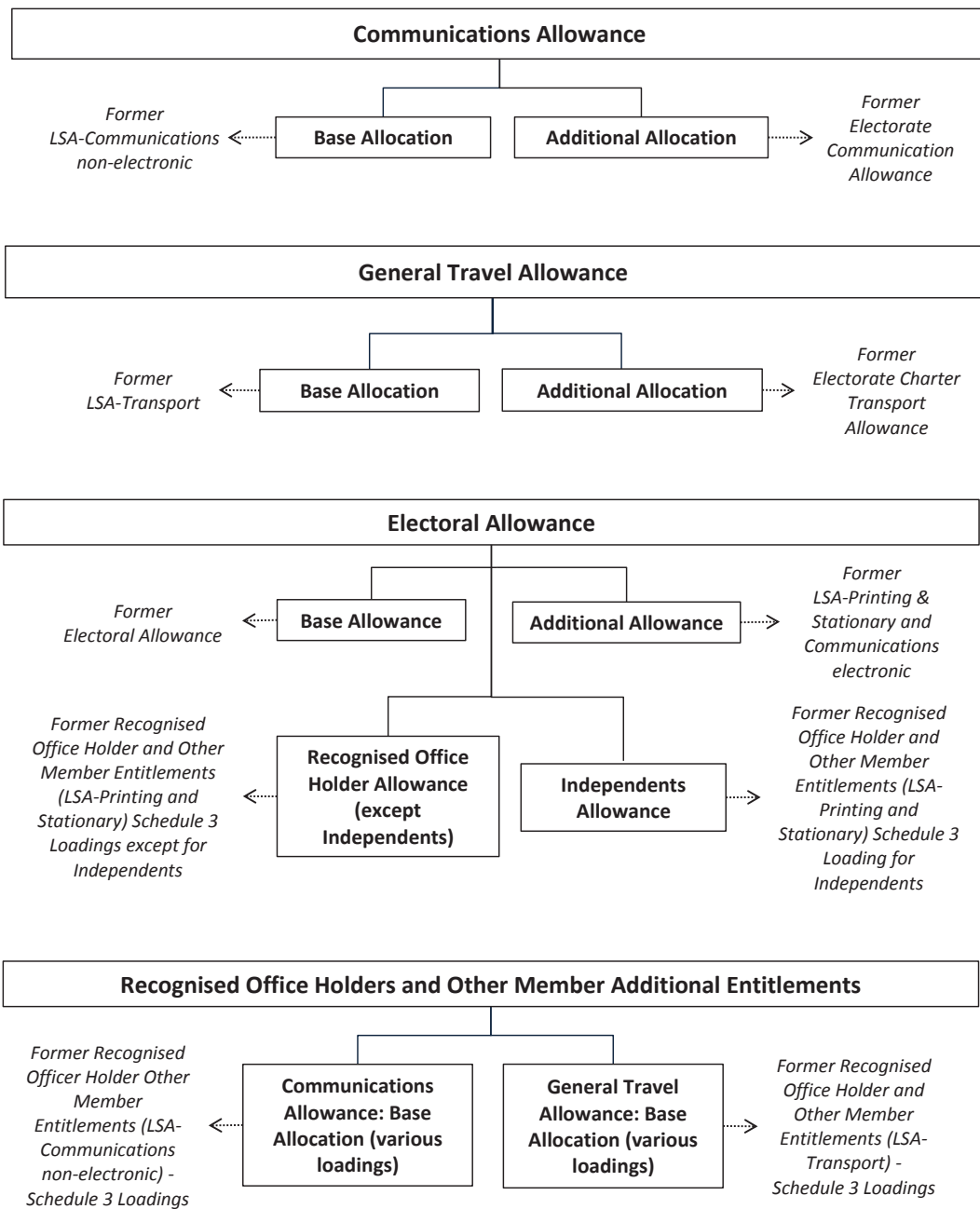
There would appear to be no reason to continue to treat Kiama differently for the purpose of receiving additional entitlements. Therefore the Determination is amended to move Kiama from Zone 2 to Zone 3 for the purposes of receiving additional entitlements.

Parliamentary Remuneration Tribunal

# Section 2 General Summary of the Determination

## 1. Changes to additional entitlements

### Determined Changes



## Parliamentary Remuneration Tribunal

### 2. 2016 increases

Additional entitlement	Increase
Electoral Allowance:	
Base Allowance	2.5 per cent increase
Additional Allowance	2.5 per cent increase
Recognised Office Holder Allowance (except Independents)	2.5 per cent increase
Independents Allowance	2.5 per cent increase
Sydney Allowance	2.5 per cent increase
Communications Allowance:	
Base Allocation	2.5 per cent increase
Additional Allocation	5.6 per cent increase in OCF 6.5 per cent increase in quantum of allowance
Committee Allowances	2.5 per cent increase
General Travel Allowance:	
Base Allocation	2.5 per cent increase
Additional Allocation	2.5 per cent increase
Travel Allowances	Continue as per Australian Tax Office Determination TD2015/14

**The Parliamentary Remuneration Tribunal**

*Signed*

**The Hon C G Staff**

**Dated:** 20 May 2016



## Parliamentary Remuneration Tribunal

### Section 3 The Determination

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Pursuant to section 10(2) and 11(1) of the Act, the Tribunal makes the Determination appearing hereunder.

With effect on and from 1 July 2016, and pursuant to section 10(6) of the Act, all previous Determinations of the Tribunal are revoked. This Determination shall constitute the annual Determination and shall operate on and from 1 July 2016.

#### 1. Definitions

“Member” or “Members” refers to a duly elected Member or Members of the Parliament of New South Wales (referred to hereinafter in this Determination as “the Parliament”).

In this Determination the expression “additional entitlements” is to be understood in the sense used in Part 3 of the Act.

“Basic salary” has the meaning given by section 4 of the Act.

“Parliamentary duties” has the meaning attributed to it by section 3 of the Act.

“Electoral groups” are the groups of electorates specified in Table 1.

“Zones” are the areas for Members of the Legislative Council as specified in Table 2.

“Approved relative” is a person who meets one of the following criteria:

- Wife or husband of the Member
- A person living in a domestic relationship as defined in the *Property (Relationships) Act 1984*
- Single or widowed Members may nominate a member of their immediate family (parents, siblings, children who are not minors i.e. below 16 years of age) as an approved relative.

Under special circumstances a Member may apply through the Presiding Officers to the Tribunal for an exception to the criteria. This will need to be based on the ability of the

## Parliamentary Remuneration Tribunal

Member to meet their parliamentary duties and individual circumstances that apply at the time.

## 2. Guidelines and General Conditions Regarding Additional Entitlements for Members in Connection with Parliamentary Duties

### 2.1 Guidelines

Every class of “additional entitlements” described in this Determination is provided pursuant to section 10(1)(a) of the Act “for the purpose of facilitating the efficient performance of the parliamentary duties of Members.” The following guidelines shall apply to the receipt, use and operation of additional entitlements (**excluding Electoral Allowance**).

1. Circumstances upon which the additional entitlements may be used for parliamentary duties.
  - 1.1 Additional entitlements are provided to facilitate the efficient performance of the following particular parliamentary duties of Members as follows:
    - 1.1.1 Activities undertaken in representing the interests of constituents, but excluding activities of a direct electioneering or political campaigning nature.
    - 1.1.2 Performing electorate work for a Member’s electorate and participation in official and community activities to which the Member is invited because of the Member’s status as a parliamentary representative.
    - 1.1.3 Attending and participating in sessions of Parliament.
    - 1.1.4 Participation in the activities of parliamentary committees.
    - 1.1.5 Attending Vice-Regal, parliamentary and State ceremonial functions.
    - 1.1.6 Attending State, Commonwealth and Local Government functions.

## Parliamentary Remuneration Tribunal

- 1.1.7 Attending official functions to which a Member is invited because of the Member's status as a parliamentary representative, e.g., receptions and other community gatherings hosted by Members of the diplomatic corps, educational and religious institutions, community and service organisations, business associations, sporting bodies or other special interest groups.
- 1.1.8 Participation in the activities of recognised political parties, including participation in national, State and regional conferences, branch meetings, electorate council meetings, executive meetings, committee meetings, and meetings of the Members of the parliamentary political party, its executive and committees.
- 1.1.9 For a Member elected to the Parliament as an independent, participation in activities that are reasonable alternatives to participation in the activities of recognised political parties.
- 1.1.10 A Member who is elected to the Parliament as a representative of a recognised political party and who subsequently resigns from that party Membership and thereafter sits as an independent Member, howsoever described, shall continue to receive the same entitlements as they received as a Member of the party prior to resignation and not the additional entitlements provided to elected independents. The Member is also not entitled to the benefit of the rule in Clause 1.1.9 above.
- 1.1.11 Participation within Australia in the activities of the Commonwealth Parliamentary Association (CPA) as well as activities outside Australia (exclusive of air travel) organised by the CPA provided such activities arise directly from Membership of the New South Wales Branch and officially endorsed by the Branch. Members may utilise Frequent Flyer Points which have been accrued as a result of the use of public funds to purchase international flights or obtain an upgrade in seat class in order to attend CPA activities.

## Parliamentary Remuneration Tribunal

- 1.1.12 Participation in a parliamentary Group such as the Asia Pacific Friendship Group; provided that, such group is approved in writing by the President of the Legislative Council and the Speaker of the Legislative Assembly.
2. Where any additional entitlement fixed by this Determination is to be used for the purpose of facilitating Members' participation in the activities of recognised political parties, the Tribunal sets out the following guidelines as to the use of that additional entitlement:
  - 2.1 Parties registered under the *Electorates and Elections Act 1912*, and included in the register of parties maintained by the Electoral Commissioner, are to be treated as recognised political parties.
  - 2.2 Additional entitlements should not be used to fund:
    - 2.2.1 activities such as those associated with party Membership drives;
    - 2.2.2 mail distributions for non-electorate or non-parliamentary activities;
    - 2.2.3 costs associated with election campaigning for an individual Member;
    - 2.2.4 party fundraising for a Member's own political use and/or other party political Members such as the purchase of raffle tickets, raffle prizes or tickets to attend functions etc;
    - 2.2.5 costs previously borne by political parties which are not principally related to a Member's parliamentary or electorate duties; and
    - 2.2.6 costs associated with pre-selection activities.
  - 2.3 The electorate office provided for a Member of the Legislative Assembly is not to be used as an election campaign office.
3. The Tribunal sets out the following additional and general guidelines:
  - 3.1 Some intermingling of a members parliamentary duties and non-parliamentary duties is in practical terms not always easily avoided. The onus is always on the Member to show that expenditure or any claims for

## Parliamentary Remuneration Tribunal

reimbursement relate to parliamentary duties. Where there is intermingling of non-parliamentary activity which is incidental to a Member's parliamentary duties, such incidental non-parliamentary use is permissible. If it is not practical to separate intermingled parliamentary and non-parliamentary use a Member must estimate the component of non-parliamentary use and, using the Member's best efforts, meet these costs independently.

- 3.2 In the case of parliamentary work, any activities in which a Member's involvement may reasonably be regarded as deriving from the Member's responsibilities as a parliamentary representative should be treated as parliamentary duties.
- 3.3 In the case of a Member's activities within the broader community outside the Member's electorate, activities that may reasonably be regarded as deriving from the Member's status as a parliamentary representative should be treated as parliamentary duties.

## 2.2 Conditions

The following general conditions will apply to all additional entitlements determined hereunder. These conditions are in addition to any special conditions attaching to the provision of allowances or other benefits (as specified later in this Determination):

1. All procurement by Members will be in accordance with the Parliament's purchasing policies.
2. Members must ensure that they have sufficient funds to meet the costs associated with their parliamentary duties.
3. Each Member shall have, in addition to payments of the Electoral Allowance and Sydney Allowance, an account entitled the "Communications Allowance" and "General Travel Allowance" which shall cover expenditure in the areas of transport (except for electorate to Sydney travel) and communications as provided for in the Tribunal's Determination. The Communications Allowance and General Travel Allowance accounts shall be established and maintained by the Executive Manager,

## Parliamentary Remuneration Tribunal

Department of Parliamentary Services. Members should be advised by the Department of Parliamentary Services each month as to the balance of these allocations.

4. Nothing shall prevent the use of the Electoral Allowance for legitimate electorate expenses which might also fall within the categories of expenses covered by the Communications Allowance and General Travel Allowance.
5. All accounts and Members' claims must be submitted to the Legislature for payment within 60 days of receipt or occurrence of the expense.
6. All Members' additional entitlements in the nature of fixed allocations and Sydney Allowance provided to Members shall be audited annually for compliance. In addition to any internal audit conducted by the Parliament, Members' additional entitlements in the nature of fixed allocations and the Sydney allowance provided to Members shall be the subject of an external audit conducted by the Auditor-General of NSW. The cost of any audit shall be met by the Parliament. Members should ensure they maintain appropriate records of expenditure for the purpose of any audit.
7. Expenditure is only to be incurred in connection with the parliamentary duties of Members (and in this respect the Member should refer to the guidelines in this Determination and those issued by the Parliament).
8. The various allowances determined here, are for the sole use of the Member and are not to be transferred to other persons or organisations including Members. The Member may use his/her entitlements to meet official costs of the approved relative and/or staff employed by the Parliament when that expenditure is in connection with official parliamentary duties.
9. Benefits accrued by a Member by way of loyalty/incentive schemes such as frequent flyers, as a consequence of the Member using his or her additional entitlements, are to be used only for parliamentary duties and not for private purposes. Any outstanding benefits of this nature, when the Member ceases to be a Member, are to be forfeited. Members shall be required to complete an annual declaration form provided by the Parliament's administration at the end of each financial year or within 30 days of ceasing to be a Member declaring that they have not used

## Parliamentary Remuneration Tribunal

loyalty/reward benefits accrued through the use of their additional entitlements for non-parliamentary or electorate purposes.

10. Payment of accounts relating to the use of a Member's additional entitlements in the nature of fixed allocations will be paid directly by the Parliament and debited to the Member's account or paid in the first instance by the Member who would then seek reimbursement from the Parliament.

### 2.3 List of Tables Relating to Additional Entitlements

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Table 1	Electoral Groupings for the Legislative Assembly
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Table 2	Zones for the Legislative Council
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Table 3	Electoral Allowance Legislative Assembly and Legislative Council
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Table 4	Sydney Allowance Daily Rates
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Table 5	Electorate to Sydney Travel Entitlements – Additional Entitlements for Recognised Office Holders
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Table 6	Communications Allowance –Base Allocation
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Table 7	Communications Allowance – Additional Allocation
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Table 8	General Travel Allowance
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Table 9	Travel Allowances Indicative Upper Limits for Recognised Officer Holders
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Table 10	Travel Allowances Group Classifications for Recognised Office Holders
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Table 11	Recognised Office Holder and Other Member Additional Entitlements
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### 3. Basic Salary

With effect from 1 July 2016 the basic salary of Members, pursuant to section 4 of the Act, shall be \$157,112 per annum.

## Parliamentary Remuneration Tribunal

### 4. Electoral Groupings and Zones for Fixing Additional Entitlements

The electoral groupings for the Legislative Assembly and Zones for the Legislative Council to be used for the purposes of determining the quantum of additional entitlements shall be as follows:

<b>Table 1: Electoral Groupings for the Legislative Assembly</b>		
<p style="text-align: center;"><b>Group 1</b></p> <ol style="list-style-type: none"> <li>1. Auburn</li> <li>2. Balmain</li> <li>3. Bankstown</li> <li>4. Baulkham Hills</li> <li>5. Blacktown</li> <li>6. Cabramatta</li> <li>7. Camden</li> <li>8. Campbelltown</li> <li>9. Canterbury</li> <li>10. Castle Hill</li> <li>11. Coogee</li> <li>12. Cronulla</li> <li>13. Davidson</li> <li>14. Drummoyne</li> <li>15. East Hills</li> <li>16. Epping</li> <li>17. Fairfield</li> <li>18. Granville</li> <li>19. Heffron</li> <li>20. Holsworthy</li> <li>21. Hornsby</li> <li>22. Kogarah</li> <li>23. Ku-ring-gai</li> <li>24. Lakemba</li> <li>25. Lane Cove</li> <li>26. Liverpool</li> <li>27. Londonderry</li> <li>28. Macquarie Fields</li> <li>29. Manly</li> <li>30. Maroubra</li> <li>31. Miranda</li> <li>32. Mount Druitt</li> <li>33. Riverstone</li> <li>34. Rockdale</li> </ol>	<p style="text-align: center;"><b>Group 2</b></p> <ol style="list-style-type: none"> <li>1. Blue Mountains</li> <li>2. Charlestown</li> <li>3. Gosford</li> <li>4. Hawkesbury</li> <li>5. Heathcote</li> <li>6. Kiera</li> <li>7. Lake Macquarie</li> <li>8. Newcastle</li> <li>9. Shellharbour</li> <li>10. Swansea</li> <li>11. Terrigal</li> <li>12. The Entrance</li> <li>13. Wallsend</li> <li>14. Wollondilly</li> <li>15. Wollongong</li> <li>16. Wyong</li> </ol>	<p style="text-align: center;"><b>Group 3</b></p> <ol style="list-style-type: none"> <li>1. Ballina</li> <li>2. Cessnock</li> <li>3. Coffs Harbour</li> <li>4. Kiama</li> <li>5. Maitland</li> <li>6. Myall Lakes</li> <li>7. Port Macquarie</li> <li>8. Port Stephens</li> <li>9. South Coast</li> <li>10. Tweed</li> </ol> <p style="text-align: center;"><b>Group 4</b></p> <ol style="list-style-type: none"> <li>1. Albury</li> <li>2. Bathurst</li> <li>3. Bega</li> <li>4. Clarence</li> <li>5. Dubbo</li> <li>6. Goulburn</li> <li>7. Lismore</li> <li>8. Orange</li> </ol> <p style="text-align: center;"><b>Group 5</b></p> <ol style="list-style-type: none"> <li>1. Cootamundra</li> <li>2. Monaro</li> <li>3. Upper Hunter</li> </ol> <p style="text-align: center;"><b>Group 6</b></p> <ol style="list-style-type: none"> <li>1. Northern Tablelands</li> </ol> <p style="text-align: center;"><b>Group 7</b></p> <ol style="list-style-type: none"> <li>1. Murray</li> </ol> <p style="text-align: center;"><b>Group 8</b></p> <ol style="list-style-type: none"> <li>1. Barwon</li> </ol>



## Parliamentary Remuneration Tribunal

<b>Table 2: Zones for the Legislative Council</b>		
<b>Zone 1</b>	<b>Zone 2</b>	<b>Zone 3</b>
1. Auburn	1. Blue Mountains	1. Albury
2. Balmain	2. Charlestown	2. Ballina
3. Bankstown	3. Gosford	3. Barwon
4. Baulkham Hills	4. Hawkesbury	4. Bathurst
5. Blacktown	5. Heathcote	5. Bega
6. Cabramatta	6. Keira	6. Cessnock
7. Camden	7. Lake Macquarie	7. Clarence
8. Campbelltown	8. Newcastle	8. Coffs Harbour
9. Canterbury	9. Shellharbour	9. Cootamundra
10. Castle Hill	10. Swansea	10. Dubbo
11. Coogee	11. Terrigal	11. Goulburn
12. Cronulla	12. The Entrance	12. Lismore
13. Davidson	13. Wallsend	13. Kiama
14. Drummoyne	14. Wollondilly	14. Maitland
15. East Hills	15. Wollongong	15. Monaro
16. Epping	16. Wyong	16. Murray
17. Fairfield		17. Myall Lakes
18. Granville		18. Northern Tablelands
19. Heffron		19. Orange
20. Holsworthy		20. Oxley
21. Hornsby		21. Port Macquarie
22. Kogarah		22. Port Stephens
23. Ku-ring-gai		23. South Coast
24. Lakemba		24. Tamworth
25. Lane Cove		25. Tweed
26. Liverpool		26. Upper Hunter
27. Londonderry		27. Wagga Wagga
28. Macquarie Fields		
29. Manly		
30. Maroubra		
31. Miranda		
32. Mount Druitt		
33. Mulgoa		
34. Newtown		
35. North Shore		
36. Oatley		
37. Parramatta		
38. Penrith		
39. Pittwater		
40. Prospect		
41. Riverstone		
42. Rockdale		
43. Ryde		
44. Seven Hills		
45. Strathfield		
46. Summer Hill		
47. Sydney		
48. Vaucluse		
49. Wakehurst		
50. Willoughby		

## Parliamentary Remuneration Tribunal

### 5. Additional Entitlements in the Nature of Allowances

#### 5.1 Summary

The entitlements in this category comprise the following:

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Electoral Allowance	– Base Allowance
	– Additional Allowance
	– Recognised Office Holders Allowance (except Independents)
	– Independents Allowance

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Sydney Allowance

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Committee Allowances

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#### 5.2 Electoral Allowance

##### Basis

The allowance is based upon those factors which have historically been taken into account in assessing the quantum of the allowance (including the additional costs associated with the performance by Members of their parliamentary duties in their electorates) and such other factors as may be determined from time to time as appropriate to be taken into account by the Tribunal under the Act.

The establishment of the additional allowance takes into account the costs previously met from the abolished LSA – Communications (electronic) and LSA - Printing and Stationary, Office Supplies and Services.

##### Entitlement

1. Each Member of the Legislative Assembly and the Legislative Council shall receive an electoral allowance. The quantum of that allowance shall be fixed in accordance with the electoral grouping or zone for the electorate of the Member as follows:

## Parliamentary Remuneration Tribunal

<b>Table 3: Electoral Allowance - Legislative Assembly and Legislative Council</b>			
<b>Electoral Group/Zone</b>	<b>Base Allowance</b>	<b>Additional Allowance</b>	<b>Total</b>
<b>Legislative Assembly</b>			
Group 1	\$47,485	\$14,330	\$61,815
Group 2	\$55,605	\$15,845	\$71,450
Group 3	\$65,535	\$15,845	\$81,380
Group 4	\$71,535	\$15,845	\$87,380
Group 5	\$76,090	\$15,845	\$91,935
Group 6	\$83,415	\$15,845	\$99,260
Group 7	\$97,560	\$15,845	\$113,405
Group 8	\$133,410	\$27,620	\$161,030
<b>Legislative Council</b>			
Zone 1	\$55,605	\$15,100	\$70,705
Zone 2	\$55,605	\$15,845	\$71,450
Zone 3	\$55,605	\$19,660	\$75,265

2. A further allowance of \$3,700 per annum is payable to each Recognised Office Holder (except an Independent) in the Legislative Assembly and Legislative Council.
3. A further allowance of \$1,850 per annum is payable to each Independent in the Legislative Assembly and Legislative Council
4. The electoral allowances shall be payable calendar monthly in arrears in conjunction with salary payments.

### 5.3 Sydney Allowance

#### Purpose and Operation of the Provisions

The Sydney Allowance is provided to Members who reside in non-metropolitan electorates to compensate for the additional costs including commercial accommodation, meals and incidental costs associated with staying in Sydney to attend sessions of Parliament, meetings of parliamentary committees or other parliamentary business.

Members whose principal place of residence is a minimum distance of 70 KMs by road from Parliament House are eligible to receive the Sydney Allowance.

## Parliamentary Remuneration Tribunal

Members may receive the lower or greater amount of overnight stays on the basis of the following distance criteria:

- Members whose principal place of residence is a distance of between 70 KMs and 140 KMs by road from Parliament House are eligible to receive the Sydney Allowance at the lower amount of overnight stays.
- Members whose principal place of residence is a distance greater than 140 KMs by road from Parliament House are eligible to receive the Sydney Allowance at the greater amount of overnight stays.

The Tribunal considers the Member's principal place of residence to be that residence where the Member would normally return and reside when not attending Sydney on parliamentary duties.

To establish the principal place of residence each Member will be required to complete the Parliament's checklist and certify that the residence nominated is the principal place of residence.

### **Entitlement**

The daily rate (including the number of overnight stays) for the Sydney Allowance for eligible Members shall be in accordance with *Table 4: Sydney Allowance Daily Rates* below. Where a Member elects for a daily rate, he/she shall be entitled to the daily rate for the number of overnight stays per annum specified in that Table, except as provided in condition 5.

Parliamentary Remuneration Tribunal

**Table 4: Sydney Allowance Daily Rates**

Office	Principal Place of Residence	Overnight Stays p.a.	Overnight in Sydney where accommodation costs are incurred	In transit to and from Sydney where no overnight stay is involved
Minister, Speaker, President, Leader and Deputy Leader of the Opposition (Assembly and Council), Leader of Third Party in Assembly with not less than 10 Members.	A minimum of 70 KMs by road from Parliament House	180	\$292.00	Actual reasonable expenses for meals and incidentals up to a maximum of \$104 per day
Deputy Speaker, Legislative Assembly, Deputy President and Chair of Committees (Legislative Council), Whip and Deputy Whip (Assembly and Council), Parliamentary Secretary, Assistant Speaker Legislative Assembly, Assistant President Legislative Council, Deputy Leader of Third Party in Assembly with not less than 10 Members.	A minimum of 70 KMs by road from Parliament House	140	\$292.00	As above
Chairs of Standing/Select Committees	A minimum of 70 KMs by road from Parliament House	140	\$292.00	As above
Legislative Council Members	Greater than 140 KMs by road from Parliament House	135	\$292.00	As above
	Between 70 KMs and 140 KMs by road from Parliament House	105	\$292.00	As above
Legislative Assembly Members	Greater than 140 KMs by road from Parliament House	135	\$292.00	As above
	Between 70 KMs and 140 KMs by road from Parliament House	105	\$292.00	As above

## Parliamentary Remuneration Tribunal

### Conditions

The following conditions apply to the Sydney Allowance:

1. A Member can choose to receive the Sydney Allowance as either an annual fixed allowance or a daily rate. The election is to be made at the commencement of each financial year.
2. If a Member chooses to receive the annual fixed allowance the Department of Parliamentary Services of the Legislature will calculate the annual entitlement by multiplying the number of overnight stays for the particular Member or Recognised Office Holder by the daily rate.
3. In order to receive the Allowance each Member must certify to the Executive Manager, Department of Parliamentary Services their principal place of residence.
4. Where a Member chooses to receive the daily rate of allowance the Member shall receive the overnight daily rate as specified in *Table 4: Sydney Allowance Daily Rates*. The Member is entitled to the number of overnight stays per annum specified in *Table 4: Sydney Allowance Daily Rates* without the need to substantiate to the Parliament expenses up to the daily rate.
5. Where a Member chooses to receive the daily rate of allowance and the Member exceeds the number of overnight stays Members will be reimbursed actual costs, up to the daily maximum upon the production of tax invoices/receipts for each such occasion.
6. Members in receipt of the Sydney Allowance when travelling to Sydney for parliamentary business or home from Sydney and where there is no overnight stay required en-route will be entitled to reasonable actual expenses to the maximum provided in the "In transit..." Column of *Table 4: Sydney Allowance Daily Rates*. This rate is only applied when the Member is travelling to Sydney or travelling home from Sydney following an overnight stay. Members may not claim the in transit allowance if they have exceeded the allocated number of overnight stays applicable for receipt of the Sydney Allowance.

## Parliamentary Remuneration Tribunal

7. Members may not claim this entitlement in their hometown closest to their principal place of residence, at their nominated home airport or within a 70 kilometre radius of Parliament House for which Sydney Allowance payments are provided.
8. When in receipt of the annual allowance Members are required to certify halfway and at the end of the financial year the number of occasions they stayed in Sydney and that on each occasion the stay was for parliamentary business. Members who nominate to receive the annual allowance cannot claim for additional overnight stays in excess of those specified in *Table 4: Sydney Allowance Daily Rates*.
9. Members are required to maintain records or other relevant proof that clearly document the occasions they stayed in Sydney in connection with their parliamentary duties. Subject to the proviso below, Members attending Parliament House on parliamentary business when Parliament is not sitting are required to sign in and out of the parliamentary register as proof of being in Sydney. On those occasions where Members are in Sydney on parliamentary business but are not required to attend Parliament House e.g., attending a function, then the Member must provide sufficient proof to the Executive Manager to substantiate each such occasion. Provided, however, it will be sufficient for Members to provide entries from their diaries, or other forms of documentary proof, acceptable to the Executive Manager to certify as proof of their attendance in Sydney.
10. Members in receipt of the annual amount will be required to provide a reconciliation of their annual payments twice per year. The first reconciliation will be required by 31 January of each year for payments made in the previous period of 1 July to 31 December. A further reconciliation will be required by 31 July of each year for payments made in the subsequent six months. The first reconciliation is only to be used for the purpose of validating the number of nights claimed during the period. Any financial adjustments will be calculated in consideration of the total number of nights validated over the whole financial year. Where applicable, Members will return to Parliament any part of the annual amount that they have not substantiated by 30 September each year or 30 days of ceasing to be a Member.

## Parliamentary Remuneration Tribunal

11. Members who do not reimburse outstanding amounts by 30 September each year are to have their annual entitlement suspended and are to revert to the daily rate of Sydney Allowance until the reimbursement is made.
12. Members are not to claim the Sydney Allowance if they stay in Government owned or funded accommodation including Parliament House.
13. In determining eligibility Members will need to nominate their principal place of residence immediately following their election to Parliament. Members are not to relocate during the parliamentary term for the purposes of meeting the eligibility criteria.

### 5.4 Committee Allowances

#### Purpose and Operation of the Provision

Committee Allowances are paid to Chairpersons of Joint, Select and Standing Committees in recognition of the additional responsibilities of the office. Because of the statutory nature of the Public Accounts Committee and their role in Government activities, the annual rate of allowance is payable to Members of these Committees.

#### Entitlement

Members of the Legislative Council and the Legislative Assembly serving as Chairpersons of Joint Committees, Select Committees and Standing Committees shall be paid the sum of \$200.00 for each day upon which they attend a meeting or an official visit of inspection if that day is one upon which the Legislative Council (so far as a Member of the Council is concerned) or the Legislative Assembly (so far as a Member of the Assembly is concerned) is not sitting. This allowance is not payable to Chairpersons in receipt of a salary of office as specified in Schedule 1 of the Act.

Members of the Public Accounts Committee, other than the Chairperson of the Committee or another Committee in receipt of a salary of office as specified in Schedule 1 of the Act, shall each receive a committee allowance of \$4,630 per annum.



## Parliamentary Remuneration Tribunal

### 6. Additional Entitlements in the Nature of Fixed Allocations

#### 6.1 Summary

The entitlements in this category comprise the following:

Electorate to Sydney Travel	
Communications Allowance	– Base Allocation
	– Additional Allocation
General Travel Allowance	
	– Base Allocation
	– Additional Allocation
Travelling Allowances for Recognised Office Holders	
Equipment, Services and Facilities	

#### 6.2 Electorate to Sydney Travel

##### Purpose and Operation of the Provisions

1. Members who are eligible to receive the Sydney Allowance qualify for return air travel warrants between their electorates and Sydney.
2. These entitlements are provided for the performance of parliamentary duties.
3. All eligible Members shall receive one hundred and four (104) single economy class journeys per annum between electorate/zone and Sydney.
4. Where eligible, each of the below mentioned recognised office holders shall be entitled to the following additional electorate to Sydney travel entitlements per annum:

## Parliamentary Remuneration Tribunal

<b>Table 5: Electorate to Sydney Travel Entitlements - Additional Entitlements for Recognised Office Holders</b>	
<b>Office holder</b>	<b>Electorate to Sydney travel entitlement</b>
Minister of the Crown	32 single journey entitlements
Speaker of the Legislative Assembly	32 single journey entitlements
President of the Legislative Council	32 single journey entitlements
Leader of the Opposition Assembly and Council	32 single journey entitlements
Leader of Party (not less than 10 Members in the Legislative Assembly)	32 single journey entitlements
Deputy President and Chair of Committees, Legislative Council Assistant Speaker, Legislative Assembly	32 single journey entitlements.
Deputy Speaker	32 single journey entitlements
Deputy Leader of the Opposition Assembly and Council	16 single journey entitlements
Deputy Leader of Party (not less than 10 Members in the Legislative Assembly)	16 single journey entitlements

### Conditions

5. All electorate to Sydney travel and return is restricted to economy class.
6. Entitlements may be used to meet the cost of using a private motor vehicle or rental vehicle in lieu of electorate to Sydney air travel. The amount to be reimbursed for this purpose is not to exceed the commercial airfare for an equivalent distance flight.
7. A minimum of one entitlement is required to be surrendered for each single journey; a return trip will require the surrender of at least two warrants.
8. Entitlements are not transferable between Members, or approved relatives, or Members' staff.
9. Members may use electorate to Sydney entitlements to defray part of the cost of intrastate and interstate parliamentary travel when such travel is via Sydney.
10. Members may charter a plane in lieu of travelling on commercial flights provided that travel is for electorate and/or parliamentary business and that sufficient entitlements based on the equivalent commercial cost of each person travelling are surrendered.

## Parliamentary Remuneration Tribunal

The cost of Members' approved relative travelling on the charter is to be met from the Member's General Travel Allowance. It is a condition of all air transport charters that the Member responsible for organising the charter obtains a passenger manifest from the charter operator and attaches it to the invoice when it is sent for payment.

11. A Member's air transport booking for parliamentary duties and that of their spouse/approved relative and staff are to be made by the Member with an appropriate transport provider.
12. Members will need to maintain records or other relevant evidence that clearly document the occasions they travelled to Sydney in connection with their parliamentary duties. A copy of this documentation including airline boarding passes if travelling by commercial air is to be retained for subsequent review by internal and/or external auditors if required.

### 6.3 Communications Allowance

#### Purpose

The Communications Allowance is an annual budget provided to Members to meet the costs associated with communicating with their constituents including:

- production and distribution of newsletters and brochures
- printing of letterhead and flyers
- audio posters and other e-publications
- developing, hosting and maintaining a website and/or other social media
- email distribution services
- advertisements
- other forms of communications approved by Parliament.

#### Entitlement

1. The Communications Allowance comprises a base annual allocation for Members of the Legislative Assembly and Legislative Council and an additional allocation for Members of the Legislative Assembly based on the number of enrolled voters.
2. The base annual allocation for each electoral group or zone shall be as follows:

## Parliamentary Remuneration Tribunal

<b>Table 6: Communications Allowance - Base Allocation</b>	
<b>Member</b>	<b>Base Allocation</b>
Legislative Assembly	\$17,120
Legislative Council	\$4,360

3. The additional annual allocation for each Member of the Legislative Assembly shall be as follows:

<b>Table 7: Communications Allowance - Additional Allocation</b>		
<b>Electoral District</b>	<b>Number of Electors (As at March 2016 as provided by the State Electoral Office)</b>	<b>Annual entitlement</b>
1. Albury	55,287	\$82,931
2. Auburn	54,603	\$81,905
3. Ballina	56,320	\$84,480
4. Balmain	55,559	\$83,339
5. Bankstown	53,411	\$80,117
6. Barwon	56,315	\$84,473
7. Bathurst	55,022	\$82,533
8. Baulkham Hills	54,645	\$81,968
9. Bega	55,452	\$83,178
10. Blacktown	55,258	\$82,887
11. Blue Mountains	54,001	\$81,002
12. Cabramatta	55,615	\$83,423
13. Camden	57,160	\$85,740
14. Campbelltown	53,459	\$80,189
15. Canterbury	56,416	\$84,624
16. Castle Hill	54,093	\$81,140
17. Cessnock	54,170	\$81,255
18. Charlestown	55,111	\$82,667
19. Clarence	55,152	\$82,728
20. Coffs Harbour	53,686	\$80,529
21. Coogee	55,175	\$82,763
22. Cootamundra	53,076	\$79,614
23. Cronulla	56,659	\$84,989
24. Davidson	54,942	\$82,413
25. Drummoyne	53,465	\$80,198
26. Dubbo	53,893	\$80,840
27. East Hills	54,450	\$81,675
28. Epping	54,851	\$82,277

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<b>Table 7: Communications Allowance - Additional Allocation</b>		
<b>Electoral District</b>	<b>Number of Electors (As at March 2016 as provided by the State Electoral Office)</b>	<b>Annual entitlement</b>
29. Fairfield	54,945	\$82,418
30. Gosford	55,829	\$83,744
31. Goulburn	55,055	\$82,583
32. Granville	53,469	\$80,204
33. Hawkesbury	54,438	\$81,657
34. Heathcote	56,402	\$84,603
35. Heffron	57,445	\$86,168
36. Holsworthy	55,346	\$83,019
37. Hornsby	55,001	\$82,502
38. Keira	57,764	\$86,646
39. Kiama	54,027	\$81,041
40. Kogarah	54,132	\$81,198
41. Ku-ring-gai	53,852	\$80,778
42. Lake Macquarie	55,057	\$82,586
43. Lakemba	55,063	\$82,595
44. Lane Cove	55,298	\$82,947
45. Lismore	54,529	\$81,794
46. Liverpool	55,878	\$83,817
47. Londonderry	57,039	\$85,559
48. Macquarie Fields	56,513	\$84,770
49. Maitland	55,211	\$82,817
50. Manly	54,813	\$82,220
51. Maroubra	54,462	\$81,693
52. Miranda	55,173	\$82,760
53. Monaro	53,607	\$80,411
54. Mount Druitt	54,758	\$82,137
55. Mulgoa	56,120	\$84,180
56. Murray	55,226	\$82,839
57. Myall Lakes	55,853	\$83,780
58. Newcastle	56,358	\$84,537
59. Newtown	55,182	\$82,773
60. North Shore	54,691	\$82,037
61. Northern Tablelands	55,439	\$83,159
62. Oatley	53,880	\$80,820
63. Orange	55,710	\$83,565
64. Oxley	55,063	\$82,595
65. Parramatta	55,937	\$83,906

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<b>Table 7: Communications Allowance - Additional Allocation</b>		
<b>Electoral District</b>	<b>Number of Electors (As at March 2016 as provided by the State Electoral Office)</b>	<b>Annual entitlement</b>
66. Penrith	55,124	\$82,686
67. Pittwater	55,139	\$82,709
68. Port Macquarie	56,809	\$85,214
69. Port Stephens	53,413	\$80,120
70. Prospect	54,580	\$81,870
71. Riverstone	54,214	\$81,321
72. Rockdale	55,235	\$82,853
73. Ryde	55,368	\$83,052
74. Seven Hills	54,580	\$81,870
75. Shellharbour	59,596	\$89,394
76. South Coast	53,876	\$80,814
77. Strathfield	53,624	\$80,436
78. Summer Hill	54,922	\$82,383
79. Swansea	55,114	\$82,671
80. Sydney	54,458	\$81,687
81. Tamworth	55,218	\$82,827
82. Terrigal	56,501	\$84,752
83. The Entrance	55,858	\$83,787
84. Tweed	54,764	\$82,146
85. Upper Hunter	54,168	\$81,252
86. Vacluse	56,479	\$84,719
87. Wagga Wagga	54,066	\$81,099
88. Wakehurst	55,150	\$82,725
89. Wallsend	57,080	\$85,620
90. Willoughby	54,435	\$81,653
91. Wollondilly	54,638	\$81,957
92. Wollongong	59,234	\$88,851
93. Wyong	54,483	\$81,725

4. Recognised Office Holders receive an additional loading on the Communications Allowance Base Allocation in accordance with *Table 11 Recognised Office Holder and Other Member Additional Entitlements*.

## Parliamentary Remuneration Tribunal

### Carry over/forfeiture of entitlement

End of each financial year (within 4 year parliamentary term):	Base Allocation: Unexpended amount is carried forward Additional Allocations: Unexpended amounts are forfeited
End of parliamentary term/earlier dissolution of LA:	Base Allocation and Additional Allocations: Remaining balances are forfeited

### Special Conditions

1. Upon the gazettal of new electoral districts following an electoral redistribution (undertaken pursuant to s 27(1)(c) of the *Constitution Act 1902*), Members of the Legislative Assembly may use their Communications Allowance to communicate with prospective constituents from neighbouring electorates who at the time of the next election following the gazettal of the new electoral districts will become constituents of the Member's electorate.
2. When an electoral redistribution results in the abolition or renaming of an electorate, that Member may communicate with prospective constituents in a new or renamed electorate, subject to the new or renamed electorate comprising the majority of the constituents who would have resided in the Member's former electorate prior to the gazettal of the new electoral districts.

### Conditions

1. The Communications Allowance shall be established and maintained by the Executive Manager, Department of Parliamentary Services.
2. Members will receive a monthly report containing expenditure and balance of their account.
3. All procurement of services will be in accordance with the Parliament's purchasing policies.
4. No supplementation to the allocation will be considered. Any additional costs may be met from the Member's Electoral Allowance.

## Parliamentary Remuneration Tribunal

5. The printing and distribution of publications is to be in accordance with the Parliament's administrative guidelines.
6. Use of social media including websites and audio posters is to be in accordance with the Parliament's administrative guidelines.
7. Members are encouraged to submit material they are proposing to print or produce using the Communications Allowance to the Department of Parliamentary Services for a pre-production assessment.
8. Communication with prospective constituents is permitted following the gazettal of electoral districts. Each Member is to receive the details of the prospective constituents from the NSW Electoral Commission. For Members whose electorates are substantially unchanged by the electoral redistribution communication will be limited only to those electors who will transfer from adjoining electorates. For Members whose electorates are abolished or renamed, those Members may communicate with prospective constituents in a new or renamed electorate, where that electorate comprises the majority of the constituents who would have resided in the Member's former electorate prior to the gazettal of the new electoral districts.
9. Communications with constituents/prospective constituents will be limited to matters affecting the Member's electorate.
10. Members will not be permitted to use their Communications Allowance for the production and distribution of publications (paper based or electronic) intended for distribution either electronically, by mail, letterbox drop, newspaper supplement/insert or handout during the period from 26 January in a State election year to the election date. This includes all written, drawn or pictorial matter, including advertisements, but not general office correspondence.

### 6.4 General Travel Allowance

#### Purpose

The General Travel Allowance is provided to Members to meet all travel costs associated with their parliamentary or official duties within Australia.



## Parliamentary Remuneration Tribunal

### Entitlement

1. The General Travel Allowance comprises a base annual allocation for Members of the Legislative Assembly and Legislative Council and an additional allocation for Members of specified electoral groups.
2. The annual base allocation and additional allocation for each electoral group/zone shall be as follows:

<b>Table 8: General Travel Allowance</b>			
<b>Electoral Group/Zone</b>	<b>Base Allocation</b>	<b>Additional Allocation</b>	<b>Total General Travel Allowance</b>
<b>Legislative Assembly</b>			
Group 1	\$5,815		\$5,815
Group 2	\$8,740		\$8,740
Group 3	\$11,690		\$11,690
Group 4	\$11,690		\$11,690
Group 5 (and Port Macquarie)	\$11,690	\$9,855	\$21,545
Group 6	\$14,600	\$16,090	\$30,690
Group 7	\$14,600	\$29,755	\$44,355
Group 8	\$33,530	\$59,070	\$92,600
<b>Legislative Council</b>			
Zone 1	\$5,815		\$5,815
Zone 2	\$5,815		\$5,815
Zone 3	\$14,545		\$14,545

3. Recognised Office Holders receive an additional loading on the General Travel Allowance - Base Allocation in accordance with *Table 11 Recognised Office Holder and Other Member Additional Entitlements*.

### Carry over/forfeiture of entitlement

<b>End of each financial year (within 4 year parliamentary term):</b>	Base Allocation: Unexpended amount is carried forward Additional Allocations: Unexpended amounts are forfeited
<b>End of parliamentary term/earlier dissolution of LA:</b>	Base Allocation and Additional Allocations: Remaining balances are forfeited

## Parliamentary Remuneration Tribunal

### Conditions

1. A Member may use any form of commercial transport including approved charter aircraft within Australia subject to the requirement that the transport was used for parliamentary or electorate duties and that the cost was reasonable.
2. A Member may travel to any place in Australia, subject to the requirement that all such travel must be for parliamentary duties and that there must be, at the time of the making of the relevant reservation, sufficient funds in that Member's Account to pay for the expenses involved.
3. It is a condition of all air transport charters that the Member responsible for organising the charter obtains a passenger manifest from the charter operator and attaches it to the invoice when it is submitted for payment to the Parliament. Only the cost of the Member's approved relative or member of staff accompanying the Member may be met for charter transport costs.
4. The Member for Port Macquarie shall receive a General Travel Allowance - Additional Allocation commensurate with that provided to Members located in electoral Group 5 and shall include costs associated with up to four return trips to Lord Howe Island per year, flying from Port Macquarie or from Sydney subject to available flights. Travel costs between the electorate and Lord Howe Island shall not extend to the Member's approved relative or staff employed by the Parliament.
5. A Member representing the Electorate of Murray and a Member representing the Electorate of Barwon who flies his/her own aircraft, may claim reimbursement against this allowance for the cost of fuel, landing fees and one annual service.
6. All other travel costs associated with Members' staff travel may be met from this entitlement. Such travel shall be paid in accordance with the *Members' Staff Conditions of Employment – Determination of the Presiding Officers*.
7. All associated travel expenses for Members and Members' staff including conference fees and registration costs and other training (excluding professional development for Members), meals and accommodation approved by Parliament shall be met from this

## Parliamentary Remuneration Tribunal

entitlement. Such costs shall however exclude overseas travel, Electorate to Sydney travel and costs met from the Sydney Allowance.

8. Members and their approved relatives, when travelling in connection with the Member's Parliamentary duties, may claim reasonable actual accommodation and meal expenses from the Member's General Travel Allowance. The reimbursement of these expenses may not exceed the travel allowance rates as determined for Group 2 in *Table 12: Travel Allowances – Indicative Upper Limits for Recognised Office Holders*.
9. The entitlement may not be used to meet or defray the cost of any individual, office holder or other party not included in these conditions.
10. Members should ensure that records are maintained that clearly document each occasion and the purpose of any travel met from this entitlement for stays in Sydney or other locations when travelling in connection with the Member's parliamentary duties. Such documentation including airline boarding passes if applicable is to be retained for subsequent review by internal and external auditors if required.

### 6.5 Travelling Allowances for Recognised Office Holders

Table 9: Travelling Allowances Indicative Upper Limits for Recognised Office Holders			
Office Holders	Destinations	Amount	Where no overnight stay is required
<b>Group 1</b>	Darwin	460.00	Actual reasonable meal expenses
	Perth	472.00	
	Melbourne	438.00	
	Brisbane	430.00	
	Canberra	419.00	
	Adelaide	382.00	
	Hobart	368.00	
	Other areas	368.00	
<b>Group 2</b>	Darwin	437.80	Actual reasonable meal expenses
	Perth	410.80	
	Melbourne	378.80	
	Brisbane	407.80	
	Canberra	373.80	
	Adelaide	358.80	
	Hobart	326.80	
	Other areas	257.80	

## Parliamentary Remuneration Tribunal

### Group classifications

Recognised Office Holders are classified into one of the following two groups.

<b>Table 10: Travelling Allowances Group Classifications for Recognised Office Holders</b>
<b>Group 1</b>
Premier
Deputy Premier
Senior and Other Ministers
President of the Legislative Council and Speaker of the Legislative Assembly
Chairman of Select, Joint Standing, Standing and Public Accounts Committees
Leader of the Opposition in the Legislative Assembly and Legislative Council
Deputy Leader of the Opposition in the Legislative Assembly
Deputy Speaker in the Legislative Assembly
Deputy President and Chair of Committees in the Legislative Council
Assistant Speaker Legislative Assembly
Assistant President Legislative Council
Parliamentary Secretary (Leader of the House) Legislative Assembly
Deputy Leader of the Opposition in the Legislative Council
<b>Group 2</b>
Deputy Leader in the Legislative Council (other than the Leader or Deputy Leader of the Opposition) of a recognised political party not fewer than 9 Members of which are Members of the Legislative Council and of which no Member is a Minister
Leader and Deputy Leader of a Recognised Political Party of which not less than ten Members are Members of the Legislative Assembly
Government and Opposition Whips
Deputy Government and Deputy Opposition Whips
Parliamentary Secretary
Whip in the Legislative Assembly of a recognised political party, not fewer than 10 Members of whom are Members of the Legislative Assembly
Deputy Whip in the Legislative Assembly of a recognised political party, not fewer than 40 Members of which are Members of the Legislative Assembly
Members of Select, Joint Standing, Standing and Public Accounts Committees.

## Parliamentary Remuneration Tribunal

### Conditions

The following conditions shall apply in respect of this allowance:

1. Recognised Office Holders are to be reimbursed travelling expenses when travel is undertaken in association with their role as a Recognised Office Holder only. These allowances will not apply when a Member travels on parliamentary business in their own capacity.
2. Recognised Office Holders are eligible to claim reasonable actual travelling expenses for overnight absences from Sydney or their electorate/principal home residence. Where no overnight absence is involved Recognised Office Holders may claim reasonable actual meal expenses. Indicative upper limits for travel expenditure are outlined in *Table 9: Travelling Allowances Indicative Upper Limits for Recognised Office Holders*.
3. The payment of actual travelling expenses will be paid subject to the production of tax invoices/receipts relating to accommodation, meal and other incidental expenses by the Recognised Office Holder concerned.
4. A Recognised Office Holder whose approved relative accompanies him or her to a State or other official function and who consequently incurs expenses in respect of meals and accommodation exceeding the allowance to which he or she is entitled, shall be entitled to be reimbursed the additional expenses associated with the approved relative.
5. Those Recognised Office Holders for whom non-parliamentary funded budgets are provided are to meet travel allowance costs from those budgets and not from the Parliament.

## Parliamentary Remuneration Tribunal

### 6.6 Recognised Office Holder and Other Member Additional Entitlements

Additional loadings for Recognised Office Holders and Members listed below shall be as follows:

<b>Table 11: Recognised Office Holder and Other Member Additional Entitlements</b>		
Recognised Office Holder	General Travel Allowance Base Allocation	Communications Allowance Base Allocation
Presiding Officer	30%	55%(A) 175%(C)
Leader of the Opposition	20%(A)	140%(A) 175%(C)
Deputy Leader of the Opposition	10%	15%(C)
Whips		15%(C)
Party Leader (not less than 10 Members)	15%	
Deputy Party Leader (not less than 10 Members LA or 9 Members LC)	10%	
Leader of the National Party (in Opposition with not less than 10 Members in LA)	15%	15%

#### Carry over/forfeiture of entitlement

End of each financial year (within 4 year parliamentary term): Balance of loadings forfeited

End of parliamentary term/earlier dissolution of LA: Balance of loadings forfeited

#### Conditions

The following conditions shall apply in respect of this allowance:

1. Recognised Office Holders and Members referred to in *Table 11: Recognised Office Holder and Other Member Additional Entitlements* may receive this additional entitlement for only one office; that office being the office which attracts the greater level of entitlement.
2. These entitlements, as they apply to Recognised Office Holders, are to be available only for Recognised Office Holder duties.

## Parliamentary Remuneration Tribunal

3. Where entitlements formerly provided for the Recognised Office Holder's approved relative these have been included in the allocation.
4. Where an entitlement is followed by (A) or (C) it applies only to the Office Holder in either the Assembly or the Council.

### 6.7 Equipment, Services and Facilities

Members of the Legislative Assembly and the Legislative Council shall be provided by the Parliament with the equipment, services and facilities necessary to perform their parliamentary duties as follows:

1. All Members shall receive at Parliament House, Sydney, a fitted out, equipped and maintained office, and secretarial services.
2. Each Member of the Legislative Assembly shall receive a fitted out, equipped and maintained Electorate Office to an appropriate standard. The Member for Barwon shall be provided with an additional two electorate offices (a total of three) and the Members for Murray, Cootamundra and Northern Tablelands one additional electorate office (a total of two).
3. Section 18 of the *Members of Parliament Staff Act 2013* provides for the number of staff to be determined by the Tribunal. The number of staff allocated to Members and special office holders (as specified) is as follows:
  - 3.1 Subject to (3.2) below, each Member of the Legislative Assembly shall have two staff members employed at each electoral office.
  - 3.2 Each Member of the Legislative Assembly elected as an Independent or a Cross Bench Member shall have an additional staff member employed at his/her electoral office.
  - 3.3 Each Member of the Legislative Assembly, not elected as an Independent or a Cross Bench Member, shall be provided with an annual budget specific for the recruitment of temporary staff. The budget is to provide for an additional staff member to be employed in the electorate office or at Parliament House. The budget is to be the equivalent of the salary of a Senior Electorate Officer for a

### **Parliamentary Remuneration Tribunal**

period of 70 days per annum. Within this budget, Members have the flexibility to use this entitlement to employ additional staff.

- 3.4 Each Member of the Legislative Council, who is not a Minister, shall be entitled to one staff member. When the staff member is on annual recreation leave or other extended period of leave, a relief staff member may be employed for the period of absence.
- 3.5 Each Member of the Legislative Council, who is not a Minister, and who is elected as a cross bench Member shall be entitled to two staff members.
- 3.6 Ministers shall receive a reasonable allocation of staff members.
- 3.7 The Whip of each recognised political party of not less than 10 Members to each be provided with one member of staff.
- 3.8 This provision specifies the minimum staffing required in electorate offices. Nothing in this Determination removes from the employer of staff the obligations arising under the *Work Health and Safety Act 2011*.

#### **The Parliamentary Remuneration Tribunal**

*Signed*

**The Hon C G Staff**

**Dated:** 20 May 2016



## Parliamentary Remuneration Tribunal

### Advice of the Secretary of NSW Treasury

The following comments on the Parliamentary Remuneration Tribunal's 2016 Determination are made pursuant to Section 12A of the *Parliamentary Remuneration Act 1989*.

#### Financial Impact of the 2016 Determination

Members' entitlements are estimated to increase by a maximum of \$854,302 (or 3.5%) over the 2015 Determination, which is approximately \$250,000 above the budgeted annual escalation.

I note that the additional maximum cost is primarily due to an increase in the value of the new Communications Allowance (an amalgamation of the former Electorate Communication Allowance and parts of the former Logistic Support Allowance) of 6.5%. This includes an increase on the base rate of 2.3%, with an additional increase to account for higher postal costs as well as an increase in enrolment numbers.

**I advise that the financial implications of the proposed variation in entitlements in the 2016 Determination can be managed within existing funding arrangements.**



Rob Whitfield  
Secretary

17/May/2016

# COUNCIL NOTICES

## ARMIDALE REGIONAL COUNCIL

### ROADS ACT 1993

#### Naming of Roads

Notice is hereby given that Armidale Regional Council, in pursuance of section 162 of the *Roads Act 1993*, has named the portion of the road located at Armidale Airport, 10541 New England Highway, an internal Airport Road as shown hereunder:

Name: Peter Monley Drive

Dated: 30 May 2016

G WILCOX, Interim General Manager [8603]

## BATHURST REGIONAL COUNCIL

### ROADS ACT 1993

#### Section 10

#### Dedication of Land as a Public Road

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

DAVID SHERLEY, General Manager, Bathurst Regional Council, Private Mail Bag 17, Bathurst NSW 2795

#### Schedule

Lots 2, 3 and 4 in DP 1197949 being land situated on Lachlan Road, Caloola. [8604]

## BLACKTOWN CITY COUNCIL

### ROADS ACT 1993

#### Section 10

#### Dedication of Land as a Public Road

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

K ROBINSON, General Manager, Blacktown City Council, PO Box 63, Blacktown NSW 2148.

#### Schedule

Lot 2203 DP 1097247 Wonderland Drive, Eastern Creek [8605]

## THE COUNCIL OF THE CITY OF BOTANY BAY

### ROADS ACT 1993

#### Naming of Roads

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

Name	Locality
ETHERDEN WALK	Mascot

#### Description

Between Bourke Street in the East and Kent Road in the West.

Name	Locality
GEARIN ALLEY	Mascot

#### Description

Starting at Church Avenue in the North and ending at Etherden Walk in the South.

Name	Locality
JACKSON DRIVE	Mascot

#### Description

From Kent Road in the West to Etherden Walk.

Name	Locality
MULLER LANE	Mascot

#### Description

From Church Avenue to Galloway Street.

Name	Locality
GALLOWAY STREET	Mascot

#### Description

New Street between Kent Street in the West and Bourke Street in the East.

LARA KIRCHNER, General Manager, The Council of the City of Botany Bay, 141 Coward Street, Mascot NSW 2020  
GNB Ref: 0147 [8606]

## NARRABRI SHIRE COUNCIL

### ROADS ACT 1993

#### Naming of Roads

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

Name	Locality
PIPER LANE	Narrabri

#### Description

Land dedicated as public road as part of DP 1207354. Roadway heads due north from Highfield Lane approx. 1.3km from Newell Hwy intersection.

ANDREW THOMAS, GIS Officer, Narrabri Shire Council, PO Box 261, Narrabri NSW 2390  
GNB Ref: 0146 [8607]

## PARKES SHIRE COUNCIL

### ROADS ACT 1993

#### Naming of Roads

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

Name	Locality
VANVILLA LANE	Alectown

**Description**

Road is located east and parallel to Kadina Street, from the intersection of Dernancourt Road to Mamre Road, Alectown.

KENT BOYD, General Manager, Parkes Shire Council,  
2 Cecile Street, Parkes NSW 2870  
GNB Ref: 0129 [8608]

**THE HILLS SHIRE COUNCIL**

ROADS ACT 1993

Naming of Roads

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

<b>Name</b>	<b>Locality</b>
ANFIELD STREET	Kellyville

**Description**

Anfield Street commences at the intersection of proposed road Beaton Street and continues north into Lot 4 DP 241932 where it ends in a Cul De Sac.

<b>Name</b>	<b>Locality</b>
VILLA WAY	Kellyville

**Description**

Villa Way commences at the intersection of proposed road Beaton Street and continues north into Lot 4 DP 241932 where it ends in a Cul De Sac.

<b>Name</b>	<b>Locality</b>
MOSS RIDGE	Sackville North

**Description**

Private road commencing at Sackville Ferry Road and heads north over the boundary of lot 11 & 12 DP 853031 where it ends in a Cul De Sac.

DAVE WALKER, General Manager, The Hills Shire Council,  
3 Columbia Court, Baulkham Hills NSW 2153  
GNB Ref: 0144 [8609]

**WARRUMBUNGLE SHIRE COUNCIL**

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

Warrumbungle Shire Council declares with the approval of His Excellency the Governor that the lands described in Schedule 1 below, excluding any mines or deposits of minerals in the lands, and subject to the terms of Restriction on the use of the land described in Schedule 2 are acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, for an aged care facility including an agricultural learning centre and associated leisure facilities.

Dated at Coonabarabran this 24th day of May 2016.

STEVE LOANE, General Manager

**Schedule 1**

Lot 148 DP 754291

Lot 176 DP 754291

**Schedule 2**

**Terms of Restriction on the Use of Land numbered in 1 in the plan**

**1 Use restriction**

1.1 The lot burdened may only be used for community purposes and may not be used for any other purpose.

1.2 For the purposes of this instrument, community purposes means the development of the lot burdened for benefit of the persons who comprise the community in and locality of the lot burdened and includes (without limitation):

- (a) the use of the lot burdened:
  - (i) as a community facility (as may be defined in the EPA Act);
  - (ii) as a child care facility (as may be defined in the EPA Act);
  - (iii) as an aged care facility (whether or not operated by a public authority, not for profit organisation or any other person);
  - (iv) as a retirement village (as defined in the *Retirement Villages Act 1999* (NSW));
  - (v) for the provision of residential care, within the meaning of the *Aged Care Act 1997* (Cth), by an approved provider under that Act;
  - (vi) as a nursing home within the meaning of the *Public Health Act 2010* (NSW);
  - (vii) for the provision of respite care within the meaning of the *Aged Care Act 1997* (Cth);
  - (viii) as a residential park within the meaning of the *Residential Parks Act 1998* (NSW);
  - (ix) as a boarding house or a lodging house;
  - (x) for the provision of a designated service within the meaning of the *Disability Services Act 1993* (NSW);
  - (xi) as a facility within the meaning of the *Community Welfare Act 1987* (NSW);
  - (xii) as a respite day care centre (as may be defined in the EPA Act);
  - (xiii) as a hospital or health care facility (as may be defined in the EPA Act);
  - (xiv) as an education establishment (as may be defined in the EPA Act);
  - (xv) as an emergency services facility (as may be defined in the EPA Act)
  - (xvi) for the provision of seniors housing (as may be defined in the EPA Act);
- (b) the carrying out of works (whether demolition, refurbishment, repair or any other kind of work) to the improvements erected on the lot burdened from time to time associated with or ancillary to the land uses described in clause 1.2 (a);
- (c) such other uses as the prescribed authority considers (in its absolute discretion) to be:
  - (i) an appropriate community related use; or

- (ii) a retail or commercial use that is ancillary to and does not derogate from the predominant use of the lot burdened for community purposes.
- 1.3 The restriction on use in this instrument will cease to have legal effect at the expiry of the period of 10 years after creation (being the registration date of this instrument) without the necessity for the prescribed authority to give notice to the owner of the lot burdened or any other person. Nothing in this clause 1.3 prevents or hinders the prescribed authority from taking steps to have the restriction on use in this instrument removed from the title to the lot burdened when it ceases to have legal effect by the effluxion of time.

## 2 Definition, interpretation and general provisions

- 2.1 In this instrument unless a contrary intention appears:

**community purposes** has the meaning given to that term in clause 1.2.

**EPA Act** means the *Environmental Planning and Assessment Act 1979* (NSW).

**lot burdened** means a lot burdened by an easement, restriction or covenant in this instrument.

**plan** means the plan of easement to which this instrument relates.

**prescribed authority** means Warrumbungle Shire Council, its successors and assigns, or any other body serving the same or similar functions and, where not repugnant to the context, includes its servants, agents and contractors of the prescribed authority (or the body serving the same or similar function).

- 2.2 The following rules on interpretation will apply to the interpretation of this instrument:

- (a) The singular includes the plural and conversely.
- (b) A gender includes all genders.
- (c) Where a word or phrase is defined, its other grammatical forms have a corresponding meaning.
- (d) A reference to a *clause, paragraph, schedule, or sub-clause* means a clause, paragraph, schedule or sub-clause, respectively, of this instrument.
- (e) Unless stated otherwise, one provision does not limit the effect of another.
- (f) A reference to conduct includes, without limitation, any omission, statement or undertaking, whether or not in writing.
- (g) Headings contained in each easement.
- (h) A reference to a person includes a firm, partnership, joint venture, association, corporation or other corporate body.
- (i) A reference to a person includes the legal personal representatives, successors and permitted assigns of that person.
- (j) Unless expressed to the contrary, any right, power or discretion given to a person under this instrument may be exercised by that person in its absolute discretion.
- (k) Where the expression *including* or *includes* is used it means *including but not limited to* or *including without limitation*.

- 2.3 The restriction on use in this instrument are covenants and agreements between:

- (a) the prescribed authority; and
- (b) the owner of the lot burdened for itself, its successors and every person who is entitled to an estate or interest in possession of the lot burdened or any part of it with which the right is capable of enjoyment, to the extent that the benefit and burden of those covenants and agreements are annexed to and pass with the benefits and burdens of the restriction on use.

## 3 Person with the power to release vary or modify the Restriction

Warrumbungle Shire Council (being the prescribed authority which enjoys the benefit of the rights granted under this easement) is the prescribed authority empowered to release, vary or modify the Restriction on the Use of Land. [8610]