

# *Government Gazette*

of the State of  
New South Wales

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**Friday, 22 July 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.

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

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# GOVERNMENT NOTICES

## Miscellaneous Instruments



New South Wales

### Notice of Determination

under the

Threatened Species Conservation Act 1995

The Scientific Committee established under the *Threatened Species Conservation Act 1995* has made a determination to amend the description of the species referred to below in Schedule 2 to the Act pursuant to section 36A (1) (b) of the Act (being amendments that are necessary or desirable to correct minor errors).

Part 1 of Schedule 2 to that Act is amended as follows:

- (a) Omit the heading and the matter relating to Diplodactylidae from under the headings **Animals, Vertebrates, Reptiles**.

Insert instead:

Diplodactylidae

*Lucasium stenodactylum* Boulenger, 1896      Crowned Gecko

*Strophurus elderi* (Stirling & Zietz, 1893)      Jewelled Gecko

- (b) Omit the following from the matter relating to Gekkonidae (under the headings **Animals, Vertebrates, Reptiles**):

*Lucasium stenodactylum* (Boulenger, 1896)      Crowned Gecko

*Strophurus elderi* (Stirling & Zietz, 1893)      Jewelled Gecko

- (c) Omit the following from the matter relating to Malvaceae (under the heading **Plants**):

\* *Lasiopetalum behrii* F. Muell.

Insert instead:

\* *Lasiopetalum joyceae* Blakely

\* *Lasiopetalum longistamineum* Maiden & Betche

Notice of Determination [NSW]  
Explanatory note

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This Notice commences on the day on which it is published in the Gazette.  
Dated, this 19th day of July 2016.

Dr Mark Eldridge  
Chairperson of the Scientific Committee

**Copies of determination and reasons**

Copies of the determination and the reasons for it are available to members of the public (free of charge) as follows:

- (a) on the Internet at [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au),
- (b) by contacting the Scientific Committee Unit, by post C/- Office of Environment and Heritage, PO Box 1967, Hurstville BC NSW 1481, by telephone (02) 9585 6940 or by facsimile (02) 9585 6606,
- (c) in person at the Office of Environment and Heritage Information Centre, Level 14, 59–61 Goulburn St, Sydney.

## Mining and Petroleum Notices

Notice is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T16-1065)

No 5309, THE AUSTRAL BRICK CO PTY LTD (ACN 000 005 550), area of 13 units, for Group 5, dated 24 June 2016. (Sydney Mining Division).

(T16-1068)

No 5312, SCANDIUM21 PTY LTD (ACN 008 755 155), area of 19 units, for Group 1, dated 29 June 2016. (Orange Mining Division).

(T16-1069)

No 5313, PROVIDENCE METALS PTY LTD (ACN 612 933 981), area of 67 units, for Group 1, dated 4 July 2016. (Cobar Mining Division).

(T16-1074)

No 5317, PROTON GEOSCIENCE PTY LTD (ACN 125 500 398), area of 20 units, for Group 1, dated 13 July 2016. (Broken Hill Mining Division).

(T16-1075)

No 5318, PROTON GEOSCIENCE PTY LTD (ACN 125 500 398), area of 80 units, for Group 1, dated 13 July 2016. (Broken Hill Mining Division).

(T16-1076)

No 5319, BROKEN HILL PROSPECTING LIMITED (ACN 003 453 503), area of 14 units, for Group 1, Group 2 and Group 3, dated 13 July 2016. (Broken Hill Mining Division).

(T16-1077)

No 5320, FUA RESOURCES PTY LTD (ACN 613 591 012), area of 48 units, for Group 1, dated 12 July 2016. (Orange Mining Division).

(T16-1078)

No 5321, ILUKA RESOURCES LIMITED (ACN 008 675 018), area of 254 units, for Group 10, dated 15 July 2016. (Wagga Wagga Mining Division).

(T16-1079)

No 5322, ILUKA RESOURCES LIMITED (ACN 008 675 018), area of 669 units, for Group 10, dated 15 July 2016. (Broken Hill Mining Division).

(T16-1081)

No 5323, ARDEA RESOURCES PTY LTD (ACN 137 889 279), area of 47 units, for Group 1, dated 15 July 2016. (Wagga Wagga Mining Division).

(T16-1083)

No 5324, KIRTELLE PTY LTD (ACN 056 726 562), area of 5 units, for Group 1, dated 19 July 2016. (Orange Mining Division).

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

### MINING LEASE APPLICATIONS

(T16-1023)

No 523, KBL MINING LIMITED (ACN 129 954 365), area of about 37 hectares, to mine for bismuth, cadmium, copper, gold, lead, molybdenite, nickel, silver, tin, tungsten and its ores and zinc, dated 22 March 2016. (Orange Mining Division).

(T16-1073)

No 530, STRATEGIC METALS AUSTRALIA PTY LTD (ACN 167 122 714), area of about 43 hectares, to mine for iron minerals and tungsten and its ores, dated 12 July 2016. (Sydney Mining Division).

(T16-1080)

No 531, EMC METALS AUSTRALIA PTY LTD (ACN 160 223 325), area of about 870 hectares, to mine for scandium and its ores, dated 14 July 2016. (Cobar Mining Division).

(T16-1082)

No 532, EARTHMOVING & DEMOLITION SERVICES PTY LTD (ACN 079 521 494), area of about 4.62 hectares, for the purpose of dam, mining plant, opal puddling, stockpiling or depositing of overburden, ore or tailings and storing of fuel, machinery, tools, timber, equipment, dated 14 July 2016. (Lightning Ridge Mining Division).

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

Notice is given that the following application has been granted:

### MINING LEASE APPLICATION

(T15-1085)

Sydney No 508, now Mining Lease No 1731 (Act 1992), BORAL CSR BRICKS PTY LIMITED (ACN 168 794 821), Parish of Cook, County of Cumberland, Map Sheet (9030-3-S), area of 37.25 hectares, to mine for clay/shale, dated 9 March, 2016, for a term until 9 March 2037.

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

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

(12-3577)

Exploration Licence No 6274, STRATEGIC METALS AUSTRALIA PTY LTD (ACN 167 122 714), area of 3 units. Application for renewal received 12 July 2016.

(16-1209)

Exploration Licence No 6598, AUSTAR COAL MINE PTY LIMITED (ACN 111 910 822), area of 7370 hectares. Application for renewal received 13 July 2016.

(16-1222)

Exploration Licence No 7361, ABX1 PTY LTD (ACN 139 790 364), area of 10 units. Application for renewal received 15 July 2016.

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

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#### RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(16-0457)

Exploration Licence No 6064, KBL MINING LIMITED (ACN 129 954 365), County of Kennedy, Map Sheet (8333), area of 5 units, for a further term until 20 March 2019. Renewal effective on and from 23 June 2016.

(16-0617)

Exploration Licence No 6552, CLANCY EXPLORATION LIMITED (ACN 105 578 756), County of Gipps, Map Sheet (8331), area of 19 units, for a further term until 2 April 2021. Renewal effective on and from 8 July 2016.

(T10-0178)

Exploration Licence No 7644, PLATINA RESOURCES LIMITED (ACN 119 007 939), County of Kennedy, Map Sheet (8332, 8432), area of 26 units, for a further term until 2 December 2020. Renewal effective on and from 29 June 2016.

(T12-1185)

Exploration Licence No 8074, SILVER CITY MINERALS LIMITED (ACN 130 933 309), County of Yancowinna, Map Sheet (7234), area of 4 units, for a further term until 15 April 2019. Renewal effective on and from 23 June 2016.

(T12-1197)

Exploration Licence No 8075, SILVER CITY MINERALS LIMITED (ACN 130 933 309), County of Yancowinna, Map Sheet (7134, 7234), area of 50 units, for a further term until 15 April 2019. Renewal effective on and from 8 July 2016.

(T12-1187)

Exploration Licence No 8076, SILVER CITY MINERALS LIMITED (ACN 130 933 309), County of Yancowinna, Map Sheet (7133, 7233), area of 6 units, for a further term until 15 April 2019. Renewal effective on and from 23 June 2016.

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

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#### TRANSFER

(06-4171)

Exploration Licence No 6695, formerly held by GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827) has been transferred to PEEL MINING LIMITED (ACN 119 343 734). The transfer was registered on 13 July 2016.

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

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## Primary Industries Notices

### FISHERIES MANAGEMENT ACT 1994

Appointment of member to the  
Fisheries Scientific Committee

I, Niall Blair MLC, Minister for Primary Industries, pursuant to sections 221ZC (1), (2) (d) and (3) of the *Fisheries Management Act 1994*, appoint Dr Marlien VAN DER MERWE as the member of the Fisheries Scientific Committee who is a scientist employed and nominated by the Royal Botanic Gardens and Domain Trust for the period of three (3) years commencing on the date of this appointment.

Dated this 16th day of June 2016

NIALL BLAIR, MLC  
Minister for Primary Industries

### LOCAL LAND SERVICES (SPUR-THROATED LOCUST) PEST CONTROL ORDER 2016

under the

LOCAL LAND SERVICES ACT 2013

I, Niall Blair, MLC, Minister for Primary Industries, in pursuance of Part 10 of, and clause 19 of Schedule 6 to, the *Local Land Services Act 2013*, make the following pest control order in respect of Spur-Throated Locust.

Dated this 11th day of July 2016

NIALL BLAIR, MLC  
Minister for Primary Industries

### LOCAL LAND SERVICES (SPUR-THROATED LOCUST) PEST CONTROL ORDER 2016

under the

LOCAL LAND SERVICES ACT 2013

#### 1 Name of pest control order

This pest control order is the *Local Land Services (Spur-Throated Locust) Pest Control Order 2016*.

#### 2 Commencement and duration

- (1) This pest control order commences on the date it is published in the *NSW Government Gazette*.
- (2) This pest control order has effect for a period of 5 years from the date of commencement.

#### 3 Definitions

In this pest control order:

**Agvet Code** has the same meaning as in the *Pesticides Act 1999*.

**controlled land** means the land to which this pest control order applies as described in clause 5.

**eradicate** has the same meaning as in Part 10 of the Act.

**general eradication order** means a general eradication order made under Division 3 of Part 10 of the Act.

**individual eradication order** means an individual eradication order made under Division 3 of Part 10 of the Act.

**pest** means the animal declared in clause 6 to be a pest on the controlled land.

**pest control order** has the same meaning as in Part 10 of the Act.

**the Act** means the *Local Land Services Act 2013*.

**Note:** *Local Land Services, occupier, owner, public authority* and *public land* all have the same meaning as in the Act.

#### 4 Revocation of Rural Lands Protection (Spur-Throated Locust) Pest Control Order 2011 under the Rural Lands Protection Act 1998.

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Spur-Throated Locust) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011 at pages 6195 to 6196 is revoked, as is any pest control order revived as a result of this revocation.

#### 5 Controlled land

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

#### 6 Declaration of Spur-Throated Locust to be a pest

Pursuant to section 130 (1) (b) of the Act, the Spur-Throated Locust (*Austracris guttulosa*), being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

#### 7 Obligations and powers conferred in relation to the pest on controlled land

Pursuant to section 130 (1) (c) of the Act and the sections referred to in this clause, the following obligations and powers are imposed or conferred in relation to the pest on the controlled land:

- (a) pursuant to section 130 (2) (a) of the Act, a general destruction obligation is imposed requiring the occupier of controlled land to eradicate the pest by any lawful method;
- (b) pursuant to section 130 (2) (c) of the Act, a notification obligation is imposed requiring the occupier of controlled land to give Local Land Services notice of the presence of the pest on the land as soon as practicable after becoming aware of its presence;
- (c) pursuant to section 130 (2) (d) of the Act, Local Land Services is empowered to serve an individual eradication order in accordance with Part 10 of the Act, on any occupier or owner (other than a public authority) of controlled land requiring the occupier or owner to eradicate the pest by use of a method specified by Local Land Services in the individual eradication order;
- (d) pursuant to section 130 (2) (e) of the Act, Local Land Services is empowered to publish a general eradication order in accordance with Part 10 of the Act requiring all occupiers of controlled land within their region (or a specified part of their region) to eradicate the pest by use of a method specified by Local Land Services in the order;

- (e) pursuant to section 130 (2) (f) of the Act, power is conferred on all authorised officers who work for Local Land Services and all authorised officers appointed for the purposes of Part 10 of the Act to take measures to carry out work on controlled land to eradicate the pest;
- (f) pursuant to section 130 (7) (a) of the Act in respect of the exercise of the power under section 130 (2) (f) by authorised officers on land under the care, control and management of the National Parks and Wildlife Service, that power cannot be exercised unless written approval has been obtained from the Chief Executive, Parks and Wildlife Group of the NSW Office of Environment and Heritage within the NSW Department of Premier and Cabinet;
- (g) pursuant to section 130 (2) (j) of the Act all authorities are required to supply materials that have been provided to them for the eradication of the pest on controlled land within their region, free of charge, to the owner or occupier of rateable land in accordance with the relevant standard operating procedures.

**8 Method of eradication involving application of a substance from the air**

Pursuant to section 130 (3) of the Act, the method of eradication that may be used in relation to the pest on controlled land that involves the application of a substance from the air is specified to be the use of any substance approved for application by air under the *Pesticides Act 1999* or the Agvet Code for the purpose of controlling the pest.

**9 Authorisation of notice for contribution towards eradication of pest insects.**

This pest control order authorises the Minister to give a notice pursuant to section 154 (1) of the Act, in relation to the pest.

**Note:** Materials provided for eradication of the pest on controlled land are funded from rates levied under the Act. ‘Free of charge’ means no additional charge is imposed at the time of issue of the materials.

**LOCAL LAND SERVICES (AUSTRALIAN PLAGUE LOCUST) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

I, Niall Blair, MLC, Minister for Primary Industries, in pursuance of Part 10 of, and clause 19 of Schedule 6 to, the *Local Land Services Act 2013*, make the following pest control order in respect of Australian Plague Locust.

Dated this 11th day of July 2016

NIALL BLAIR, MLC  
Minister for Primary Industries

**LOCAL LAND SERVICES (AUSTRALIAN PLAGUE LOCUST) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

**1 Name of pest control order**

This pest control order is the *Local Land Services (Australian Plague Locust) Pest Control Order 2016*.

**2 Commencement and duration**

- (1) This pest control order commences on the date it is published in the NSW Government Gazette.
- (2) This pest control order has effect for a period of 5 years from the date of commencement.

**3 Definitions**

In this pest control order:

*Agvet Code* has the same meaning as in the *Pesticides Act 1999*.

*controlled land* means the land to which this pest control order applies as described in clause 5.

*eradicate* has the same meaning as in Part 10 of the Act.

*general eradication order* means a general eradication order made under Division 3 of Part 10 of the Act.

*individual eradication order* means an individual eradication order made under Division 3 of Part 10 of the Act.

*pest* means the animal declared in clause 6 to be a pest on the controlled land.

*pest control order* has the same meaning as in Part 10 of the Act.

*the Act* means the *Local Land Services Act 2013*.

**Note:** *Local Land Services, occupier, owner, public authority* and *public land* all have the same meaning as in the Act.

**4 Revocation of Rural Lands Protection (Australian Plague Locust) Pest Control Order 2011 under the Rural Lands Protection Act 1998.**

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Australian Plague Locust) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011 at pages 6189 to 6190 is revoked, as is any pest control order revived as a result of this revocation.

**5 Controlled land**

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

**6 Declaration of Australian Plague Locust to be a pest**

Pursuant to section 130 (1) (b) of the Act, the Australian Plague Locust (*Chortoicetes terminifera*), being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

**7 Obligations and powers conferred in relation to the pest on controlled land**

Pursuant to section 130 (1) (c) of the Act and the sections referred to in this clause, the following obligations and

powers are imposed or conferred in relation to the pest on the controlled land:

- (a) pursuant to section 130 (2) (a) of the Act, a general destruction obligation is imposed requiring the occupier of controlled land to eradicate the pest by any lawful method;
- (b) pursuant to section 130 (2) (c) of the Act, a notification obligation is imposed requiring the occupier of controlled land to give Local Land Services notice of the presence of the pest on the land as soon as practicable after becoming aware of its presence;
- (c) pursuant to section 130 (2) (d) of the Act, Local Land Services is empowered to serve an individual eradication order in accordance with Part 10 of the Act, on any occupier or owner (other than a public authority) of controlled land requiring the occupier or owner to eradicate the pest by use of a method specified by Local Land Services in the individual eradication order;
- (d) pursuant to section 130 (2) (e) of the Act, Local Land Services is empowered to publish a general eradication order in accordance with Part 10 of the Act requiring all occupiers of controlled land within their region (or a specified part of their region) to eradicate the pest by use of a method specified by Local Land Services in the order;
- (e) pursuant to section 130 (2) (f) of the Act, power is conferred on all authorised officers who work for Local Land Services and all authorised officers appointed for the purposes of Part 10 of the Act to take measures to carry out work on controlled land to eradicate the pest;
- (f) pursuant to section 130 (7) (a) of the Act in respect of the exercise of the power under section 130 (2) (f) by authorised officers on land under the care, control and management of the National Parks and Wildlife Service, that power cannot be exercised unless written approval has been obtained from the Chief Executive, Parks and Wildlife Group of the NSW Office of Environment and Heritage within the NSW Department of Premier and Cabinet;
- (g) pursuant to section 130 (2) (j) of the Act all authorities are required to supply materials that have been provided to them for the eradication of the pest on controlled land within their region, free of charge, to the owner or occupier of rateable land in accordance with the relevant standard operating procedures.

**8 Method of eradication involving application of a substance from the air**

Pursuant to section 130 (3) of the Act, the method of eradication that may be used in relation to the pest on controlled land that involves the application of a substance from the air is specified to be the use of any substance approved for application by air under the *Pesticides Act 1999* or the Agvet Code for the purpose of controlling the pest.

**9 Authorisation of notice for contribution towards eradication of pest insects.**

This pest control order authorises the Minister to give a notice pursuant to section 154 (1) of the Act, in relation to the pest.

**Note:** Materials provided for eradication of the pest on controlled land are funded from rates levied under the Act. ‘Free of charge’ means no additional charge is imposed at the time of issue of the materials.

**LOCAL LAND SERVICES (MIGRATORY LOCUST)  
PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

I, Niall Blair, MLC, Minister for Primary Industries, in pursuance of Part 10 of, and clause 19 of Schedule 6 to, the *Local Land Services Act 2013*, make the following pest control order in respect of Migratory Locust.

Dated this 11th day of July 2016

NIALL BLAIR, MLC  
Minister for Primary Industries

**LOCAL LAND SERVICES (MIGRATORY LOCUST)  
PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

**1 Name of pest control order**

This pest control order is the *Local Land Services (Migratory Locust) Pest Control Order 2016*.

**2 Commencement and duration**

- (1) This pest control order commences on the date it is published in the *NSW Government Gazette*.
- (2) This pest control order has effect for a period of 5 years from the date of commencement.

**3 Definitions**

In this pest control order:

*Agvet Code* has the same meaning as in the *Pesticides Act 1999*.

*controlled land* means the land to which this pest control order applies as described in clause 5.

*eradicate* has the same meaning as in Part 10 of the Act.

*general eradication order* means a general eradication order made under Division 3 of Part 10 of the Act.

*individual eradication order* means an individual eradication order made under Division 3 of Part 10 of the Act.

*pest* means the animal declared in clause 6 to be a pest on the controlled land.

*pest control order* has the same meaning as in Part 10 of the Act.

*the Act* means the *Local Land Services Act 2013*.

**Note:** *Local Land Services, occupier, owner, public authority and public land* all have the same meaning as in the Act.



**4 Revocation of Rural Lands Protection (Migratory Locust) Pest Control Order 2011 under the Rural Lands Protection Act 1998.**

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Migratory Locust) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011 at pages 6192 to 6193 is revoked, as is any pest control order revived as a result of this revocation.

**5 Controlled land**

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

**6 Declaration of Migratory Locust to be a pest**

Pursuant to section 130 (1) (b) of the Act, the Migratory Locust (*Locusta migratoria*), being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

**7 Obligations and powers conferred in relation to the pest on controlled land**

Pursuant to section 130 (1) (c) of the Act and the sections referred to in this clause, the following obligations and powers are imposed or conferred in relation to the pest on the controlled land:

- (a) pursuant to section 130 (2) (a) of the Act, a general destruction obligation is imposed requiring the occupier of controlled land to eradicate the pest by any lawful method;
- (b) pursuant to section 130 (2) (c) of the Act, a notification obligation is imposed requiring the occupier of controlled land to give Local Land Services notice of the presence of the pest on the land as soon as practicable after becoming aware of its presence;
- (c) pursuant to section 130 (2) (d) of the Act, Local Land Services is empowered to serve an individual eradication order in accordance with Part 10 of the Act, on any occupier or owner (other than a public authority) of controlled land requiring the occupier or owner to eradicate the pest by use of a method specified by Local Land Services in the individual eradication order;
- (d) pursuant to section 130 (2) (e) of the Act, Local Land Services is empowered to publish a general eradication order in accordance with Part 10 of the Act requiring all occupiers of controlled land within their region (or a specified part of their region) to eradicate the pest by use of a method specified by Local Land Services in the order;
- (e) pursuant to section 130 (2) (f) of the Act, power is conferred on all authorised officers who work for Local Land Services and all authorised officers appointed for the purposes of Part 10 of the Act to take measures to carry out work on controlled land to eradicate the pest;
- (f) pursuant to section 130 (7) (a) of the Act in respect of the exercise of the power under section 130 (2) (f) by authorised officers on land under the care, control and management of the National Parks and Wildlife Service, that power cannot be exercised unless written approval has been obtained from the Chief

Executive, Parks and Wildlife Group of the NSW Office of Environment and Heritage within the NSW Department of Premier and Cabinet;

- (g) pursuant to section 130 (2) (j) of the Act all authorities are required to supply materials that have been provided to them for the eradication of the pest on controlled land within their region, free of charge, to the owner or occupier of rateable land in accordance with the relevant standard operating procedures.

**8 Method of eradication involving application of a substance from the air**

Pursuant to section 130 (3) of the Act, the method of eradication that may be used in relation to the pest on controlled land that involves the application of a substance from the air is specified to be the use of any substance approved for application by air under the *Pesticides Act 1999* or the Agvet Code for the purpose of controlling the pest.

**9 Authorisation of notice for contribution towards eradication of pest insects.**

This pest control order authorises the Minister to give a notice pursuant to section 154 (1) of the Act, in relation to the pest.

**Note:** Materials provided for eradication of the pest on controlled land are funded from rates levied under the Act. 'Free of charge' means no additional charge is imposed at the time of issue of the materials.

**LOCAL LAND SERVICES (FERAL PIGS) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

I, Niall Blair, MLC, Minister for Primary Industries, in pursuance of Part 10 of, and clause 19 of Schedule 6 to, the *Local Land Services Act 2013*, make the following pest control order in respect of Feral Pigs.

Dated this 11th day of July 2016

NIALL BLAIR, MLC  
Minister for Primary Industries

**LOCAL LAND SERVICES (FERAL PIGS) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

**1 Name of pest control order**

This pest control order is the *Local Land Services (Feral Pigs) Pest Control Order 2016*.

**2 Commencement and duration**

- (1) This pest control order commences on the date it is published in the *NSW Government Gazette*.
- (2) This pest control order has effect for a period of 5 years from the date of commencement.

**3 Definitions**

In this pest control order:

*Agvet Code* has the same meaning as in the *Pesticides Act 1999*.

*controlled land* means the land to which this pest control order applies as described in clause 5.

*eradicate* has the same meaning as in Part 10 of the Act.

*general eradication order* means a general eradication order made under Division 3 of Part 10 of the Act.

*individual eradication order* means an individual eradication order made under Division 3 of Part 10 of the Act.

*pest* means the animal declared in clause 6 to be a pest on the controlled land.

*pest control order* has the same meaning as in Part 10 of the Act.

*the Act* means the *Local Land Services Act 2013*.

**Note:** *Local Land Services*, *occupier*, *owner*, *public authority* and *public land* all have the same meaning as in the Act.

**4 Revocation of Rural Lands Protection (Feral Pigs) Pest Control Order 2011 under the Rural Lands Protection Act 1998.**

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Feral Pigs) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011 at page 6191 is revoked, as is any pest control order revived as a result of this revocation.

**5 Controlled land**

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

**6 Declaration of Feral Pig to be a pest**

Pursuant to section 130 (1) (b) of the Act, the Feral Pig, being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

**7 Obligations and powers conferred in relation to the pest on controlled land**

Pursuant to section 130 (1) (c) of the Act and the sections referred to in this clause, the following obligations and powers are imposed or conferred in relation to the pest on the controlled land:

- (a) pursuant to section 130 (2) (a) of the Act, a general destruction obligation is imposed requiring the occupier of controlled land to eradicate the pest by any lawful method;
- (b) pursuant to section 130 (2) (d) of the Act, Local Land Services is empowered to serve an individual eradication order in accordance with Part 10 of the Act, on any occupier or owner (other than a public authority) of controlled land requiring the occupier or owner to eradicate the pest by use of a method specified by Local Land Services in the individual eradication order;
- (c) pursuant to section 130 (2) (e) of the Act, Local Land Services is empowered to publish a general

eradication order in accordance with Part 10 of the Act requiring all occupiers of controlled land within their region (or a specified part of their region) to eradicate the pest by use of a method specified by Local Land Services in the order;

- (d) pursuant to section 130 (2) (g) of the Act, Local Land Services is empowered to give approval (whether or not subject to any condition) for any person or class of persons to keep the pest in captivity on the controlled land.

**8 Method of eradication involving application of a substance from the air**

Pursuant to section 130 (3) of the Act, the method of eradication that may be used in relation to the pest on controlled land that involves the application of a substance from the air is specified to be the use of any substance approved for application by air under the *Pesticides Act 1999* or the *Agvet Code* for the purpose of controlling the pest.

**LOCAL LAND SERVICES (WILD RABBITS) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

I, Niall Blair, MLC, Minister for Primary Industries, in pursuance of Part 10 of, and clause 19 of Schedule 6 to, the *Local Land Services Act 2013*, make the following pest control order in respect of Wild Rabbits.

Dated this 11th day of July 2016

NIALL BLAIR, MLC  
Minister for Primary Industries

**LOCAL LAND SERVICES (WILD RABBITS) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

**1 Name of pest control order**

This pest control order is the *Local Land Services (Wild Rabbits) Pest Control Order 2016*.

**2 Commencement and duration**

- (1) This pest control order commences on the date it is published in the *NSW Government Gazette*.
- (2) This pest control order has effect for a period of 5 years from the date of commencement.

**3 Definitions**

In this pest control order:

*Agvet Code* has the same meaning as in the *Pesticides Act 1999*.

*controlled land* means the land to which this pest control order applies as described in clause 5.

*eradicate* has the same meaning as in Part 10 of the Act.

*individual eradication order* means an individual eradication order made under Division 3 of Part 10 of the Act.

*pest* means the animal declared in clause 6 to be a pest on the controlled land.

*pest control order* has the same meaning as in Part 10 of the Act.

*the Act* means the *Local Land Services Act 2013*.

*wild rabbit* means any animal of the species *Oryctolagus cuniculus*: (a) that is wild or has become wild, or (b) has an appearance which is consistent with the appearance of the wild European type of rabbit.

**Note:** *Local Land Services, occupier, owner, public authority* and *public land* all have the same meaning as in the Act.

**4 Revocation of Rural Lands Protection (Wild Rabbits) Pest Control Order 2011 under the Rural Lands Protection Act 1998.**

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Wild Rabbits) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011 at page 6197 is revoked, as is any pest control order revived as a result of this revocation.

**5 Controlled land**

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

**6 Declaration of wild rabbit to be a pest**

Pursuant to section 130 (1) (b) of the Act, the wild rabbit, being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

**7 Obligations and powers conferred in relation to the pest on controlled land**

Pursuant to section 130 (1) (c) of the Act and the sections referred to in this clause, the following obligations and powers are imposed or conferred in relation to the pest on the controlled land:

- (a) pursuant to section 130 (2) (a) of the Act, a general destruction obligation is imposed requiring the occupier of controlled land to eradicate the pest by any lawful method;
- (b) pursuant to section 130 (2) (d) of the Act, Local Land Services is empowered to serve an individual eradication order in accordance with Part 10 of the Act, on any occupier or owner (other than a public authority) of controlled land requiring the occupier or owner to eradicate the pest by use of a method specified by Local Land Services in the individual eradication order;
- (c) pursuant to section 130 (2) (g) of the Act, Local Land Services is empowered to give approval (whether or not subject to any condition) for any person or class of persons to keep the pest in captivity on the controlled land.

**8 Method of eradication involving application of a substance from the air**

Pursuant to section 130 (3) of the Act, the method of eradication that may be used in relation to the pest on controlled land that involves the application of a substance from the air is specified to be the use of any substance approved for application by air under the

*Pesticides Act 1999* or the Agvet Code for the purpose of controlling the pest.

**Note:** This pest control order does not prevent any person from keeping rabbits that are not covered by the definition of “wild rabbit” above, subject to compliance with the *Local Government Act 1993*, the *Environmental Planning and Assessment Act 1979* and any other legal requirements.

**LOCAL LAND SERVICES (RABBITS) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

I, Niall Blair, MLC, Minister for Primary Industries, in pursuance of Part 10 of, and clause 19 of Schedule 6 to, the *Local Land Services Act 2013*, make the following pest control order in respect of Rabbits.

Dated this 11th day of July 2016

NIALL BLAIR, MLC  
Minister for Primary Industries

**LOCAL LAND SERVICES (RABBITS) PEST CONTROL ORDER 2016**

under the

LOCAL LAND SERVICES ACT 2013

**1 Name of pest control order**

This pest control order is the *Local Land Services (Rabbits) Pest Control Order 2016*.

**2 Commencement and duration**

- (1) This pest control order commences on the date it is published in the *NSW Government Gazette*.
- (2) This pest control order has effect for a period of 5 years from the date of commencement.

**3 Definitions**

In this pest control order:

*controlled land* means the land to which this pest control order applies as described in clause 5.

*pest* means the animal declared in clause 6 to be a pest on the controlled land.

*rabbit* means any animal of the species *Oryctolagus cuniculus*.

*pest control order* has the same meaning as in Part 10 of the Act.

*the Act* means the *Local Land Services Act 2013*.

**Note:** *Local Land Services, occupier, owner, public authority* and *public land* all have the same meaning as in the Act.

**4 Revocation of Rural Lands Protection (Rabbits) Pest Control Order 2011 under the Rural Lands Protection Act 1998.**

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Rabbits) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011

at page 6194 is revoked, as is any pest control order revived as a result of this revocation.

**5 Controlled land**

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

**6 Declaration of Rabbit to be a pest**

Pursuant to section 130 (1) (b) of the Act, the Rabbit, being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

**7 Prohibition of administration of substances**

Pursuant to sections 130 (1) (c) and 130 (2) (i) of the Act the administration to any rabbit of fibroma virus vaccine or myxoma virus vaccine is prohibited, unless such administration is approved by the Minister.

# Crown Lands Notices

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

## ARMIDALE OFFICE

### ROADS ACT 1993

#### ORDER

Transfer of a Crown Road to a Council

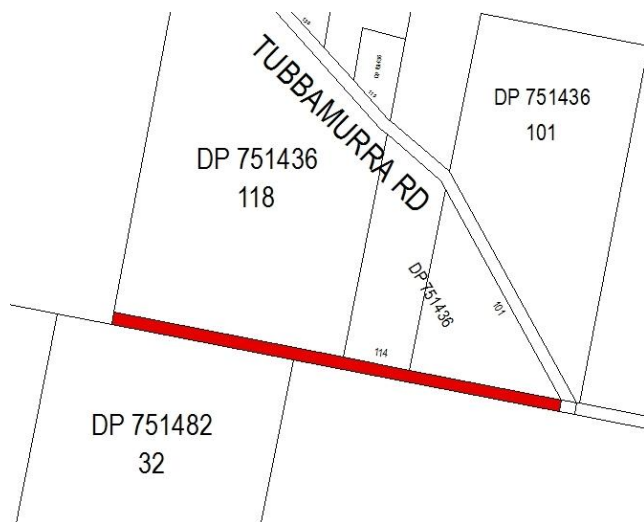
In pursuance of the provisions of section 151, *Roads Act 1993*, the Crown road specified in Schedule 1 is hereby transferred to the Roads Authority specified in Schedule 2 hereunder, and as from the date of publication of this notice, the road specified in schedule 1 ceases to be a Crown road.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule 1

Parish – Bagot; County – Clarke  
Land District – Armidale; LGA – Armidale Regional

Crown road shown coloured in red on diagram hereunder.



#### Schedule 2

Roads Authority: Armidale Regional Council  
Lands Reference: 16/06025

### 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

Robert Wyatt  
LEAYR  
(new member)  
Peter Murray  
McCARTHY  
(new member)  
Robert OBRIEN  
(new member)

For a term  
commencing the  
date of this notice  
and expiring  
18 September  
2019.

##### Column 2

Uralla  
Showground  
Trust

##### Column 3

Dedication No 510041  
Public Purpose:  
Showground Addition  
Notified: 21 December  
1910  
Dedication No 510040  
Public Purpose:  
Showground  
Notified: 26 August  
1884  
File Reference:  
AE81R23-002

## GOULBURN OFFICE

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

##### Column 1

Environmental Protection

##### Column 2

Reserve No 85569  
Public Purpose: Soil  
Conservation  
Notified: 3 December 1965  
File Reference: 15/03418  
Reserve No 86983  
Public Purpose: Access  
Notified: 29 November  
1968  
File Reference: 15/03418

#### Schedule

##### Column 1

Power/Transmission Line

##### Column 2

Reserve No 91048  
Public Purpose: Public  
Recreation  
Notified: 10 March 1978  
File Reference: 13/13652

**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 – Tun Cooley; County – Stapylton  
Land District – Moree; LGA – Moree Plains*

Road Closed: Lot 2 DP 1218254  
File No: 15/08654

**Schedule**

On closing, the land within Lot 2 DP 1218254 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 – Fenwick; County – Vernon  
Land District – Walcha; LGA – Walcha*

Road Closed: Lots 1–2 DP 1221141  
File No: 16/01760

**Schedule**

On closing, that part of the land within Lots 1 DP 1221141 which was formerly Crown road remains vested in the State of New South Wales as Crown land.

On closing, that part of the land within Lot 2 DP 1221141 which was formerly Council road becomes vested in the State of New South Wales as Crown Land. On closing, the land within Lot 2 DP 1221141 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 – Honeysuckle, Morse; County – Hardinge  
Land District – Armidale; LGA – Uralla*

Road Closed: Lots 1–3 DP 1220501  
File No: 15/07420

**Schedule**

On closing, the land within Lots 1–3 DP 1220501 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 – Llangothlin, Ryanda  
Counties – Gough, Clarke  
Land District – Glen Innes  
LGA – Glen Innes Severn Shire*

Road Closed: Lots 1–2 DP 1219613  
File No: 15/05561

**Schedule**

On closing, the land within Lots 1–2 DP 1219613 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 – Tenterden; County – Hardinge  
Land District – Inverell; LGA – Armidale Regional*

Road Closed: Lots 1–4 DP 1220493  
File No: 15/10575

**Schedule**

On closing, the land within Lots 1–4 DP 1220493 remains vested in the State of New South Wales as Crown land.

**ROADS ACT 1993**

**ORDER**

Transfer of a Crown Road to 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, as from the date of publication of this notice and as from the 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**

*Land District – Glen Innes  
Local Government Area – Glen Innes Severn  
Parish – Worra, County – Gresham*

Crown public road known as Warra Forest Road at Mount Mitchell as shown by solid black shading on the diagram hereunder.



**Schedule 2**

Roads Authority: Glen Innes Severn Council  
File No: 15/08050

**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 – Ditmas; County – Gough  
Land District – Glen Innes  
LGA – Glen Innes Severn Shire*

Road Closed: Lot 2 DP 1215931  
File No: 11/13750

**Schedule**

On closing, the land within Lot 2 DP 1215931 remains vested in the State of New South Wales as Crown land.

**GRANT OF EASEMENT FOR WATER SUPPLY**

Pursuant to sections 145 and 146 of the *Roads Act 1993*, and sections 34 and 52 of the *Crown Lands Act 1989*, the Minister administering the *Crown Lands Act 1989* hereby grants an easement for water supply 10 metres wide over Crown land specified in Column 1 of the Schedule for the benefit of the land specified opposite thereto in Column 2 of the Schedule, with the terms for the easement being the terms listed in Part 12 of Schedule 8 of the *Conveyancing Act 1919* – Easement for Water Supply.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Land District: Casino  
Local Government Area: Clarence Valley  
Locality: Alice  
That section of the Crown public road named as Henley Street, Alice, and denoted as (P) – PROPOSED EASEMENT FOR WATER SUPPLY 10 WIDE on DP 1221633  
File Reference: 10/01648

**Column 2**

Lot 2 DP 1221633  
Parish Alice  
County Drake

**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 – Algalah; County – Narromine  
Land District – Dubbo; LGA – Narromine*

Road Closed: Lot 1 DP 1220504  
File No: 16/01464

**Schedule**

On closing, the land within Lot 1 DP 1220504 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 – Louis; County – Gough  
Land District – Glen Innes  
LGA – Glen Innes Severn Shire*

Road Closed: Lot 1 DP 1220231  
File No: 15/09190

**Schedule**

On closing, the land within Lot 1 DP 1220231 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**

*Parishes – Fenwick, Ella; County – Vernon  
Land District – Walcha; LGA – Walcha*

Road Closed: Lots 1–2 DP 1221143  
File No: 16/01759

**Schedule**

On closing, the land within Lots 1–2 DP 1221143 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**

*Parishes – Morebringer, Brocklesby; County – Hume  
Land District – Corowa; LGA – Greater Hume*

Road Closed: Lots 1–2 DP 1220438  
File No: 16/01083

**Schedule**

On closing, the land within Lot 2 DP 1220438 remains vested in the State of New South Wales as Crown land.

On closing, the land within Lot 1 DP 1220438 becomes vested in the State of New South Wales as Crown Land.

Council's reference: MO:jl

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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 – Lockhart; County – Urana  
Land District – Urana; LGA – Lockhart*

Road Closed: Lot 3 DP 1219806  
File No: 15/11246

**Schedule**

On closing, the land within Lot 3 DP 1219806 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 – Bluff Land; County – Clive  
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 1 DP 1220868  
File No: 16/01418

**Schedule**

On closing, the land within Lot 1 DP 1220868 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 – Maryland; County – Buller  
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 9 DP 1221387  
File No: 16/01194

**Schedule**

On closing, the land within Lot 9 DP 1221387 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 – Maryland; County – Buller  
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 3 DP 1221384  
File No: 16/01113

**Schedule**

On closing, the land within Lot 3 DP 1221384 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 – Maryland; County – Buller  
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 6 DP 1220910  
File No: 16/01111

**Schedule**

On closing, the land within Lot 6 DP 1220910 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 – Clifden; County – Clarence  
Land District – Grafton; LGA – Clarence Valley*

Road Closed: Lot 2 DP 1219808  
File No: 16/01126

**Schedule**

On closing, the land within Lot 2 DP 1219808 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 – Dickson; County – Clive  
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 22 DP 1218467  
File No: 10/14505

**Schedule**

On closing, the land within Lot 22 DP 1218467 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 Lismore; County – Rous  
Land District – Lismore; LGA – Lismore*

Road Closed: Lots 1–2 DP 1213795  
File No: 10/16561

**Schedule**

On closing, the land within Lots 1–2 DP 1213795 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 – Clifden; County – Clarence  
Land District – Grafton; LGA – Clarence Valley*

Road Closed: Lot 3 DP 1220860  
File No: 16/01123

**Schedule**

On closing, the land within Lot 3 DP 1220860 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 – Great Marlow; County – Clarence  
Land District – Grafton; LGA – Clarence Valley*

Road Closed: Lot 2 DP 1218666  
File No: 15/10560

**Schedule**

On closing, the land within Lot 2 DP 1218666 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 – Illingrammindi; County – Staphylton  
Land District – Moree; LGA – Moree Plains*

Road Closed: Lot 6 DP 1217571  
File No: 15/02548

**Schedule**

On closing, the land within Lot 6 DP 1217571 remains vested in the State of New South Wales as Crown land.

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

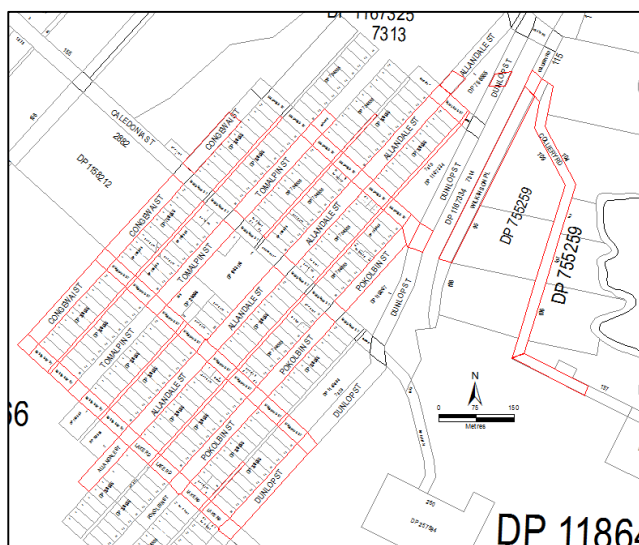
**Schedule 1**

*Parish – Stanford  
County – Northumberland  
Land District – Maitland  
Local Government Area – Cessnock*

Those parts of Crown public roads known as Colliery Road, Wilkinson Place, Dunlop Street, Ellalong Street, Millfield

Street, Allandale Street, Tomalpin Street, Pokolbin Street, Congewai Street Mulbring Street and Cessnock Street and lanes within the village of Kearsley as highlighted in red outline in the diagram below.

**Schedule 2**



Roads Authority: Cessnock City Council  
Council's Reference: 20850  
Lands File Reference: 14/04509

**MOREE OFFICE**

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Pump Site

**Column 2**

Reserve No 1334  
Public Purpose: Travelling  
Stock  
Notified: 24 February 1879  
File Reference: 15/10495

**Schedule**

**Column 1**

Grazing

**Column 2**

Reserve No 756003  
Public Purpose: Future  
Public Requirements  
Notified: 29 June 2007  
File Reference: 16/00282

**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**

Taylor Oval (D560016) Reserve Trust

**Schedule 3**

Dedication No 560016  
Public Purpose: Recreation  
Notified: 7 December 1892  
File Reference: 15/04831

**APPOINTMENT OF CORPORATION TO  
MANAGE RESERVE TRUST**

Pursuant to section 95 of the *Crown Lands Act 1989*, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2	Column 3
Moree Plains Shire Council	Taylor Oval (D560016) Reserve Trust	Dedication No 560016 Public Purpose: Recreation Notified: 7 December 1892 File Reference: 15/04831

**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**

Taylor Oval Tennis Courts (D560017) Reserve Trust

**Schedule 3**

Dedication No 560017  
Public Purpose: Public Recreation  
Notified: 24 April 1931  
File Reference: 15/04831

**APPOINTMENT OF CORPORATION TO  
MANAGE RESERVE TRUST**

Pursuant to section 95 of the *Crown Lands Act 1989*, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2	Column 3
Moree Plains Shire Council	Taylor Oval Tennis Courts (D560017) Reserve Trust	Dedication No 560017 Public Purpose: Public Recreation Notified: 24 April 1931 File Reference: 15/04831

For a term commencing the date of this notice

**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 – Timor; County – Gowen  
Land District – Coonabarabran; LGA – Warrumbungle*

Road Closed: Lots 1–2 DP 1221522 (subject to easement for water created by Deposited Plan 1221522)

File No: 09/11790 RS

**Schedule**

On closing, the land within Lots 1–2 DP 1221522 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 – Copperhanna; County – Georgiana  
Land District – Blayney; LGA – Bathurst Regional*

Road Closed: Lots 1–3 DP 1220784 (subject to Rights of Access created by Deposited Plan 1220784)  
File No: 15/09513

**Schedule**

On closing, the land within Lots 1–3 DP 1220784 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**

*Parishes – Marsden, Caragabal; County – Gipps  
Land District – Forbes, Grenfell; LGA – Weddin*

Road Closed: Lot 1 DP 1220762  
File No: CL/00265

**Schedule**

On closing, the land within Lot 1 DP 1220762 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**

*Parishes – Waugoola, Lucan; County – Bathurst  
Land District – Cowra, Blayney; LGA – Cowra, Blayney*

Road Closed: Lots 1–3 DP 1220642  
File No: 10/06247

**Schedule**

On closing, the land within Lots 1–3 DP 1220642 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 – Currajong; County – Ashburnham  
Land District – Parkes; LGA – Parkes*

Road Closed: Lot 1 DP 1220045  
File No: CL/00812

**Schedule**

On closing, the land within Lot 1 DP 1220045 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**

*Parishes – Coonamble, Yoe; County – Leichhardt  
Land District – Coonamble; LGA – Coonamble*

Road Closed: Lots 1–4 DP 1221009 (subject to right of carriageway created by Deposited Plan 1221009)  
File No: 12/02871:JT

**Schedule**

On closing, the land within Lots 1–4 DP 1221009 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 – Tuckombil; County – Rous  
Land District – Lismore; LGA – Ballina*

Road Closed: Lot 26 DP 246774.  
File No: 16/03587

**Schedule**

On closing, the land within Lot 26 DP 246774 remains vested in Ballina Shire Council as operational land for the purposes of the *Local Government Act 1993*.

Council Reference: Alstonville Pool

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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 – Borenore; County – Wellington  
Land District – Orange; LGA – Cabonne*

Road Closed: Lot 1 DP 1189710  
File No: CL/00738

**Schedule**

On closing, the land within Lot 1 DP 1189710 becomes and remains vested in the State of New South Wales as Crown land.

Council's reference: 502242

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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 – Carrwabitty; County – Ashburnham  
Land District – Forbes; LGA – Forbes*

Road Closed: Lot 1 DP 1220358  
File No: 15/11258

**Schedule**

On closing, the land within Lot 1 DP 1220358 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 – Beneree; County – Bathurst  
Land District – Orange; LGA – Cabonne*

Road Closed: Lot 1 DP 1217747  
File No: 08/5442

**Schedule**

On closing, the land within Lot, 1 DP 1217747 becomes vested in the State of New South Wales as Crown Land.

Council's reference: 546475

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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 – Urawilkie; County – Leichhardt  
Land District – Coonamble; LGA – Coonamble*

Road Closed: Lot 1 DP 1216014  
File No: 09/01973

**Schedule**

On closing, the land within Lot 1 DP 1216014 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 – Urawilkie; County – Leichhardt  
Land District – Coonamble; LGA – Coonamble*

Road Closed: Lot 2 DP 1216014  
File No: 09/01973

**Schedule**

On closing, the land within Lot 2 DP 1216014 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 – Waugan; County – Ashburnham  
Land District – Forbes; LGA – Forbes*

Road Closed: Lot 1 DP 1220955  
File No: 15/09484

**Schedule**

On closing, part of the land within Lot 1 DP 1220955 remains vested in the State of New South Wales as Crown land.

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On closing, part of the land within Lot 1 DP 1220955 becomes vested in the State of New South Wales as Crown Land.

Council's reference: Res. 2015/516

**NOWRA 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 – Carrwabby; County – Ashburnham  
Land District – Forbes; LGA – Forbes*

Road Closed: Lot 2 DP 1220358  
File No: 15/11257

**Schedule**

On closing, the land within Lot 2 DP 1220358 remains vested in the State of New South Wales as Crown land.

**ORANGE OFFICE**

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Residence; Storage Shed	Reserve No 61743 Public Purpose: Public Recreation Notified: 14 March 1930 File Reference: 14/02337

**SYDNEY METROPOLITAN OFFICE**

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

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

such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Filming Event	Reserve No 1013848 Public Purpose: Public Recreation, Urban Services Notified: 29 June 2007 File Reference: 16/05861

**TAMWORTH 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 – Bubbogullion; County – Inglis  
Land District – Tamworth; LGA – Tamworth Regional*

Road Closed: Lots 2–4 DP 1220437  
File No: 16/01295

**Schedule**

On closing, the land within Lots 2–4 DP 1220437 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 – Bubbogullion; County – Inglis  
Land District – Tamworth; LGA – Tamworth Regional*

Road Closed: Lot 1 DP 1220397  
File No: 11/05477

**Schedule**

On closing, the land within Lot 1 DP 1220397 remains vested in the State of New South Wales as Crown land.

**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**

<b>Column 1</b>	<b>Column 2</b>
Land District: Tamworth Local Government Area: Tamworth Regional Council Locality: Tamworth Part Reserve No 96144 Public Purpose: Future Public Requirements Notified: 16 July 1982 File Reference: 13/03426	The part being Lot 435 DP No 1054103 Parish Tamworth County Inglis Lot 436 DP No 1054103 Parish Tamworth County Inglis Lot 7304 DP No 1158146 Parish Tamworth County Inglis of an area of 139.54ha

**WESTERN REGION OFFICE**

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

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

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

*Administrative District – Bourke  
Parishes – Booda, Moira & Mootcha  
County – Cowper  
LGA – Bourke*

That condition of Western Lands Lease 6862, being the lands contained within Folio Identifier 3472/765761 has been altered effective 19 July 2016 from;

“that the lessee shall not obstruct or interfere with any reserves, roads or tracks or the lawful use thereof by any person”

to the following extent;

“that the lessee shall not obstruct or interfere with any reserves or roads or the use thereof by any person”

File reference: 08/2056

**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>
Buffer Zone	Reserve No 1011268 Public Purpose: Future Public Requirements Notified: 3 February 2006 File Reference: 15/09011

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
Buffer Zone; Grazing	Reserve No 84334 Public Purpose: Generally Notified: 22 March 1963 File Reference: 15/09011

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
Pipeline; Pump Site; Buffer Zone; Grazing	Reserve No 1013826 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/09011

## Other Government Notices

### ANTI-DISCRIMINATION ACT 1977

#### Exemption Order

(1) Under section 126 of the *Anti-Discrimination Act 1977* (NSW) and for the purposes of meeting Northrop Grumman Australia Pty Limited and its subsidiaries, Northrop Grumman Integrated Defence Services Pty Limited and M5 Network Security Pty Limited (collectively referred to as Northrop Grumman AU) (the Applicant) legal obligations pursuant to the following Security Requirements:

- requirements made by the Australian government, that government's Department of Defence or any other department of that government, including: requirements under the *Defence Trade Controls Act 2012* (Cth) and the *Defence Trade Controls Regulations 2013* (Cth);
- requirements contained in the Defence Services Manual;
- the requirements of laws of the United States of America, including but not limited to the Arms Export Control Act and the International Traffic in Arms Regulations, including the requirements of any authorisation made under those laws; and
- requirements applying to the Applicant under its contract with the Commonwealth to provide the Services to the Australian Defence Force;

The Applicant is granted an exemption from sections 8, 10 and 51 of the *Anti-Discrimination Act 1977* (NSW) to permit the Applicant to do the following:

- (a) advertise for, recruit and deploy employees and contract workers on the basis of citizenship and/or country of birth;
- (b) ask present and future employees and contract workers to declare their exact citizenship (including any dual citizenship) and country of birth;
- (c) ask present and future employees and contract workers to declare any substantive contacts with persons from proscribed countries listed in the ITAR;
- (d) identify employees and contract workers according to citizenship, country of birth and/or substantive contacts with countries that are identified as proscribed, or otherwise restricted for the purposes of US Laws from time to time;
- (e) require present and future employees and contract workers to produce a photocopy of their passport(s);
- (f) require employees and contract workers to advise Northrop Grumman AU of any change in their citizenship status;
- (g) restrict employee and contract worker access to controlled technology and information, including restricting access to areas of Northrop Grumman AU's facilities, to particular members of Northrop Grumman AU's workforce based on their citizenship, country of birth or substantive contacts (where such contacts objectively create an unacceptable risk of diversion of ITAR controlled technology or information); and

(h) make decisions about recruiting and deploying employees or contract workers on the basis of citizenship, country of birth and/or substantive contact with certain proscribed countries (where such contacts objectively create an unacceptable risk of diversion of ITAR controlled technology or information),

**This exemption order is subject to the following conditions:**

- (2) This Exemption Order does not extend to any other identification, collection, storage or use of information in relation to any employee in respect of that employee's race, colour, nationality, descent or ethnic, ethno-religious or national origin. Except to the extent expressly provided for in this order, this Exemption Order does not excuse, or purport to excuse, the Applicant from complying with its obligations pursuant to the *Anti-Discrimination Act 1977* (NSW) or any other legislation or at common law.
- (3) The Applicant will, prior to taking any action permitted by this Exemption Order, provide all employees, and prospective employees with:
  - a. express notice that they may be adversely affected by this exemption if they are not an Australian citizen or if they hold dual citizenship;
  - b. a reasonable explanation in plain English of the nature of any adverse effects of such action to them; and
  - c. information (at the time of recruitment in the case of prospective employees) about how they can apply for Australian citizenship.
- (4) In addition to the above conditions the Applicant will:
  - a. maintain comprehensive anti-discrimination policies governing all aspects of the work and Workforce, including management, and with particular regard to race discrimination, vilification, harassment and victimisation;
  - b. establish concise and comprehensive dispute resolution and grievance procedures to receive, investigate and resolve discrimination complaints and grievances and, in particular, those relating to race discrimination, vilification, harassment and victimisation;
  - c. implement training programs, including at induction, to ensure that all members of the Applicant's Workforce, including management, are fully informed of their rights and obligations under such policies and procedures, particularly with regard to issues of race discrimination, vilification, harassment and victimisation;
  - d. ensure that all members of the Workforce, including management, receive regular education and training in issues of discrimination, particularly race discrimination, vilification, harassment and victimisation;
  - e. takes steps to fully inform the Workforce, including management, of their rights under the *Anti-Discrimination Act 1977* (NSW) and, in particular, but not limited to, the complaints procedure under the *Anti-Discrimination Act 1977* (NSW)



and to ensure that all members of the Workforce, including management, are aware of the rights of aggrieved persons to take their complaints to the Anti-Discrimination Board and through the New South Wales Civil and Administrative Tribunal;

- (5) Take steps to fully inform the Workforce, including management, of the requirements of, and their rights and obligations under, the *Racial Discrimination Act 1975* (Cth);
- (6) Notify the Board if the discriminatory terms and provisions of the Security Requirements are amended or become inoperative, so that this Exemption Order may be revoked or amended.
- (7) The Applicant will report to the Anti-Discrimination Board during the operation of this Exemption Order, on a six-monthly basis:
  - a. the steps it has taken to comply with all the above conditions, including:
  - b. the number of job applicants rejected because of the Security Requirements, including those subsequently appointed to other roles within each reporting period:
  - c. the number of employees retrenched or redeployed due to the Security Requirements and any steps taken to minimise retrenchment or redeployment, and any steps taken generally to mitigate the impact of the Applicant’s responsibility under the Security Requirements on the deployment of its Workforce within each reporting period;
  - d. the number of vacancies advertised within each reporting period, including the number of such vacancies where candidates were required to satisfy the Security Requirements.
  - e. the implementation and compliance generally with the terms of this Exemption Order.
- (8) The Applicant will take all reasonable steps to ensure that any employees adversely affected by this Exemption Order retain employment with the Applicant, and do not suffer a reduction in wages, salary or opportunity for advancement.
- (9) If the Applicant, in order to enable it to comply with the Security Requirements, moves a member of the Workforce from one project to another, the Applicant must take reasonable steps both to explain to that person why the transfer has occurred and to avoid any race-based hostility that might result from the transfer.
- (10) If prospective employees are adversely affected by this Exemption Order and would otherwise have been acceptable to the Applicant as employees, the Applicant will consider and, if feasible, implement reasonable and practicable alternatives to rejection, such as employment in other work for the Applicant.

In this Exemption Order, the expressions:

- “Defence Materials” means any materials or information in relation to which access or use is regulated by the Security Requirements;
- “Workforce” includes the Applicant’s employees, contractors and contract workers who are engaged to participate in the provision of the Services in New South Wales.

This Exemption is granted for a period of five years from the date given.

Dated this 14 July 2016

ELIZABETH WING  
Acting President  
Anti-Discrimination Board of NSW

**ASSOCIATIONS INCORPORATION ACT 2009**

Notice under Section 509 (5) of the Corporations Act 2001 as Applied by Section 64 of the Associations Incorporation Act 2009

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

SYDNEY BRONIES INCORPORATED INC1301021

Dated this 18th day of July 2016

C GOWLAND  
Delegate of the Secretary  
& General Manager Registry Services

**ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of Incorporation Pursuant to Section 74

Take notice that the incorporation of the following associations is cancelled by this notice pursuant to section 74 of the *Associations Incorporation Act 2009*.

ASIA-PACIFIC RESEARCH INSTITUTE FOR STRATEGY AND DEVELOPMENT INCORPORATED	INC1500975
CHURCH OF THE HIGHLANDS INCORPORATED	INC9885707
HIGH SCHOOL MINISTRIES INCORPORATED	INC9886979
ILLAWARRANEWS BLOGSPOT INCORPORATED	INC1200222
INNER WHEEL CLUB OF PORT HACKING INC	Y0993643
LIFE WORSHIP CENTRE INCORPORATED	INC1300092
LIONS CLUB OF ENGADINE INC	Y0566421
OLD SCHOOL SMC INCORPORATED	INC1600358
PARRAMATTA MASONIC CLUB INCORPORATED	INC9883716

Cancellation is effective as at the date of gazettal.

Dated this 20th day of July 2016.

CHRISTINE GOWLAND  
Delegate of the Commissioner  
NSW Fair Trading

**BETTING AND RACING ACT 1998**

Order for Prescription as Sports Controlling Body – Approval

I, Feargus O’Connor, Deputy Secretary – Liquor, Gaming and Emergency Management, 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
Tennis Australia	Tennis

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

Dated this 13 day of July 2016

FEARGUS O’CONNOR

Deputy Secretary

Liquor, Gaming and Emergency Management

**EMERGENCY SERVICES LEVY INSURANCE MONITOR ACT 2016**

Notice under Section 30

I, Professor Allan Fels AO, the person appointed as the Emergency Services Levy Insurance Monitor under section 5 of the *Emergency Services Levy Insurance Monitor Act 2016* (“the Act”) publish the following notice, for the purposes of section 30 (1) of the Act:

**MESSAGE FROM THE NSW EMERGENCY SERVICES LEVY INSURANCE MONITOR**

**Reductions in insurance premiums caused by changes to the funding of emergency services**

The way the NSW Government funds the Emergency Services agencies is changing – there will no longer be a levy on your insurance policy.

Currently, individuals and businesses insuring property in NSW contribute to the Emergency Services Levy as part of their insurance premiums. This levy supports the work of Fire and Rescue NSW, the NSW Rural Fire Service and the NSW State Emergency Service. These vital community services help NSW residents and businesses protect their property from fire, flood, storms and other natural disasters.

Your current Emergency Services Levy is detailed on your insurance policy statement.

For policies commencing from 1 July 2017, the NSW Government intends that the Emergency Services Levy will no longer be included as part of the cost of your property insurance. This means that insurance premiums will be lower than would otherwise be the case.

The NSW Government appointed Professor Allan Fels AO and Professor David Cousins AM as the Emergency Services Levy Insurance Monitor and Deputy Monitor, respectively, to head an independent agency overseeing the removal of the Emergency Services Levy. The Monitor aims to ensure that any cost savings arising from the removal of the Emergency Services Levy are passed on in full.

From 2017–18, funding for the emergency services agencies will be collected alongside local council rates. Councils will clearly show the new levy as a separate item on your council rates notice. This change in the method of collecting funding

for those agencies is intended to ensure all property owners contribute their fair share to the cost of emergency services, rather than only those choosing to insure their property. The Government has indicated this change will not reduce the funds available to the emergency services agencies.

**Please get in touch if you would like further information.**

If you have any questions about how this change will impact the cost of your insurance, please contact [insert insurance provider contact details].

If you would like further information on the insurance side of Emergency Services Levy Reform and the removal of the ESL you can contact the Monitor on:

Ph: 1300 607 723, [enquiries@eslinsurancemonitor.nsw.gov.au](mailto:enquiries@eslinsurancemonitor.nsw.gov.au), or [www.eslinsurancemonitor.nsw.gov.au](http://www.eslinsurancemonitor.nsw.gov.au).

If you require further information about the property levy side of Emergency Services Levy Reform and the new ESPL, please email your enquiries to [ESPL.info@treasury.nsw.gov.au](mailto:ESPL.info@treasury.nsw.gov.au).

**EXPLOSIVES REGULATION 2013**

Exemption Order No 004/16

I, Peter Dunphy, Executive Director, SafeWork New South Wales, pursuant to clause 113 of the *Explosives Regulation 2013*, make the following Exemption Order.

Dated this 15th day of June 2016.

PETER DUNPHY

Executive Director

SafeWork New South Wales

**Explanatory Note**

Clause 113 of the *Explosives Regulation 2013* provides that the regulatory authority may, by order published in the Gazette, exempt any class of persons or things from a specified provision of the Regulation. This Order exempts persons handling certain types of bon-bon crackers from requirements in relation to marking and approved packaging imposed by clauses 65 and 78 of the Regulation.

**Explosives Regulation 2013 Exemption No 004/16**

**1. Name of Exemption**

This Exemption Order is the *Explosives Regulation 2013 Exemption Order No 004/16*.

**2. Commencement**

This Exemption Order commences on the date of publication in the *NSW Government Gazette* and has effect until five years from that date, unless otherwise varied or cancelled.

**3. Exemption**

- (a) This Exemption Order is made by SafeWork New South Wales on application from DATS Pty Ltd.
- (b) This Exemption Order applies to bon-bon crackers which have been certified by:
  - Tian Cheng Pyrotechnics Laboratory report TCPL152096 dated 17 November 2015, and
  - Konstrukta Defence a.s. Resolution No. RZ-SK/KTD150-15 dated 26 November 2015,

as being excluded from classification as Class 1 dangerous goods because they do not represent a significant hazard of explosion, as determined in accordance with UN Recommendations on the Transport of Dangerous Goods – Model Regulations, Seventeenth Revised Edition.

- (c) This Exemption Order exempts persons handling packages of bon-bon crackers referred to in paragraph (b) from compliance with:
- clause 65 of the *Explosives Regulation 2013*, and
  - clause 78 of the *Explosives Regulation 2013*
- in relation to the requirements for marking of packages and the use of approved packaging imposed by the Australian Code for the Transport of Explosives by Road and Rail, as in force from time to time.

**Please note:** Under clause 114 of the *Explosives Regulation 2013*, a Register of Exemptions must be kept by SafeWork NSW and be available for public inspection upon request.

### GEOGRAPHICAL NAMES ACT 1966

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

*Tom Wyatt Park* for a reserve located at the intersection of Stephanie Avenue and Veronica Street in the locality of Warilla.

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

P HARCUMBE  
Acting Chairman  
Geographical Names Board

### PARTNERSHIP ACT 1892

#### Section 73A

Cancellation of Incorporation Pursuant to  
Schedule 1 of the Partnership Act 1892

Notice is hereby given that the following Incorporated Limited Partnership has voluntarily wound up pursuant to Schedule 1 clause (2) and its incorporation is cancelled by this notice pursuant to Schedule 1 clause (9) of the *Partnership Act 1892*.

QUADRANT PRIVATE EQUITY FUND NO. 2,  
LP INCORPORATED LIMITED PARTNERSHIP  
ILP0000030

Cancellation is effective as at the date of gazettal.

Dated this 14th day of July 2016

JON ROBINSON  
Delegate of the Commissioner  
NSW Fair Trading  
Department of Finance, Services & Innovation

### PESTICIDES REGULATION 2009

Notice of Finalisation of a Pesticide Use Notification Plan  
for Botanic Gardens & Centennial Parklands

Notice is hereby given that in accordance with the *Pesticides Regulation 2009* and following community consultation, Botanic Gardens & Centennial Parklands has adopted its revised Pesticide Use Notification Plan, 2016.

The Plan is available online at:

<https://www.rbg Syd.nsw.gov.au/>  
<http://www.centennialparklands.com.au/>

Copies of the Pesticide Use Notification Plan can also be requested from the Visitor Information Counters.

### TEACHER ACCREDITATION ACT 2004

Notification of Elected Members to the  
Quality Teaching Council

In pursuance of Division 15, clause 57 of the *Teacher Accreditation Regulation 2015*, the Board of Studies, Teaching and Educational Standards wishes to cause notice that Mr Tim ROBERTS is an elected NSW Government teacher representative member of the Quality Teaching Council (as per Part 4, clause 63 of the *Teacher Accreditation Regulation 2015*). This will be for a term commencing on and from 1 January 2016 until 31 December 2018.

### TRANSPORT ADMINISTRATION ACT 1988

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

Hérons Creek in the Local Government Area of  
Port Macquarie-Hastings

Transport for NSW 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 *Transport Administration Act 1988*.

Dated this 20th day of July 2016.

TERRY BRADY  
Principal Manager, Country Rail Contracts  
Infrastructure and Services Division  
Transport for NSW

#### Schedule

All those pieces or parcels of land situated in the locality of Herons Creek in the Local Government Area of Port Macquarie-Hastings, Parish of Camden Haven, County of Macquarie and State of New South Wales, being identified as Lot 32 in Deposited Plan 1175388, and having an area of 2655.5 square meters and said to be in the ownership of the State of NSW.

Chief and  
Senior  
Executive  
Service

Annual  
Determination

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*Report and determination under  
section 24C of the Statutory and  
Other Offices Remuneration Act  
1975*

15 July  
2016

Chief and Senior Executive Service

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Chief and Senior Executive Service

# Section 1

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## Background

### Legislative Framework

1. The Chief Executive Service and Senior Executive Service <sup>1</sup> was introduced in the NSW public sector in 1989. Section 24C of the SOOR Act provides for the Tribunal to determine annual remuneration packages for the SES. Remuneration packages are expressed as a total cost of employment, as monetary remuneration for the executive office holder, or partly that remuneration and partly as the cost to the employer of the executive office holder of employment benefits.
2. The *Government Sector Employment Act 2013* (the GSE Act) commenced operation on 24 February 2014. The GSE Act introduced a new structure and employment arrangements for all of the NSW Public Service. The new arrangements replaced those provided for in relation to the appointment of senior executives under the former *Public Sector Employment and Management Act 2002* (former PSEM Act).
3. Transitional arrangements are in place until up to 24 February 2017 for ‘transitional former senior executives’, that is, people who were in the SES or who were Senior Officers or in equivalent classifications under the former PSEM Act immediately before it was repealed. The arrangements are outlined in Schedule 4 of the GSE Act. Under these transitional provisions, the following executives have a remuneration package that is equivalent to the remuneration package of the executive immediately before the repeal of the former PSEM Act (unless the remuneration package is increased as a result of a determination of the Tribunal made under Part 3A of the SOOR Act):

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

### Chief and Senior Executive Service

- transitional former senior executives who are former SES executives in accordance with clause 8(1)(a) of Schedule 4 of the GSE Act
  - persons continuing in office as Secretary under clause 6(2) of Schedule 4 of the GSE Act
  - persons continuing in office as head of a Public Service agency under clause 7(2) of Schedule 4 of the GSE Act
  - persons holding office as head of a Public Service agency under clause 7(5) of Schedule 4 of the GSE Act
  - the statutory officers listed in clause 8A(1) of Schedule 4 of the GSE Act.
4. Public Service agencies are to review their executive structures within three years of commencement of the GSE Act to achieve alignment with the new executive arrangements.
  5. The Tribunal will continue to make determinations for the SES, under part 3A of the SOOR Act, until such time as the transitional arrangements are finalised. Executive officers subject to the transitional arrangements will continue to be referred to as SES officers for the purposes of this determination.

### Government Wages Policy

6. In determining remuneration for the SES the Tribunal is required pursuant to Section 6AA of the SOOR Act to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission (IRC) 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.
7. The current policy on wages pursuant to section 146(1)(a) of the IR Act is specified in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (the IR Regulation) which was made on 24 June 2014. The effect of the IR Regulation is that public sector wages cannot increase by more than 2.5 per cent. Any increase beyond 2.5 per cent can only be awarded if sufficient employee-related cost savings

### Chief and Senior Executive Service

have been achieved to fully offset the increased employee-related costs. 2015 Annual Determination

8. The Tribunal's 2015 annual determination for the SES dated 25 June 2015 provided for a 2.5 per cent increase for each SES officer.
9. The increase also applied to one Chief Executive position, namely the Chief Executive Officer and Co-ordinator General of Infrastructure NSW who receives remuneration in excess of the maximum of SES Level 8. The Tribunal was required to make a determination for this position as transitional arrangements under the GSE Act apply for Heads of other Public Service agencies (Schedule 4, clause 7).
10. There was no increase in the Recruitment and Retention Allowances which continue to be determined until the transitional arrangements are complete and Part 3A of the SOOR Act is repealed.

### Special Determinations

11. The Tribunal has made one special determination since the making of the 2015 annual determination. On 21 October 2015, the Tribunal determined pursuant to section 24D, that the total remuneration package payable to Mr Andrew Scipione APM in the role of the Commissioner of Police would be \$590,000 per annum effective on and from 1 July 2015.
12. The Police Commissioner is not currently subject to the provisions of the GSE Act. On that basis the remuneration was determined according to Part 3A of the SOOR Act, which applies to the SES, rather than Part 3B which applies to the new cohort of Public Service senior executives.
13. Special determinations are published on the NSW Remuneration Tribunals website.



## Section 2

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### Government Submission

14. The Secretary NSW Treasury provided the Government submission to the Tribunal on 11 July 2016. The Government submission provides an overview of the State's recent economic performance and makes a recommendation in respect of the quantum of the increase to apply to the SES. Extracts appear below.

#### Employee expenses

- *The combination of government initiatives, spanning 2011 to the present, including the NSW Public Sector Wages Policy, the Labour Expense Cap, and the revised Managing Excess Employees Policy, have driven employee expenses growth to historic lows.*
- *Average growth in employee expenses for the eight years before 2011-12 was 6.3 per cent while the eight years from 2011-12 growth is expected to be 4.2 per cent, a fall of 2.1 per cent driven by the current Government's initiatives. This has allowed the Government to maintain sustainable expense growth whilst providing funding for increases in front line staff.*
- *Employee-related expenses are estimated to increase by 3.9 per cent over the budget and forward estimates. This is primary driven by an increase in frontline employee numbers for the delivery of key services in education, health and other community services."*

#### Economic analysis and the State's budget

- *Economic growth in New South Wales is expected to continue at an above-trend pace over the next two years, despite downward revisions to the outlook for both the global and national economies since the 2015-16 Half-Yearly Review (HYR). Gross State Product (GSP) growth is forecast to pick up to 3 percent in 2016-17, unchanged from the HYR forecast. In 2017-18, GSP*

### Chief and Senior Executive Service

*growth is forecast to moderate to 2¼ per cent. The projections for 2018-19 and 2019-20 are for trend growth. The estimate of trend GSP growth has been revised down to 2½ per cent from 2¾ per cent a year.*

- *The 2016-17 Budget was delivered in accordance with the Government's economic and fiscal strategy that continues to support the maintenance of the State's triple-A credit rating, and ensures that State finances and services are sustainable over the long term.*
- *The 2016-17 Budget projects a solid fiscal outlook for New South Wales, with surpluses estimated in 2015-16 and across the forward estimates. The 2015-16 budget result is forecast to be a surplus of \$3,409 million. A surplus of \$3,713 million is expected for 2016-17, and surpluses of \$1,326 million, \$1,382 million and \$1,613 million are expected for 2017-18, 2018-19 and 2019-20, respectively.*
- *Keeping expense growth below long run average revenue growth is key to strengthening the fiscal position. The Government is committed to keeping annual expense growth below long term average revenue growth of 5.6 per cent, consistent with the requirements of the Fiscal Responsibility Act 2012.*

### **Government's submitted increase**

15. The Government submits that the Tribunal should approve an increase of 2.5 per cent from 1 July 2016, on the basis that it is consistent with the NSW Wages Policy and reflects the NSW Government's intent, pursuant to section 6AA of the SOOR Act and the IR Regulation.
16. The Government also submits that the legacy Recruitment and Retention Allowances not be increased.

Chief and Senior Executive Service

## Section 3

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### 2016 Annual Determination

#### Recruitment Allowance and Retention Allowance

17. There will be no increase in the minimum and maximum rates of the Recruitment Allowance or the Retention Allowance in 2016. Recruitment and Retention Allowances are not available to new Public Service Senior Executives under the GSE Act (except as provided for in transitional arrangement). The Tribunal will continue to determine these allowances for existing SES.

#### Chief Executive Officer and Coordinator General, Infrastructure NSW

18. As transitional arrangements currently apply to the office holder appointed to the position of Chief Executive Officer and Co-ordinator General of Infrastructure NSW the Tribunal will make an annual determination for this position. The Tribunal has determined that the remuneration will increase by 2.5 per cent.

#### Police Commissioner

19. The Remuneration for the Police Commissioner continues to be determined pursuant to Part 3A of the SOOR Act and the Tribunal has determined that the remuneration will increase by 2.5 per cent.
20. Transitional arrangements will apply on commencement of Schedule 3 of the *Government Sector Employment Legislation Amendment Act 2016* (the GSELA Act) on 1 January 2017 which will amend the *Police Act 1990* (the Police Act).
21. In respect to the Commissioner of Police the remuneration determined by the Tribunal on 21 October 2015 continues to be payable to the person holding that office while ever the office holder is subject to the transitional arrangements:

**89 Existing Police Commissioner**

(2) *A person who continues in office as Commissioner under this clause:.....*

Chief and Senior Executive Service

- (c) *has a remuneration package that is equivalent to the remuneration package of the person immediately before the commencement of this clause (unless the remuneration package is increased in accordance with the former senior executive provisions or as a result of progression within the applicable remuneration range)...*

**Government Sector Employment Legislation Amendment Act 2016**

22. On 2 March 2016 the GSELA Act was assented to. Most of Schedules 1 and 5 commenced on 1 July 2016.
23. Schedules 2 - 4 of the GSELA Act will amend the *Health Services Act 1997* (the HS Act), the Police Act and the *Transport Administration Act 1988* (the Transport Act) to align employment arrangements for the senior executives in the NSW Health Service, Transport Service and the NSW Police Force with the new employment arrangements for Public Service senior executives under the GSE Act. Those amendments will commence on 1 January 2017 unless a later commencement date is proclaimed before then.
24. To a varying degree, current executives in the NSW Health Service and NSW Police Force receive remuneration aligned with the SES determination.

**NSW Health Service**

25. The Tribunal's 2015 annual determination provides for remuneration packages for specialist medical skills (Determination No. 5) and general medical skills (Determination No.6). The Tribunal has been informed that these rates have been used within the Ministry of Health and NSW Health Service for roles that require the incumbent to possess such qualifications to undertake the inherent duties of a role or to attract candidates from a number of professional or clinical backgrounds.
26. Employees of the Health Executive Service (pursuant to section 121J of the HS Act) also receive remuneration aligned with the SES Levels.

Chief and Senior Executive Service

27. The HS Act (as amended) will provide the following transitional arrangements for “existing Health Service senior executives”:

***Application of new senior executive provisions to existing Health Service senior executives***

- (1) *On the commencement of the new senior executive provisions, the following provisions apply in relation to an existing Health Service senior executive...*
- (f) *the executive has a remuneration package that is equivalent to the executive’s remuneration package under the former senior executive provisions (unless the remuneration package is increased as a result of arrangements in force under those provisions) even if it exceeds the band in which the person is employed,*
  - (g) *the executive continues to be entitled to any recruitment or other allowance payable to the executive under the former senior executive provisions immediately before the commencement of the new senior executive provisions.*
- (2) *Subclause (1) (f) and (g) apply in relation to a NSW Health Service senior executive until such time as the executive:*
- (a) *is assigned to a role in the NSW Health Service that has a remuneration package exceeding the remuneration package paid to the executive immediately before the assignment to the new role, or*
  - (b) *ceases to be employed in the NSW Health Service.*

**NSW Police Force**

28. Employees of the NSW Police Force Senior Executive Service (pursuant to section 32 of the Police Act) receive remuneration as determined by the Tribunal. The Police Act (as amended) will provide for the following transitional arrangements for “transitional Police Service senior executives:

Chief and Senior Executive Service

**93 Transitional provisions relating to remuneration of senior executives**

*(1) For the purposes of clauses 91 and 92, the remuneration package of a person under the former senior executive provisions includes any of the following determined by the Statutory and Other Offices Remuneration Tribunal and payable to the person under those provisions:*

- (a) a remuneration package that is payable to the person as the holder of the relevant position under the former senior executive provisions that exceeds the remuneration package otherwise determined for the senior executive level of the person,*
- (b) an additional amount payable as a recruitment allowance.*

*(2) If a person referred to in subclause (1) to whom a recruitment allowance is payable is subsequently employed in accordance with the new senior executive provisions as a NSW Police Force senior executive, the person continues to be entitled to so much of that former recruitment allowance as will ensure that the remuneration payable after that subsequent employment is not less than the remuneration payable before that subsequent employment. Any general increase in remuneration packages to account for an annual determination of the Statutory and Other Offices Remuneration Tribunal is to be excluded and does not operate to reduce the amount of recruitment allowance payable.....*

*(5) A retention allowance payable under the former senior executive provisions to a person to whom clause 91 or 92 applies is payable for completed years of service (or pro rata for completed parts of years of service) on the date the person ceases to be a person to whom that clause applies (otherwise than by resignation).*

29. The Tribunal noted in the 2015 annual determination that it expected that the final determination in respect to the SES under part 3A of the SOOR Act would be the 2016 annual determination. The Tribunal proposes to consider the impact of these transitional arrangements on the timing of the final determination during the 2017 annual review.

Chief and Senior Executive Service

**General Increase**

30. The Tribunal after considering the views of the Assessors and having regard to the provisions of section 6AA of the SOOR Act, determines an increase of 2.5 per cent for all SES officers, effective on and from 1 July 2016. The new rates are as set out in Determinations Nos. 1, 2, 3, 6 and 7. The existing rates for the Recruitment and Retention Allowances continue to apply as set out in Determinations Nos. 4 and 5.

**The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

## Chief and Senior Executive Service

## Section 4

### Determination No. 1- Remuneration Package Ranges for the SES

The Tribunal determines that the remuneration package ranges for executive office holders effective on and from 1 July 2016 shall be:

CES/SES	Per annum range		
		to	
Remuneration Level 8	\$452,251	to	\$522,500
Remuneration Level 7	\$360,601	to	\$452,250
Remuneration Level 6	\$320,901	to	\$360,600
Remuneration Level 5	\$278,151	to	\$320,900
Remuneration Level 4	\$255,051	to	\$278,150
Remuneration Level 3	\$224,601	to	\$255,050
Remuneration Level 2	\$209,401	to	\$224,600
Remuneration Level 1	\$178,850	to	\$209,400

### Determination No. 2 – Chief Executive Officer and Co-ordinator General, Infrastructure NSW

The Tribunal determines that the remuneration package for the Chief Executive Officer and Co-ordinator General, Infrastructure NSW shall be \$576,345 per annum effective on and from 1 July 2016.

### Determination No. 3 – Commissioner of Police

The Tribunal determines that the remuneration package for the Commissioner of Police, NSW Police Force shall be \$604,750 per annum effective on and from 1 July 2016.

### Determination No. 4 – Recruitment Allowance

The recruitment allowance applies only to existing SES officers currently in receipt of the allowance.

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



## Chief and Senior Executive Service

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

**Determination No. 5 – Retention Allowance**

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

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

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

**Determination No. 6 – Remuneration Packages for Specialist Medical Skills**

The Tribunal determines that the remuneration package ranges for offices identified as requiring specialist medical skills effective on and from 1 July 2016 shall be:

Specialist Medical Skills	Per annum range		
Remuneration Level 6	\$330,500	to	\$404,800
Remuneration Level 5	\$329,150	to	\$390,050
Remuneration Level 4	\$323,450	to	\$375,450
Remuneration Level 3	\$308,650	to	\$358,150
Remuneration Level 2	\$289,650	to	\$336,100
Remuneration Level 1	\$267,150	to	\$306,750

Chief and Senior Executive Service

**Determination No. 7 – Remuneration Packages for General Medical Skills**

The Tribunal further determines that the remuneration package ranges for offices identified as requiring general medical skills effective on and from 1 July 2016 shall be:

<b>General Medical Skills</b>	<b>Per annum range</b>		
Remuneration Level 2	\$232,550	to	\$269,850
Remuneration Level 1	\$213,750	to	\$245,350

**The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

Judges and  
Magistrates  
Group

Annual  
Determination

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*Report and determination under  
section 13 of the Statutory and  
Other Offices Remuneration  
Tribunal Act 1975*

**15 July  
2016**

Judges and Magistrates Group

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## Judges and Magistrates Group

# Section 1

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### Background

1. Section 13 of the *Statutory and Other Offices Remuneration Act* (the SOOR Act) requires the Tribunal, each year, to make a determination on the remuneration to be paid to office holders on and from 1 July in that year. "Remuneration" is defined in section 10A as salary or allowances payable in money.

### Government Wages Policy

2. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations, rather than those policies that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (the IR Act).
3. Section 6AB of the SOOR Act applies to the Tribunal's determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).
4. In accordance with SOOR Regulation any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, can only be paid if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.

## Judges and Magistrates Group

# Section 2

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### 2015 Determination

5. On 25 June 2015 the Tribunal determined that officers in the Judges and Magistrates Group would receive an increase in salary and conveyance allowance of 2.5 per cent.
6. The Tribunal also addressed the continued relevance of the “nexus” in determining judicial salaries noting:
  38. *The NSW Wages Policy as articulated in the SOOR Regulation will expire on 1 September 2018. The Tribunal is drawn to the conclusion that while ever the SOOR Regulation continues to apply in its current format the Agreement between Federal and State Governments, reached in 1989, on the relativities between the remuneration of State Supreme Court Judges and Federal Court Judges with the remuneration of a Justice of the High Court is not a relevant determinant for the Tribunal to consider.*
  39. *The Tribunal notes that as a consequence of the application of the SOOR Regulation to judicial officers in 2013, Supreme Court Judges in NSW now receive a higher level of remuneration than Federal Court Judges and equivalent judges in Victoria and Queensland. This is likely to continue whenever the CRT determines no annual increase for office holders within their jurisdiction. Should the Government consider that judicial salaries should retain a fixed relativity with Federal Judges, or judges in any other jurisdiction, it may wish to consider providing for this in legislation, as is the case with judges in Victoria and Queensland.*
7. The Tribunal also noted that long standing salary relativities have eroded both within the Judges and Magistrates Group and between the Judges and Magistrates Groups and office holders in the Court and Related Officers Group. This was a consequence of a decision in 2012 which limited some, but not all, judicial officer increases to 2.5 per cent, the application of the SOOR Regulation to all office holders in 2013, and the increases in the Superannuation Guarantee Contribution.
8. The Tribunal noted that restoring the original salary relativities would require adjustments of more than 2.5 per cent. The Tribunal is presently unable to make

### Judges and Magistrates Group

such a determination, unless office holders can offset any additional increase with officer-related cost savings.

9. The introduction of the SOOR Regulation has had a similar impact on the Tribunal's ability to determine increases across both the Court and Related Officers Group and the Public Office Holders Group. The Tribunal made the following comments in respect of the impact of the SOOR Regulation in the 2015 Judges and Magistrates Group determination:

51. *The Tribunal has reviewed the intent of the SOOR Regulation and reviewed comments made by the former Tribunal in previous determinations. Having regard to the information before it, the Tribunal is drawn to the view that increases of more than 2.5 per cent may not be achievable as the SOOR Regulation, as presently constructed, would appear to make the identification and assessment of officer-related cost savings prohibitively complex and difficult.*
52. *The Tribunal notes that the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 and SOOR Regulation were introduced to require the Tribunal to give effect to the Government's wages policy and to require the same policies on increases in remuneration as apply to public service workers to also apply to those officers whose remuneration is determined by the Tribunal. However, as a consequence of a number of factors, increases have not been applied uniformly to all office holder groups and a possible unintended consequence has been the erosion of long standing salary relativities.*
53. *The Tribunal notes that the SOOR Regulation will expire on 1 September 2018. The Tribunal intends to write to the Premier to seek his views on the restoration of internal relativities and whether or not there is any intention to repeal, or amend, the SOOR Regulation before 2018 which may enable office holders to seek increases of more than 2.5 per cent and/or for the Tribunal to determine increases of more than 2.5 for the purpose of restoring long standing salary relativities.*

10. The Tribunal also undertook a review of the conveyance allowance and determined that the allowance would also increase by 2.5 per cent on and from 1 July 2015. The Tribunal indicated that during the 2016 review it would review the methodology for determining the quantum of increase to the conveyance allowance and consider if the general increase should apply irrespective of the adjustments in motor vehicle costs.

## Judges and Magistrates Group

# Section 3

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### 2016 Annual Review

11. As foreshadowed in the 2015 determination, on 4 February 2016 the Tribunal wrote to the Premier, the Hon Mike Baird MP, to seek his views, if any, on how the Tribunal can restore the internal relativities before the repeal of the SOOR Regulation. In addition, whether there is any proposal to amend the SOOR Regulation to enable the Tribunal to consider an increase based on work value, where warranted, which may exceed 2.5 per cent (without the need to identify officer-related cost savings).
12. In the Premier's response of 27 April 2016 the Premier advised that the Government does not intend to repeal or amend the SOOR Regulation before its staged repeal in 2018. Also, that the Government does not support increasing certain wages in order to match historical salary relativities.
13. Having considered the Premier's response the Tribunal finds no reason to alter the view already expressed that increases of more than 2.5 per cent may not be achievable.
14. On 3 May 2016 the Tribunal wrote to office holders advising of the commencement of the 2016 annual review. Having regard to the advice received from the Premier, the Tribunal advised office holders that for 2016 it is practical to only consider a general increase of up to 2.5 per cent. Office holders were invited to make submissions on the quantum of the general increase. If office holders or groups of office holders felt they had a strong enough case to seek an increase based on work value assessment of more than 2.5 per cent it would be a matter for such office holders or groups of office holders to identify and propose to the Tribunal the officer-related cost savings which it or they intend to achieve.

### Office Holder Submissions

15. For the 2016 review the Tribunal received six submissions from office holders in the



### **Judges and Magistrates Group**

Judges and Magistrates Group. The Tribunal did not hold meetings with office holders as part of the 2016 review.

16. The submission from the Supreme Court requested that the salary of Judges be increased by 2.5 per cent noting that relevant key economic indicators support a 2.5 per cent increase, as does the productivity of the judges of the Court, which remains high.
17. The submission from the Chief Judge of the District Court requested that the salary of Judges and the conveyance allowance be increased by at least 2.5 per cent. The Chief Judge referred to the increase in the Court's criminal caseload since 2011. Noting that the Judges of the District Court continued to work extremely hard in 2015 to deal with the increased caseload and to achieve such significant increases in finalisations. Noting that the substantial increase in the Court's criminal work justifies a "full" increase of 2.5 per cent to the salaries of the Judges of the District Court.
18. The submission from the Chief Magistrate of the Local Court noted that the Tribunal's independence remains constrained by the continued application of the SOOR Regulation. The Chief Magistrate's submission highlights the workload of magistrates and productivity improvements achieved by the Court. Requesting that the 2.5 per cent increase be applied to the remuneration of magistrates.
19. The submission from the President of the Industrial Relations Commission (IRC) requested that the Tribunal increase the salaries and allowances of judicial and non-judicial members of the IRC by 2.5 per cent. The President also requested that the historical nexus which existed between judicial and non-judicial members of the IRC should be restored.
20. The submission from the Chief Judge of the Land and Environment Court requested that the Tribunal award an increase of 2.5 per cent to both the salaries and allowances, including the conveyance allowance. While the Chief Judge has not sought an increase above 2.5 per cent based on a work value assessment or the achievement of officer-related cost savings, the submission notes that the productivity of judges has been maintained.

### Judges and Magistrates Group

21. The submission from the President of the Workers Compensation Commission (WCC) requested that the Tribunal continue to link the President's remuneration to that of a Supreme Court Judge. The President also informed the Tribunal that there is no longer a need for the Tribunal to make a separate determination for the position of President.
22. Prior to the passage of the *Statutory and Other Offices Remuneration Amendment (Judicial and Other Office Holders) Act 2013* and the introduction of section 6AB to the SOOR Act, judicial officers as defined by the *Judicial Officers Act 1986* (the Judicial Officers Act) were exempt from the application of Government policy on remuneration. By reason of an acknowledged anomaly, the definition of "Judicial Officer" did not include the President of the WCC. Therefore it was necessary for the Tribunal to make separate determination with respect to that office.
23. The need for separate determinations has now been overcome with the introduction of section 6AB. Section 10A of Part 3 defines an "office holder" to mean the holder of an office specified in schedule 1, 2 or 3 or the SOOR Act. The President of the WCC is listed under Part 1 of Schedule 2 to be a public office. It follows, so far as the application of the Government policy is concerned, there is no longer any distinction between "Judicial Officer" and the President of the WCC.

### Government Submission

24. The Secretary NSW Treasury provided the Government submission to the Tribunal on 11 July 2016. The Government submits that the Tribunal should determine an increase of 2.5 per cent for office holders in the Judges and Magistrates Group. This recommendation is consistent with the NSW Wages Policy and reflects the NSW Government's intent, pursuant to section 6AB of the SOOR Act and the SOOR Regulation, to the extent allowable under section 16(6) of the SOOR Act.
25. In respect to the nexus the Government submission provides the following comment:

*"NSW Treasury did not seek comments from the Department of Justice in relation to the nexus between Federal and State judicial salaries in respect of the Government's submission for the 2016 SOORT Determination."*

## Judges and Magistrates Group

# Section 4

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### 2016 Determination

#### General Increase

26. The Tribunal has not been asked to consider an increase, either a general increase or an increase based on work value assessment, in excess of 2.5 per cent, and therefore a detailed assessment of whether or not officer-related costs savings have been achieved has not been required for this group of office holders.
27. It is open to the Tribunal to determine an increase of up to 2.5 per cent without the need for office holders to offset any additional increase with officer-related cost savings.
28. The Tribunal finds that an increase of 2.5 per cent is justified having regard to the significant role judicial office holders undertake in the State's justice system, including but not limited to, their achievements in delivering reforms and initiatives which have demonstrated productivity improvements.
29. A number of productivity improvements were articulated in the submissions to the Tribunal and have been highlighted in the Australian Productivity Commission's Report on Government Services 2016. Noting that the Local Court, the Supreme Court and the Coroner's Court all achieved clearance rates of over 100 per cent. The Tribunal also notes the Government's investment in court infrastructure and services to ensure NSW remains a national leader in justice services, including the appointment of additional judges to the District Court to address criminal trial backlog.
30. As the Government does not intend to repeal or amend the SOOR Regulation before 2018 it is likely that, until then, the Tribunal will continue to consider general increases of up to 2.5 per cent only. It will of course be open to office holders or groups of office holders to seek an increase based on work value assessment of more than 2.5 per cent if they are able to identify and propose to the Tribunal the

### **Judges and Magistrates Group**

officer-related cost savings which it or they intend to achieve.

31. The Tribunal is also presently unable to restore the internal salary relativities that have eroded both within the Judges and Magistrates Group and between the Judges and Magistrates Groups and office holders in the Court and Related Officers Group. While the Government does not support increasing certain wages in order to match historical salary relativities the Tribunal will revisit this matter following the repeal of the SOOR Regulation.
32. In respect of the “nexus” the Tribunal continues to support the view articulated in the 2015 report which is outlined as follows:
- ...The Tribunal is drawn to the conclusion that while ever the SOOR Regulation continues to apply in its current format the Agreement between Federal and State Governments, reached in 1989, on the relativities between the remuneration of State Supreme Court Judges and Federal Court Judges with the remuneration of a Justice of the High Court is not a relevant determinant for the Tribunal to consider.*
33. The Tribunal notes that Supreme Court Judges in NSW continue to receive a higher level of remuneration than Federal Court Judges and equivalent judges in Victoria and Queensland. That difference will increase further in favor of NSW Judges following the implementation of this determination.

### **Workers Compensation Commission President**

34. With the exception of the President of the WCC, the offices listed in the Judges and Magistrates determination are defined as “judicial officers” in accordance with the Judicial Officers Act. The President has been included in this group as the *Workplace Injury Management and Workers Compensation Act 1998* stipulates that to be eligible for appointment as President the person must be a Judge of a Court of Record, i.e. a judicial officer.
35. For the reasons outlined in the President’s submission the Tribunal agrees that the inclusion of the President of the WCC in the definitions of the Judicial Officers Act is no longer required for the role to be considered with the Judges and Magistrates Group for the purposes of making the annual determination pursuant to section 13 of the SOOR Act. The SOOR Regulation amended section 6AB of the SOOR Act to

### **Judges and Magistrates Group**

remove the references to “judicial officers’ and to apply the section to all office holders listed in Schedules to the SOOR Act.

36. The Tribunal will continue to make a determination for this office in this determination.

### **Conveyance Allowance**

37. As foreshadowed in the 2015 annual determination the Tribunal has reviewed the methodology for determining the quantum of increase to the conveyance allowance.
38. The allowance is calculated on the basis of the cost of leasing a motor vehicle. The allowance is differentiated between officer groups to reflect the percentage difference in salary between Judges of the Supreme Court and District Court and Magistrates.
39. The allowance has been increased on only four occasions since it was introduced in 2003. The level of increase, if any, was determined having regard to adjustments in actual lease costs of motor vehicles (having regard to the sample vehicles considered by Tribunal). As these costs vary from year to year, increases were only applied if the data indicated an upward trend in costs. Adjustments in 2011 and 2015 were capped at 2.5 per cent in keeping with the Government’s wages policy.
40. The Tribunal has reviewed the methodology for considering adjustments, having regard to arrangements in other jurisdictions and alternative data sources.
41. The Tribunal found that the current methodology provides a consistent basis for determining lease costs. However, the means of calculating lease costs is cumbersome and reliant on data from a third party.
42. As an alternative the Tribunal has reviewed the impact of providing adjustments based on the annual general increase and adjustments based on movements in prices as published by the Australian Bureau of Statistics (ABS).
43. The Tribunal found that an annual adjustment equivalent to the general increase (currently 2.5 per cent) would increase the conveyance allowance over time to an

### Judges and Magistrates Group

amount which exceeds the reasonable cost of leasing a motor vehicle.

44. The Tribunal has examined a number of indexes available under the Consumer Price Index (CPI) and found that the index CPI: Motor Vehicles – Sydney (Series ID A2328552A) which reflects, among other things, the change in purchase and long term hire/lease costs of new cars, to be the most appropriate indicator.
45. The Tribunal found that adjustments over time based on this component of the CPI would have provided for adjustments comparable with the current methodology. While it is open to the Tribunal to determine increases to this allowance of up to 2.5 per cent the Tribunal finds that the original intent of the conveyance allowance should be maintained and that the allowance should continue to reflect the reasonable cost of leasing a motor vehicle. For that reason, the Tribunal will provide increases to the conveyance allowance based on the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter - having regard to the percentage change from the corresponding quarter of the previous year. In considering any adjustment the following conditions will apply:
  - i. Should the March quarter data indicate a decrease in motor vehicle costs the conveyance allowance will remain unchanged (to comply with the requirements of section 21 of the SOOR Act).
  - ii. The annual adjustment will not exceed 2.5 per cent (to comply with section 6AB of the SOOR Act).
46. For the 2016 determination, having regard to the annual percentage change from the March quarter (CPI: Motor Vehicles – Sydney (Series ID A2328552A)), the conveyance allowance has been increased by 2.1 per cent.

### Conclusion

47. The Tribunal is obligated to undertake its duties consistent with the legislation. On that basis the Tribunal, after considering the views of Assessors, considers that an increase of 2.5 per cent in remuneration and 2.1 per cent in the conveyance allowance is appropriate and so determines.
48. Pursuant to section 13 of the SOOR Act the Tribunal determines that the

## Judges and Magistrates Group

remuneration to be paid to office holders in the Judges and Magistrates Group, on and from 1 July 2016 shall be as specified in Determination Nos. 1-5.

### The Statutory and Other Offices Remuneration Tribunal

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

## Section 5

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### Report on travel allowances for NSW Judges and Magistrates

#### Background

1. 'Remuneration' is defined in the SOOR Act, as salary and allowances payable to office holders. Judges and magistrates are holders of offices specified in Schedule 1 of the SOOR Act.
2. 'Allowance' is defined as follows:

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

*a Judge or Acting Judge of a court, or*

*any other judicial officer (within the meaning of the Judicial Officers Act 1986) nominated by the Minister by notice in writing to the Tribunal for the purposes of this definition."*

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

#### 2016 Review

4. Historically the Tribunal has had regard to movements in the travel rates as adopted for the NSW Public Sector generally. These rates are based on the reasonable travel

### **Judges and Magistrates Group**

allowances as determined by the Australian Taxation Office (ATO). The ATO has made a new determination for 2016 (TD2016/13) and these rates will be adopted for the NSW Public Sector. On that basis the Tribunal has determined the rates that are based on ATO TD2016/13.

#### **Principles Adopted**

5. In making its determinations on travel allowance rates the Tribunal has adopted a number of guiding principles as set out hereunder.
  - (a) Travelling allowances are intended to meet the costs necessarily incurred by Judges and Magistrates who are required to travel away from home/place of work on official business. Such costs include accommodation, meals and incidental expenses.
  - (b) Allowances are provided to ensure that an officer is not financially disadvantaged as a result of having to travel on official business.
  - (c) Office holders are not expected to gain or lose financially as a result of travelling on official business.
6. Where an office holder is accommodated in private, non-commercial accommodation such as the home of a family member or friend, a rate of one third of the specified rate is payable, rounded upwards to the nearest dollar.

#### **Conclusion**

7. In making its determination the Tribunal has had regard to the current travel allowance rates contained in Taxation Ruling TD2016/13. Non metropolitan accommodation rates and meal rates are also as set out in the Determination.
8. The Tribunal makes Determination No 6 effective on and from 1 July 2016.

#### **The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016



## Judges and Magistrates Group

## Section 6

## Determinations

## Determination No. 1-Remuneration of Judges effective on and from 1 July 2016

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Chief Justice of the Supreme Court	\$494,530	\$23,600
President of the Court of Appeal	\$463,060	\$23,600
President of the Industrial Relations Commission	\$463,060	\$23,600
Chief Judge of the Land and Environment Court	\$463,060	\$23,600
Judge of the Supreme Court	\$441,940	\$23,600
Vice-President of the Industrial Relations Commission	\$441,940	\$23,600
Judge of the Land and Environment Court	\$441,940	\$23,600
Deputy President of the Industrial Relations Commission (being a judicial member)	\$441,940	\$23,600
President, Workers Compensation Commission	\$441,940	\$23,600
Judge of the District Court	\$395,810	\$21,240
Associate Judge or acting Associate Judge (under the Supreme Court Act 1970)	\$395,810	\$21,240

NOTE 1 The Conveyance Allowance determined here shall not count towards pension or for superannuation purposes.

## Judges and Magistrates Group

### Determination No. 2- Remuneration of other Judicial Officers not referred to in determination No.1 effective on and from 1 July 2016

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Deputy President of the Industrial Relations Commission (not being a judicial member)	\$438,040	\$23,600
Chief Magistrate	\$394,230	\$21,240
Deputy Chief Magistrate	\$333,120	\$16,990
State Coroner	\$331,120	\$16,990
Chief Industrial Magistrate	\$320,900	\$16,990
Magistrate	\$315,380	\$16,990
Children's Magistrate	\$315,380	\$16,990
Deputy State Coroner	\$315,380	\$16,990
Commissioner Industrial Relations Commission	\$289,100	\$16,990

NOTE 1 The Conveyance Allowance determined here shall not count towards pension or for superannuation purposes.

## Judges and Magistrates Group

### Determination No. 4-Acting Judges rates

#### Supreme Court

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

Acting Judge of the Supreme Court                      \$1,910 per day

#### District Court

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

Acting Judge of the District Court                      \$1,710 per day

### Determination No. 5-Annual leave loading

#### Determination of leave loading for Judicial Officers effective on and from 1 July 2016

#### Leave Loading

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales, to each of the following office holders:

- Magistrates
- Deputy President of the Industrial Relations Commission (not being a judicial member)
- Commissioners, Industrial Relations Commission

## Judges and Magistrates Group

### Determination No. 6-Travel allowances for Judges and Magistrates

Pursuant to section 13 of the SOOR Act the Tribunal determines that the travel allowances for Judges and Magistrates will be as follows effective on and from 1 July 2016.

#### A. Travel necessitating an overnight stay

Travel Allowances	
<b>Capital City Rates</b>	
Adelaide	\$385.55
Brisbane	\$433.55
Canberra	\$422.55
Darwin	\$463.55
Hobart	\$371.55
Melbourne	\$441.55
Perth	\$441.55
Sydney	\$441.55
<b>Other Centre Rates</b>	
Newcastle	\$371.55
Wollongong	\$371.55
Other Centres	\$371.55

### Conditions

General conditions are to be as determined from time to time by the Attorney General.

In addition the following specific conditions will apply.

- The full daily travel allowance rate is to be paid only where the judge/magistrate stays overnight at commercial accommodation. Where the judge/magistrate stays overnight at non-commercial accommodation then one third of the daily rate is to be paid.
- Where travel is for a period in excess of 24 hours then meal expenses for the final part day are to be paid.

**Judges and Magistrates Group**

**B. Travel not involving an overnight stay**

**Meal Allowances for travel NOT involving an overnight stay**

<b>Meal</b>	<b>Amount</b>
Breakfast	\$26.45
Lunch	\$29.75
Dinner	\$50.70

**The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

**Public Service  
Senior  
Executives**

Annual  
Determination

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*Report and determination under  
section 240 of the Statutory and  
Other Offices Remuneration Act  
1975*

**15 July  
2016**

Public Service Senior Executives

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## Public Service Senior Executives

# Section 1

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## Background

### Legislative Framework

1. The *Government Sector Employment Act 2013* (the GSE Act) commenced on 24 February 2014. The GSE Act introduced a new structure and employment arrangements for senior executives. Senior executives employed under the GSE Act are referred to as Public Service Senior Executives (PSSEs).
2. Upon commencement, the GSE Act amended the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) to provide for the Tribunal to determine annual remuneration packages for the PSSEs.
3. Under section 35 of the GSE Act the Premier (as the Minister administering the GSE Act) determines the bands in which senior executives are to be employed:

**35 Minister may determine bands in which senior executives to be employed**

- (1) *The Minister may from time to time determine the bands in which Public Service senior executives are to be employed (the **senior executive bands determination**).*
  - (2) *The senior executive bands determination may deal with matters related to bands.*
  - (3) *The Minister may amend or repeal the senior executive bands determination by a further determination.*
  - (4) *Before making, amending or repealing the senior executive bands determination, the Minister is to obtain the advice of the Commissioner.*
  - (5) *The senior executive bands determination (including any amendment or repeal) is to be published on the NSW legislation website and takes effect on the date it is so published or on any later specified date.*
4. The SOOR Act provides for the Tribunal to make the initial and then annual determinations in respect of the remuneration package applicable to each band.
  5. The SOOR Act provides for the annual determinations of Part 3B remuneration packages for PSSEs in the following terms:



## Public Service Senior Executives

### **240 Annual determinations**

*The Tribunal is required to make, in each year, a determination of remuneration packages for senior executives as on and from 1 July in that year.*

### **Government Wages Policy**

6. In determining remuneration for the PSSEs the Tribunal is required pursuant to section 6AA of the SOOR Act to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission (IRC) 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.
7. The current policy on wages pursuant to section 146(1)(a) of the IR Act is specified in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (the IR Regulation) which was made on 24 June 2014. The effect of the IR Regulation is that public sector wages cannot increase by more than 2.5 per cent. Any increase beyond 2.5 per cent can only be awarded if sufficient employee-related cost savings have been achieved to fully offset the increased employee-related costs.

### **2015 Annual Determination**

8. The Tribunal's 2015 annual determination for the PSSEs dated 25 June 2015 provided for a 2.5 per cent increase for each PSSE officer.
9. The increase also applied to those determinations made pursuant to section 24P which "altered" a band remuneration package, other than those determinations where the Tribunal determined that the general increase taking effect from 1 July 2015 would not apply.

## Public Service Senior Executives

# Section 2

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### Special Determinations

10. The Tribunal has made one special determination since the making of the 2015 annual determination. On 30 March 2016, the Tribunal determined pursuant to section 24P of the SOOR Act to alter the range of remuneration packages for Band 4 PSSEs to provide Mr Michael Coutts-Trotter in the role of Secretary, Department of Family and Community Services with a remuneration package of \$528,372 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base amount.
11. Special determinations are published on the [NSW Remuneration Tribunals](#) website.

# Section 3

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### Government Submission

12. The Secretary NSW Treasury provided the Government submission to the Tribunal on 11 July 2016. The Government submission provides an overview of the State's recent economic performance and makes a recommendation in respect of the quantum of the increase to apply to the SES. Extracts appear below.

#### Employee expenses

- *The combination of government initiatives, spanning 2011 to the present, including the NSW Public Sector Wages Policy, the Labour Expense Cap, and the revised Managing Excess Employees Policy, have driven employee expenses growth to historic lows.*
- *Average growth in employee expenses for the eight years before 2011-12 was 6.3 per cent while the eight years from 2011-12 growth is expected to be 4.2 per cent, a fall of 2.1 per cent driven by the current Government's initiatives. This has allowed the Government to maintain*

### **Public Service Senior Executives**

*sustainable expense growth whilst providing funding for increases in front line staff.*

- *Employee-related expenses are estimated to increase by 3.9 per cent over the budget and forward estimates. This is primary driven by an increase in frontline employee numbers for the delivery of key services in education, health and other community services.”*

### **Economic analysis and the State’s budget**

- *Economic growth in New South Wales is expected to continue at an above-trend pace over the next two years, despite downward revisions to the outlook for both the global and national economies since the 2015-16 Half-Yearly Review (HYR). Gross State Product (GSP) growth is forecast to pick up to 3 per cent in 2016-17, unchanged from the HYR forecast. In 2017-18, GSP growth is forecast to moderate to 2¾ per cent. The projections for 2018-19 and 2019-20 are for trend growth. The estimate of trend GSP growth has been revised down to 2½ per cent from 2¾ per cent a year.*
- *The 2016-17 Budget was delivered in accordance with the Government’s economic and fiscal strategy that continues to support the maintenance of the State’s triple-A credit rating, and ensures that State finances and services are sustainable over the long term.*
- *The 2016-17 Budget projects a solid fiscal outlook for New South Wales, with surpluses estimated in 2015-16 and across the forward estimates. The 2015-16 budget result is forecast to be a surplus of \$3,409 million. A surplus of \$3,713 million is expected for 2016-17, and surpluses of \$1,326 million, \$1,382 million and \$1,613 million are expected for 2017-18, 2018-19 and 2019-20, respectively.*
- *Keeping expense growth below long run average revenue growth is key to strengthening the fiscal position. The Government is committed to keeping annual expense growth below long term average revenue*

## **Public Service Senior Executives**

*growth of 5.6 per cent, consistent with the requirements of the Fiscal Responsibility Act 2012.*

### **Government's submitted increase**

13. The Government submits that the Tribunal should approve an increase of 2.5 per cent from 1 July 2016, on the basis that it is consistent with the NSW Wages Policy and reflects the NSW Government's intent, pursuant to section 6AA of the SOOR Act and the IR Regulation.

### **Premier's directions**

14. On 1 June 2016 and 14 June 2016, the Tribunal received correspondence from the Premier, the Hon Mike Baird MP, requesting that in the making of the 2016 annual determination of remuneration packages for PSSEs, the Tribunal determine a different remuneration package for Ms Elizabeth Koff in the role of Secretary, Ministry of Health (MoH) and Mr Mark Scott in the role of Secretary, Department of Education (DoE).

## **Section 4**

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### **2016 Annual Determination**

#### **Secretary Remuneration**

15. The Tribunal notes that it is the Premier's preference that Departmental Secretaries in NSW receive a competitive remuneration package with a discretionary performance based component. This model provides flexibility for remuneration movement over time if the persons appointed to these roles exceed performance expectations, as assessed by the Premier.
16. Secretaries are employed in Band 4 to which a remuneration range applies. The Tribunal notes that a number of Secretaries are receiving remuneration above the maximum of the range for that Band, which has been facilitated by the making of

### Public Service Senior Executives

determinations which alter the Band for those senior executives specified in such determinations. If this trend is to continue it may be appropriate to review the range of remuneration available within Band 4.

17. The Premier has requested that the Secretary, MoH and Secretary, DoE receive remuneration commensurate with that provided to other Secretary roles, being a package which exceeds the maximum of PSSE Band 4.
18. In determining the appropriate remuneration for the two Secretary roles the Tribunal, at the request of the Premier, has had regard to their roles and responsibilities and the remuneration provided to similar roles in NSW and other jurisdictions.

### Secretary, Ministry of Health (MoH)

19. The Ministry of Health is the system manager for the largest healthcare system in Australia comprising statutory organisations including 17 Local Health Districts and Specialty Networks, the Ambulance Service of NSW and significant shared service businesses (collectively known as NSW Health). The Ministry also undertakes a significant role as regulator including of private hospitals, the supply and administration of drugs and other therapeutic substances, smoking and tobacco related activities and other activities carrying significant risks to public health.
20. The Secretary, MoH provides strategic leadership, direction and regulation of NSW Health with primary powers and responsibilities under the *Health Administration Act 1982* and *Health Services Act 1997* (the HS Act) to fulfil the Ministry's key functions of public health system manager, regulation and public health protection. This role provides expert and independent advice to the Premier and portfolio Ministers on strategies and policies to further the objectives of the Government for delivery of the comprehensive, balanced and coordinated health services to promote, protect, develop, maintain and improve the health and wellbeing of the people of New South Wales.

### **Public Service Senior Executives**

21. The Tribunal is of the view that the remuneration package for Ms Koff in the role of Secretary, MoH will be \$541,600 per annum. In addition to this base amount a discretionary remuneration range of up to 12 per cent will apply.
22. Consistent with the Premier's request, and in accordance with section 24R of the SOOR Act, this determination is personal to Ms Koff and is not a determination that applies to the office of Secretary, MoH or to future appointments to the role.

### **Secretary, Department of Education (DoE)**

23. The Department of Education serves the community by leading the provision of world-class education and protects young children by regulating preschool and long day care providers. The Department is one of the largest organisations and employers in Australia, and manages an annual budget that accounts for approximately one quarter of the State's total budget.
24. The Secretary, DoE provides strategic leadership to the Department and executive agencies, related to the Department, drives Departmental performance and provides expert and independent advice to the portfolio Ministers, to ensure effective delivery of the government's policy objectives in relation to education and Aboriginal affairs within NSW.
25. The Tribunal is of the view that the remuneration package for Mr Scott in the role of Secretary, DoE will be \$560,000 per annum. In addition to this base amount a discretionary remuneration range of up to 12 per cent will apply.
26. Consistent with the Premier's request, and in accordance with section 24R of the SOOR Act, this determination is personal to Mr Scott and is not a determination that applies to the office of Secretary, DoE or to future appointments to the role.

### **Amendments to the SOOR Act**

27. On 1 July 2016 the *Government Sector Employment Legislation Amendment Act 2016* (the GSELA Act) amended Part 3B of the SOOR Act to provide the Tribunal with greater flexibility to determine different remuneration arrangements for PSSEs. The

## Public Service Senior Executives

amended provisions will extend the determinations to Health, Police and Transport executives once the relevant amendments in Schedules 2 - 4 of the GSELA Act commence.

### Section 24R of the SOOR Act

28. With effect from 1 July 2016 Part 3B, section 24R of the SOOR Act has been amended to ensure the Tribunal has the flexibility to determine appropriate remuneration arrangements in different circumstances.
29. Under the current arrangements the Tribunal can only provide a different (or specific) remuneration package to a particular executive 'named' in the determination, which has limited the capacity of the Tribunal with respect to PSSEs. In some cases, it is appropriate, due to competitive market pressures, for an office or a role in a particular band or a particular person assigned to a role to have a remuneration package that is above the general remuneration range for the band. The SOOR Act has been amended to provide for these changes in the following terms:

#### **24R General provisions relating to determinations**

- (1) *In making a determination, the Tribunal:*
- (a) *is to fix, as the remuneration package, any amount that is within a specified range of amounts, and*
  - (b) *is to fix a single remuneration package for all senior executives employed in a specified band, and*
  - (c) *may provide that a different remuneration package applies in the case of particular senior executives named in the determination (but only if the Minister has requested the Tribunal to do so), and*
  - (d) *may increase, reduce or not change any remuneration package.*
- (2) *A remuneration package determined by the Tribunal may not be less than the remuneration package which the Tribunal considers appropriate for a clerk (grade 12) in the Public Service with general administrative duties.*

### **Public Service Senior Executives**

- (3) *Despite subsection (1), the Tribunal may, in making a determination, fix a remuneration package:*
- (a) *for a particular senior executive named in the determination, or*
  - (b) *for a particular role, office or position specified in the determination, or*
  - (c) *for a particular class of senior executives specified in the determination,*
- that is higher than the remuneration range otherwise determined by the Tribunal for the band in which a senior executive to whom the determination relates is or is to be employed (but only if the Minister has directed the Tribunal to do so).*
- (4) *For the purposes of the government sector senior executive employment legislation, any such higher remuneration package is taken to be within the remuneration range for the band in which the senior executive concerned is employed.*
- (5) *The Tribunal may make a determination that applies in relation to a particular role, office or position even though no person is assigned to the role, or holds the office or position, for the time being.*

### **Alignment of executive employment**

30. Amendments to the HS Act, *Police Act 1990* and *Transport Administration Act 1988* will commence on 1 January 2017 (unless a different commencement date is proclaimed before then) to align the employment arrangements for executives. Except as otherwise provided in the amended provisions, senior executives in the Public Service, NSW Health Service, Transport Service and NSW Police Force will be employed in one of the four Bands and will receive a remuneration package within the range applicable for the band.
31. Where market or other factors require, mechanisms will exist for executives to receive higher remuneration. In such cases, the Tribunal may make a determination fixing remuneration above the range for the relevant Band where directed to do so by the Premier. Alternatively, the Police Commissioner and Health and Transport



### **Public Service Senior Executives**

Secretaries will be able to determine a higher remuneration package for a senior executive or class of senior executives, provided this is in accordance with parameters agreed with the Public Service Commissioner.

### **General Increase**

32. The Tribunal, after considering the views of the Assessors and having regard to the provisions of section 6AA of the SOOR Act, determines an increase of 2.5 per cent for the remuneration package ranges for PSSEs bands, effective on and from 1 July 2016. The new rates are as set out in Determination No. 1.
33. The 2.5 per cent increase also applies to those determinations made pursuant to section 24P which “altered” a band remuneration package.

### **The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

## Public Service Senior Executives

## Section 5

## Determination No.1-Remuneration Package Ranges for the PSSEs

The Tribunal determines that the remuneration package ranges for Public Sector Senior Executive Bands effective on and from 1 July 2016 shall be:

Band	Per annum range		
Band 4 - Secretary level	\$452,251	to	\$522,500
Band 3 - Deputy Secretary level	\$320,901	to	\$452,250
Band 2 - Executive Director level	\$255,051	to	\$320,900
Band 1 - Director level	\$178,850	to	\$255,050

Band	Different remuneration packages that apply to the particular senior executives named
Band 4 - Secretary level	Mr Blair Comley, Secretary, Department of Premier and Cabinet: \$598,800 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Mr Robert Whitfield, Secretary of the NSW Treasury: \$563,750 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Mr Mark Scott, Secretary, Department of Education: \$560,000 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Mr Michael Coutts-Trotter, Secretary, Department of Family and Community Services: \$541,600 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Ms Elizabeth Koff, Secretary, Ministry of Health: \$541,600 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Mr Martin Hoffman, Secretary, Department of Finance, Services and Innovation: \$507,350 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Mr Tim Reardon, Secretary, Transport for NSW: \$507,350 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Mr Simon Smith, Secretary, Department of Industry, Skills and Regional Development: \$507,350 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
Band 3 - Deputy Secretary level	Mr Craig van der Laan, Chief Executive Officer, Barangaroo Delivery Authority: \$579,150 per annum plus a discretionary remuneration range of 12 per cent in addition to the base remuneration.

**Public Service Senior Executives**

<b>Band</b>	<b>Different remuneration packages that apply to the particular senior executives named</b>
Band 2 - Executive Director level	Ms Denise Dawson, Chief Financial Officer, Department of Family and Community Services: \$357,200 per annum.
	Mr Stephen Loquet, Chief Information Officer, Department of Education- \$351,800 per annum.

**The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

Court and  
Related  
Officers  
Group

Annual  
Determination

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*Report and determination under  
section 13 of the Statutory and  
Other Offices Remuneration Act  
1975*

**15 July  
2016**

**Court and Related Officers Group**

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## Court and Related Officers Group

# Section 1

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### Background

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) requires the Tribunal, each year, to make a determination on the remuneration to be paid to office holders on and from 1 July in that year (formerly 1 October).  
“Remuneration” is defined in section 10A as salary or allowances paid in money.
2. The Court and Related Officers Group comprises those public offices listed in the Schedules of the Act (except for the Judges and Magistrates Group and the Public Office Holders Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution, are additional to the salary amount determined.

### Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations, rather than those policies that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (the IR Act).
4. Section 6AB of the SOOR Act applies to the Tribunal’s determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).
5. In accordance with SOOR Regulation any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on

### **Court and Related Officers Group**

changes in work value, can only be paid if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.

## **Section 2**

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### **2015 Determination**

6. On 25 June 2015 the Tribunal determined that officers in the Court and Related Officers Group would receive a 2.5 per cent increase in salary and conveyance allowance.
7. The Tribunal noted that long standing salary relativities have eroded between the Judges and Magistrates Groups and office holders in the Court and Related Officers Group. This was a consequence of a decision in 2012 which limited some, but not all, judicial officer increases to 2.5 per cent, the application of the SOOR Regulation to all office holders in 2013, and the increases in the Superannuation Guarantee Contribution.
8. The Tribunal also noted that the restoration of original salary relativities would require adjustments of more than 2.5 per cent the Tribunal is presently unable to make such a determination, unless office holders can offset any additional increase with officer-related cost savings.
9. The introduction of the SOOR Regulation has had a similar impact on the Tribunal's ability to determine increases across both the Judges and Magistrates Group and the Public Office Holders Group. The Tribunal made the following comments in respect of the impact of the SOOR Regulation in the 2015 Court and Related Officers Group Determination:
  34. *The Tribunal has reviewed the intent of the SOOR Regulation and reviewed comments made by the former Tribunal in previous determinations. Having regard to the information before it, the Tribunal is drawn to the view that increases of more than 2.5 per cent may not be achievable as the SOOR Regulation, as presently constructed, would appear to make the identification and assessment of officer-related cost savings prohibitively complex and*

## Court and Related Officers Group

*difficult.*

35. *The Tribunal notes that the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 and SOOR Regulation were introduced to require the Tribunal to give effect to the Government's wages policy and to require the same policies on increases in remuneration as apply to public service workers to also apply to those officers whose remuneration is determined by the Tribunal. However, as a consequence of a number of factors, increases have not been applied uniformly to all office holder groups and a possible unintended consequence has been the erosion of long standing salary relativities.*
36. *The Tribunal notes that the SOOR Regulation will expire on 1 September 2018. The Tribunal intends to write to the Premier to seek his views on the restoration of internal relativities and whether or not there is any intention to repeal, or amend, the SOOR Regulation before 2018 which may enable office holders to seek increases of more than 2.5 per cent and/or for the Tribunal to determine increases of more than 2.5 for the purpose of restoring long standing salary relativities.*

10. The Tribunal also determined that the conveyance allowance would increase by 2.5 per cent on and from 1 July 2015. The Tribunal indicated that during the 2016 review it would review the methodology for determining the quantum of increase to the conveyance allowance and consider if the general increase should apply irrespective of the adjustments in motor vehicle costs.

## Section 3

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### 2016 Annual Review

11. As foreshadowed in the 2015 determination, on 4 February 2016 the Tribunal wrote to the Premier, the Hon Mike Baird MP, to seek his views, if any, on how the Tribunal can restore the internal relativities before then. In addition, whether there is any proposal to amend the SOOR Regulation to enable the Tribunal to consider an increase based on work value, where warranted, which may exceed 2.5% (without the need to identify officer-related cost savings).
12. In the Premier's response of 27 April 2016 the Premier advised that the Government does not intend to repeal or amend the SOOR Regulation before its staged repeal in 2018. Also, that the Government does not support increasing certain wages in order



### **Court and Related Officers Group**

to match historical salary relativities.

13. Having considered the Premier's response the Tribunal finds no reason to alter the view already expressed that increases of more than 2.5 per cent may not be achievable.
14. On 3 May 2016 the Tribunal wrote to office holders advising of the commencement of the 2016 annual review. Having regard to the advice received from the Premier, the Tribunal advised office holders that for 2016 it is practical to only consider a general increase of up to 2.5 per cent. Office holders were invited to make submissions on the quantum of the general increase. If office holders or groups of office holders felt they had a strong enough case to seek an increase based on work value assessment of more than 2.5 per cent it would be a matter for such office holders or groups of office holders to identify and propose to the Tribunal the officer-related cost savings which it or they intend to achieve.

### **Office Holder Submissions**

15. For the 2016 review the Tribunal received two submissions from office holders in the Court and Related Officers Group.
16. The Deputy Presidents of the Workers Compensation Commission requested a 2.5 per cent increase in remuneration. With the submission noting that the relativities between the remuneration of Deputy, and broadly comparable judicial office holders such as magistrates and Judges of the District Court, have not been maintained.
17. The Tribunal also received a submission from the Chief Judge of the Land and Environment Court on behalf of the Commissioners of that Court. The Chief Judge has requested that there should be a 2.5 per cent in their remuneration and conveyance allowance. The submission also notes that while the Commissioners do not propose to pursue a work value case at this time they may seek to do so in the future. Noting recent planning reforms which will increase the jurisdiction and workload of the Commissioners.

## **Court and Related Officers Group**

### **Government Submission**

18. The Secretary NSW Treasury provided the Government submission to the Tribunal on 11 July 2016. The Government submits that the Tribunal should determine an increase of 2.5 per cent for office holders in the Court and Related Officers Group. This recommendation is consistent with the NSW Wages Policy and reflects the NSW Government's intent, pursuant to section 6AB of the SOOR Act and the SOOR Regulation.

## **Section 4**

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### **2016 Determination**

#### **General Increase**

19. The Tribunal has not been asked to consider an increase, either a general increase or an increase based on work value assessment, in excess of 2.5 per cent, and therefore a detailed assessment of whether or not officer-related costs savings have been achieved has not been required for this group of office holders.
20. It is open to the Tribunal to determine an increase of up to 2.5 per cent without the need for office holders to offset any additional increase with officer-related cost savings.
21. The Tribunal finds that an increase of 2.5 per cent is justified having regard to the significant role court and related officers undertake in the State's justice system.
22. As the Government does not intend to repeal or amend the SOOR Regulation before 2018 it is likely that, until then, the Tribunal will continue to consider general increases of up to 2.5 per cent only. It will of course be open to office holders or groups of office holders to seek an increase based on work value assessment of more than 2.5 per cent if they are able to identify and propose to the Tribunal the officer-related cost savings which it or they intend to achieve.
23. The Tribunal is also presently unable to restore the internal salary relativities that have eroded between the Judges and Magistrates Groups and office holders in the

### **Court and Related Officers Group**

Court and Related Officers Group. While the Government does not support increasing certain wages in order to match historical salary relativities the Tribunal will revisit this matter following the repeal of the SOOR Regulation.

#### **Conveyance Allowance**

24. As foreshadowed in the 2015 Annual Determination the Tribunal has reviewed the methodology for determining the quantum of increase to the conveyance allowance.
25. The allowance is calculated on the basis of the cost of leasing a motor vehicle. The allowance is differentiated between officer groups to reflect the percentage difference in salary between Judges of the Supreme Court and District Court and Magistrates.
26. The allowance has been increased on only four occasions since it was introduced in 2003. The level of increase, if any, was determined having regard to adjustments in actual lease costs of motor vehicles (having regard to the sample vehicles considered by Tribunal). As these costs vary from year to year, increases were only applied if the data indicated an upward trend in costs. Adjustments in 2011 and 2015 were capped at 2.5 per cent in keeping with the Government's wages policy.
27. The Tribunal has reviewed the methodology for considering adjustments, having regard to arrangements in other jurisdictions and alternative data sources.
28. The Tribunal found that the current methodology provides a consistent basis for determining lease costs. However, the means of calculating lease costs is cumbersome and reliant on data from a third party.
29. As an alternative the Tribunal has reviewed the impact of providing adjustments based on the annual general increase and adjustments based on movements in prices as published by the Australian Bureau of Statistics (ABS).
30. The Tribunal found that an annual adjustment equivalent to the general increase (currently 2.5 per cent) would increase the conveyance allowance over time to an amount which exceeds the reasonable cost of leasing a motor vehicle.

### **Court and Related Officers Group**

31. The Tribunal has examined a number of indexes available under the Consumer Price Index (CPI) and found that the index CPI: Motor Vehicles – Sydney (Series ID A2328552A) which reflects, among other things, the change in purchase and long term hire/lease costs of new cars, to be the most appropriate indicator.
32. The Tribunal found that adjustments over time based on this component of the CPI would have provided for adjustments comparable with the current methodology. While it is open to the Tribunal to determine increases to this allowance of up to 2.5 per cent the Tribunal finds that the original intent of the conveyance allowance should be maintained and that the allowance should continue to reflect the reasonable cost of leasing a motor vehicle. For that reason, the Tribunal will provide increases to the conveyance allowance based on the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter - having regard to the percentage change from the corresponding quarter of the previous year. In considering any adjustment the following conditions will apply:
  - i. should the March quarter data indicate a decrease in motor vehicle costs the conveyance allowance will remain unchanged (to comply with the requirements of section 21 of the SOOR Act)
  - ii. the annual adjustment will not exceed 2.5 per cent (to comply with section 6AB of the SOOR Act)
33. For the 2016 determination, having regard to the annual percentage change from the March quarter (CPI: Motor Vehicles – Sydney (Series ID A2328552A)), the conveyance allowance has been increased by 2.1 per cent.

### **Conclusion**

1. The Tribunal is obligated to undertake its duties consistent with the legislation. On that basis the Tribunal, after considering the views of Assessors, considers that an increase of 2.5 per cent in remuneration and 2.1 per cent in the conveyance allowance is appropriate and so determines.
2. Pursuant to section 13 of the SOOR Act the Tribunal determines that the remuneration to be paid office holders in the Court and Related Officers Group, on

**Court and Related Officers Group**

and from 1 July 2016 shall be as specified in Determination No. 1.

**The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

## Court and Related Officers Group

# Section 5

## Determinations

### Determination No. 1- Annual Determination of Remuneration

Annual determination of the remuneration of the Court and Related Officers Group effective on and from 1 July 2016

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Director of Public Prosecutions	\$424,810	\$23,600
Solicitor-General	\$424,810	\$23,600
Chairperson, Law Reform Commission	\$423,110	\$23,600
Crown Advocate	\$380,800	\$21,240
Deputy Director of Public Prosecutions	\$380,800	\$21,240
Senior Crown Prosecutor	\$342,720	\$16,990
Senior Public Defender	\$342,720	\$16,990
Deputy Presidents, Workers Compensation Commission	\$308,440	\$16,990
Deputy Senior Crown Prosecutor	\$308,440	\$16,990
Deputy Senior Public Defender	\$308,440	\$16,990
Solicitor for Public Prosecutions	\$308,440	\$16,990
Senior Commissioner Land and Environment Court	\$296,170	\$16,990
Crown Prosecutor	\$281,790	\$16,990
Public Defender	\$281,790	\$16,990
Commissioner Land and Environment Court	\$279,240	\$16,990
Acting Deputy President Workers Compensation Commission	\$1,280 per day	-

NOTE 1 The Conveyance Allowance determined here shall not count towards pension or for superannuation purposes.

## **Court and Related Officers Group**

### **Determination No. 2- Annual Leave Loading**

#### **Leave Loading**

Annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales.

#### **The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

**Public Office  
Holders Group**

Annual  
Determination

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*Report and determination under  
section 13 of the Statutory and Other  
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**15 July  
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## Public Office Holders Group

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## Public Office Holders Group

# Section 1

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### Background

1. Section 13 of the *Statutory and Other Offices Remuneration Tribunal Act 1975* (the SOOR Act), requires the Tribunal, each year, to make a determination on the remuneration to be paid to office holders on and from 1 July in that year.  
“Remuneration” is defined in section 10A as salary or allowances paid in money.
2. The Public Office Holders Group comprises those public offices, listed in the Schedules of the Act (except for the Judges and Magistrates Group and the Court and Related Officers Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution, are additional to the salary amount determined. This Group also comprises any office holders who, pursuant to section 11A of the SOOR Act, have elected to receive, and for whom the Minister has approved access to, remuneration packaging arrangements that are provided to Secretaries of Departments under the *Government Sector Employment Act 2013*.

### Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations, rather than those policies that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (the IR Act).
4. Section 6AB of the SOOR Act applies to the Tribunal’s determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).

### Public Office Holders Group

5. In accordance with SOOR Regulation any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, can only be paid if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.

## Section 2

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### 2015 Determination

6. On 25 June 2015 the Tribunal determined that officers in the Public Office Holders Group would receive an increase in salary and total remuneration package (where applicable) of 2.5 per cent.
7. The Tribunal noted that the introduction of the SOOR Regulation has had an impact on the Tribunal's ability to determine increases across the Judges and Magistrates Group, Court and Related Officers Group and the Public Office Holders Group. The Tribunal made the following comments in respect of the impact of the SOOR Regulation in the 2015 Public Office Holders Determination:
  21. *The Tribunal has reviewed the intent of the SOOR Regulation and reviewed comments made by the former Tribunal in previous determinations. Having regard to the information before it, the Tribunal is drawn to the view that increases of more than 2.5 per cent may not be achievable as the SOOR Regulation, as presently constructed, would appear to make the identification and assessment of officer-related cost savings prohibitively complex and difficult.*
  22. *The Tribunal notes that the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 and SOOR Regulation were introduced to require the Tribunal to give effect to the Government's wages policy and to require the same policies on increases in remuneration as apply to public service workers to also apply to those officers whose remuneration is determined by the Tribunal. However, as a consequence of a number of factors, increases have not been applied uniformly to all office holder groups and a possible unintended consequence has been the erosion of long standing salary relativities.*
  23. *The Tribunal notes that the SOOR Regulation will expire on 1 September 2018. The*

### Public Office Holders Group

*Tribunal intends to write to the Premier to seek his views on the restoration of internal relativities and whether or not there is any intention to repeal, or amend, the SOOR Regulation before 2018 which may enable office holders to seek increases of more than 2.5 per cent and/or for the Tribunal to determine increases of more than 2.5 for the purpose of restoring long standing salary relativities.*

### Special Determinations

8. The Tribunal has made three special determinations, pursuant to section 14(2) of the SOOR Act, since the making of the 2015 annual determination.
9. On 27 November 2015 the Tribunal determined that the office of Part-time member of a Board of Governors of a Corporation constituted by the *Electricity Retained Interest Corporations Act 2015*, receive annual remuneration of \$150,000 for the Chair and \$85,000 for Members. The determination is to take effect from the proclamation of the *Electricity Retained Interest Corporations Act 2015*.
10. On 17 December 2015 the Tribunal determined that the office of Full-time Deputy Mental Health Commissioner shall receive a salary of \$237,980 per annum. The Tribunal had not previously made a determination for this role as it had been undertaken on a part time basis.
11. On 19 February 2016 the Tribunal made a determination in respect of the remuneration payable to the office of the President of the Mental Health Review Tribunal in circumstances where a judge of the District Court or Supreme Court of NSW (a sitting judge) holds the office and is continuing to be remunerated in their judicial office. To ensure that a sitting judge is not paid both judicial remuneration and the salary as President, the Tribunal determined that remuneration of \$1.00 per annum would apply to the President in these circumstances.

## Public Office Holders Group

12. Special determinations are published on the [NSW Remuneration Tribunals](#) website.

# Section 3

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## 2016 Annual Review

13. As foreshadowed in the 2015 determination, on 4 February 2016 the Tribunal wrote to the Premier, the Hon Mike Baird MP, to seek his views, if any, on how the Tribunal can restore the internal relativities before then. In addition, whether there is any proposal to amend the SOOR Regulation to enable the Tribunal to consider an increase based on work value, where warranted, which may exceed 2.5% (without the need to identify officer-related cost savings).
14. In the Premier's response of 27 April 2016 the Premier advised that the Government does not intend to repeal or amend the SOOR Regulation before its staged repeal in 2018. Also, that the Government does not support increasing certain wages in order to match historical salary relativities.
15. Having considered the Premier's response the Tribunal finds no reason to alter the view already expressed that increases of more than 2.5 per cent may not be achievable.
16. On 3 May 2016 the Tribunal wrote to office holders advising of the commencement of the 2016 annual review. Having regard to the advice received from the Premier, the Tribunal advised office holders that for 2016 it is practical to only consider a general increase of up to 2.5 per cent. Office holders were invited to make submissions on the quantum of the general increase. If office holders or groups of office holders felt they had a strong enough case to seek an increase based on work value assessment of more than 2.5 per cent it would be a matter for such office holders or groups of office holders to identify and propose to the Tribunal the officer-related cost savings which it or they intend to achieve.

## Public Office Holders Group

### Office Holder Submissions

17. The Tribunal received one response to its request for submissions. With the Senior Arbitrator of the Workers Compensation Commission advising that neither she nor the Arbitrators would be seeking an increase in remuneration of more than 2.5 per cent.

### Government Submission

18. The Secretary NSW Treasury provided the Government submission to the Tribunal on 11 July 2016. The Government submits that the Tribunal should determine an increase of 2.5 per cent for office holders in the Public Office Holders Group, both office holders in receipt of a salary and those who have elected to receive a remuneration package pursuant to section 11A of the SOOR Act. This recommendation is consistent with the NSW Wages Policy and reflects the NSW Government's intent, pursuant to section 6AB of the SOOR Act and the SOOR Regulation.

## Section 4

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### 2016 Determination

19. The requirements of the SOOR Act and the SOOR Regulation limit the way this Tribunal makes its determinations. It is the obligation of the Tribunal to undertake its duties consistent with the legislation. No submissions were received from office holders seeking an increase greater than 2.5 per cent. On that basis the Tribunal, after considering the views of the Assessors, considers that an increase of 2.5 per cent is appropriate and so determines.
20. The annual increase will not apply to the Part-time members of a Board of Governors of a Corporation constituted by the *Electricity Retained Interest Corporations Act 2015*. The Tribunal notes that the Act has yet to be proclaimed and that the roles have not been filled since the making of the special determination in November 2015. On that basis no additional increase in remuneration is warranted.

## Public Office Holders Group

### Section 11A office holders

21. For the 2016 determination the Tribunal will continue to identify, in Determination No.2 of the Public Office Holders report and determination, those offices which are held by individuals who have elected to receive a total remuneration package pursuant to section 11A of the SOOR Act.
22. The Tribunal will also make a salary-only determination for those particular offices and list that salary in the general determination for Public Office Holders in Determination No. 1. This is to ensure that a current determination exists for these roles should the incumbent officer revoke his/her election or if a new officer is appointed to the role.
23. Since the making of the 2015 Public Office Holders determination the office of Electoral Commissioner was vacated and on that basis is removed from Determination No.2.

### Conclusion

24. Pursuant to section 13 of the SOOR Act the Tribunal determines that the remuneration to be paid to office holders in the Public Office Holders Group on and from 1 July 2016 shall be as specified in Determination Nos. 1 and 2.

### The Statutory and Other Offices Remuneration Tribunal

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

## Public Office Holders Group

## Section 5

## Determinations

## Determination No. 1-Public Office Holder Group

**Annual determination of the remuneration of the Public Office Holder Group effective on and from 1 July 2016**

Public Office Holder	Salary per annum
Public Service Commissioner	\$502,710
Commissioner Police Integrity Commission	\$479,420
Auditor General	\$467,645
Ombudsman	\$466,440
Commissioner, NSW Crime Commission (Note 1)	\$462,825
Assistant Commissioner, NSW Crime Commission	\$438,470
Full time Member and CEO, Independent Pricing and Regulatory Tribunal	\$416,840
President, Mental Health Review Tribunal	\$378,470
President, Mental Health Review Tribunal (remuneration applicable only while a Judge of the District Court of NSW or Judge of the Supreme Court of NSW holds the office of President and continues to be remunerated for their judicial role)	\$1
Electoral Commissioner	\$364,005
Valuer General	\$336,730
Workcover Independent Review Officer	\$336,015
Deputy President Mental Health Review Tribunal	\$331,130
Information Commissioner	\$328,350
Privacy Commissioner	\$316,865
Mental Health Commissioner	\$304,655
Parliamentary Budget Officer	\$300,280
Principal Claims Assessor (Motor Accidents Compensation Act)	\$299,115
Inspector of Custodial Services	\$289,575
Small Business Commissioner	\$285,290
Deputy Chairperson, Law Reform Commission	\$282,445
Commissioner, Law Reform Commission	\$268,765



### Public Office Holders Group

Public Office Holder	Salary per annum
Clerk of the Legislative Assembly	\$263,710
Clerk of the Parliaments	\$263,710
Registrar Workers Compensation Commission	\$263,710
Executive Manager, Parliamentary Services	\$263,710
Senior Arbitrator, Workers Compensation Commission (legally qualified)	\$244,770
Deputy Mental Health Commissioner	\$243,930
Deputy Clerk, Legislative Assembly	\$226,380
Deputy Clerk, Legislative Council	\$226,380
Senior Arbitrator, Workers Compensation Commission (not legally qualified)	\$225,430
Arbitrator, Workers Compensation Commission (legally qualified)	\$216,110
Registrar, Aboriginal Land Rights Act 1983	\$209,135
Assessor ( <i>Local Court Act 2007</i> )	\$200,105
Arbitrator, Workers Compensation Commission (not legally qualified)	\$194,285
Part-time Chairperson of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$150,000
Chairperson, Board of the Aboriginal Housing Office	\$156,150
Member of the New South Wales Aboriginal Land Council (Note 2)	\$139,310
Part-time Member of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$85,000
Chairperson, Infrastructure NSW	\$80,365
President Mental Health Review Tribunal (part time daily rate)	\$1,570
Deputy President Mental Health Review Tribunal (part time daily rate)	\$1,375
Assessor <i>Local Court Act 2007</i> (daily rate)	\$830

Note 1 The Public Office Holders of these public offices have elected to be provided with employment benefits pursuant to section 11A of the Act and the remuneration packages are listed in Determination 2.

Note 2 The Chairperson shall receive an allowance of 10% (i.e. a total of \$153,240 per annum) and the Deputy Chairperson shall receive an allowance of 5% (i.e. a total of \$146,275 per annum).

#### Leave Loading

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales.

## Public Office Holders Group

### Determination No. 2-Public Office Holder Group, Section 11a

**Determination of the remuneration of Public Office Holders who have elected to be provided with employment benefits pursuant to section 11a of the SOOR Act effective on and from 1 July 2016**

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

Public Office Holder	Remuneration
Commissioner, NSW Crime Commission	\$484,590

**The Statutory and Other Offices Remuneration Tribunal**

*(Signed)*

**Richard Grellman AM**

**Dated:** 15 July 2016

# COUNCIL NOTICES

## CUMBERLAND COUNCIL

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

Cumberland Council declares with the approval of His Excellency the Governor that the lands described in Schedule 1 below, excluding the interests described in Schedule 2 below and excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the Merrylands City Square and Merrylands Car Park.

Dated at Merrylands this 13th Day of July 2016.

MALCOLM RYAN  
Interim General Manager

### Schedule 1

Lot 1 DP 658197  
Lot D DP 344249  
Lot 9B DP321378

### Schedule 2

Lot 1 DP658197

F273576 – Right of Carriageway affecting the part shown 2.9 wide in the title diagram

P93744 – Easement for underground mains affecting that part of the land above described shown as ‘proposed easement for underground mains 1 wide & 0.26 wide’ in plan with P93744

AF853469 – Lease to Theresa Mary May of Shop 18. Expires 31/3/2013. Option renewal: 3 years

AF921488 – Lease to Van Tho Truong & NGA Truong of Shop 5 Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 11/09/2015

AG274660 – Lease to CE Global Pty Limited of Shop 2, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 01/05/2014. Option of renewal: 3 years

AG870907 – Lease to Shaoxia Dai of Shop 7, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 08/01/2014. Option of renewal: 3 years

AG890548 – Lease to Arshad Hana Ealya of Shop 15, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 30/09/2013. Option of renewal: 2 years

AI307748 – Lease to G & M Lucia Pty Limited of Shop 3, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 30/09/2018. Option of renewal: – 3 years

AI347831 – Lease to Nazila Hosainy of Shop 17, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/10/2015. Option of renewal: – 2 years

AI459097 – Lease to Reda Amer Hamza Khalili of Shop 8, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 16/02/2017. Option of renewal: – 3 years

AI459098 – Lease to Ahmet Erdem of Shop 4, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/01/2019. Option of renewal: – 5 years

AI459099 – Lease to Hua Nan Trading Pty Ltd of Shop 6, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 07/01/2016. Option of renewal: – 2 years

AI816200 – Lease to Mohammad Baqir Hussaini of Shop 1, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 28/02/2017

AJ13266 – Lease to Jean Farid Haddad of Shop 10, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 03/08/2017. Option of renewal: – 3 years

AJ13267 – Lease to Wissam Soultan & Monzor Soultan of Shop 19, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/08/2017.

AJ284467 – Lease to Iwazali Sharifi of Shops 13 & 14, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 30/11/2017. Option of renewal: – 3 years

AJ408842 – Lease to Iwazali Sharifi of Shop 11, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 11/01/2018. Option of renewal: – 3 years

AJ408843 – Lease to Iwazali Sharifi of Shop 12, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/08/2017. Option of renewal: – 3 years

Lot D DP344249

F273576 – Right of Carriageway appurtenant to the land shown as Right of Way within Lot C in DP344249

P93744 – Easement for underground mains affecting the part of the land above described shown as easement for underground mains 0.74 wide in the plan with P93744

AF853469 – Lease to Theresa Mary May of Shop 18. Expires 31/03/2013. Option of renewal: 3 years

AF921488 – Lease to Van Tho Truong & NGA Truong of Shop 5, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 11/09/2015

AG274660 – Lease to CE Global Pty Limited of Shop 2, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 01/05/2014. Option of renewal: 3 years

AG673988 – Lease to Jayzan Pty Limited of Shop 20, the Kiosk, Merrylands Arcade, 205 Merrylands. Expires 30/09/2016. Option of renewal: – 5 years

AG870907 – Lease to Shaoxia Dai of Shop 7, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 08/01/2014. Option of renewal: 3 years

AG890548 – Lease to Arshad Hana Ealya of Shop 15, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 30/09/2013. Option of renewal: 2 years

AI307748 – Lease to G & M Lucia Pty Limited of Shop 3, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 30/09/2018. Option of renewal: – 3 years

AI347831 – Lease to Nazila Hosainy of Shop 17, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/10/2015. Option of renewal: – 2 years

AI459097 – Lease to Reda Amer Hamza Khalili of Shop 8, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 16/02/2017. Option of renewal: – 3 years

AI459098 – Lease to Ahmet Erdem of Shop 4, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/01/2019. Option of renewal: – 5 years

AI459099 – Lease to Hua Nan Trading Pty Ltd of Shop 6, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 07/01/2016. Option of renewal: – 2 years

AI816200 – Lease to Mohammad Baqir Hussaini of Shop 1, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 28/02/2017

AJ13266 – Lease to Jean Farid Haddad of Shop 10, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 03/08/2017. Option of renewal – 3 years

AJ13267 – Lease to Wissam Soultan & Monzor Soultan of Shop 19, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/08/2017.

AJ284467 – Lease to Iwazali Sharifi of Shops 13 & 14, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 30/11/2017. Option of renewal: – 3 years

AJ408842 – Lease to Iwazali Sharifi of Shop 11, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 11/01/2018. Option of renewal: – 3 years

AJ408843 – Lease to Iwazali Sharifi of Shop 12, Merrylands Arcade, 205 Merrylands Road, Merrylands. Expires 31/08/2017. Option of renewal: – 3 years

Lot 9B DP321378

B721723 – Covenant [8687]

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**DUNOG SHIRE COUNCIL**

ROADS ACT 1993

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

Dungog Shire Council declares with the approval of His Excellency the Governor that the land described in the schedule below, excluding only those mines or deposits of minerals in the land expressly reserved to the Crown, is acquired by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* for public road.

Dated at Dungog this 22nd day of July 2016.

CRAIG DEASEY, General Manager, Dungog Shire Council,  
PO Box 95, Dungog NSW 2420.

Council Reference: EF 09/90

**Schedule**

Lot 165 DP 1211491 [8688]

**DUNOG SHIRE COUNCIL**

ROADS ACT 1993  
Section 10

**Dedication of land as Public Road**

Notice is hereby given that Dungog Shire Council dedicates the Council owned land described in the Schedule below as public road pursuant to section 10 of the *Roads Act 1993*. The subject land is part of Woerdens Road at Clarence Town.

CRAIG DEASEY, General Manager, Dungog Shire Council,  
PO Box 95, Dungog NSW 2420. Council reference EF 09/90

**Schedule**

Lot 165 DP 1211491 [8689]

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**THE HILLS SHIRE COUNCIL**

ROADS ACT 1993  
Section 39

Notice is hereby given that The Hills Shire Council closes the temporary road being the land described in the schedule below under Section 39 of the *Roads Act 1993*.

General Manager, The Hills Shire Council, 3 Columbia Court,  
Baulkham Hills NSW

**Schedule**

All that piece or parcels of land known as Lot 4 in DP 1046599 in The Hills Shire Council, Parish of Castle Hill, County of Cumberland, and as described in Folio Identifier 4/1046599 [8690]

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**TWEED SHIRE COUNCIL**

ROADS ACT 1993  
Section 162

**Naming of Roads**

Notice is hereby given that the Tweed Shire Council, in pursuance of Section 162 of the *Roads Act 1993*, has approved the names of the roads to be dedicated in a plan of subdivision at Kingscliff (DA15/0003), in the Shire of Tweed as shown below;

Spoonbill Lane and Drift Court

Authorised by the delegated officer. General Manager,  
Tweed Shire Council, Civic Centre, Tumbulgun Road,  
Murwillumbah NSW 2484. [8691]

## COUNCIL OF THE SHIRE OF HAY

## LOCAL GOVERNMENT ACT 1993

## Sale of Land for Overdue Rates

Notice is hereby given to the persons named hereunder that the Council of the Shire of Hay has resolved in pursuance to Division 5 (section 713) of the *Local Government Act 1993*, to sell the land described hereunder or which the persons named appear to be the owners or in which may appear to have an interest and in which the amount of rates stated in each case, as at 26th June 2016.

Owner or Persons having an interest in the land  (a)	Description of Land  (b)	Amount of Rates (incl extra charges) overdue for more than 5 years  (c)	Amount of all other rates (incl extra charges) due in arrears  (d)	Total  (e)
RK ARMSTRONG (Ref 1002361)	Lot 6 DP 751184 Lot 45 DP 756813 Parish Derinum Maude NSW 2711	\$792.46	\$2540.99	\$3333.45
CW MARTIN SE JOHNSTON (Ref 1012510)	Lot 66 DP 1095231 438 Moppett Street Hay NSW 2711	\$3374.17	\$11849.04	\$15223.21
CL GARNER (Ref 1019821)	Lot 78 DP 448476 29 Bairds Lane Hay NSW 2711	\$2093.40	\$7541.66	\$9635.06
W D A V PTY LTD (Ref 1007086)	Lot 2 DP 836749 177 Maude Road Hay NSW 2711	\$5151.33	\$25029.03	\$30180.36
SL MARTIN (Ref 1004509)	Lot 5 DP 35596 447 Cadell Street Hay NSW 2711	\$3122.50	\$10733.05	\$13855.55
WK SAXON (Ref 1001682)	Lot 102 DP 722063 Hay Street Booligal NSW 2711	\$353.20	\$720.12	\$1073.32
WK SAXON (Ref 1001690)	Lot 103 DP 722063 Hay Street Booligal NSW 2711	\$434.51	\$878.64	\$1313.15
PL BOYD (Ref 1013257)	Lot 2 DP 632914 416 Murray Street Hay NSW 2711	\$3019.30	\$14420.41	\$17439.71
EJ KELTON (Ref 1013029)	Lot 57 DP 245260 466 Murray Street Hay NSW 2711	\$2641.65	\$9225.59	\$11867.24
DW ROGERS (Ref 1011409)	Lot 40 DP 976571 Lot 1 DP 998756 379 MacGregor Street Hay NSW 2711	\$3102.11	\$10464.02	\$13566.13
CI REID (Ref 1016784)	Lot 158, 161 DP 257046 Lot 163 DP 46238 26389 Sturt Highway Hay NSW 2711	\$2372.70	\$4606.44	\$6979.14

In default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) now being due and payable after publication of this notice before the time fixed for the sale, the said land will be offered for sale by public auction at the Council Chambers, 134 Lachlan Street, Hay NSW 2711 on Wednesday the 23rd November 2016 commencing at 11.00am. Auctioneer Ian Macleod Real Estate. Contact 0407 481 037. [8692]

# PRIVATE ADVERTISEMENTS

## NOTICE OF INTENDED DISTRIBUTION

Estate of Godfrey Edward Page

NSW Grant made 5 July 2016

Any person having any claim upon the estate of GODFREY EDWARD PAGE late of Nareen Gardens Hostel, Bateau Bay NSW 2261 who died on 8 April 2016, must send particulars of the claim to the legal representative for the estate at care of Cleary Solicitors, 9 Broken Bay Road, Ettalong Beach NSW 2257 DX 8809 Woy Woy within 30 days from publication of this notice. After that time and after 6 months from the date of death of the deceased the legal representative intends to distribute the property in the estate having regard only to the claims of which the legal representative had notice at the time of distribution. [8693]